



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1866

Introduced 2/20/2009, by Sen. John M. Sullivan

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-140.7 new	
625 ILCS 5/3-101	from Ch. 95 1/2, par. 3-101
625 ILCS 5/3-412	from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-805.5 new	
625 ILCS 5/3-821	from Ch. 95 1/2, par. 3-821
625 ILCS 5/11-1426.2 new	

Amends the Illinois Vehicle Code. Defines a "low-speed vehicle" as any 4-wheeled vehicle with a maximum speed greater than 20 miles per hour but not greater than 25 miles per hour, that conforms with federal motor vehicle safety standards set forth for that vehicle. Provides the fee for a certificate of title for a low-speed vehicle is \$30 and the registration fee is \$18. Removes the requirement that the Secretary of State issue distinctive license plates for electric vehicles and adds the requirement the Secretary of State issue distinctive license plates for low-speed vehicles. Provides rules for the operation of a low-speed vehicle on streets. Provides that it is lawful for any person to drive or operate a low-speed vehicle upon any street in this State where the posted speed limit is 30 miles per hour or less and cross a street that has a posted speed limit of 45 mph or less, unless the Department of Transportation or a unit of local government prohibits the operation of low-speed vehicles on streets by regulation, resolution, or ordinance. Provides that operators of low-speed vehicles operated on streets must have a driver's license and are subject to the mandatory insurance provisions of the Illinois Vehicle Code. Makes other changes. Effective January 1, 2010.

LRB096 04061 AJT 14099 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 Sections 3-101, 3-412, 3-821, and 7-601 and by adding Sections
6 1-140.7, 3-805.5, and 11-1426.2 as follows:

7 (625 ILCS 5/1-140.7 new)

8 Sec. 1-140.7. Low-speed vehicle. Any 4-wheeled vehicle
9 with a maximum speed greater than 20 miles per hour but not
10 greater than 25 miles per hour that conforms with the federal
11 motor vehicle safety standards set forth in 49 C.F.R. Part
12 571.500.

13 (625 ILCS 5/3-101) (from Ch. 95 1/2, par. 3-101)

14 Sec. 3-101. Certificate of title required.

15 (a) Except as provided in Section 3-102, every owner of a
16 vehicle which is in this State and for which no certificate of
17 title has been issued by the Secretary of State shall make
18 application to the Secretary of State for a certificate of
19 title of the vehicle.

20 (b) Every owner of a motorcycle or motor driven cycle
21 purchased new on and after January 1, 1980 shall make
22 application to the Secretary of State for a certificate of

1 title. However, if such cycle is not properly manufactured or
2 equipped for general highway use pursuant to the provisions of
3 this Act, it shall not be eligible for license registration,
4 but shall be issued a distinctive certificate of title except
5 as provided in Sections 3-102 and 3-110 of this Act.

6 (c) The Secretary of State shall not register or renew the
7 registration of a vehicle unless a certificate of title has
8 been issued by the Secretary of State to the owner or an
9 application therefor has been delivered by the owner to the
10 Secretary of State.

11 (d) Every owner of an all-terrain vehicle or off-highway
12 motorcycle purchased on or after January 1, 1998 shall make
13 application to the Secretary of State for a certificate of
14 title.

15 (e) Every owner of a low-speed vehicle shall make
16 application to the Secretary of State for a certificate of
17 title.

18 (Source: P.A. 90-287, eff. 1-1-98.)

19 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

20 Sec. 3-412. Registration plates and registration stickers
21 to be furnished by the Secretary of State.

22 (a) The Secretary of State upon registering a vehicle
23 subject to annual registration for the first time shall issue
24 or shall cause to be issued to the owner one registration plate
25 for a motorcycle, trailer, semitrailer, motorized pedalcycle

1 or truck-tractor, 2 registration plates for other motor
2 vehicles and, where applicable, current registration stickers
3 for motor vehicles of the first division. The provisions of
4 this Section may be made applicable to such vehicles of the
5 second division, as the Secretary of State may, from time to
6 time, in his discretion designate. On subsequent annual
7 registrations during the term of the registration plate as
8 provided in Section 3-414.1, the Secretary shall issue or cause
9 to be issued registration stickers as evidence of current
10 registration. However, the issuance of annual registration
11 stickers to vehicles registered under the provisions of
12 Sections 3-402.1 and 3-405.3 of this Code may not be required
13 if the Secretary deems the issuance unnecessary.

