



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1441

Introduced 2/20/2015, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Provides that no towing service shall engage in the removal of commercial motor vehicles requiring a commercial driver's license by operating the vehicle under its own power, unless authorized by a law enforcement officer. Allows a law enforcement officer issuing a citation to a driver for operating an uninsured motor vehicle to authorize the removal and impoundment of the vehicle by a towing service if the driver has a prior conviction for driving without insurance in the past 12 months, unless the vehicle is exempt from the insurance requirements of the Code. Provides that law enforcement agencies patrolling highways in this State shall establish tow rotation lists of towing services, and requires officers of those agencies to utilize the tow rotation lists to select a towing service for officer initiated tows. Provides criteria for inclusion on a tow rotation list, including licensing, insurance requirements, and submission of fingerprints for the purpose of a criminal history check. Provides that a tower that stops for the purpose of soliciting a towing service transaction or without being summoned by a law enforcement officer shall be subject to a fine, shall have his or her driver's license suspended for 3 months, and shall not be reinstated until the payment of a reinstatement fee. If a person's license is already suspended at the time of the violation, his or her driver's license shall be suspended for 6 months, and shall not be reinstated until the payment of a reinstatement fee. Provides that towers that misrepresent their affiliation with a law enforcement agency's tow rotation list shall be subject to license suspension and a fine up to \$1000.

LRB099 07079 RJF 27163 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 Sections 4-203, 6-118, 11-1431, 18a-300, and 18d-153 and by
6 adding Section 4-203.5 as follows:

7 (625 ILCS 5/4-203) (from Ch. 95 1/2, par. 4-203)

8 Sec. 4-203. Removal of motor vehicles or other vehicles;
9 Towing or hauling away.

10 (a) When a vehicle is abandoned, or left unattended, on a
11 toll highway, interstate highway, or expressway for 2 hours or
12 more, its removal by a towing service may be authorized by a
13 law enforcement agency having jurisdiction.

14 (b) When a vehicle is abandoned on a highway in an urban
15 district 10 hours or more, its removal by a towing service may
16 be authorized by a law enforcement agency having jurisdiction.

17 (c) When a vehicle is abandoned or left unattended on a
18 highway other than a toll highway, interstate highway, or
19 expressway, outside of an urban district for 24 hours or more,
20 its removal by a towing service may be authorized by a law
21 enforcement agency having jurisdiction.

22 (d) When an abandoned, unattended, wrecked, burned or
23 partially dismantled vehicle is creating a traffic hazard

1 because of its position in relation to the highway or its
2 physical appearance is causing the impeding of traffic, its
3 immediate removal from the highway or private property adjacent
4 to the highway by a towing service may be authorized by a law
5 enforcement agency having jurisdiction.

6 (e) Whenever a peace officer reasonably believes that a
7 person under arrest for a violation of Section 11-501 of this
8 Code or a similar provision of a local ordinance is likely,
9 upon release, to commit a subsequent violation of Section
10 11-501, or a similar provision of a local ordinance, the
11 arresting officer shall have the vehicle which the person was
12 operating at the time of the arrest impounded for a period of
13 not more than 12 hours after the time of arrest. However, such
14 vehicle may be released by the arresting law enforcement agency
15 prior to the end of the impoundment period if:

16 (1) the vehicle was not owned by the person under
17 arrest, and the lawful owner requesting such release
18 possesses a valid operator's license, proof of ownership,
19 and would not, as determined by the arresting law
20 enforcement agency, indicate a lack of ability to operate a
21 motor vehicle in a safe manner, or who would otherwise, by
22 operating such motor vehicle, be in violation of this Code;
23 or

24 (2) the vehicle is owned by the person under arrest,
25 and the person under arrest gives permission to another
26 person to operate such vehicle, provided however, that the

1 other person possesses a valid operator's license and would
2 not, as determined by the arresting law enforcement agency,
3 indicate a lack of ability to operate a motor vehicle in a
4 safe manner or who would otherwise, by operating such motor
5 vehicle, be in violation of this Code.

