



Rep. Curtis J. Tarver, II

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10300HB4722ham001

LRB103 36529 RTM 71690 a

1 AMENDMENT TO HOUSE BILL 4722

2 AMENDMENT NO. _____. Amend House Bill 4722 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 18a-302 as follows:

6 (625 ILCS 5/18a-302) (from Ch. 95 1/2, par. 18a-302)

7 Sec. 18a-302. Owner or other person in lawful possession
8 or control of private property; right property ~~Right~~ to
9 employ relocation service.

10 (a) This subsection applies to units of local government
11 other than a unit described in subsection (b).

12 It shall be unlawful for an owner or other person in lawful
13 possession or control of private property to remove or employ
14 a commercial relocater to remove an unauthorized vehicle from
15 such property unless written notice is provided to the effect
16 that such vehicles will be removed, including the name,

1 address and telephone number of the appropriate commercial
2 vehicle relocator, if any. Such notice shall consist of a
3 sign, posted in a conspicuous place in the affected area, of a
4 size at least 24 inches in height by 36 inches in width. Such
5 sign shall be at least 4 feet from the ground but less than 8
6 feet from the ground and shall be either illuminated or
7 painted with reflective paint, or both. Such sign shall state
8 the amount of towing charges to which the person parking may be
9 subject. This provision shall not be construed as prohibiting
10 any unit of local government from imposing additional or
11 greater notice requirements.

12 No express notice shall be required under this subsection
13 ~~Section~~ upon residential property which, paying due regard to
14 the circumstances and the surrounding area, is clearly
15 reserved or intended exclusively for the use or occupation of
16 residents or their vehicles.

17 (b) This subsection only applies to municipalities with a
18 population over 2,000,000.

19 It shall be unlawful for an owner or other person in lawful
20 possession or control of private property to remove or employ
21 a commercial relocator to remove an unauthorized vehicle from
22 such property unless written notice is provided to the effect
23 that such vehicles will be removed, including the name,
24 address and telephone number of the appropriate commercial
25 vehicle relocator, if any. Such notice shall consist of a
26 sign, posted in a conspicuous place in the affected area, of a

1 size at least 24 inches in height by 36 inches in width. Such
2 sign shall be at least 4 feet from the ground but less than 8
3 feet from the ground and shall be either illuminated or
4 painted with reflective paint, or both. Such sign shall state
5 the amount of towing charges to which the person parking may be
6 subject.

7 Express notice shall be required under this subsection to
8 remove a vehicle blocking an area that is clearly reserved or
9 intended as an ingress or egress point for a residential
10 property, including, but not limited to, a driveway.

11 An owner or other person in lawful possession or control
12 of private property must use a private vendor approved by the
13 municipality in which the property is located to remove an
14 unauthorized vehicle from the property.

15 A home rule unit may not regulate the removal of an
16 unauthorized vehicle by an owner or other person in lawful
17 possession or control of private property in a manner
18 inconsistent with this subsection. This subsection is a
19 limitation under subsection (i) of Section 6 of Article VII of
20 the Illinois Constitution on the concurrent exercise by home
21 rule units of powers and functions exercised by the State.

22 (Source: P.A. 81-332.)".