



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB3091

Introduced 2/8/2010, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Snowmobile Registration and Safety Act. Provides that a person convicted of operating a snowmobile required to be registered and numbered under the Act shall be fined \$250 for a first offense and \$500 for a second or subsequent offense. Raises the new, transfer-renewal, and renewal snowmobile registration fee from \$18 to \$30 and to \$45 for the registration years beginning on or after January 1, 2017. Provides that 50 percent (rather than 33 percent) of those collected fees and trail use sticker fees shall be deposited into the Snowmobile Trail Establishment Fund, a special fund in the State treasury. Provides that snowmobiles that are not registered and numbered and that are not exempt from the registration and numbering requirement are required to display a trail use sticker, and the cost of the sticker is \$25. Provides that no person shall operate, register or maintain registration of, and no owner shall permit another person to operate, register or maintain registration of, a snowmobile in this State unless the snowmobile is covered by a liability insurance policy. Provides that a person convicted of violating the mandatory insurance provision is guilty of a petty offense and shall be required to pay a fine in excess of \$500, but not more than \$1,000.

LRB096 16332 AJT 31594 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL 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 Snowmobile Registration and Safety Act is  
5 amended by changing Sections 3-1, 3-2, 3-5, 3-8, 3-11, and 9-2  
6 and by adding Sections 3-12 and 3-13 as follows:

7 (625 ILCS 40/3-1) (from Ch. 95 1/2, par. 603-1)

8 Sec. 3-1. Operation of Unnumbered Snowmobiles.

9 (a) Except as hereinafter provided, no person shall, after  
10 the effective date of this Act, operate any snowmobile within  
11 this State unless such snowmobile has been registered and  
12 numbered or a trail use sticker is displayed in accordance with  
13 the provisions of this Article, and unless (1) the certificate  
14 of number awarded to such snowmobile is in full force and  
15 effect.

16 (b) A person convicted of violating this Section is guilty  
17 of a petty offense and shall be fined \$250 for a first offense  
18 and \$500 for a second or subsequent offense.

19 (Source: P.A. 81-702.)

20 (625 ILCS 40/3-2) (from Ch. 95 1/2, par. 603-2)

21 Sec. 3-2. Identification Number Application. The owner of  
22 each snowmobile requiring numbering by this State shall file an

1 application for number with the Department on forms approved by  
2 it. The application shall be signed by the owner of the  
3 snowmobile and shall be accompanied by a fee of \$30 ~~\$18~~. When a  
4 snowmobile dealer sells a snowmobile the dealer shall, at the  
5 time of sale, require the buyer to complete an application for  
6 the registration certificate, collect the required fee and mail  
7 the application and fee to the Department no later than 14 days  
8 after the date of sale. Combination application-receipt forms  
9 shall be provided by the Department and the dealer shall  
10 furnish the buyer with the completed receipt showing that  
11 application for registration has been made. This completed  
12 receipt shall be in the possession of the user of the  
13 snowmobile until the registration certificate is received.  
14 Except as provided in Section 3-12 of this Act, no ~~no~~  
15 snowmobile dealer may charge an additional fee to the buyer for  
16 performing this service required under this subsection.  
17 However, no purchaser exempted under Section 3-11 of this Act  
18 shall be charged any fee or be subject to the other  
19 requirements of this Section. The application form shall so  
20 state in clear language the requirements of this Section and  
21 the penalty for violation near the place on the application  
22 form provided for indicating the intention to register in  
23 another jurisdiction. Each dealer shall maintain, for one year,  
24 a record in a form prescribed by the Department for each  
25 snowmobile sold. These records shall be open to inspection by  
26 the Department. Upon receipt of the application in approved

1 form the Department shall enter the same upon the records of  
2 its office and issue to the applicant a certificate of number  
3 stating the number awarded to the snowmobile and the name and  
4 address of the owner.

5 For the registration years beginning on or after January 1,  
6 2017, the application shall be signed by the owner of the  
7 snowmobile and shall be accompanied by a fee of \$45.