6 (e-5) Whenever a registered owner of a vehicle is taken
7 into custody for operating the vehicle in violation of Section
8 11-501 of this Code or a similar provision of a local ordinance
9 or Section 6-303 of this Code, a law enforcement officer may
10 have the vehicle immediately impounded for a period not less
11 than:

12 (1) 24 hours for a second violation of Section 11-501
13 of this Code or a similar provision of a local ordinance or
14 Section 6-303 of this Code or a combination of these
15 offenses; or

16 (2) 48 hours for a third violation of Section 11-501 of
17 this Code or a similar provision of a local ordinance or
18 Section 6-303 of this Code or a combination of these
19 offenses.

20 The vehicle may be released sooner if the vehicle is owned
21 by the person under arrest and the person under arrest gives
22 permission to another person to operate the vehicle and that
23 other person possesses a valid operator's license and would
24 not, as determined by the arresting law enforcement agency,
25 indicate a lack of ability to operate a motor vehicle in a safe
26 manner or would otherwise, by operating the motor vehicle, be

1 in violation of this Code.

2 (f) Except as provided in Chapter 18a of this Code, the
3 owner or lessor of privately owned real property within this
4 State, or any person authorized by such owner or lessor, or any
5 law enforcement agency in the case of publicly owned real
6 property may cause any motor vehicle abandoned or left
7 unattended upon such property without permission to be removed
8 by a towing service without liability for the costs of removal,
9 transportation or storage or damage caused by such removal,
10 transportation or storage. The towing or removal of any vehicle
11 from private property without the consent of the registered
12 owner or other legally authorized person in control of the
13 vehicle is subject to compliance with the following conditions
14 and restrictions:

15 1. Any towed or removed vehicle must be stored at the
16 site of the towing service's place of business. The site
17 must be open during business hours, and for the purpose of
18 redemption of vehicles, during the time that the person or
19 firm towing such vehicle is open for towing purposes.

20 2. The towing service shall within 30 minutes of
21 completion of such towing or removal, notify the law
22 enforcement agency having jurisdiction of such towing or
23 removal, and the make, model, color and license plate
24 number of the vehicle, and shall obtain and record the name
25 of the person at the law enforcement agency to whom such
26 information was reported.

1 3. If the registered owner or legally authorized person
2 entitled to possession of the vehicle shall arrive at the
3 scene prior to actual removal or towing of the vehicle, the
4 vehicle shall be disconnected from the tow truck and that
5 person shall be allowed to remove the vehicle without
6 interference, upon the payment of a reasonable service fee
7 of not more than one half the posted rate of the towing
8 service as provided in paragraph 6 of this subsection, for
9 which a receipt shall be given.

10 4. The rebate or payment of money or any other valuable
11 consideration from the towing service or its owners,
12 managers or employees to the owners or operators of the
13 premises from which the vehicles are towed or removed, for
14 the privilege of removing or towing those vehicles, is
15 prohibited. Any individual who violates this paragraph
16 shall be guilty of a Class A misdemeanor.

17 5. Except for property appurtenant to and obviously a
18 part of a single family residence, and except for instances
19 where notice is personally given to the owner or other
20 legally authorized person in control of the vehicle that
21 the area in which that vehicle is parked is reserved or
22 otherwise unavailable to unauthorized vehicles and they
23 are subject to being removed at the owner or operator's
24 expense, any property owner or lessor, prior to towing or
25 removing any vehicle from private property without the
26 consent of the owner or other legally authorized person in

1 control of that vehicle, must post a notice meeting the
2 following requirements:

3 a. Except as otherwise provided in subparagraph
4 a.1 of this subdivision (f)5, the notice must be
5 prominently placed at each driveway access or curb cut
6 allowing vehicular access to the property within 5 feet
7 from the public right-of-way line. If there are no
8 curbs or access barriers, the sign must be posted not
9 less than one sign each 100 feet of lot frontage.

10 a.1. In a municipality with a population of less
11 than 250,000, as an alternative to the requirement of
12 subparagraph a of this subdivision (f)5, the notice for
13 a parking lot contained within property used solely for
14 a 2-family, 3-family, or 4-family residence may be
15 prominently placed at the perimeter of the parking lot,
16 in a position where the notice is visible to the
17 occupants of vehicles entering the lot.

