



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0946

Introduced 2/8/2007, by Rep. Robert F. Flider

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/2-119

from Ch. 95 1/2, par. 2-119

625 ILCS 5/3-664 new

Amends the Illinois Vehicle Code. Authorizes the issuance of special NASCAR license plates at an additional charge of \$35 for original issuance and \$15 for each registration renewal period. Authorizes the State to enter into agreements for licenses or other permissions to implement the new provisions. Provides that the Secretary of State may use moneys in the Secretary of State Special License Plate Fund to pay royalties for the display of logos, graphics, or other materials on the plates.

LRB095 08882 DRH 29069 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 2-119 and adding Section 3-664 as follows:

6 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

7 Sec. 2-119. Disposition of fees and taxes.

8 (a) All moneys received from Salvage Certificates shall be  
9 deposited in the Common School Fund in the State Treasury.

10 (b) Beginning January 1, 1990 and concluding December 31,  
11 1994, of the money collected for each certificate of title,  
12 duplicate certificate of title and corrected certificate of  
13 title, \$0.50 shall be deposited into the Used Tire Management  
14 Fund. Beginning January 1, 1990 and concluding December 31,  
15 1994, of the money collected for each certificate of title,  
16 duplicate certificate of title and corrected certificate of  
17 title, \$1.50 shall be deposited in the Park and Conservation  
18 Fund.

19 Beginning January 1, 1995, of the money collected for each  
20 certificate of title, duplicate certificate of title and  
21 corrected certificate of title, \$2 shall be deposited in the  
22 Park and Conservation Fund. The moneys deposited in the Park  
23 and Conservation Fund pursuant to this Section shall be used

1 for the acquisition and development of bike paths as provided  
2 for in Section 805-420 of the Department of Natural Resources  
3 (Conservation) Law (20 ILCS 805/805-420).

4 Beginning January 1, 2000, of the moneys collected for each  
5 certificate of title, duplicate certificate of title, and  
6 corrected certificate of title, \$48 shall be deposited into the  
7 Road Fund and \$4 shall be deposited into the Motor Vehicle  
8 License Plate Fund, except that if the balance in the Motor  
9 Vehicle License Plate Fund exceeds \$40,000,000 on the last day  
10 of a calendar month, then during the next calendar month the \$4  
11 shall instead be deposited into the Road Fund.

12 Beginning January 1, 2005, of the moneys collected for each  
13 delinquent vehicle registration renewal fee, \$20 shall be  
14 deposited into the General Revenue Fund.

15 Except as otherwise provided in this Code, all remaining  
16 moneys collected for certificates of title, and all moneys  
17 collected for filing of security interests, shall be placed in  
18 the General Revenue Fund in the State Treasury.

19 (c) All moneys collected for that portion of a driver's  
20 license fee designated for driver education under Section 6-118  
21 shall be placed in the Driver Education Fund in the State  
22 Treasury.

23 (d) Beginning January 1, 1999, of the monies collected as a  
24 registration fee for each motorcycle, motor driven cycle and  
25 motorized pedalcycle, 27% of each annual registration fee for  
26 such vehicle and 27% of each semiannual registration fee for

1 such vehicle is deposited in the Cycle Rider Safety Training  
2 Fund.

3 (e) Of the monies received by the Secretary of State as  
4 registration fees or taxes or as payment of any other fee, as  
5 provided in this Act, except fees received by the Secretary  
6 under paragraph (7) of subsection (b) of Section 5-101 and  
7 Section 5-109 of this Code, 37% shall be deposited into the  
8 State Construction Fund.

9 (f) Of the total money collected for a CDL instruction  
10 permit or original or renewal issuance of a commercial driver's  
11 license (CDL) pursuant to the Uniform Commercial Driver's  
12 License Act (UCDLA): (i) \$6 of the total fee for an original or  
13 renewal CDL, and \$6 of the total CDL instruction permit fee  
14 when such permit is issued to any person holding a valid  
15 Illinois driver's license, shall be paid into the  
16 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License  
17 Information System/American Association of Motor Vehicle  
18 Administrators network Trust Fund) and shall be used for the  
19 purposes provided in Section 6z-23 of the State Finance Act and  
20 (ii) \$20 of the total fee for an original or renewal CDL or  
21 commercial driver instruction permit shall be paid into the  
22 Motor Carrier Safety Inspection Fund, which is hereby created  
23 as a special fund in the State Treasury, to be used by the  
24 Department of State Police, subject to appropriation, to hire  
25 additional officers to conduct motor carrier safety  
26 inspections pursuant to Chapter 18b of this Code.

1 (g) All remaining moneys received by the Secretary of State  
2 as registration fees or taxes or as payment of any other fee,  
3 as provided in this Act, except fees received by the Secretary  
4 under paragraph (7) (A) of subsection (b) of Section 5-101 and  
5 Section 5-109 of this Code, shall be deposited in the Road Fund  
6 in the State Treasury. Moneys in the Road Fund shall be used  
7 for the purposes provided in Section 8.3 of the State Finance  
8 Act.

9 (h) (Blank).