8 (Source: P.A. 92-174, eff. 7-26-01.)

9 (625 ILCS 40/3-5) (from Ch. 95 1/2, par. 603-5)

10 Sec. 3-5. Transfer of Identification Number. The purchaser  
11 of a snowmobile shall, within 15 days after acquiring same,  
12 make application to the Department for the transfer to him of  
13 the certificate of number issued to the snowmobile, giving his  
14 name, his address and the number of the snowmobile. The  
15 purchaser shall apply for a transfer-renewal for a fee of \$30  
16 ~~\$10~~ for approximately 3 years. All transfers will bear  
17 September 30 expiration dates in the calendar year of  
18 expiration. Upon receipt of the application and fee, the  
19 Department shall transfer the certificate of number issued to  
20 the snowmobile to the new owner. Unless the application is made  
21 and fee paid within 30 days, the snowmobile shall be deemed to  
22 be without certificate of number and it shall be unlawful for  
23 any person to operate the snowmobile until the certificate is  
24 issued.

25 For the registration years beginning on or after January 1,

1 2017, the purchaser shall apply for a transfer-renewal for a  
2 fee of \$45 for approximately 3 years.

3 (Source: P.A. 92-174, eff. 7-26-01.)

4 (625 ILCS 40/3-8) (from Ch. 95 1/2, par. 603-8)

5 Sec. 3-8. Certificate of Number. Every certificate of  
6 number awarded under this Act shall continue in full force and  
7 effect for approximately 3 years unless sooner terminated or  
8 discontinued in accordance with this Act. All new certificates  
9 issued will bear September 30 expiration dates in the calendar  
10 year 3 years after the issuing date. Provided however, that the  
11 Department may, for purposes of implementing this Section,  
12 adopt rules for phasing in the issuance of new certificates and  
13 provide for 1, 2 or 3 year expiration dates and pro-rated  
14 payments or charges for each registration.

15 All certificates shall be renewed for 3 years from the  
16 nearest September 30 for a fee of \$30 ~~\$18~~. All certificates  
17 will be considered invalid after October 15 of the year of  
18 expiration. All certificates expiring in a given year shall be  
19 renewed between April 1 and September 30 of that year, in order  
20 to allow sufficient time for processing.

21 The Department shall issue "registration expiration  
22 decals" with all new certificates of number, all certificates  
23 of number transferred and renewed, and all certificates of  
24 number renewed. The decals issued for each year shall be of a  
25 different and distinct color from the decals of each year

1 currently displayed. The decals shall be affixed to each side  
2 of the cowling of the snowmobile in the manner prescribed by  
3 the rules and regulations of the Department. The Department  
4 shall fix a day and month of the year on which certificates of  
5 number due to expire shall lapse and no longer be of any force  
6 and effect unless renewed pursuant to this Act.

7 No number or registration expiration decal, except a  
8 sticker or number which may be required by a political  
9 subdivision, municipality, or state, other than the  
10 registration expiration decal issued to a snowmobile or granted  
11 reciprocity pursuant to this Act, shall be painted, attached,  
12 or otherwise displayed on either side of the cowling of such  
13 snowmobile.

14 A dealer engaged in the manufacture, sale, or leasing of  
15 snowmobiles required to be numbered hereunder, upon  
16 application to the Department upon forms prescribed by it, may  
17 obtain certificates of number for use in the testing or  
18 demonstrating of such snowmobiles upon payment of \$30 ~~\$18~~ for  
19 each registration. Certificates of number so issued may be used  
20 by the applicant in the testing or demonstrating of snowmobiles  
21 by temporary placement of the registration expiration decals  
22 assigned by such certificates on the snowmobile so tested or  
23 demonstrated.

24 For the registration years beginning on or after January 1,  
25 2017, every certificate of number awarded under this Section  
26 shall be accompanied by a fee of \$45.

1 (Source: P.A. 92-174, eff. 7-26-01.)

