

1 AN ACT concerning transportation.

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 Sections 6-306.7 and 13B-55 as follows:

6 (625 ILCS 5/6-306.7)

7 Sec. 6-306.7. Failure to satisfy fines or penalties for
8 toll violations or evasions; suspension of driving privileges.

9 (a) Upon receipt of a certified report, as prescribed by
10 subsection (c) of this Section, from the Authority stating that
11 the owner of a registered vehicle has failed to satisfy any
12 fine or penalty resulting from a final order issued by the
13 Authority relating directly or indirectly to 5 or more toll
14 violations, toll evasions, or both, the Secretary of State
15 shall suspend the driving privileges of the person in
16 accordance with the procedures set forth in this Section.

17 (b) Following receipt of the certified report of the
18 Authority as specified in the Section, the Secretary of State
19 shall notify the person whose name appears on the certified
20 report that the person's driver's license will be suspended at
21 the end of a specified period unless the Secretary of State is
22 presented with a notice from the Authority certifying that the
23 fines or penalties owing the Authority have been satisfied or
24 that inclusion of that person's name on the certified report
25 was in error. The Secretary's notice shall state in substance
26 the information contained in the Authority's certified report
27 to the Secretary, and shall be effective as specified by
28 subsection (c) of Section 6-211 of this Code, except as to
29 those drivers who also have been issued a CDL. If a person also
30 has been issued a CDL, notice of suspension of that person's
31 driver's license must be given in writing by certified mail and
32 is effective on the date listed in the notice of suspension,

1 except that the notice is not effective until 4 days after the
2 date on which the notice was deposited into the United States
3 mail. The notice becomes effective 4 days after its deposit
4 into the United States mail regardless of whether the Secretary
5 of State receives the return receipt and regardless of whether
6 the written notification is returned for any reason to the
7 Secretary of State as undeliverable.

8 (c) The report from the Authority notifying the Secretary
9 of unsatisfied fines or penalties pursuant to this Section
10 shall be certified and shall contain the following:

11 (1) The name, last known address, and driver's license
12 number of the person who failed to satisfy the fines or
13 penalties and the registration number of any vehicle known
14 to be registered in this State to that person.

15 (2) A statement that the Authority sent a notice of
16 impending suspension of the person's driver's license,
17 vehicle registration, or both, as prescribed by rules
18 enacted pursuant to subsection (a-5) of Section 10 of the
19 Toll Highway Act, to the person named in the report at the
20 address recorded with the Secretary of State; the date on
21 which the notice was sent; and the address to which the
22 notice was sent.

23 (d) The Authority, after making a certified report to the
24 Secretary pursuant to this Section, shall notify the Secretary,
25 on a form prescribed by the Secretary, whenever a person named
26 in the certified report has satisfied the previously reported
27 fines or penalties or whenever the Authority determines that
28 the original report was in error. A certified copy of the
29 notification shall also be given upon request and at no
30 additional charge to the person named therein. Upon receipt of
31 the Authority's notification or presentation of a certified
32 copy of the notification, the Secretary shall terminate the
33 suspension.

34 (e) The Authority shall, by rule, establish procedures for
35 persons to challenge the accuracy of the certified report made
36 pursuant to this Section. The rule shall also provide the

1 grounds for a challenge, which may be limited to:

2 (1) the person not having been the owner or lessee of
3 the vehicle or vehicles receiving 5 or more toll violations
4 or toll evasion notices on the date or dates the notices
5 were issued; or

6 (2) the person having already satisfied the fines or
7 penalties for the 5 or more toll violations or toll
8 evasions indicated on the certified report.

9 (f) All notices sent by the Authority to persons involved
10 in administrative adjudications, hearings, and final orders
11 issued pursuant to rules implementing subsection (a-5) of
12 Section 10 of the Toll Highway Act shall state that failure to
13 satisfy any fine or penalty imposed by the Authority shall
14 result in the Secretary of State suspending the driving
15 privileges, vehicle registration, or both, of the person
16 failing to satisfy the fines or penalties imposed by the
17 Authority.

18 (g) A person may request an administrative hearing to
19 contest an impending suspension or a suspension made pursuant
20 to this Section upon filing a written request with the
21 Secretary. The filing fee for this hearing is \$20, to be paid
22 at the time of the request. The Authority shall reimburse the
23 Secretary for all reasonable costs incurred by the Secretary as
24 a result of the filing of a certified report pursuant to this
25 Section, including, but not limited to, the costs of providing
26 notice required pursuant to subsection (b) and the costs
27 incurred by the Secretary in any hearing conducted with respect
28 to the report pursuant to this subsection and any appeal from
29 that hearing.

