

**SB2064**



**97TH GENERAL ASSEMBLY**

**State of Illinois**

**2011 and 2012**

**SB2064**

Introduced 2/10/2011, by Sen. Edward D. Maloney

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/3-704

from Ch. 95 1/2, par. 3-704

Amends the Illinois Vehicle Code. Provides that the Secretary of State may suspend or revoke the registration of a vehicle or a certificate of title, registration card, registration sticker, registration plate, disability parking decal or device, or any nonresident or other permit when the Secretary has determined that a vehicle was used in violation of provisions of the Criminal Code of 1961 concerning firearms or in the commission of any felony under the law of any state or the federal government in which a firearm was used.

LRB097 10157 HEP 50345 b

**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 3-704 as follows:

6 (625 ILCS 5/3-704) (from Ch. 95 1/2, par. 3-704)

7 Sec. 3-704. Authority of Secretary of State to suspend or  
8 revoke a registration or certificate of title; authority to  
9 suspend or revoke the registration of a vehicle.

10 (a) The Secretary of State may suspend or revoke the  
11 registration of a vehicle or a certificate of title,  
12 registration card, registration sticker, registration plate,  
13 disability parking decal or device, or any nonresident or other  
14 permit in any of the following events:

15 1. When the Secretary of State is satisfied that such  
16 registration or that such certificate, card, plate,  
17 registration sticker or permit was fraudulently or  
18 erroneously issued;

19 2. When a registered vehicle has been dismantled or  
20 wrecked or is not properly equipped;

21 3. When the Secretary of State determines that any  
22 required fees have not been paid to the Secretary of State,  
23 to the Illinois Commerce Commission, or to the Illinois

1 Department of Revenue under the Motor Fuel Tax Law, and the  
2 same are not paid upon reasonable notice and demand;

3 4. When a registration card, registration plate,  
4 registration sticker or permit is knowingly displayed upon  
5 a vehicle other than the one for which issued;

6 5. When the Secretary of State determines that the  
7 owner has committed any offense under this Chapter  
8 involving the registration or the certificate, card,  
9 plate, registration sticker or permit to be suspended or  
10 revoked;

11 6. When the Secretary of State determines that a  
12 vehicle registered not-for-hire is used or operated  
13 for-hire unlawfully, or used or operated for purposes other  
14 than those authorized;

15 7. When the Secretary of State determines that an owner  
16 of a for-hire motor vehicle has failed to give proof of  
17 financial responsibility as required by this Act;

18 8. When the Secretary determines that the vehicle is  
19 not subject to or eligible for a registration;

20 9. When the Secretary determines that the owner of a  
21 vehicle registered under the mileage weight tax option  
22 fails to maintain the records specified by law, or fails to  
23 file the reports required by law, or that such vehicle is  
24 not equipped with an operable and operating speedometer or  
25 odometer;

26 10. When the Secretary of State is so authorized under

1 any other provision of law;

2 11. When the Secretary of State determines that the  
3 holder of a disability parking decal or device has  
4 committed any offense under Chapter 11 of this Code  
5 involving the use of a disability parking decal or device;

6 12. When the Secretary of State determines that the  
7 vehicle was used in a violation of subsections (a)(3),  
8 (a)(4), (a)(7), or (a)(9) of Section 24-1 of the Criminal  
9 Code of 1961 relating to the unlawful use of weapons;

10 13. When the Secretary of State determines that the  
11 vehicle was used in violation of Section 24-1.2 or 24-1.5  
12 of the Criminal Code of 1961 relating to the unlawful  
13 discharge of a firearm;

14 14. When the Secretary of State determines that the  
15 vehicle was used in the commission of any felony under the  
16 law of any state or the federal government in which a  
17 firearm was used.

18 (a-5) The Secretary of State may revoke a certificate of  
19 title and registration card and issue a corrected certificate  
20 of title and registration card, at no fee to the vehicle owner  
21 or lienholder, if there is proof that the vehicle  
22 identification number is erroneously shown on the original  
23 certificate of title.

24 (b) The Secretary of State may suspend or revoke the  
25 registration of a vehicle as follows:

26 1. When the Secretary of State determines that the

1 owner of a vehicle has not paid a civil penalty or a  
2 settlement agreement arising from the violation of rules  
3 adopted under the Illinois Motor Carrier Safety Law or the  
4 Illinois Hazardous Materials Transportation Act or that a  
5 vehicle, regardless of ownership, was the subject of  
6 violations of these rules that resulted in a civil penalty  
7 or settlement agreement which remains unpaid.

8 2. When the Secretary of State determines that a  
9 vehicle registered for a gross weight of more than 16,000  
10 pounds within an affected area is not in compliance with  
11 the provisions of Section 13-109.1 of the Illinois Vehicle  
12 Code.

13 3. When the Secretary of State is notified by the  
14 United States Department of Transportation that a vehicle  
15 is in violation of the Federal Motor Carrier Safety  
16 Regulations, as they are now or hereafter amended, and is  
17 prohibited from operating.

18 (Source: P.A. 94-239, eff. 1-1-06; 94-619, eff. 1-1-06; 94-759,  
19 eff. 5-12-06; 95-287, eff. 1-1-08.)