



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4539

Introduced 02/03/04, by Cynthia Soto

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-306.6

from Ch. 95 1/2, par. 6-306.6

Amends the Illinois Vehicle Code. Provides that the clerk of the circuit court shall notify the Secretary of State if any resident of this State makes only a partial payment of any traffic, fine, penalty, and cost imposed for a violation of the Code. Deletes language providing that a partial payment is not a sufficient basis for notification of the Secretary.

LRB093 18775 DRH 44507 b

1 AN ACT concerning 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 changing
5 Section 6-306.6 as follows:

6 (625 ILCS 5/6-306.6) (from Ch. 95 1/2, par. 6-306.6)

7 Sec. 6-306.6. Failure to pay traffic fines, penalties, and
8 court costs.

9 (a) Whenever any resident of this State fails to pay any
10 traffic fine, penalty, and cost imposed for a violation of this
11 Code, or similar provision of local ordinance, the clerk may
12 notify the Secretary of State, on a report prescribed by the
13 Secretary, and the Secretary shall prohibit the renewal,
14 reissue or reinstatement of such resident's driving privileges
15 until such fine, penalty, and cost have been paid in full. The
16 clerk shall provide notice to the driver, at the driver's last
17 known address as shown on the court's records, stating that
18 such action will be effective on the 46th day following the
19 date of the above notice if payment is not received in full by
20 the court of venue.

21 (b) Following receipt of the report from the clerk, the
22 Secretary of State shall make the proper notation to the
23 driver's file to prohibit the renewal, reissue or reinstatement
24 of such driver's driving privileges. Except as provided in
25 paragraph (2) of subsection (d) of this Section, such notation
26 shall not be removed from the driver's record until the driver
27 satisfies the outstanding fine, penalty, and cost and an
28 appropriate notice on a form prescribed by the Secretary is
29 received by the Secretary from the court of venue, stating that
30 such fine, penalty, and cost has been paid in full. Upon
31 payment in full of a traffic fine, penalty, and court cost
32 which has previously been reported under this Section as

1 unpaid, the clerk of the court shall present the driver with a
2 signed receipt containing the seal of the court indicating that
3 such fine, penalty, and cost have been paid in full, and shall
4 forward forthwith to the Secretary of State a notice stating
5 that the fine, penalty, and cost have been paid in full.

6 (c) The provisions of this Section shall be limited to a
7 single action per arrest and as a post conviction measure only.
8 Fines, penalty, and costs to be collected subsequent to orders
9 of court supervision, or other available court diversions are
10 not applicable to this Section. Whenever any resident of this
11 State fails, after making a partial payment on any traffic
12 fine, penalty, and cost imposed for a violation of this Code or
13 a similar provision of a local ordinance, to pay the remainder
14 of the outstanding fine, penalty, and cost, the clerk shall
15 notify the Secretary of State as provided in subsection (a) of
16 this Section. ~~A driver making a partial payment of any~~
17 ~~outstanding fine, penalty, and cost is not a sufficient basis~~
18 ~~for the clerk to notify the Secretary for any subsequent action~~
19 ~~pursuant to this Section.~~

20 (d) (1) Notwithstanding the receipt of a report from the
21 clerk as prescribed in subsection (a), nothing in this Section
22 is intended to place any responsibility upon the Secretary of
23 State to provide independent notice to the driver of any
24 potential action to disallow the renewal, reissue or
25 reinstatement of such driver's driving privileges.

26 (2) The Secretary of State shall renew, reissue or
27 reinstate a driver's driving privileges which were previously
28 refused pursuant to this Section upon presentation of an
29 original receipt which is signed by the clerk of the court and
30 contains the seal of the court indicating that the fine,
31 penalty, and cost have been paid in full. The Secretary of
32 State shall retain such receipt for his records.

33 (Source: P.A. 89-71, eff. 1-1-96.)