

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 3-104, 3-609 and 11-1301.1 as follows:

6 (625 ILCS 5/3-104) (from Ch. 95 1/2, par. 3-104)

7 Sec. 3-104. Application for certificate of title.

8 (a) The application for a certificate of title for a
9 vehicle in this State must be made by the owner to the
10 Secretary of State on the form prescribed and must contain:

11 1. The name, Illinois residence and mail address of the
12 owner;

13 2. A description of the vehicle including, so far as
14 the following data exists: Its make, year-model,
15 identifying number, type of body, whether new or used, as
16 to house trailers as defined in Section 1-128 of this Code,
17 the square footage of the house trailer based upon the
18 outside dimensions of the house trailer excluding the
19 length of the tongue and hitch, and, as to vehicles of the
20 second division, whether for-hire, not-for-hire, or both
21 for-hire and not-for-hire;

22 3. The date of purchase by applicant and, if
23 applicable, the name and address of the person from whom

1 the vehicle was acquired and the names and addresses of any
2 lienholders in the order of their priority and signatures
3 of owners;

4 4. The current odometer reading at the time of transfer
5 and that the stated odometer reading is one of the
6 following: actual mileage, not the actual mileage or
7 mileage is in excess of its mechanical limits; and

8 5. Any further information the Secretary of State
9 reasonably requires to identify the vehicle and to enable
10 him to determine whether the owner is entitled to a
11 certificate of title and the existence or nonexistence of
12 security interests in the vehicle.

13 (a-5) The Secretary of State shall designate on the
14 prescribed application form a space where the owner of a
15 vehicle may designate a beneficiary, to whom ownership of the
16 vehicle shall pass in the event of the owner's death.

17 (b) If the application refers to a vehicle purchased from a
18 dealer, it must also be signed by the dealer as well as the
19 owner, and the dealer must promptly mail or deliver the
20 application and required documents to the Secretary of State.

21 (c) If the application refers to a vehicle last previously
22 registered in another State or country, the application must
23 contain or be accompanied by:

24 1. Any certified document of ownership so recognized
25 and issued by the other State or country and acceptable to
26 the Secretary of State, and

1 2. Any other information and documents the Secretary of
2 State reasonably requires to establish the ownership of the
3 vehicle and the existence or nonexistence of security
4 interests in it.

5 (d) If the application refers to a new vehicle it must be
6 accompanied by the Manufacturer's Statement of Origin, or other
7 documents as required and acceptable by the Secretary of State,
8 with such assignments as may be necessary to show title in the
9 applicant.

10 (e) If an application refers to a vehicle rebuilt from a
11 vehicle previously salvaged, that application shall comply
12 with the provisions set forth in Sections 3-302 through 3-304
13 of this Code.

14 (f) An application for a certificate of title for any
15 vehicle, whether purchased in Illinois or outside Illinois, and
16 even if previously registered in another State, must be
17 accompanied by either an exemption determination from the
18 Department of Revenue showing that no tax imposed pursuant to
19 the Use Tax Act or the vehicle use tax imposed by Section
20 3-1001 of the Illinois Vehicle Code is owed by anyone with
21 respect to that vehicle, or a receipt from the Department of
22 Revenue showing that any tax so imposed has been paid. An
23 application for a certificate of title for any vehicle
24 purchased outside Illinois, even if previously registered in
25 another state, must be accompanied by either an exemption
26 determination from the Department of Revenue showing that no

1 tax imposed pursuant to the Municipal Use Tax Act or the County
2 Use Tax Act is owed by anyone with respect to that vehicle, or
3 a receipt from the Department of Revenue showing that any tax
4 so imposed has been paid. In the absence of such a receipt for
5 payment or determination of exemption from the Department, no
6 certificate of title shall be issued to the applicant.

7 If the proof of payment of the tax or of nonliability
8 therefor is, after the issuance of the certificate of title and
9 display certificate of title, found to be invalid, the
10 Secretary of State shall revoke the certificate and require
11 that the certificate of title and, when applicable, the display
12 certificate of title be returned to him.

13 (g) If the application refers to a vehicle not manufactured
14 in accordance with federal safety and emission standards, the
15 application must be accompanied by all documents required by
16 federal governmental agencies to meet their standards before a
17 vehicle is allowed to be issued title and registration.

18 (h) If the application refers to a vehicle sold at public
19 sale by a sheriff, it must be accompanied by the required fee
20 and a bill of sale issued and signed by a sheriff. The bill of
21 sale must identify the new owner's name and address, the year
22 model, make and vehicle identification number of the vehicle,
23 court order document number authorizing such sale, if
24 applicable, and the name and address of any lienholders in
25 order of priority, if applicable.