18 b. The notice must indicate clearly, in not less
19 than 2 inch high light-reflective letters on a
20 contrasting background, that unauthorized vehicles
21 will be towed away at the owner's expense.

22 c. The notice must also provide the name and
23 current telephone number of the towing service towing
24 or removing the vehicle.

25 d. The sign structure containing the required
26 notices must be permanently installed with the bottom

1 of the sign not less than 4 feet above ground level,
2 and must be continuously maintained on the property for
3 not less than 24 hours prior to the towing or removing
4 of any vehicle.

5 6. Any towing service that tows or removes vehicles and
6 proposes to require the owner, operator, or person in
7 control of the vehicle to pay the costs of towing and
8 storage prior to redemption of the vehicle must file and
9 keep on record with the local law enforcement agency a
10 complete copy of the current rates to be charged for such
11 services, and post at the storage site an identical rate
12 schedule and any written contracts with property owners,
13 lessors, or persons in control of property which authorize
14 them to remove vehicles as provided in this Section. The
15 towing and storage charges, however, shall not exceed the
16 maximum allowed by the Illinois Commerce Commission under
17 Section 18a-200.

18 7. No person shall engage in the removal of vehicles
19 from private property as described in this Section without
20 filing a notice of intent in each community where he
21 intends to do such removal, and such notice shall be filed
22 at least 7 days before commencing such towing.

23 8. No removal of a vehicle from private property shall
24 be done except upon express written instructions of the
25 owners or persons in charge of the private property upon
26 which the vehicle is said to be trespassing.

1 9. Vehicle entry for the purpose of removal shall be
2 allowed with reasonable care on the part of the person or
3 firm towing the vehicle. Such person or firm shall be
4 liable for any damages occasioned to the vehicle if such
5 entry is not in accordance with the standards of reasonable
6 care.

7 9.5. Except as authorized by a law enforcement officer,
8 no towing service shall engage in the removal of a
9 commercial motor vehicle that requires a commercial
10 driver's license to operate by operating the vehicle under
11 its own power on a highway.

12 10. When a vehicle has been towed or removed pursuant
13 to this Section, it must be released to its owner or
14 custodian within one half hour after requested, if such
15 request is made during business hours. Any vehicle owner or
16 custodian or agent shall have the right to inspect the
17 vehicle before accepting its return, and no release or
18 waiver of any kind which would release the towing service
19 from liability for damages incurred during the towing and
20 storage may be required from any vehicle owner or other
21 legally authorized person as a condition of release of the
22 vehicle. A detailed, signed receipt showing the legal name
23 of the towing service must be given to the person paying
24 towing or storage charges at the time of payment, whether
25 requested or not.

26 This Section shall not apply to law enforcement,

1 firefighting, rescue, ambulance, or other emergency vehicles
2 which are marked as such or to property owned by any
3 governmental entity.

4 When an authorized person improperly causes a motor vehicle
5 to be removed, such person shall be liable to the owner or
6 lessee of the vehicle for the cost or removal, transportation
7 and storage, any damages resulting from the removal,
8 transportation and storage, attorney's fee and court costs.

9 Any towing or storage charges accrued shall be payable by
10 the use of any major credit card, in addition to being payable
11 in cash.

12 11. Towing companies shall also provide insurance
13 coverage for areas where vehicles towed under the
14 provisions of this Chapter will be impounded or otherwise
15 stored, and shall adequately cover loss by fire, theft or
16 other risks.

17 Any person who fails to comply with the conditions and
18 restrictions of this subsection shall be guilty of a Class C
19 misdemeanor and shall be fined not less than \$100 nor more than
20 \$500.

21 (g)(1) When a vehicle is determined to be a hazardous
22 dilapidated motor vehicle pursuant to Section 11-40-3.1 of the
23 Illinois Municipal Code or Section 5-12002.1 of the Counties
24 Code, its removal and impoundment by a towing service may be
25 authorized by a law enforcement agency with appropriate
26 jurisdiction.

1 (2) When a vehicle removal from either public or private
2 property is authorized by a law enforcement agency, the owner
3 of the vehicle shall be responsible for all towing and storage
4 charges.