2 (625 ILCS 40/3-11) (from Ch. 95 1/2, par. 603-11)

3 Sec. 3-11. Exception from numbering provisions of this  
4 Act.) A snowmobile shall not be required to be numbered under  
5 this Act if it is:

6 A. Owned and used by the United States, another state, or a  
7 political subdivision thereof, but such snowmobiles shall  
8 display the name of the owner on the cowling thereof.

9 B. (Blank). ~~Covered by a valid registration or license of~~  
10 ~~another state, province or country which is the domicile of the~~  
11 ~~owner of the snowmobile and is not operated within this State~~  
12 ~~on more than 30 consecutive days in any calendar year.~~

13 C. Owned and operated on lands owned by the owner or  
14 operator or on lands to which he has a contractual right other  
15 than as a member of a club or association, provided the  
16 snowmobile is not operated elsewhere within the state.

17 D. Used only on international or national competition  
18 circuits in events for which written permission has been  
19 obtained by the sponsoring or sanctioning body from the  
20 governmental unit having jurisdiction over the location of any  
21 event held in this State.

22 E. Owned by persons domiciled in Illinois but used entirely  
23 in another jurisdiction when such owner has complied with the  
24 provisions of Section 3-2 of this Act.

25 F. Designed for use by small children primarily as a toy

1 and used only on private property and not on any public use  
2 trail.

3 (Source: P.A. 92-174, eff. 7-26-01.)

4 (625 ILCS 40/3-12 new)

5 Sec. 3-12. Trail use stickers.

6 (a) As used in this Section, "public snowmobile corridor"  
7 means a snowmobile trail or other established snowmobile  
8 corridor, which includes but is not limited to recreation areas  
9 accessible from a snowmobile trail, that is open to the public.

10 (b) Except as provided in subsection (d) of this Section,  
11 no person who is the owner of a snowmobile may operate, or give  
12 permission for another person to operate, a snowmobile on a  
13 public snowmobile corridor in this State unless a numbered  
14 trail use sticker issued under this subsection is displayed on  
15 the snowmobile.

16 (c) The fee for a trail use sticker issued for a snowmobile  
17 under subsection (b) of this Section is \$25 per registration  
18 year. A trail use sticker issued for such a snowmobile may be  
19 issued only by the Department and persons appointed by the  
20 Department and expires on June 30 of each registration year.

21 (d) A snowmobile that is registered and numbered in  
22 accordance with the provisions of this Article or that is  
23 exempt from registration under subsection 3-11 of this Article  
24 is exempt from having a trail use sticker displayed under  
25 subsection (b) of this Section.



1       (e) The Department may appoint any person who is not an  
2 employee of the Department as the Department's agent to issue  
3 trail use stickers and collect the fees for the stickers. Any  
4 person, including the Department, who issues a trail use  
5 sticker shall collect in addition to the fee under subsection  
6 (b) of this Section an issuing fee of 75 cents. The agent may  
7 retain 50 cents of the issuing fee to compensate the agent for  
8 the agent's services in issuing the sticker.

9       (f) The Department shall establish by rule procedures for  
10 issuing trail use stickers, and the Department may promulgate  
11 rules regulating the activities of persons who are authorized  
12 to be agents under this Section.

13       (625 ILCS 40/3-13 new)

14       Sec. 3-13. Mandatory liability insurance.

15       (a) No person shall operate, register, or maintain  
16 registration of, and no owner shall permit another person to  
17 operate, register or maintain registration of, a snowmobile in  
18 this State unless the snowmobile is covered by a liability  
19 insurance policy.

20       The insurance policy shall be issued in amounts no less  
21 than the minimum amounts set for bodily injury or death and for  
22 destruction of property under Section 7-203 of the Illinois  
23 Vehicle Code, and shall be issued in accordance with the  
24 requirements of Sections 143a and 143a-2 of the Illinois  
25 Insurance Code, as amended. No insurer other than an insurer

1 authorized to do business in this State shall issue a policy  
2 pursuant to this Section for any snowmobile subject to  
3 registration and numbering under this Act. Nothing herein shall  
4 deprive an insurer of any policy defense available at common  
5 law.

