



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4673

Introduced 1/12/2006, by Rep. Naomi D. Jakobsson

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-601

from Ch. 95 1/2, par. 7-601

Amends the Illinois Vehicle Code. Provides that any person who causes damage to the property of another person while driving a vehicle not covered by liability insurance is guilty of a Class 4 felony. Provides that the person is guilty of a Class 3 felony if he or she causes injury to another person. Provides that the person is guilty of a Class 2 felony if he or she causes the death of another person.

LRB094 18267 DRH 53578 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 7-601 as follows:

6 (625 ILCS 5/7-601) (from Ch. 95 1/2, par. 7-601)

7 Sec. 7-601. Required liability insurance policy.

8 (a) No person shall operate, register or maintain
9 registration of, and no owner shall permit another person to
10 operate, register or maintain registration of, a motor vehicle
11 designed to be used on a public highway unless the motor
12 vehicle is covered by a liability insurance policy.

13 The insurance policy shall be issued in amounts no less
14 than the minimum amounts set for bodily injury or death and for
15 destruction of property under Section 7-203 of this Code, and
16 shall be issued in accordance with the requirements of Sections
17 143a and 143a-2 of the Illinois Insurance Code, as amended. No
18 insurer other than an insurer authorized to do business in this
19 State shall issue a policy pursuant to this Section for any
20 vehicle subject to registration under this Code. Nothing herein
21 shall deprive an insurer of any policy defense available at
22 common law.

23 (b) The following vehicles are exempt from the requirements
24 of this Section:

25 (1) vehicles subject to the provisions of Chapters 8 or
26 18a, Article III or Section 7-609 of Chapter 7, or Sections
27 12-606 or 12-707.01 of Chapter 12 of this Code;

28 (2) vehicles required to file proof of liability
29 insurance with the Illinois Commerce Commission;

30 (3) vehicles covered by a certificate of
31 self-insurance under Section 7-502 of this Code;

32 (4) vehicles owned by the United States, the State of

1 Illinois, or any political subdivision, municipality or
2 local mass transit district;

3 (5) implements of husbandry;

4 (6) other vehicles complying with laws which require
5 them to be insured in amounts meeting or exceeding the
6 minimum amounts required under this Section; and

7 (7) inoperable or stored vehicles that are not
8 operated, as defined by rules and regulations of the
9 Secretary.

10 (c) Every employee of a State agency, as that term is
11 defined in the Illinois State Auditing Act, who is assigned a
12 specific vehicle owned or leased by the State on an ongoing
13 basis shall provide the certification described in this Section
14 annually to the director or chief executive officer of his or
15 her agency.

16 The certification shall affirm that the employee is duly
17 licensed to drive the assigned vehicle and that (i) the
18 employee has liability insurance coverage extending to the
19 employee when the assigned vehicle is used for other than
20 official State business, or (ii) the employee has filed a bond
21 with the Secretary of State as proof of financial
22 responsibility, in an amount equal to, or in excess of the
23 requirements stated within this Section. Upon request of the
24 agency director or chief executive officer, the employee shall
25 present evidence to support the certification.

26 The certification shall be provided during the period July
27 1 through July 31 of each calendar year, or within 30 days of
28 any new assignment of a vehicle on an ongoing basis, whichever
29 is later.

30 The employee's authorization to use the assigned vehicle
31 shall automatically be rescinded upon:

32 (1) the revocation or suspension of the license
33 required to drive the assigned vehicle;

34 (2) the cancellation or termination for any reason of
35 the automobile liability insurance coverage as required in
36 item (c) (i); or

1 (3) the termination of the bond filed with the
2 Secretary of State.

3 All State employees providing the required certification
4 shall immediately notify the agency director or chief executive
5 officer in the event any of these actions occur.

6 All peace officers employed by a State agency who are
7 primarily responsible for prevention and detection of crime and
8 the enforcement of the criminal, traffic, or highway laws of
9 this State, and prohibited by agency rule or policy to use an
10 assigned vehicle owned or leased by the State for regular
11 personal or off-duty use, are exempt from the requirements of
12 this Section.

13 (d) Except as otherwise provided in subsections (e) and
14 (f), any person who causes damage to the property of another
15 person while driving a vehicle in violation of this Section is
16 guilty of a Class 4 felony.

17 (e) Except as otherwise provided in subsection (f), any
18 person who causes injury to another person while driving a
19 vehicle in violation of this Section is guilty of a Class 3
20 felony.

21 (f) Any person who causes the death of another person while
22 driving a vehicle in violation of this Section is guilty of a
23 Class 2 felony.

24 (Source: P.A. 91-661, eff. 12-22-99.)