26 (i) If the application refers to a vehicle for which a

1 court of law determined the ownership, it must be accompanied
2 with a certified copy of such court order and the required fee.
3 The court order must indicate the new owner's name and address,
4 the complete description of the vehicle, if known, the name and
5 address of the lienholder, if any, and must be signed and dated
6 by the judge issuing such order.

7 (j) If the application refers to a vehicle sold at public
8 auction pursuant to the Labor and Storage Lien (Small Amount)
9 Act, it must be accompanied by an affidavit or affirmation
10 furnished by the Secretary of State along with the documents
11 described in the affidavit or affirmation and the required fee.

12 (k) The Secretary may provide an expedited process for the
13 issuance of vehicle titles. Expedited title applications must
14 be delivered to the Secretary of State's Vehicle Services
15 Department in Springfield by express mail service or hand
16 delivery. Applications must be complete, including necessary
17 forms, fees, and taxes. Applications received before noon on a
18 business day will be processed and shipped that same day.
19 Applications received after noon on a business day will be
20 processed and shipped the next business day. The Secretary
21 shall charge an additional fee of \$30 for this service, and
22 that fee shall cover the cost of return shipping via an express
23 mail service. All fees collected by the Secretary of State for
24 expedited services shall be deposited into the Motor Vehicle
25 License Plate Fund. In the event the Vehicle Services
26 Department determines that the volume of expedited title

1 requests received on a given day exceeds the ability of the
2 Vehicle Services Department to process those requests in an
3 expedited manner, the Vehicle Services Department may decline
4 to provide expedited services, and the additional fee for the
5 expedited service shall be refunded to the applicant.

6 (1) If the application refers to a homemade trailer, (i) it
7 must be accompanied by the appropriate documentation regarding
8 the source of materials used in the construction of the
9 trailer, as required by the Secretary of State, (ii) the
10 trailer must be inspected by a Secretary of State employee
11 ~~investigator, as described in Section 2-115 of this Code,~~ prior
12 to the issuance of the title, and (iii) upon approval of the
13 Secretary of State, the trailer must have a vehicle
14 identification number, as provided by the Secretary of State,
15 stamped or riveted to the frame.

16 (Source: P.A. 95-784, eff. 1-1-09; 96-519, eff. 1-1-10; 96-554,
17 eff. 1-1-10; 96-1000, eff. 7-2-10.)

18 (625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

19 Sec. 3-609. Disabled Veterans' Plates.

20 (a) Any veteran who holds proof of a service-connected
21 disability from the United States Department of Veterans
22 Affairs, and who has obtained certification from a licensed
23 physician, physician assistant, or advanced practice nurse
24 that the service-connected disability qualifies the veteran
25 for issuance of registration plates or decals to a person with

1 disabilities in accordance with Section 3-616, may, without the
2 payment of any registration fee, make application to the
3 Secretary of State for disabled veterans license plates
4 displaying the international symbol of access, for the
5 registration of one motor vehicle of the first division or one
6 motor vehicle of the second division weighing not more than
7 8,000 pounds.

8 (b) Any veteran who holds proof of a service-connected
9 disability from the United States Department of Veterans
10 Affairs, and whose degree of disability has been declared to be
11 50% or more, but whose disability does not qualify the veteran
12 for a plate or decal for persons with disabilities under
13 Section 3-616, may, without the payment of any registration
14 fee, make application to the Secretary for a special
15 registration plate without the international symbol of access
16 for the registration of one motor vehicle of the first division
17 or one motor vehicle of the second division weighing not more
18 than 8,000 pounds. Any veteran may make application for the
19 registration of one motor vehicle of the first division or one
20 motor vehicle of the second division weighing not more than
21 8,000 pounds to the Secretary of State without the payment of
22 any registration fee if (i) the veteran holds proof of a
23 service-connected disability from the United States Department
24 of Veterans Affairs and (ii) a licensed physician, physician
25 assistant, or advanced practice nurse has certified in
26 accordance with Section 3-616 that because of the

1 ~~service-connected disability the veteran qualifies for~~
2 ~~issuance of registration plates or decals to a person with~~
3 ~~disabilities. The Secretary may, in his or her discretion,~~
4 ~~allow the plates to be issued as vanity or personalized plates~~
5 ~~in accordance with Section 3-405.1 of this Code. Registration~~
6 ~~shall be for a multi year period and may be issued staggered~~
7 ~~registration.~~

8 (c) Renewal of such registration must be accompanied with
9 documentation for eligibility of registration without fee
10 unless the applicant has a permanent qualifying disability, and
11 such registration plates may not be issued to any person not
12 eligible therefor. The Illinois Department of Veterans'
13 Affairs may assist in providing the documentation of
14 disability.