5 (3) Vehicles removed from public or private property and
6 stored by a commercial vehicle relocater or any other towing
7 service authorized by a law enforcement agency in compliance
8 with this Section and Sections 4-201 and 4-202 of this Code, or
9 at the request of the vehicle owner or operator, shall be
10 subject to a possessor lien for services pursuant to the Labor
11 and Storage Lien (Small Amount) Act. The provisions of Section
12 1 of that Act relating to notice and implied consent shall be
13 deemed satisfied by compliance with Section 18a-302 and
14 subsection (6) of Section 18a-300. In no event shall such lien
15 be greater than the rate or rates established in accordance
16 with subsection (6) of Section 18a-200 of this Code. In no
17 event shall such lien be increased or altered to reflect any
18 charge for services or materials rendered in addition to those
19 authorized by this Act. Every such lien shall be payable by use
20 of any major credit card, in addition to being payable in cash.

21 (4) Any personal property belonging to the vehicle owner in
22 a vehicle subject to a lien under this subsection (g) shall
23 likewise be subject to that lien, excepting only: child
24 restraint systems as defined in Section 4 of the Child
25 Passenger Protection Act and other child booster seats;
26 eyeglasses; food; medicine; perishable property; any

1 operator's licenses; any cash, credit cards, or checks or
2 checkbooks; any wallet, purse, or other property containing any
3 operator's license or other identifying documents or
4 materials, cash, credit cards, checks, or checkbooks; and any
5 personal property belonging to a person other than the vehicle
6 owner if that person provides adequate proof that the personal
7 property belongs to that person. The spouse, child, mother,
8 father, brother, or sister of the vehicle owner may claim
9 personal property excepted under this paragraph (4) if the
10 person claiming the personal property provides the commercial
11 vehicle relocator or towing service with the authorization of
12 the vehicle owner.

13 (5) This paragraph (5) applies only in the case of a
14 vehicle that is towed as a result of being involved in an
15 accident. In addition to the personal property excepted under
16 paragraph (4), all other personal property in a vehicle subject
17 to a lien under this subsection (g) is exempt from that lien
18 and may be claimed by the vehicle owner if the vehicle owner
19 provides the commercial vehicle relocator or towing service
20 with proof that the vehicle owner has an insurance policy
21 covering towing and storage fees. The spouse, child, mother,
22 father, brother, or sister of the vehicle owner may claim
23 personal property in a vehicle subject to a lien under this
24 subsection (g) if the person claiming the personal property
25 provides the commercial vehicle relocator or towing service
26 with the authorization of the vehicle owner and proof that the

1 vehicle owner has an insurance policy covering towing and
2 storage fees. The regulation of liens on personal property and
3 exceptions to those liens in the case of vehicles towed as a
4 result of being involved in an accident are exclusive powers
5 and functions of the State. A home rule unit may not regulate
6 liens on personal property and exceptions to those liens in the
7 case of vehicles towed as a result of being involved in an
8 accident. This paragraph (5) is a denial and limitation of home
9 rule powers and functions under subsection (h) of Section 6 of
10 Article VII of the Illinois Constitution.

11 (6) No lien under this subsection (g) shall: exceed \$2,000
12 in its total amount; or be increased or altered to reflect any
13 charge for services or materials rendered in addition to those
14 authorized by this Act.

15 (h) Whenever a peace officer issues a citation to a driver
16 for a violation of subsection (a) of Section 11-506 of this
17 Code, the arresting officer may have the vehicle which the
18 person was operating at the time of the arrest impounded for a
19 period of 5 days after the time of arrest. An impounding agency
20 shall release a motor vehicle impounded under this subsection
21 (h) to the registered owner of the vehicle under any of the
22 following circumstances:

23 (1) If the vehicle is a stolen vehicle; or

24 (2) If the person ticketed for a violation of
25 subsection (a) of Section 11-506 of this Code was not
26 authorized by the registered owner of the vehicle to

1 operate the vehicle at the time of the violation; or

2 (3) If the registered owner of the vehicle was neither
3 the driver nor a passenger in the vehicle at the time of
4 the violation or was unaware that the driver was using the
5 vehicle to engage in street racing; or

6 (4) If the legal owner or registered owner of the
7 vehicle is a rental car agency; or

8 (5) If, prior to the expiration of the impoundment
9 period specified above, the citation is dismissed or the
10 defendant is found not guilty of the offense.

