



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB2296

Introduced 2/10/2011, by Sen. Kyle McCarter

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/2-119

from Ch. 95 1/2, par. 2-119

625 ILCS 5/3-696 new

Amends the Illinois Vehicle Code. Authorizes the issuance of special NASCAR license plates. Authorizes the State to enter into agreements for licenses or other permissions to implement the new provisions and provides that the Secretary of State may use moneys in the Secretary of State Special License Plate Fund to pay royalties for the display of logos, graphics, or other materials on the plates. Provides that in addition to the appropriate registration fee, an applicant for the special plate shall be charged a \$40 fee for original issuance of the special plate. Provides that of this fee, \$20 shall be deposited into the Community Developmental Disability Services Medicaid Trust Fund and \$20 shall be deposited into the Secretary of State Special License Plate Fund. Provides that for each registration renewal period, a \$20 fee, in addition to the appropriate registration fee, shall be charged and that of this fee, \$10 shall be deposited into the Community Developmental Disability Services Medicaid Trust Fund and \$10 shall be deposited into the Secretary of State Special License Plate Fund.

LRB097 10389 HEP 50607 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 Section 2-119 and adding Section 3-696 as follows:

6 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

7 Sec. 2-119. Disposition of fees and taxes.

8 (a) All moneys received from Salvage Certificates shall be  
9 deposited in the Common School Fund in the State Treasury.

10 (b) Beginning January 1, 1990 and concluding December 31,  
11 1994, of the money collected for each certificate of title,  
12 duplicate certificate of title and corrected certificate of  
13 title, \$0.50 shall be deposited into the Used Tire Management  
14 Fund. Beginning January 1, 1990 and concluding December 31,  
15 1994, of the money collected for each certificate of title,  
16 duplicate certificate of title and corrected certificate of  
17 title, \$1.50 shall be deposited in the Park and Conservation  
18 Fund.

19 Beginning January 1, 1995, of the money collected for each  
20 certificate of title, duplicate certificate of title and  
21 corrected certificate of title, \$2 shall be deposited in the  
22 Park and Conservation Fund. The moneys deposited in the Park  
23 and Conservation Fund pursuant to this Section shall be used

1 for the acquisition and development of bike paths as provided  
2 for in Section 805-420 of the Department of Natural Resources  
3 (Conservation) Law (20 ILCS 805/805-420).

4 Beginning January 1, 2000, of the moneys collected for each  
5 certificate of title, duplicate certificate of title, and  
6 corrected certificate of title, \$48 shall be deposited into the  
7 Road Fund and \$4 shall be deposited into the Motor Vehicle  
8 License Plate Fund, except that if the balance in the Motor  
9 Vehicle License Plate Fund exceeds \$40,000,000 on the last day  
10 of a calendar month, then during the next calendar month the \$4  
11 shall instead be deposited into the Road Fund.

12 Beginning January 1, 2005, of the moneys collected for each  
13 delinquent vehicle registration renewal fee, \$20 shall be  
14 deposited into the General Revenue Fund.

15 Except as otherwise provided in this Code, all remaining  
16 moneys collected for certificates of title, and all moneys  
17 collected for filing of security interests, shall be placed in  
18 the General Revenue Fund in the State Treasury.

19 (c) All moneys collected for that portion of a driver's  
20 license fee designated for driver education under Section 6-118  
21 shall be placed in the Driver Education Fund in the State  
22 Treasury.

23 (d) Beginning January 1, 1999, of the monies collected as a  
24 registration fee for each motorcycle, motor driven cycle and  
25 moped, 27% of each annual registration fee for such vehicle and  
26 27% of each semiannual registration fee for such vehicle is

1 deposited in the Cycle Rider Safety Training Fund.

2 (e) Of the monies received by the Secretary of State as  
3 registration fees or taxes or as payment of any other fee, as  
4 provided in this Act, except fees received by the Secretary  
5 under paragraph (7) of subsection (b) of Section 5-101 and  
6 Section 5-109 of this Code, 37% shall be deposited into the  
7 State Construction Fund.

8 (f) Of the total money collected for a CDL instruction  
9 permit or original or renewal issuance of a commercial driver's  
10 license (CDL) pursuant to the Uniform Commercial Driver's  
11 License Act (UCDLA): (i) \$6 of the total fee for an original or  
12 renewal CDL, and \$6 of the total CDL instruction permit fee  
13 when such permit is issued to any person holding a valid  
14 Illinois driver's license, shall be paid into the  
15 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License  
16 Information System/American Association of Motor Vehicle  
17 Administrators network Trust Fund) and shall be used for the  
18 purposes provided in Section 6z-23 of the State Finance Act and  
19 (ii) \$20 of the total fee for an original or renewal CDL or  
20 commercial driver instruction permit shall be paid into the  
21 Motor Carrier Safety Inspection Fund, which is hereby created  
22 as a special fund in the State Treasury, to be used by the  
23 Department of State Police, subject to appropriation, to hire  
24 additional officers to conduct motor carrier safety  
25 inspections pursuant to Chapter 18b of this Code.

26 (g) All remaining moneys received by the Secretary of State

1 as registration fees or taxes or as payment of any other fee,  
2 as provided in this Act, except fees received by the Secretary  
3 under paragraph (7) (A) of subsection (b) of Section 5-101 and  
4 Section 5-109 of this Code, shall be deposited in the Road Fund  
5 in the State Treasury. Moneys in the Road Fund shall be used  
6 for the purposes provided in Section 8.3 of the State Finance  
7 Act.