14 (b) Every registration plate shall have displayed upon it
15 the registration number assigned to the vehicle for which it is
16 issued, the name of this State, which may be abbreviated, the
17 year number for which it was issued, which may be abbreviated,
18 the phrase "Land of Lincoln" (except as otherwise provided in
19 this Code), and such other letters or numbers as the Secretary
20 may prescribe. However, for apportionment plates issued to
21 vehicles registered under Section 3-402.1 and fleet plates
22 issued to vehicles registered under Section 3-405.3, the phrase
23 "Land of Lincoln" may be omitted to allow for the word
24 "apportioned", the word "fleet", or other similar language to
25 be displayed. Registration plates issued to a vehicle
26 registered as a fleet vehicle may display a designation

1 determined by the Secretary.

2 The Secretary may in his discretion prescribe that letters
3 be used as prefixes only on registration plates issued to
4 vehicles of the first division which are registered under this
5 Code and only as suffixes on registration plates issued to
6 other vehicles. Every registration sticker issued as evidence
7 of current registration shall designate the year number for
8 which it is issued and such other letters or numbers as the
9 Secretary may prescribe and shall be of a contrasting color
10 with the registration plates and registration stickers of the
11 previous year.

12 (c) Each registration plate and the required letters and
13 numerals thereon, except the year number for which issued,
14 shall be of sufficient size to be plainly readable from a
15 distance of 100 feet during daylight, and shall be coated with
16 reflectorizing material. The dimensions of the plate issued to
17 vehicles of the first division shall be 6 by 12 inches.

18 (d) The Secretary of State shall issue for every passenger
19 motor vehicle rented without a driver the same type of
20 registration plates as the type of plates issued for a private
21 passenger vehicle.

22 (e) The Secretary of State shall issue for every passenger
23 car used as a taxicab or livery, distinctive registration
24 plates.

25 (f) The Secretary of State shall issue for every motorcycle
26 distinctive registration plates distinguishing between

1 motorcycles having 150 or more cubic centimeters piston
2 displacement, or having less than 150 cubic centimeter piston
3 displacement.

4 (g) Registration plates issued to vehicles for-hire may
5 display a designation as determined by the Secretary that such
6 vehicles are for-hire.

7 (h) (Blank). ~~The Secretary of State shall issue distinctive~~
8 ~~registration plates for electric vehicles.~~

9 (i) The Secretary of State shall issue for every public and
10 private ambulance registration plates identifying the vehicle
11 as an ambulance. The Secretary shall forward to the Department
12 of Healthcare and Family Services registration information for
13 the purpose of verification of claims filed with the Department
14 by ambulance owners for payment for services to public
15 assistance recipients.

16 (j) The Secretary of State shall issue for every public and
17 private medical carrier or rescue vehicle livery registration
18 plates displaying numbers within ranges of numbers reserved
19 respectively for medical carriers and rescue vehicles. The
20 Secretary shall forward to the Department of Healthcare and
21 Family Services registration information for the purpose of
22 verification of claims filed with the Department by owners of
23 medical carriers or rescue vehicles for payment for services to
24 public assistance recipients.

25 (k) The Secretary of State shall issue distinctive license
26 plates or distinctive license plate stickers for every vehicle

1 exempted from subsection (a) of Section 12-503 by subsection
2 (g) of that Section, and by subsection (g-5) of that Section
3 before its deletion by this amendatory Act of the 95th General
4 Assembly. The Secretary shall issue these plates or stickers
5 immediately upon receiving the physician's certification
6 required under subsection (g) of Section 12-503. New plates or
7 stickers shall also be issued when the certification is renewed
8 as provided in that subsection.

9 (1) The Secretary of State shall issue distinctive
10 registration plates for low-speed vehicles.

11 (Source: P.A. 94-239, eff. 1-1-06; 94-564, eff. 8-12-05;
12 95-202, eff. 8-16-07; 95-331, eff. 8-21-07.)

13 (625 ILCS 5/3-805.5 new)

14 Sec. 3-805.5. Low-speed vehicles. Every owner of a
15 low-speed vehicle shall make application to the Secretary of
16 State for registration, or renewal of registration, at the
17 annual fee of \$18.

