

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 3-1001 as follows:

6 (625 ILCS 5/3-1001) (from Ch. 95 1/2, par. 3-1001)

7 Sec. 3-1001. A tax is hereby imposed on the privilege of
8 using, in this State, any motor vehicle as defined in Section
9 1-146 of this Code acquired by gift, transfer, or purchase,
10 and having a year model designation preceding the year of
11 application for title by 5 or fewer years prior to October 1,
12 1985 and 10 or fewer years on and after October 1, 1985 and
13 prior to January 1, 1988. On and after January 1, 1988, the
14 tax shall apply to all motor vehicles without regard to model
15 year. Except that the tax shall not apply

16 (i) if the use of the motor vehicle is otherwise
17 taxed under the Use Tax Act;

18 (ii) if the motor vehicle is bought and used by a
19 governmental agency or a society, association, foundation
20 or institution organized and operated exclusively for
21 charitable, religious or educational purposes;

22 (iii) if the use of the motor vehicle is not
23 subject to the Use Tax Act by reason of subsection (a),
24 (b), (c), (d), (e) or (f) of Section 3-55 of that Act
25 dealing with the prevention of actual or likely
26 multistate taxation;

27 (iv) to implements of husbandry;

28 (v) when a junking certificate is issued pursuant
29 to Section 3-117(a) of this Code;

30 (vi) when a vehicle is subject to the replacement
31 vehicle tax imposed by Section 3-2001 of this Act;

1 (vii) when the transfer is a gift to a beneficiary
 2 in the administration of an estate and the beneficiary is
 3 a surviving spouse.

4 Prior to January 1, 1988, the rate of tax shall be 5% of
 5 the selling price for each purchase of a motor vehicle
 6 covered by Section 3-1001 of this Code. Except as
 7 hereinafter provided, beginning January 1, 1988, the rate of
 8 tax shall be as follows for transactions in which the selling
 9 price of the motor vehicle is less than \$15,000:

10	Number of Years Transpired After	Applicable Tax	
11	Model Year of Motor Vehicle		
12	1 or less	<u>\$312</u>	\$390
13	2	<u>232</u>	290
14	3	<u>172</u>	215
15	4	<u>132</u>	165
16	5	<u>92</u>	115
17	6	<u>72</u>	90
18	7	<u>64</u>	80
19	8	<u>52</u>	65
20	9	<u>40</u>	50
21	10	<u>32</u>	40
22	over 10	<u>20</u>	25

23 Except as hereinafter provided, beginning January 1, 1988,
 24 the rate of tax shall be as follows for transactions in which
 25 the selling price of the motor vehicle is \$15,000 or more:

26	Selling Price	Applicable Tax	
27	\$15,000 - \$19,999	<u>\$ 600</u>	\$--750
28	\$20,000 - \$24,999	<u>\$ 800</u>	\$1,000
29	\$25,000 - \$29,999	<u>\$1,000</u>	\$1,250
30	\$30,000 and over	<u>\$1,200</u>	\$1,500

31 For the following transactions, the tax rate shall be \$15 for
 32 each motor vehicle acquired in such transaction:

33 (i) when the transferee or purchaser is the spouse,
 34 mother, father, brother, sister or child of the

1 transferor;

2 (ii) when the transfer is a gift to a beneficiary
3 in the administration of an estate and the beneficiary is
4 not a surviving spouse;

5 (iii) when a motor vehicle which has once been
6 subjected to the Illinois retailers' occupation tax or
7 use tax is transferred in connection with the
8 organization, reorganization, dissolution or partial
9 liquidation of an incorporated or unincorporated business
10 wherein the beneficial ownership is not changed.

11 A claim that the transaction is taxable under
12 subparagraph (i) shall be supported by such proof of family
13 relationship as provided by rules of the Department.

14 For a transaction in which a motorcycle, motor driven
15 cycle or motorized pedalcycle is acquired the tax rate shall
16 be \$25.

17 On and after October 1, 1985, 1/12 of \$5,000,000 of the
18 moneys received by the Department of Revenue pursuant to this
19 Section shall be paid each month into the Build Illinois Fund
20 and the remainder into the General Revenue Fund.

21 At the end of any fiscal year in which the moneys
22 received by the Department of Revenue pursuant to this
23 Section exceeds the Annual Specified Amount, as defined in
24 Section 3 of the Retailers' Occupation Tax Act, the State
25 Comptroller shall direct the State Treasurer to transfer such
26 excess amount from the General Revenue Fund to the Build
27 Illinois Purposes Fund.

28 The tax imposed by this Section shall be abated and no
29 longer imposed when the amount deposited to secure the bonds
30 issued pursuant to the Build Illinois Bond Act is sufficient
31 to provide for the payment of the principal of, and interest
32 and premium, if any, on the bonds, as certified to the State
33 Comptroller and the Director of Revenue by the Director of
34 the Bureau of the Budget.

1 (Source: P.A. 90-89, eff. 1-1-98.)