

HB3139



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3139

by Rep. Derrick Smith

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-602

from Ch. 95 1/2, par. 7-602

Amends the Illinois Vehicle Code. Provides that a person may demonstrate proof of insurance by means of a mobile electronic device. Provides that the officer being provided proof of insurance via mobile electronic device may not view any other contents of the mobile electronic device. Provides that the owner of a mobile electronic device surrendered in this manner assumes all responsibility for damage to the device.

LRB098 07714 MLW 37791 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 7-602 as follows:

6 (625 ILCS 5/7-602) (from Ch. 95 1/2, par. 7-602)

7 Sec. 7-602. Insurance card. Every operator of a motor
8 vehicle subject to Section 7-601 of this Code shall carry
9 within the vehicle evidence of insurance. The evidence shall be
10 legible and sufficient to demonstrate that the motor vehicle
11 currently is covered by a liability insurance policy as
12 required under Section 7-601 of this Code and may include, but
13 is not limited to, the following:

14 (a) an insurance card provided by the insurer under
15 this Section;

16 (b) the combination of proof of purchase of the motor
17 vehicle within the previous 60 days and a current insurance
18 card issued for the motor vehicle replaced by such
19 purchase;

20 (c) the current declarations page of a liability
21 insurance policy;

22 (d) a liability insurance binder, certificate of
23 liability insurance or receipt for payment to an insurer or

1 its authorized representative for a liability insurance
2 premium, provided such document contains all information
3 the Secretary of State by rule and regulation may require;

4 (e) a current rental agreement;

5 (f) registration plates, registration sticker or other
6 evidence of registration issued by the Secretary only upon
7 submission of proof of liability insurance pursuant to this
8 Code;

9 (g) a certificate, decal, or other document or device
10 issued by a governmental agency for a motor vehicle
11 indicating the vehicle is insured for liability pursuant to
12 law;

13 (h) electronic verification of liability insurance
14 using a mobile electronic device. When a person provides
15 evidence of liability insurance using a mobile electronic
16 device the law enforcement officer, court, or officer of
17 the court presented with the device is prohibited from
18 viewing any other content on the mobile electronic device.
19 The person presenting the mobile electronic device assumes
20 all liability for any damage to the mobile electronic
21 device.

22 An insurance card shall be provided for each motor vehicle
23 insured by the insurer issuing the liability insurance policy.
24 This card may be in electronic format at the request of the
25 insured and must be accessible via a mobile electronic device.

26 The form, contents and manner of issuance of the insurance

1 card shall be prescribed by rules and regulations of the
2 Secretary of State. The Secretary shall adopt rules requiring
3 that reasonable measures be taken to prevent the fraudulent
4 production of insurance cards. The insurance card shall display
5 an effective date and an expiration date covering a period of
6 time not to exceed 12 months. The insurance card shall contain
7 the following disclaimer: "Examine policy exclusions
8 carefully. This form does not constitute any part of your
9 insurance policy." If the insurance policy represented by the
10 insurance card does not cover any driver operating the motor
11 vehicle with the owner's permission, or the owner when
12 operating a motor vehicle other than the vehicle for which the
13 policy is issued, the insurance card shall contain a warning of
14 such limitations in the coverage provided by the policy.

15 No insurer shall issue a card, similar in appearance, form
16 and content to the insurance card required under this Section,
17 in connection with an insurance policy that does not provide
18 the liability insurance coverage required under Section 7-601
19 of this Code.

20 The evidence of insurance shall be displayed upon request
21 made by any law enforcement officer wearing a uniform or
22 displaying a badge or other sign of authority. Any person who
23 fails or refuses to comply with such request is in violation of
24 Section 3-707 of this Code. Any person who displays evidence of
25 insurance, knowing there is no valid liability insurance in
26 effect on the motor vehicle as required under Section 7-601 of

1 this Code or knowing the evidence of insurance is illegally
2 altered, counterfeit or otherwise invalid, is in violation of
3 Section 3-710 of this Code.

4 "Display" means the manual surrender of the evidence of
5 insurance into the hands of the law enforcement officer, court,
6 or officer of the court making the request for the officer's,
7 court's, or officer of the court's inspection thereof.

8 "Mobile electronic device" means a portable computing or
9 communication device that has a display screen with touch input
10 or a miniature keyboard.

11 (Source: P.A. 93-719, eff. 1-1-05.)