6 (b) Proof of insurance as required by this Section shall be  
7 produced and displayed by the owner or operator of the  
8 snowmobile upon request to any law enforcement officer or to  
9 any person who has suffered or claims to have suffered either  
10 personal injury or property damage as a result of the operation  
11 of the snowmobile by the owner or operator.

12 (c) Except as provided in subsection (d), any operator of a  
13 snowmobile subject to registration and numbering under this Act  
14 who is convicted of violating subsection (a) of this Section is  
15 guilty of a petty offense and shall be required to pay a fine  
16 in excess of \$500, but not more than \$1,000. However, no person  
17 charged with violating this Section shall be convicted if such  
18 person produces in court satisfactory evidence that at the time  
19 of the arrest the snowmobile was covered by a liability  
20 insurance policy in accordance with subsection (a) of this  
21 Section. The chief judge of each circuit may designate an  
22 officer of the court to review the documentation demonstrating  
23 that at the time of arrest the snowmobile was covered by a  
24 liability insurance policy in accordance with subsection (a) of  
25 this Section.

26 (d) A person who (i) has not previously been convicted of

1 or received a disposition of court supervision for violating  
2 subsection (a) of this Section and (ii) produces at his or her  
3 court appearance satisfactory evidence that the snowmobile is  
4 covered, as of the date of the court appearance, by a liability  
5 insurance policy in accordance with Section 7-601 of the  
6 Illinois Vehicle Code shall, for a violation of this Section,  
7 pay a fine of \$100 and receive a disposition of court  
8 supervision. The person must, on the date that the period of  
9 court supervision is scheduled to terminate, produce  
10 satisfactory evidence that the snowmobile was covered by the  
11 required liability insurance policy during the entire period of  
12 court supervision.

13 An officer of the court designated under subsection (c)  
14 may also review liability insurance documentation under this  
15 subsection (d) to determine if the snowmobile is, as of the  
16 date of the court appearance, covered by a liability insurance  
17 policy in accordance with Section 7-601 of the Illinois Vehicle  
18 Code. The officer of the court shall also determine, on the  
19 date the period of court supervision is scheduled to terminate,  
20 whether the snowmobile was covered by the required policy  
21 during the entire period of court supervision.

22 (625 ILCS 40/9-2) (from Ch. 95 1/2, par. 609-2)

23 Sec. 9-2. Special fund. There is created a special fund in  
24 the State Treasury to be known as the Snowmobile Trail  
25 Establishment Fund. Fifty ~~Thirty three~~ percent of each new,

1 transfer-renewal, ~~and~~ renewal registration, and trail use  
2 sticker fee collected under Sections 3-2, 3-5, ~~and~~ 3-8, and  
3 3-12 of this Act shall be deposited in the fund. The fund shall  
4 be administered by the Department and shall be used for  
5 disbursement, upon written application to and subsequent  
6 approval by the Department, to nonprofit snowmobile clubs and  
7 organizations for construction, management, maintenance, and  
8 rehabilitation of snowmobile trails and areas for the use of  
9 snowmobiles, including plans and specifications, engineering  
10 surveys and supervision where necessary. The Department shall  
11 promulgate such rules or regulations as it deems necessary for  
12 the administration of the fund.

13 (Source: P.A. 92-174, eff. 7-26-01.)

1 INDEX

2 Statutes amended in order of appearance

3	625 ILCS 40/3-1	from Ch. 95 1/2, par. 603-1
4	625 ILCS 40/3-2	from Ch. 95 1/2, par. 603-2
5	625 ILCS 40/3-5	from Ch. 95 1/2, par. 603-5
6	625 ILCS 40/3-8	from Ch. 95 1/2, par. 603-8
7	625 ILCS 40/3-11	from Ch. 95 1/2, par. 603-11
8	625 ILCS 40/3-12 new	
9	625 ILCS 40/3-13 new	
10	625 ILCS 40/9-2	from Ch. 95 1/2, par. 609-2