



Rep. David Reis

Filed: 3/16/2005

09400HB3141ham001

LRB094 08478 DRH 43830 a

1 AMENDMENT TO HOUSE BILL 3141

2 AMENDMENT NO. _____. Amend House Bill 3141 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 3-302 as follows:

6 (625 ILCS 5/3-302) (from Ch. 95 1/2, par. 3-302)

7 Sec. 3-302. Application for title; contents; delay or
8 wrongful denial.

9 (a) Every application for a certificate of title for a
10 rebuilt vehicle shall be made upon a form prescribed by the
11 Secretary of State, and shall include the following:

12 1. The name, residence and mailing address of the
13 owner;

14 2. A description of the vehicle including, so far as
15 the following data exists: its make, year-model,
16 identifying number, type of body, whether new or used, and
17 as to vehicles of the second division, whether for-hire,
18 not-for-hire, or both for-hire and not-for-hire;

19 3. The date of purchase by applicant, the name and
20 address of the person from whom the vehicle was acquired
21 and the names and addresses of any lienholders in the order
22 of their priority;

23 4. The current odometer reading at the time of transfer
24 and that the stated odometer reading is one of the

1 following: actual mileage, not the actual mileage or
2 mileage is in excess of its mechanical limits; and

3 5. Any further information the Secretary of State
4 reasonably requires to identify the vehicle and to enable
5 him to determine whether the owner is entitled to a
6 certificate of title and the existence or nonexistence of
7 security interests in the vehicle.

8 (b) If the Secretary of State fails to issue a certificate
9 of title for a rebuilt vehicle within 30 days after receiving
10 the application and the required fee, or if the Secretary of
11 State denies the application without proper cause, the
12 applicant may file an action against the Secretary of State in
13 the circuit court in the county of the applicant's residence.
14 The applicant in a successful action may recover damages,
15 costs, and reasonable attorney's fees, as determined by the
16 court. If the action is based on the Secretary's failure to
17 issue the certificate of title within 30 days of receiving the
18 application and fee, the applicant in a successful action may
19 recover liquidated damages of not less than \$500 and not more
20 than \$1,000 for each day, excluding the first 30 days, that the
21 Secretary had the application and fee in his or her possession
22 before issuing the certificate.

23 (Source: P.A. 92-651, eff. 7-11-02.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."