

# HB0116



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0116

Introduced 1/19/2007, by Rep. Dave Winters

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-604

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

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall provide that any request for verification of insurance coverage sent to a vehicle owner is in the form of a letter and is marked with sufficient indicia of authority to indicate the importance and the official nature of the document.

LRB095 03889 DRH 23922 b

FISCAL NOTE ACT  
MAY APPLY

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 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;

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

5           (5) who during the preceding 4 years have received a  
6           disposition of supervision under subsection (c) of Section  
7           5-6-1 of the Unified Code of Corrections for a violation of  
8           Section 3-707, 3-708, or 3-710 of this Code.

9           (b) Upon receiving certification from the Department of  
10          Transportation under Section 7-201.2 of this Code of the name  
11          of an owner or operator of any motor vehicle involved in an  
12          accident, the Secretary may verify whether or not at the time  
13          of the accident such motor vehicle was covered by a liability  
14          insurance policy in accordance with Section 7-601 of this Code.

15          (c) In preparation for selection of random samples and  
16          their verification, the Secretary may send to owners of  
17          randomly selected motor vehicles, or to randomly selected motor  
18          vehicle owners, requests for information about their motor  
19          vehicles and liability insurance coverage. The request shall  
20          require the owner to state whether or not the motor vehicle was  
21          insured on the verification date stated in the Secretary's  
22          request and the request may require, but is not limited to, a  
23          statement by the owner of the names and addresses of insurers,  
24          policy numbers, and expiration dates of insurance coverage.

25          (d) Within 30 days after the Secretary mails a request, the  
26          owner to whom it is sent shall furnish the requested

1 information to the Secretary above the owner's signed  
2 affirmation that such information is true and correct. Proof of  
3 insurance in effect on the verification date, as prescribed by  
4 the Secretary, may be considered by the Secretary to be a  
5 satisfactory response to the request for information.

6 Any owner whose response indicates that his or her vehicle  
7 was not covered by a liability insurance policy in accordance  
8 with Section 7-601 of this Code shall be deemed to have  
9 registered or maintained registration of a motor vehicle in  
10 violation of that Section. Any owner who fails to respond to  
11 such a request shall be deemed to have registered or maintained  
12 registration of a motor vehicle in violation of Section 7-601  
13 of this Code.

14 (e) If the owner responds to the request for information by  
15 asserting that his or her vehicle was covered by a liability  
16 insurance policy on the verification date stated in the  
17 Secretary's request, the Secretary may conduct a verification  
18 of the response by furnishing necessary information to the  
19 insurer named in the response. The insurer shall within 45 days  
20 inform the Secretary whether or not on the verification date  
21 stated the motor vehicle was insured by the insurer in  
22 accordance with Section 7-601 of this Code. The Secretary may  
23 by rule and regulation prescribe the procedures for  
24 verification.

25 (f) No random sample selected under this Section shall be  
26 categorized on the basis of race, color, religion, sex,

1 national origin, ancestry, age, marital status, physical or  
2 mental disability, economic status or geography.

3 (g) The Secretary shall provide that any request for  
4 information sent under this Section is in the form of a letter  
5 and is marked with sufficient indicia of authority to indicate  
6 the importance and the official nature of the document.

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