



Sen. Iris Y. Martinez

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09700SB0957sam001

LRB097 04725 HEP 53726 a

1 AMENDMENT TO SENATE BILL 957

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 957 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 3-116 as follows:

6 (625 ILCS 5/3-116) (from Ch. 95 1/2, par. 3-116)

7 Sec. 3-116. When Secretary of State to issue a certificate  
8 of title.

9 (a) The Secretary of State, upon receipt of a properly  
10 assigned certificate of title, with an application for a  
11 certificate of title, the required fee and any other documents  
12 required by law, shall issue a new certificate of title in the  
13 name of the transferee as owner and mail it to the first  
14 lienholder named in it or, if none, to the owner or owner's  
15 designee.

16 (b) The Secretary of State, upon receipt of an application

1 for a new certificate of title by a transferee other than by  
2 voluntary transfer, with proof of the transfer, the required  
3 fee and any other documents required by law, shall issue a new  
4 certificate of title in the name of the transferee as owner.

5 (c) Any person, firm or corporation, who shall knowingly  
6 possess, buy, sell, exchange or give away, or offer to buy,  
7 sell, exchange or give away the certificate of title to any  
8 motor vehicle which is a junk or salvage, or who shall fail to  
9 surrender the certificate of title to the Secretary of State as  
10 required under the provisions of this Section and Section  
11 3-117.2, shall be guilty of Class 3 felony.

12 (d) The Secretary of State shall file and retain for four  
13 (4) years a record of every surrendered certificate of title or  
14 proof of ownership accepted by the Secretary of State, the file  
15 to be maintained so as to permit the tracing of title of the  
16 vehicle designated therein.

17 (e) The Secretary of State, upon receipt of an application  
18 for corrected certificate of title, with the original title,  
19 the required fee and any other required documents, shall issue  
20 a corrected certificate of title in the name of the owner and  
21 mail it to the first lienholder named in it or, if none, to the  
22 owner or owner's designee.

23 (f) The Secretary of State, upon receipt of a certified  
24 copy of a court order awarding ownership to an applicant along  
25 with an application for a certificate of title and the required  
26 fee, shall issue a certificate of title to the applicant.

1       (g) The Secretary of State, upon receipt of an application  
2 for certificate of title and the required fee, shall, within 30  
3 days, issue a certificate of title to any applicant who shows  
4 the following:

5           (1) the current title holder has consented to the  
6 transfer of title. For purposes of this subsection, consent  
7 may be shown by either (A) a signed work order; or (B) a  
8 statement signed by the applicant for a certificate of  
9 title which affirms that the vehicle owner has surrendered  
10 the vehicle key to the applicant and that the vehicle has  
11 remained on the property of the applicant for more than 15  
12 days after the fulfillment of the purpose for which the  
13 vehicle was originally left on the applicant's property;

14           (2) the applicant has conducted a title search of  
15 Illinois records and of the records of any other state for  
16 which there is reason to believe a title may exist for the  
17 vehicle, and no other vehicle owners or lienholders exist;  
18 and

19           (3) the applicant has provided 30 days' notice via  
20 certified mail to the last known address of all interested  
21 parties.

22 (Source: P.A. 90-212, eff. 1-1-98.)

23       Section 99. Effective date. This Act takes effect January  
24 1, 2012."