18 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

19 Sec. 3-821. Miscellaneous Registration and Title Fees.

20 (a) The fee to be paid to the Secretary of State for the
21 following certificates, registrations or evidences of proper
22 registration, or for corrected or duplicate documents shall be
23 in accordance with the following schedule:

24 Certificate of Title, except for an all-terrain

1	vehicle or off-highway motorcycle	\$65
2	Certificate of Title for an all-terrain vehicle	
3	or off-highway motorcycle	\$30
4	Certificate of Title for an all-terrain vehicle	
5	or off-highway motorcycle used for production	
6	agriculture, or accepted by a dealer in trade	13
7	<u>Certificate of Title for a low-speed</u>	
8	<u>vehicle</u>	<u>30</u>
9	Transfer of Registration or any evidence of	
10	proper registration	15
11	Duplicate Registration Card for plates or other	
12	evidence of proper registration	3
13	Duplicate Registration Sticker or Stickers issued	
14	on or before February 28, 2005, each	5
15	Duplicate Registration Sticker or Stickers issued	
16	on or after March 1, 2005, each	20
17	Duplicate Certificate of Title	65
18	Corrected Registration Card or Card for other	
19	evidence of proper registration	3
20	Corrected Certificate of Title	65
21	Salvage Certificate	4
22	Fleet Reciprocity Permit	15
23	Prorate Decal	1
24	Prorate Backing Plate	3
25	Special Corrected Certificate of Title	15
26	A special corrected certificate of title shall be issued	

1 (i) to remove a co-owner's name due to the death of the
2 co-owner or due to a divorce or (ii) to change a co-owner's
3 name due to a marriage.

4 There shall be no fee paid for a Junking Certificate.

5 (a-5) The Secretary of State may revoke a certificate of
6 title and registration card and issue a corrected certificate
7 of title and registration card, at no fee to the vehicle owner
8 or lienholder, if there is proof that the vehicle
9 identification number is erroneously shown on the original
10 certificate of title.

11 (b) The Secretary may prescribe the maximum service charge
12 to be imposed upon an applicant for renewal of a registration
13 by any person authorized by law to receive and remit or
14 transmit to the Secretary such renewal application and fees
15 therewith.

16 (c) If a check is delivered to the Office of the Secretary
17 of State as payment of any fee or tax under this Code, and such
18 check is not honored by the bank on which it is drawn for any
19 reason, the registrant or other person tendering the check
20 remains liable for the payment of such fee or tax. The
21 Secretary of State may assess a service charge of \$19 in
22 addition to the fee or tax due and owing for all dishonored
23 checks.

24 If the total amount then due and owing exceeds the sum of
25 \$50 and has not been paid in full within 60 days from the date
26 such fee or tax became due to the Secretary of State, the

1 Secretary of State shall assess a penalty of 25% of such amount
2 remaining unpaid.

3 All amounts payable under this Section shall be computed to
4 the nearest dollar.

5 (d) The minimum fee and tax to be paid by any applicant for
6 apportionment of a fleet of vehicles under this Code shall be
7 \$15 if the application was filed on or before the date
8 specified by the Secretary together with fees and taxes due. If
9 an application and the fees or taxes due are filed after the
10 date specified by the Secretary, the Secretary may prescribe
11 the payment of interest at the rate of 1/2 of 1% per month or
12 fraction thereof after such due date and a minimum of \$8.

13 (e) Trucks, truck tractors, truck tractors with loads, and
14 motor buses, any one of which having a combined total weight in
15 excess of 12,000 lbs. shall file an application for a Fleet
16 Reciprocity Permit issued by the Secretary of State. This
17 permit shall be in the possession of any driver operating a
18 vehicle on Illinois highways. Any foreign licensed vehicle of
19 the second division operating at any time in Illinois without a
20 Fleet Reciprocity Permit or other proper Illinois
21 registration, shall subject the operator to the penalties
22 provided in Section 3-834 of this Code. For the purposes of
23 this Code, "Fleet Reciprocity Permit" means any second division
24 motor vehicle with a foreign license and used only in
25 interstate transportation of goods. The fee for such permit
26 shall be \$15 per fleet which shall include all vehicles of the

1 fleet being registered.