10 (i) (Blank).

11 (j) (Blank).

12 (k) There is created in the State Treasury a special fund  
13 to be known as the Secretary of State Special License Plate  
14 Fund. Money deposited into the Fund shall, subject to  
15 appropriation, be used by the Office of the Secretary of State  
16 (i) to help defray plate manufacturing and plate processing  
17 costs for the issuance and, when applicable, renewal of any new  
18 or existing registration plates authorized under this Code and  
19 (ii) for grants made by the Secretary of State to benefit  
20 Illinois Veterans Home libraries. A portion of the moneys  
21 received as fees under Section 3-664 may be used, subject to  
22 appropriation, to pay royalties in accordance with Section  
23 3-664.

24 On or before October 1, 1995, the Secretary of State shall  
25 direct the State Comptroller and State Treasurer to transfer  
26 any unexpended balance in the Special Environmental License

1 Plate Fund, the Special Korean War Veteran License Plate Fund,  
2 and the Retired Congressional License Plate Fund to the  
3 Secretary of State Special License Plate Fund.

4 (l) The Motor Vehicle Review Board Fund is created as a  
5 special fund in the State Treasury. Moneys deposited into the  
6 Fund under paragraph (7) of subsection (b) of Section 5-101 and  
7 Section 5-109 shall, subject to appropriation, be used by the  
8 Office of the Secretary of State to administer the Motor  
9 Vehicle Review Board, including without limitation payment of  
10 compensation and all necessary expenses incurred in  
11 administering the Motor Vehicle Review Board under the Motor  
12 Vehicle Franchise Act.

13 (m) Effective July 1, 1996, there is created in the State  
14 Treasury a special fund to be known as the Family  
15 Responsibility Fund. Moneys deposited into the Fund shall,  
16 subject to appropriation, be used by the Office of the  
17 Secretary of State for the purpose of enforcing the Family  
18 Financial Responsibility Law.

19 (n) The Illinois Fire Fighters' Memorial Fund is created as  
20 a special fund in the State Treasury. Moneys deposited into the  
21 Fund shall, subject to appropriation, be used by the Office of  
22 the State Fire Marshal for construction of the Illinois Fire  
23 Fighters' Memorial to be located at the State Capitol grounds  
24 in Springfield, Illinois. Upon the completion of the Memorial,  
25 moneys in the Fund shall be used in accordance with Section  
26 3-634.

1 (o) Of the money collected for each certificate of title  
2 for all-terrain vehicles and off-highway motorcycles, \$17  
3 shall be deposited into the Off-Highway Vehicle Trails Fund.

4 (p) For audits conducted on or after July 1, 2003 pursuant  
5 to Section 2-124(d) of this Code, 50% of the money collected as  
6 audit fees shall be deposited into the General Revenue Fund.

7 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03; 93-840,  
8 eff. 7-30-04.)

9 (625 ILCS 5/3-664 new)

10 Sec. 3-664. NASCAR license plates.

11 (a) The Secretary, upon receipt of an application made in  
12 the form prescribed by the Secretary may, subject to the  
13 requirements of subsection (c), issue special registration  
14 plates designated as NASCAR license plates. The special plates  
15 issued under this Section may be affixed only to passenger  
16 vehicles of the first division and motor vehicles of the second  
17 division weighing not more than 8,000 pounds. Plates issued  
18 under this Section shall expire according to the multi-year  
19 procedure established by Section 3-414.1.

20 (b) The design and color of the plates is wholly within the  
21 discretion of the Secretary, except that the plates shall,  
22 subject to the requirements of subsection (c), display the  
23 NASCAR logo with a theme related to a specific driver or a  
24 general motorsports theme. The Secretary may allow the plates  
25 to be issued as vanity or personalized plates under Section

1 3-405.1. The Secretary shall prescribe stickers or decals as  
2 provided in Section 3-412.

3 (c) This Section may not be implemented until the State of  
4 Illinois has, through a licensing agreement or otherwise,  
5 received any licenses or other permissions that may be required  
6 to implement this Section. The Secretary may enter into  
7 agreements to obtain the necessary licenses or other  
8 permissions on reasonable terms. The design of the initial  
9 edition of the license plates, as well as the design of  
10 subsequent editions and excepting only any part or parts of the  
11 designs owned by others and licensed to the State, shall be  
12 owned solely by the State of Illinois for its exclusive use and  
13 control, except as authorized by the Secretary. The Secretary  
14 may take the steps necessary to give notice of and protect the  
15 State's rights, including the copyright or copyrights. These  
16 steps, however, are cumulative of the ownership and exclusive  
17 use and control established by this subsection as a matter of  
18 law, and no person may reproduce or otherwise use the design or  
19 designs, except as authorized by the Secretary.

20 (d) An applicant for the special plate shall be charged a  
21 \$35 fee for original issuance in addition to the appropriate  
22 registration fee. For each registration renewal period, a \$15  
23 fee shall be charged in addition to the appropriate  
24 registration fee. These fees shall be deposited into the  
25 Secretary of State Special License Plate Fund.