

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 3-104 as follows:

6 (625 ILCS 5/3-104) (from Ch. 95 1/2, par. 3-104)

7 Sec. 3-104. Application for certificate of title.

8 (a) The application for a certificate of title for a
9 vehicle in this State must be made by the owner to the
10 Secretary of State on the form prescribed and must contain:

11 1. The name, Illinois residence and mail address of
12 the owner;

13 2. A description of the vehicle including, so far
14 as the following data exists: Its make, year-model,
15 color, identifying number, type of body, whether new or
16 used, as to house trailers as defined in Section 1-128 of
17 this Code, the square footage of the house trailer based
18 upon the outside dimensions of the house trailer
19 excluding the length of the tongue and hitch, and, as to
20 vehicles of the second division, whether for-hire,
21 not-for-hire, or both for-hire and not-for-hire;

22 3. The date of purchase by applicant and, if
23 applicable, the name and address of the person from whom
24 the vehicle was acquired and the names and addresses of
25 any lienholders in the order of their priority and
26 signatures of owners;

27 4. The current odometer reading at the time of
28 transfer and that the stated odometer reading is one of
29 the following: actual mileage, not the actual mileage or
30 mileage is in excess of its mechanical limits; and

31 5. Any further information the Secretary of State

1 reasonably requires to identify the vehicle and to enable
2 him to determine whether the owner is entitled to a
3 certificate of title and the existence or nonexistence of
4 security interests in the vehicle.

5 (b) If the application refers to a vehicle purchased
6 from a dealer, it must also be signed by the dealer as well
7 as the owner, and the dealer must promptly mail or deliver
8 the application and required documents to the Secretary of
9 State.

10 (c) If the application refers to a vehicle last
11 previously registered in another State or country, the
12 application must contain or be accompanied by:

13 1. Any certified document of ownership so
14 recognized and issued by the other State or country and
15 acceptable to the Secretary of State, and

16 2. Any other information and documents the
17 Secretary of State reasonably requires to establish the
18 ownership of the vehicle and the existence or
19 nonexistence of security interests in it.

20 (d) If the application refers to a new vehicle it must
21 be accompanied by the Manufacturer's Statement of Origin, or
22 other documents as required and acceptable by the Secretary
23 of State, with such assignments as may be necessary to show
24 title in the applicant.

25 (e) If an application refers to a vehicle rebuilt from a
26 vehicle previously salvaged, that application shall comply
27 with the provisions set forth in Sections 3-302 through 3-304
28 of this Code.

29 (f) An application for a certificate of title for any
30 vehicle, whether purchased in Illinois or outside Illinois,
31 and even if previously registered in another State, must be
32 accompanied by either an exemption determination from the
33 Department of Revenue showing that no tax imposed pursuant to
34 the Use Tax Act or the vehicle use tax imposed by Section

1 3-1001 of the Illinois Vehicle Code is owed by anyone with
2 respect to that vehicle, or a receipt from the Department of
3 Revenue showing that any tax so imposed has been paid. An
4 application for a certificate of title for any vehicle
5 purchased outside Illinois, even if previously registered in
6 another state, must be accompanied by either an exemption
7 determination from the Department of Revenue showing that no
8 tax imposed pursuant to the Municipal Use Tax Act or the
9 County Use Tax Act is owed by anyone with respect to that
10 vehicle, or a receipt from the Department of Revenue showing
11 that any tax so imposed has been paid. In the absence of
12 such a receipt for payment or determination of exemption from
13 the Department, no certificate of title shall be issued to
14 the applicant.

15 If the proof of payment of the tax or of nonliability
16 therefor is, after the issuance of the certificate of title
17 and display certificate of title, found to be invalid, the
18 Secretary of State shall revoke the certificate and require
19 that the certificate of title and, when applicable, the
20 display certificate of title be returned to him.

21 (g) If the application refers to a vehicle not
22 manufactured in accordance with federal safety and emission
23 standards, the application must be accompanied by all
24 documents required by federal governmental agencies to meet
25 their standards before a vehicle is allowed to be issued
26 title and registration.

27 (h) If the application refers to a vehicle sold at
28 public sale by a sheriff, it must be accompanied by the
29 required fee and a bill of sale issued and signed by a
30 sheriff. The bill of sale must identify the new owner's name
31 and address, the year model, make and vehicle identification
32 number of the vehicle, court order document number
33 authorizing such sale, if applicable, and the name and
34 address of any lienholders in order of priority, if

1 applicable.

2 (i) If the application refers to a vehicle for which a
3 court of law determined the ownership, it must be accompanied
4 with a certified copy of such court order and the required
5 fee. The court order must indicate the new owner's name and
6 address, the complete description of the vehicle, if known,
7 the name and address of the lienholder, if any, and must be
8 signed and dated by the judge issuing such order.

9 (j) If the application refers to a vehicle sold at
10 public auction pursuant to the Labor and Storage Lien (Small
11 Amount) Act, it must be accompanied by an affidavit or
12 affirmation furnished by the Secretary of State along with
13 the documents described in the affidavit or affirmation and
14 the required fee.

15 (Source: P.A. 90-212, eff. 1-1-98; 90-422, eff. 8-15-97;
16 90-655, eff. 7-30-98.)