



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB2349

Introduced 2/16/2005, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-604

from Ch. 95 1/2, par. 7-604

Amends the Illinois Vehicle Code. Provides that, in sending requests to randomly selected vehicle owners for insurance coverage information, the Secretary of State must use registered mail.

LRB094 10120 DRH 40381 b

FISCAL NOTE ACT
MAY APPLY

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 7-604 as follows:

6 (625 ILCS 5/7-604) (from Ch. 95 1/2, par. 7-604)

7 Sec. 7-604. Verification of liability insurance policy.

8 (a) The Secretary of State may select random samples of
9 registrations of motor vehicles subject to Section 7-601 of
10 this Code, or owners thereof, for the purpose of verifying
11 whether or not the motor vehicles are insured.

12 In addition to such general random samples of motor vehicle
13 registrations, the Secretary may select for verification other
14 random samples, including, but not limited to registrations of
15 motor vehicles owned by persons:

16 (1) whose motor vehicle registrations during the
17 preceding 4 years have been suspended pursuant to Section
18 7-606 or 7-607 of this Code;

19 (2) who during the preceding 4 years have been
20 convicted of violating Section 3-707, 3-708 or 3-710 of
21 this Code while operating vehicles owned by other persons;

22 (3) whose driving privileges have been suspended
23 during the preceding 4 years;

24 (4) who during the preceding 4 years acquired ownership
25 of motor vehicles while the registrations of such vehicles
26 under the previous owners were suspended pursuant to
27 Section 7-606 or 7-607 of this Code; or

28 (5) who during the preceding 4 years have received a
29 disposition of supervision under subsection (c) of Section
30 5-6-1 of the Unified Code of Corrections for a violation of
31 Section 3-707, 3-708, or 3-710 of this Code.

32 (b) Upon receiving certification from the Department of

1 Transportation under Section 7-201.2 of this Code of the name
2 of an owner or operator of any motor vehicle involved in an
3 accident, the Secretary may verify whether or not at the time
4 of the accident such motor vehicle was covered by a liability
5 insurance policy in accordance with Section 7-601 of this Code.

6 (c) In preparation for selection of random samples and
7 their verification, the Secretary may send by registered mail
8 to owners of randomly selected motor vehicles, or to randomly
9 selected motor vehicle owners, requests for information about
10 their motor vehicles and liability insurance coverage. The
11 request shall require the owner to state whether or not the
12 motor vehicle was insured on the verification date stated in
13 the Secretary's request and the request may require, but is not
14 limited to, a statement by the owner of the names and addresses
15 of insurers, policy numbers, and expiration dates of insurance
16 coverage.

17 (d) Within 30 days after the Secretary mails a request, the
18 owner to whom it is sent shall furnish the requested
19 information to the Secretary above the owner's signed
20 affirmation that such information is true and correct. Proof of
21 insurance in effect on the verification date, as prescribed by
22 the Secretary, may be considered by the Secretary to be a
23 satisfactory response to the request for information.

24 Any owner whose response indicates that his or her vehicle
25 was not covered by a liability insurance policy in accordance
26 with Section 7-601 of this Code shall be deemed to have
27 registered or maintained registration of a motor vehicle in
28 violation of that Section. Any owner who fails to respond to
29 such a request shall be deemed to have registered or maintained
30 registration of a motor vehicle in violation of Section 7-601
31 of this Code.

32 (e) If the owner responds to the request for information by
33 asserting that his or her vehicle was covered by a liability
34 insurance policy on the verification date stated in the
35 Secretary's request, the Secretary may conduct a verification
36 of the response by furnishing necessary information to the

1 insurer named in the response. The insurer shall within 45 days
2 inform the Secretary whether or not on the verification date
3 stated the motor vehicle was insured by the insurer in
4 accordance with Section 7-601 of this Code. The Secretary may
5 by rule and regulation prescribe the procedures for
6 verification.

7 (f) No random sample selected under this Section shall be
8 categorized on the basis of race, color, religion, sex,
9 national origin, ancestry, age, marital status, physical or
10 mental disability, economic status or geography.

11 (Source: P.A. 92-458, eff. 8-22-01.)