15 (d) The design and color of the plates shall be within the
16 discretion of the Secretary, except that the plates issued
17 under subsection (b) of this Section shall not contain the
18 international symbol of access. The Secretary may, in his or
19 her discretion, allow the plates to be issued as vanity or
20 personalized plates in accordance with Section 3-405.1 of this
21 Code. Registration shall be for a multi-year period and may be
22 issued staggered registration.

23 (e) Any Commencing with the 2009 registration year, any
24 person eligible to receive license plates under this Section
25 who has been approved for benefits under the Senior Citizens
26 and Disabled Persons Property Tax Relief and Pharmaceutical

1 Assistance Act, or who has claimed and received a grant under
2 that Act, shall pay a fee of \$24 instead of the fee otherwise
3 provided in this Code for passenger cars displaying standard
4 multi-year registration plates issued under Section 3-414.1,
5 for motor vehicles registered at 8,000 pounds or less under
6 Section 3-815(a), or for recreational vehicles registered at
7 8,000 pounds or less under Section 3-815(b), for a second set
8 of plates under this Section.

9 (Source: P.A. 95-157, eff. 1-1-08; 95-167, eff. 1-1-08; 95-353,
10 eff. 1-1-08; 95-876, eff. 8-21-08; 96-79, eff. 1-1-10.)

11 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

12 Sec. 11-1301.1. Persons with disabilities - Parking
13 privileges - Exemptions.

14 (a) A motor vehicle bearing registration plates issued to a
15 person with disabilities, as defined by Section 1-159.1,
16 pursuant to Section 3-616 or to a disabled veteran pursuant to
17 subsection (a) of Section 3-609 or a special decal or device
18 issued pursuant to Section 3-616 or pursuant to Section
19 11-1301.2 of this Code or a motor vehicle registered in another
20 jurisdiction, state, district, territory or foreign country
21 upon which is displayed a registration plate, special decal or
22 device issued by the other jurisdiction designating the vehicle
23 is operated by or for a person with disabilities shall be
24 exempt from the payment of parking meter fees and exempt from
25 any statute or ordinance imposing time limitations on parking,

1 except limitations of one-half hour or less, on any street or
2 highway zone, or any parking lot or parking place which are
3 owned, leased or owned and leased by a municipality or a
4 municipal parking utility; and shall be recognized by state and
5 local authorities as a valid license plate or parking device
6 and shall receive the same parking privileges as residents of
7 this State; but, such vehicle shall be subject to the laws
8 which prohibit parking in "no stopping" and "no standing" zones
9 in front of or near fire hydrants, driveways, public building
10 entrances and exits, bus stops and loading areas, and is
11 prohibited from parking where the motor vehicle constitutes a
12 traffic hazard, whereby such motor vehicle shall be moved at
13 the instruction and request of a law enforcement officer to a
14 location designated by the officer.

15 (b) Any motor vehicle bearing registration plates or a
16 special decal or device specified in this Section or in Section
17 3-616 of this Code or such parking device as specifically
18 authorized in Section 11-1301.2 as evidence that the vehicle is
19 operated by or for a person with disabilities or bearing
20 registration plates issued to a disabled veteran under
21 subsection (a) of Section 3-609 may park, in addition to any
22 other lawful place, in any parking place specifically reserved
23 for such vehicles by the posting of an official sign as
24 provided under Section 11-301. Parking privileges granted by
25 this Section are strictly limited to the person to whom the
26 special registration plates, special decal or device were

1 issued and to qualified operators acting under his or her
2 express direction while the person with disabilities is
3 present. A person to whom privileges were granted shall, at the
4 request of a police officer or any other person invested by law
5 with authority to direct, control, or regulate traffic, present
6 an identification card with a picture as verification that the
7 person is the person to whom the special registration plates,
8 special decal or device was issued.

9 (c) Such parking privileges granted by this Section are
10 also extended to motor vehicles of not-for-profit
11 organizations used for the transportation of persons with
12 disabilities when such motor vehicles display the decal or
13 device issued pursuant to Section 11-1301.2 of this Code.

14 (d) No person shall use any area for the parking of any
15 motor vehicle pursuant to Section 11-1303 of this Code or where
16 an official sign controlling such area expressly prohibits
17 parking at any time or during certain hours.

18 (Source: P.A. 95-167, eff. 1-1-08; 96-79, eff. 1-1-10.)

19 Section 99. Effective date. This Act takes effect January
20 1, 2013.