11 (i) Except for vehicles exempted under subsection (b) of
12 Section 7-601 of this Code, whenever a law enforcement officer
13 issues a citation to a driver for a violation of Section 3-707
14 of this Code, and the driver has a prior conviction for a
15 violation of Section 3-707 of this Code in the past 12 months,
16 the arresting officer shall authorize the removal and
17 impoundment of the vehicle by a towing service.

18 (Source: P.A. 96-1274, eff. 7-26-10; 96-1506, eff. 1-27-11;
19 97-779, eff. 7-13-12.)

20 (625 ILCS 5/4-203.5 new)

21 Sec. 4-203.5. Tow rotation list.

22 (a) Each law enforcement agency whose duties include the
23 patrol of highways in this State shall maintain a tow rotation
24 list which shall be used by law enforcement officers
25 authorizing the tow of a vehicle within the jurisdiction of the

1 law enforcement agency. To ensure adequate response time, a law
2 enforcement agency may maintain multiple tow rotation lists,
3 with each tow rotation list covering tows authorized in
4 different geographic locations within the jurisdiction of the
5 law enforcement agency. A towing service may be included on
6 more than one tow rotation list.

7 (b) Any towing service operating within the jurisdiction of
8 a law enforcement agency may submit an application in a form
9 and manner prescribed by the law enforcement agency for
10 inclusion on the law enforcement agency's tow rotation list.
11 The towing service does not need to be located within the
12 jurisdiction of the law enforcement agency. To be included on a
13 tow rotation list the towing service must meet the following
14 requirements:

15 (1) possess a license permitting the towing service to
16 operate in every unit of local government in the law
17 enforcement agency's jurisdiction that requires a license
18 for the operation of a towing service;

19 (2) if required by the law enforcement agency for
20 inclusion on that law enforcement agency's tow rotation
21 list, each owner of the towing service and each person
22 operating a vehicle on behalf of the towing service shall
23 submit his or her fingerprints to the Department of State
24 Police in the form and manner prescribed by the Department
25 of State Police. These fingerprints should be transmitted
26 through a live scan fingerprint vendor licensed by the

1 Department of Financial and Professional Regulation. These
2 fingerprints shall be checked against the fingerprint
3 records now and hereafter filed in the Department of State
4 Police and Federal Bureau of Investigation criminal
5 history records databases. The Department of State Police
6 shall charge a fee for conducting the criminal history
7 record check, which shall be deposited in the State Police
8 Services Fund and shall not exceed the actual cost of the
9 State and national criminal history record check. The
10 Department of State Police shall furnish, pursuant to
11 positive identification, all Illinois conviction
12 information to the law enforcement agency maintaining the
13 tow rotation list and shall forward the national criminal
14 history record information to the law enforcement agency
15 maintaining the tow rotation list. A person may not own a
16 towing service or operate a vehicle on behalf of a towing
17 service included on a tow rotation list if that person has
18 been convicted during the 5 years preceding the application
19 of a criminal offense involving one or more of the
20 following:

21 (A) bodily injury or attempt to inflict bodily
22 injury to another person;

23 (B) theft of property or attempted theft of
24 property; or

25 (C) sexual assault or attempted sexual assault of
26 any kind;

1 (3) each person operating a vehicle on behalf of the
2 towing service must be classified for the type of towing
3 operation he or she shall be performing and the vehicle he
4 or she shall be operating;

5 (4) possess and maintain the following insurance in
6 addition to any other insurance required by law:

7 (A) comprehensive automobile liability insurance
8 with a minimum combined single limit coverage of
9 \$1,000,000;

10 (B) commercial general liability insurance with
11 limits of not less than \$1,000,000 per occurrence,
12 \$100,000 minimum garage keepers legal liability
13 insurance, and \$100,000 minimum on-hook coverage or
14 cargo insurance; and

15 (C) a worker's compensation policy covering every
16 person operating a tow truck on behalf of the towing
17 service, if required under current law;