30 (h) The Secretary and the Authority may promulgate rules to
31 enable them to carry out their duties under this Section.

32 (i) The Authority shall cooperate with the Secretary in the
33 administration of this Section and shall provide the Secretary
34 with any information the Secretary may deem necessary for these
35 purposes, including regular and timely access to toll violation
36 enforcement records.

1 The Secretary shall cooperate with the Authority in the
2 administration of this Section and shall provide the Authority
3 with any information the Authority may deem necessary for the
4 purposes of this Section, including regular and timely access
5 to vehicle registration records. Section 2-123 of this Code
6 shall not apply to the provision of this information, but the
7 Secretary shall be reimbursed for the cost of providing this
8 information.

9 (j) For purposes of this Section, the term "Authority"
10 means the Illinois State Toll Highway Authority.

11 (Source: P.A. 91-277, eff. 1-1-00.)

12 (625 ILCS 5/13B-55)

13 Sec. 13B-55. Enforcement.

14 (a) The Agency shall cooperate in the enforcement of this
15 Chapter by (i) identifying probable violations through
16 computer matching of vehicle registration records and
17 inspection records; (ii) sending one notice to each suspected
18 violator identified through such matching, stating that
19 registration and inspection records indicate that the vehicle
20 owner has not complied with this Chapter; (iii) directing the
21 vehicle owner to notify the Agency or the Secretary of State if
22 he or she has ceased to own the vehicle or has changed
23 residence; and (iv) advising the vehicle owner of the
24 consequences of violating this Chapter.

25 The Agency shall cooperate with the Secretary of State in
26 the administration of this Chapter and the related provisions
27 of Chapter 3, and shall provide the Secretary of State with
28 such information as the Secretary of State may deem necessary
29 for these purposes, including regular and timely access to
30 vehicle inspection records. The Agency shall be reimbursed for
31 the cost of providing this information.

32 The Secretary of State shall cooperate with the Agency in
33 the administration of this Chapter and shall provide the Agency
34 with such information as the Agency may deem necessary for the
35 purposes of this Chapter, including regular and timely access

1 to vehicle registration records. Section 2-123 of this Code
2 shall not apply to the provision of this information, but the
3 Secretary of State shall be reimbursed for the cost of
4 providing the information.

5 (b) The Secretary of State shall suspend either the driving
6 privileges or the vehicle registration, or both, of any vehicle
7 owner who has not complied with this Chapter, if (i) the
8 vehicle owner failed to satisfactorily respond to the one
9 notice sent by the Agency under subsection (a), and (ii) the
10 Secretary of State has mailed the vehicle owner a notice that
11 the suspension will be imposed if the owner does not comply
12 within a stated period, and the Secretary of State has not
13 received satisfactory evidence of compliance within that
14 period. The Secretary of State shall send this notice only
15 after receiving a statement from the Agency that the vehicle
16 owner has failed to comply with this Section. Notice shall be
17 effective as specified in subsection (c) of Section 6-211 of
18 this Code, except as to those drivers who also have been issued
19 a CDL. If a person also has been issued a CDL, notice of
20 suspension of that person's driver's license must be given in
21 writing by certified mail and is effective on the date listed
22 in the notice of suspension, except that the notice is not
23 effective until 4 days after the date on which the notice was
24 deposited into the United States mail. The notice becomes
25 effective 4 days after its deposit into the United States mail
26 regardless of whether the Secretary of State receives the
27 return receipt and regardless of whether the written
28 notification is returned for any reason to the Secretary of
29 State as undeliverable.

30 A suspension under this subsection shall not be terminated
31 until satisfactory proof of compliance has been submitted to
32 the Secretary of State. No driver's license or permit, or
33 renewal of a license or permit, may be issued to a person whose
34 driving privileges have been suspended under this Section until
35 the suspension has been terminated. No vehicle registration or
36 registration plate that has been suspended under this Section

1 may be reinstated or renewed, or transferred by the owner to
2 any other vehicle, until the suspension has been terminated.

3 The filing fee for an administrative hearing to contest a
4 suspension made under this Section shall be \$20, to be paid by
5 the vehicle owner at the time written request for the hearing
6 is made to the Secretary of State.

7 The Secretary of State may promulgate rules to enable him
8 or her to carry out his or her duties under this Chapter.

9 (Source: P.A. 88-533.)

10 Section 99. Effective date. This Act takes effect July 1,
11 2006.