

HB3421



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3421

Introduced 2/22/2005, by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-704.2

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning failure to satisfy fines for toll violations.

LRB094 10406 RCE 40676 b

A BILL FOR

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 Section 3-704.2 as follows:

6 (625 ILCS 5/3-704.2)

7 Sec. 3-704.2. Failure to satisfy fines or penalties for
8 toll violations or evasions; suspension of vehicle
9 registration.

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

18 (b) Following receipt of the certified report of the
19 Authority as specified in the Section, the Secretary of State
20 shall notify the person whose name appears on the certified
21 report that the person's vehicle registration will be suspended
22 at the end of a specified period unless the Secretary of State
23 is presented with a notice from the Authority certifying that
24 the fines or penalties owing the Authority have been satisfied
25 or that inclusion of that person's name on the certified report
26 was in error. The Secretary's notice shall state in substance
27 the information contained in the Authority's certified report
28 to the Secretary, and shall be effective as specified by
29 subsection (c) of Section 6-211 of this Code.

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

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

5 (2) A statement that the Authority sent a notice of
6 impending suspension of the person's driver's license,
7 vehicle registration, or both, as prescribed by rules
8 enacted pursuant to subsection (a-5) of Section 10 of the
9 Toll Highway Act, to the person named in the report at the
10 address recorded with the Secretary of State; the date on
11 which the notice was sent; and the address to which the
12 notice was sent.

13 (d) The Authority, after making a certified report to the
14 Secretary pursuant to this Section, shall notify the Secretary,
15 on a form prescribed by the Secretary, whenever a person named
16 in the certified report has satisfied the previously reported
17 fines or penalties or whenever the Authority determines that
18 the original report was in error. A certified copy of the
19 notification shall also be given upon request and at no
20 additional charge to the person named therein. Upon receipt of
21 the Authority's notification or presentation of a certified
22 copy of the notification, the Secretary shall terminate the
23 suspension.

24 (e) The Authority shall, by rule, establish procedures for
25 persons to challenge the accuracy of the certified report made
26 pursuant to this Section. The rule shall also provide the
27 grounds for a challenge, which may be limited to:

28 (1) the person not having been the owner or lessee of
29 the vehicle or vehicles receiving 5 or more toll violation
30 or toll evasion notices on the date or dates the notices
31 were issued; or

32 (2) the person having already satisfied the fines or
33 penalties for the 5 or more toll violations or toll
34 evasions indicated on the certified report.

35 (f) All notices sent by the Authority to persons involved
36 in administrative adjudications, hearings, and final orders

1 issued pursuant to rules implementing subsection (a-5) of
2 Section 10 of the Toll Highway Act shall state that failure to
3 satisfy any fine or penalty imposed by the Authority shall
4 result in the Secretary of State suspending the driving
5 privileges, vehicle registration, or both, of the person
6 failing to satisfy the fines or penalties imposed by the
7 Authority.

8 (g) A person may request an administrative hearing to
9 contest an impending suspension or a suspension made pursuant
10 to this Section upon filing a written request with the
11 Secretary. The filing fee for this hearing is \$20, to be paid
12 at the time of the request. The Authority shall reimburse the
13 Secretary for all reasonable costs incurred by the Secretary as
14 a result of the filing of a certified report pursuant to this
15 Section, including, but not limited to, the costs of providing
16 notice required pursuant to subsection (b) and the costs
17 incurred by the Secretary in any hearing conducted with respect
18 to the report pursuant to this subsection and any appeal from
19 that hearing.

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

22 (i) The Authority shall cooperate with the Secretary in the
23 administration of this Section and shall provide the Secretary
24 with any information the Secretary may deem necessary for these
25 purposes, including regular and timely access to toll violation
26 enforcement records.

27 The Secretary shall cooperate with the Authority in the
28 administration of this Section and shall provide the Authority
29 with any information the Authority may deem necessary for the
30 purposes of this Section, including regular and timely access
31 to vehicle registration records. Section 2-123 of this Code
32 shall not apply to the provision of this information, but the
33 Secretary shall be reimbursed for the cost of providing this
34 information.

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

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