18 (5) possess a secure parking lot used for short-term
19 vehicle storage after a vehicle is towed that is open
20 during business hours and is equipped with security
21 features as required by the law enforcement agency;

22 (6) utilize only vehicles that possess a valid vehicle
23 registration, display a valid Illinois license plate in
24 accordance with Section 5-202 of this Code, and comply with
25 the weight requirements of this Code;

26 (7) every person operating a towing or recovery vehicle

1 on behalf of the towing service must have completed a
2 Traffic Incident Management Training Program approved by
3 the Department of Transportation;

4 (8) hold a valid authority issued to it by the Illinois
5 Commerce Commission;

6 (9) comply with all other applicable federal, State,
7 and local laws; and

8 (10) comply with any additional requirements the
9 applicable law enforcement agency deems necessary.

10 The law enforcement agency may select which towing services
11 meeting the requirements of this subsection (b) shall be
12 included on a tow rotation list. The law enforcement agency may
13 choose to have only one towing service on its tow rotation
14 list. Complaints regarding the process for inclusion on a tow
15 rotation list or the use of a tow rotation list may be referred
16 in writing to the head of the law enforcement agency
17 administering that tow rotation list. The head of the law
18 enforcement agency shall make the final determination as to
19 which qualified towing services shall be included on a tow
20 rotation list, and shall not be held liable for the exclusion
21 of any towing service from a tow rotation list.

22 (c) Whenever a law enforcement officer initiates a tow of a
23 vehicle, the officer shall contact his or her law enforcement
24 agency and inform the agency that a tow has been authorized.
25 The law enforcement agency shall then select a towing service
26 from the law enforcement agency's tow rotation list

1 corresponding to the geographical area where the tow was
2 authorized, and shall contact that towing service directly by
3 phone, computer, or similar means. Towing services shall be
4 contacted in the order listed on the appropriate tow rotation
5 list, at which point the towing service shall be placed at the
6 end of that tow rotation list. In the event a listed towing
7 service is not available, the next listed towing service on
8 that tow rotation list shall be contacted.

9 (d) A law enforcement agency may deviate from the order
10 listed on a tow rotation list if the towing service next on
11 that tow rotation list is, in the judgment of the authorizing
12 officer or the law enforcement agency making the selection,
13 incapable of or not properly equipped for handling a specific
14 task related to the tow that requires special skills or
15 equipment. A deviation from the order listed on the tow
16 rotation list for this reason shall not cause a loss of
17 rotation turn by the towing service determined to be incapable
18 or not properly equipped for handling the request.

19 (e) In the event of an emergency a law enforcement officer
20 or agency, taking into account the safety and location of the
21 situation, may deviate from the order of the tow rotation list
22 and obtain towing service from any source deemed appropriate.

23 (f) If the owner or operator of a disabled vehicle is
24 present at the scene of the disabled vehicle, is not under
25 arrest, and does not abandon his or her vehicle, and in the law
26 enforcement officer's opinion the disabled vehicle is not

1 impeding or obstructing traffic, illegally parked, or posing a
 2 security or safety risk, the law enforcement officer shall
 3 allow the owner of the vehicle to specify a towing service to
 4 relocate the disabled vehicle. If the owner chooses not to
 5 specify a towing service, the law enforcement agency shall
 6 select a towing service for the vehicle as provided in
 7 subsection (c) of this Section.

8 (g) If a tow operator is present or arrives where a tow is
 9 needed and it has not been requested by the law enforcement
 10 agency or the owner or operator, the law enforcement officer,
 11 unless acting under Section 11-1431 of this Code, shall advise
 12 the tow operator to leave the scene.