2 (f) For purposes of this Section, "all-terrain vehicle or
3 off-highway motorcycle used for production agriculture" means
4 any all-terrain vehicle or off-highway motorcycle used in the
5 raising of or the propagation of livestock, crops for sale for
6 human consumption, crops for livestock consumption, and
7 production seed stock grown for the propagation of feed grains
8 and the husbandry of animals or for the purpose of providing a
9 food product, including the husbandry of blood stock as a main
10 source of providing a food product. "All-terrain vehicle or
11 off-highway motorcycle used in production agriculture" also
12 means any all-terrain vehicle or off-highway motorcycle used in
13 animal husbandry, floriculture, aquaculture, horticulture, and
14 viticulture.

15 (Source: P.A. 95-287, eff. 1-1-08.)

16 (625 ILCS 5/11-1426.2 new)

17 Sec. 11-1426.2. Operation of low-speed vehicles on
18 streets.

19 (a) Except as otherwise provided in this Section, it is
20 lawful for any person to drive or operate a low-speed vehicle
21 upon any street in this State where the posted speed limit is
22 30 miles per hour or less.

23 (b) Low-speed vehicles may cross a street at an
24 intersection where the street being crossed has a posted speed
25 limit of not more than 45 miles per hour. Low-speed vehicles

1 may not cross a street with a speed limit in excess of 45 miles
2 per hour unless the crossing is at an intersection controlled
3 by a traffic light or 4-way stop sign.

4 (c) The Department of Transportation or a municipality,
5 township, county, or other unit of local government may
6 prohibit, by regulation, ordinance, or resolution, the
7 operation of low-speed vehicles on streets under its
8 jurisdiction if the Department of Transportation or unit of
9 local government determines that the public safety would be
10 jeopardized.

11 (d) Before prohibiting the operation of low-speed vehicles
12 on a street, the Department of Transportation or unit of local
13 government must consider the volume, speed, and character of
14 traffic on the street and determine whether allowing low-speed
15 vehicles to operate on that street would jeopardize public
16 safety. Upon determining that low-speed vehicles may not safely
17 operate on a street, and upon the adoption of an ordinance or
18 resolution by a unit of local government, or regulation by the
19 Department of Transportation, appropriate signs shall be
20 posted.

21 (e) If a street is under the jurisdiction of more than one
22 unit of local government, or under the jurisdiction of the
23 Department of Transportation and one or more units of local
24 government, low-speed vehicles may be operated on the street
25 unless each unit of local government and the Department of
26 Transportation agree and take action to prohibit such operation

1 as provided in this Section.

2 (f) No low-speed vehicle may be operated on any street
3 unless, at a minimum, it has the following: brakes, a steering
4 apparatus, tires, a rearview mirror, red reflectorized warning
5 devices in the front and rear, a headlight that emits a white
6 light visible from a distance of 500 feet to the front, a tail
7 lamp that emits a red light visible from at least 100 feet from
8 the rear, brake lights, and turn signals. When operated on a
9 street, a low-speed vehicle shall have its headlight and tail
10 lamps lighted as required by Section 12-201 of this Code. The
11 low-speed vehicle shall also have signs or decals permanently
12 and conspicuously affixed to the rear of the vehicle and the
13 dashboard of the vehicle stating "This Vehicle May Not Be
14 Operated on Streets With Speed Limits in Excess of 30 m.p.h."
15 The lettering of the sign or decal on the rear of the vehicle
16 shall be not less than 2 inches in height. The lettering on the
17 sign or decal on the dashboard shall be not less than one-half
18 inch in height.

19 (g) A person may not operate a low-speed vehicle upon any
20 street in this State unless he or she has a valid driver's
21 license issued in his or her name by the Secretary of State or
22 a foreign jurisdiction.

23 (h) The operation of a low-speed vehicle upon any street is
24 subject to the provisions of Chapter 11 of this Code concerning
25 the Rules of the Road, and applicable local ordinances.

26 (i) Every owner of a low-speed vehicle is subject to the

1 mandatory insurance requirements specified in Article VI of
2 Chapter 7 of this Code.

3 (j) Any person engaged in the retail sale of low-speed
4 vehicles are required to comply with the motor vehicle dealer
5 licensing, registration, and bonding laws of this State, as
6 specified in Sections 5-101 and 5-102 of this Code.

7 Section 99. Effective date. This Act takes effect January
8 1, 2010.