8 (h) (Blank).

9 (i) (Blank).

10 (j) (Blank).

11 (k) There is created in the State Treasury a special fund  
12 to be known as the Secretary of State Special License Plate  
13 Fund. Money deposited into the Fund shall, subject to  
14 appropriation, be used by the Office of the Secretary of State  
15 (i) to help defray plate manufacturing and plate processing  
16 costs for the issuance and, when applicable, renewal of any new  
17 or existing registration plates authorized under this Code and  
18 (ii) for grants made by the Secretary of State to benefit  
19 Illinois Veterans Home libraries. A portion of the moneys  
20 received as fees under Section 3-696 may be used, subject to  
21 appropriation, to pay royalties in accordance with Section  
22 3-696.

23 On or before October 1, 1995, the Secretary of State shall  
24 direct the State Comptroller and State Treasurer to transfer  
25 any unexpended balance in the Special Environmental License  
26 Plate Fund, the Special Korean War Veteran License Plate Fund,

1 and the Retired Congressional License Plate Fund to the  
2 Secretary of State Special License Plate Fund.

3 (l) The Motor Vehicle Review Board Fund is created as a  
4 special fund in the State Treasury. Moneys deposited into the  
5 Fund under paragraph (7) of subsection (b) of Section 5-101 and  
6 Section 5-109 shall, subject to appropriation, be used by the  
7 Office of the Secretary of State to administer the Motor  
8 Vehicle Review Board, including without limitation payment of  
9 compensation and all necessary expenses incurred in  
10 administering the Motor Vehicle Review Board under the Motor  
11 Vehicle Franchise Act.

12 (m) Effective July 1, 1996, there is created in the State  
13 Treasury a special fund to be known as the Family  
14 Responsibility Fund. Moneys deposited into the Fund shall,  
15 subject to appropriation, be used by the Office of the  
16 Secretary of State for the purpose of enforcing the Family  
17 Financial Responsibility Law.

18 (n) The Illinois Fire Fighters' Memorial Fund is created as  
19 a special fund in the State Treasury. Moneys deposited into the  
20 Fund shall, subject to appropriation, be used by the Office of  
21 the State Fire Marshal for construction of the Illinois Fire  
22 Fighters' Memorial to be located at the State Capitol grounds  
23 in Springfield, Illinois. Upon the completion of the Memorial,  
24 moneys in the Fund shall be used in accordance with Section  
25 3-634.

26 (o) Of the money collected for each certificate of title

1 for all-terrain vehicles and off-highway motorcycles, \$17  
2 shall be deposited into the Off-Highway Vehicle Trails Fund.

3 (p) For audits conducted on or after July 1, 2003 pursuant  
4 to Section 2-124(d) of this Code, 50% of the money collected as  
5 audit fees shall be deposited into the General Revenue Fund.

6 (Source: P.A. 96-554, eff. 1-1-10.)

7 (625 ILCS 5/3-696 new)

8 Sec. 3-696. NASCAR license plates.

9 (a) The Secretary, upon receipt of an application made in  
10 the form prescribed by the Secretary may, subject to the  
11 requirements of subsection (c), issue special registration  
12 plates designated as NASCAR license plates. The special plates  
13 issued under this Section may be affixed only to passenger  
14 vehicles of the first division and motor vehicles of the second  
15 division weighing not more than 8,000 pounds. Plates issued  
16 under this Section shall expire according to the multi-year  
17 procedure established by Section 3-414.1.

18 (b) The design and color of the plates is wholly within the  
19 discretion of the Secretary, except that the plates shall,  
20 subject to the requirements of subsection (c), display the  
21 NASCAR logo with a theme related to a specific driver or a  
22 general motorsports theme. The Secretary may allow the plates  
23 to be issued as vanity or personalized plates under Section  
24 3-405.1. The Secretary shall prescribe stickers or decals as  
25 provided in Section 3-412.

1       (c) This Section may not be implemented until the State of  
2 Illinois has, through a licensing agreement or otherwise,  
3 received any licenses or other permissions that may be required  
4 to implement this Section. The Secretary may enter into  
5 agreements to obtain the necessary licenses or other  
6 permissions on reasonable terms. The design of the initial  
7 edition of the license plates, as well as the design of  
8 subsequent editions and excepting only any part or parts of the  
9 designs owned by others and licensed to the State, shall be  
10 owned solely by the State of Illinois for its exclusive use and  
11 control, except as authorized by the Secretary. The Secretary  
12 may take the steps necessary to give notice of and protect the  
13 State's rights, including the copyright or copyrights. These  
14 steps, however, are cumulative of the ownership and exclusive  
15 use and control established by this subsection as a matter of  
16 law, and no person may reproduce or otherwise use the design or  
17 designs, except as authorized by the Secretary.

18       (d) An applicant for the special plate shall be charged a  
19 \$40 fee for original issuance in addition to the appropriate  
20 registration fee. Of this fee, \$20 shall be deposited into the  
21 Community Developmental Disability Services Medicaid Trust  
22 Fund and \$20 shall be deposited into the Secretary of State  
23 Special License Plate Fund. For each registration renewal  
24 period, a \$20 fee, in addition to the appropriate registration  
25 fee, shall be charged. Of this fee, \$10 shall be deposited into  
26 the Community Developmental Disability Services Medicaid Trust



1 Fund and \$10 shall be deposited into the Secretary of State  
2 Special License Plate Fund.