13 (625 ILCS 5/6-118)

14 (Text of Section before amendment by P.A. 98-176)

15 Sec. 6-118. Fees.

16 (a) The fee for licenses and permits under this Article is
 17 as follows:

18	Original driver's license	\$30
19	Original or renewal driver's license	
20	issued to 18, 19 and 20 year olds	5
21	All driver's licenses for persons	
22	age 69 through age 80	5
23	All driver's licenses for persons	
24	age 81 through age 86	2
25	All driver's licenses for persons	

1 age 87 or older 0

2 Renewal driver's license (except for

3 applicants ages 18, 19 and 20 or

4 age 69 and older) 30

5 Original instruction permit issued to

6 persons (except those age 69 and older)

7 who do not hold or have not previously

8 held an Illinois instruction permit or

9 driver's license 20

10 Instruction permit issued to any person

11 holding an Illinois driver's license

12 who wishes a change in classifications,

13 other than at the time of renewal 5

14 Any instruction permit issued to a person

15 age 69 and older 5

16 Instruction permit issued to any person,

17 under age 69, not currently holding a

18 valid Illinois driver's license or

19 instruction permit but who has

20 previously been issued either document

21 in Illinois 10

22 Restricted driving permit 8

23 Monitoring device driving permit 8

24 Duplicate or corrected driver's license

25 or permit 5

26 Duplicate or corrected restricted

1 driving permit 5

2 Duplicate or corrected monitoring

3 device driving permit 5

4 Duplicate driver's license or permit issued to

5 an active-duty member of the

6 United States Armed Forces,

7 the member's spouse, or

8 the dependent children living

9 with the member 0

10 Original or renewal M or L endorsement..... 5

11 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

12 The fees for commercial driver licenses and permits
13 under Article V shall be as follows:

14 Commercial driver's license:

- 15 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
- 16 (Commercial Driver's License Information
- 17 System/American Association of Motor Vehicle
- 18 Administrators network/National Motor Vehicle
- 19 Title Information Service Trust Fund);
- 20 \$20 for the Motor Carrier Safety Inspection Fund;
- 21 \$10 for the driver's license;
- 22 and \$24 for the CDL: \$60

23 Renewal commercial driver's license:

- 24 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
- 25 \$20 for the Motor Carrier Safety Inspection Fund;
- 26 \$10 for the driver's license; and

1	\$24 for the CDL:	\$60
2	Commercial driver instruction permit	
3	issued to any person holding a valid	
4	Illinois driver's license for the	
5	purpose of changing to a	
6	CDL classification: \$6 for the	
7	CDLIS/AAMVAnet/NMVTIS Trust Fund;	
8	\$20 for the Motor Carrier	
9	Safety Inspection Fund; and	
10	\$24 for the CDL classification	\$50
11	Commercial driver instruction permit	
12	issued to any person holding a valid	
13	Illinois CDL for the purpose of	
14	making a change in a classification,	
15	endorsement or restriction	\$5
16	CDL duplicate or corrected license	\$5

17 In order to ensure the proper implementation of the Uniform
18 Commercial Driver License Act, Article V of this Chapter, the
19 Secretary of State is empowered to pro-rate the \$24 fee for the
20 commercial driver's license proportionate to the expiration
21 date of the applicant's Illinois driver's license.

22 The fee for any duplicate license or permit shall be waived
23 for any person who presents the Secretary of State's office
24 with a police report showing that his license or permit was
25 stolen.

26 The fee for any duplicate license or permit shall be waived

1 for any person age 60 or older whose driver's license or permit
2 has been lost or stolen.

3 No additional fee shall be charged for a driver's license,
4 or for a commercial driver's license, when issued to the holder
5 of an instruction permit for the same classification or type of
6 license who becomes eligible for such license.

7 (b) Any person whose license or privilege to operate a
8 motor vehicle in this State has been suspended or revoked under
9 Section 3-707, any provision of Chapter 6, Chapter 11, or
10 Section 7-205, 7-303, or 7-702 of the Family Financial
11 Responsibility Law of this Code, shall in addition to any other
12 fees required by this Code, pay a reinstatement fee as follows:

13	Suspension under Section 3-707	\$100
14	Summary suspension under Section 11-501.1	\$250
15	Suspension under Section 11-501.9	\$250
16	Summary revocation under Section 11-501.1	\$500
17	Other suspension	\$70
18	Revocation	\$500

19 However, any person whose license or privilege to operate a
20 motor vehicle in this State has been suspended or revoked for a
21 second or subsequent time for a violation of Section 11-501,
22 11-501.1, or 11-501.9 of this Code or a similar provision of a
23 local ordinance or a similar out-of-state offense or Section
24 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
25 and each suspension or revocation was for a violation of
26 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar

