

SB3321



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3321

Introduced 2/14/2014, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-306.6

from Ch. 95 1/2, par. 6-306.6

Amends the Illinois Vehicle Code. Provides that failure to pay a fine for a violation of any statute, not just traffic violations, on a conviction entered on or after the effective date of this amendatory Act will prevent the issuance, renewal, reissue, or reinstatement of driving privileges.

LRB098 19884 MLW 55103 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 6-306.6 as follows:

6 (625 ILCS 5/6-306.6) (from Ch. 95 1/2, par. 6-306.6)

7 Sec. 6-306.6. Failure to pay ~~traffic~~ fines, penalties,
8 fees, or court costs.

9 (a) Whenever any resident of this State fails to pay any
10 ~~traffic~~ fine, penalty, fee, or cost imposed for a violation of
11 this Code, any other statute, or similar provision of local
12 ordinance, the clerk may notify the Secretary of State, on a
13 report prescribed by the Secretary, and the Secretary shall
14 prohibit the issuance, renewal, reissue or reinstatement of
15 such resident's driving privileges until such fine, penalty,
16 fee, or cost has been paid in full. The clerk shall provide
17 notice to the driver, at the driver's last known address as
18 shown on the court's records, stating that such action will be
19 effective on the 46th day following the date of the above
20 notice if payment is not received in full by the court of
21 venue.

22 (a-1) Whenever any resident of this State who has made a
23 partial payment on any traffic fine, penalty, or cost that was

1 imposed under a conviction entered on or after the effective
2 date of this amendatory Act of the 93rd General Assembly, for a
3 violation of this Code or a similar provision of a local
4 ordinance, or any fine, fee, penalty, or cost that was imposed
5 under a conviction entered on or after the effective date of
6 this amendatory Act of the 98th General Assembly for a
7 violation of this Code, any other statute, or a similar
8 provision of a local ordinance, fails to pay the remainder of
9 the outstanding fine, penalty, fee, or cost within the time
10 limit set by the court, the clerk may notify the Secretary of
11 State, on a report prescribed by the Secretary, and the
12 Secretary shall prohibit the renewal, reissue, or
13 reinstatement of the resident's driving privileges until the
14 fine, penalty, fee, or cost has been paid in full. The clerk
15 shall provide notice to the driver, at the driver's last known
16 address as shown on the court's records, stating that the
17 action will be effective on the 46th day following the date of
18 the notice if payment is not received in full by the court of
19 venue.

20 (b) Except as provided in subsection (b-1), following
21 receipt of the report from the clerk, the Secretary of State
22 shall make the proper notation to the driver's file to prohibit
23 the issuance, renewal, reissue or reinstatement of such
24 driver's driving privileges. Except as provided in paragraph
25 (2) of subsection (d) of this Section, such notation shall not
26 be removed from the driver's record until the driver satisfies

1 the outstanding fine, penalty, fee, or cost and an appropriate
2 notice on a form prescribed by the Secretary is received by the
3 Secretary from the court of venue, stating that such fine,
4 penalty, fee, or cost has been paid in full. Upon payment in
5 full of a ~~traffic~~ fine, penalty, or court cost which has
6 previously been reported under this Section as unpaid, the
7 clerk of the court shall present the driver with a signed
8 receipt containing the seal of the court indicating that such
9 fine, penalty, fee, or cost has been paid in full, and shall
10 forward forthwith to the Secretary of State a notice stating
11 that the fine, penalty, fee, or cost has been paid in full.

12 (b-1) In a county with a population of 3,000,000 or more,
13 following receipt of the report from the clerk, the Secretary
14 of State shall make the proper notation to the driver's file to
15 prohibit the issuance, renewal, reissue or reinstatement of
16 such driver's driving privileges. Such notation shall not be
17 removed from the driver's record until the driver satisfies the
18 outstanding fine, penalty, fee, or cost and an appropriate
19 notice on a form prescribed by the Secretary is received by the
20 Secretary directly from the court of venue, stating that such
21 fine, penalty, fee, or cost has been paid in full. Upon payment
22 in full of a ~~traffic~~ fine, penalty, or court cost which has
23 previously been reported under this Section as unpaid, the
24 clerk of the court shall forward forthwith directly to the
25 Secretary of State a notice stating that the fine, penalty,
26 fee, or cost has been paid in full and shall provide the driver

1 with a signed receipt containing the seal of the court,
2 indicating that the fine, penalty, and cost have been paid in
3 full. The receipt may not be used by the driver to clear the
4 driver's record.

5 (c) The provisions of this Section shall be limited to a
6 single action per arrest and as a post conviction measure only.
7 Fines, penalty, or costs to be collected subsequent to orders
8 of court supervision, or other available court diversions are
9 not applicable to this Section.

10 (d)(1) Notwithstanding the receipt of a report from the
11 clerk as prescribed in subsections (a) and (e), nothing in this
12 Section is intended to place any responsibility upon the
13 Secretary of State to provide independent notice to the driver
14 of any potential action to disallow the issuance, renewal,
15 reissue or reinstatement of such driver's driving privileges.

16 (2) Except as provided in subsection (b-1), the Secretary
17 of State shall renew, reissue or reinstate a driver's driving
18 privileges which were previously refused pursuant to this
19 Section upon presentation of an original receipt which is
20 signed by the clerk of the court and contains the seal of the
21 court indicating that the fine, penalty, fee, or cost has been
22 paid in full. The Secretary of State shall retain such receipt
23 for his records.

24 (e) Upon receipt of notification from another state that is
25 a member of the Nonresident Violator Compact of 1977, stating a
26 resident of this State failed to pay a traffic fine, penalty,

1 or cost imposed for a violation that occurs in another state,
2 the Secretary shall make the proper notation to the driver's
3 license file to prohibit the renewal, reissue, or reinstatement
4 of the resident's driving privileges until the fine, penalty,
5 or cost has been paid in full. The Secretary of State shall
6 renew, reissue, or reinstate the driver's driving privileges
7 that were previously refused under this Section upon receipt of
8 notification from the other state that indicates that the fine,
9 penalty, or cost has been paid in full. The Secretary of State
10 shall retain the out-of-state receipt for his or her records.
11 (Source: P.A. 98-178, eff. 1-1-14.)