1 provision of a local ordinance or a similar out-of-state
 2 offense or Section 9-3 of the Criminal Code of 1961 or the
 3 Criminal Code of 2012 shall pay, in addition to any other fees
 4 required by this Code, a reinstatement fee as follows:

5	Summary suspension under Section 11-501.1	\$500
6	Suspension under Section 11-501.9	\$500
7	Summary revocation under Section 11-501.1	\$500
8	Revocation	\$500

9 (c) All fees collected under the provisions of this Chapter
 10 6 shall be paid into the Road Fund in the State Treasury except
 11 as follows:

12 1. The following amounts shall be paid into the Driver
 13 Education Fund:

14 (A) \$16 of the \$20 fee for an original driver's
 15 instruction permit;

16 (B) \$5 of the \$30 fee for an original driver's
 17 license;

18 (C) \$5 of the \$30 fee for a 4 year renewal driver's
 19 license;

20 (D) \$4 of the \$8 fee for a restricted driving
 21 permit; and

22 (E) \$4 of the \$8 fee for a monitoring device
 23 driving permit.

24 2. \$30 of the \$250 fee for reinstatement of a license
 25 summarily suspended under Section 11-501.1 or suspended
 26 under Section 11-501.9 shall be deposited into the Drunk

1 and Drugged Driving Prevention Fund. However, for a person
2 whose license or privilege to operate a motor vehicle in
3 this State has been suspended or revoked for a second or
4 subsequent time for a violation of Section 11-501,
5 11-501.1, or 11-501.9 of this Code or Section 9-3 of the
6 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of
7 the \$500 fee for reinstatement of a license summarily
8 suspended under Section 11-501.1 or suspended under
9 Section 11-501.9, and \$190 of the \$500 fee for
10 reinstatement of a revoked license shall be deposited into
11 the Drunk and Drugged Driving Prevention Fund. \$190 of the
12 \$500 fee for reinstatement of a license summarily revoked
13 pursuant to Section 11-501.1 shall be deposited into the
14 Drunk and Drugged Driving Prevention Fund.

15 3. \$6 of such original or renewal fee for a commercial
16 driver's license and \$6 of the commercial driver
17 instruction permit fee when such permit is issued to any
18 person holding a valid Illinois driver's license, shall be
19 paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

20 4. \$30 of the \$70 fee for reinstatement of a license
21 suspended under the Family Financial Responsibility Law
22 shall be paid into the Family Responsibility Fund.

23 5. The \$5 fee for each original or renewal M or L
24 endorsement shall be deposited into the Cycle Rider Safety
25 Training Fund.

26 6. \$20 of any original or renewal fee for a commercial

1 driver's license or commercial driver instruction permit
2 shall be paid into the Motor Carrier Safety Inspection
3 Fund.

4 7. The following amounts shall be paid into the General
5 Revenue Fund:

6 (A) \$190 of the \$250 reinstatement fee for a
7 summary suspension under Section 11-501.1 or a
8 suspension under Section 11-501.9;

9 (B) \$40 of the \$70 reinstatement fee for any other
10 suspension provided in subsection (b) of this Section;
11 and

12 (C) \$440 of the \$500 reinstatement fee for a first
13 offense revocation and \$310 of the \$500 reinstatement
14 fee for a second or subsequent revocation.

15 (d) All of the proceeds of the additional fees imposed by
16 this amendatory Act of the 96th General Assembly shall be
17 deposited into the Capital Projects Fund.

18 (e) The additional fees imposed by this amendatory Act of
19 the 96th General Assembly shall become effective 90 days after
20 becoming law.

21 (f) As used in this Section, "active-duty member of the
22 United States Armed Forces" means a member of the Armed
23 Services or Reserve Forces of the United States or a member of
24 the Illinois National Guard who is called to active duty
25 pursuant to an executive order of the President of the United
26 States, an act of the Congress of the United States, or an

1 order of the Governor.

2 (Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13;
3 98-177, eff. 1-1-14; 98-756, eff. 7-16-14.)

4 (Text of Section after amendment by P.A. 98-176)

5 Sec. 6-118. Fees.

6 (a) The fee for licenses and permits under this Article is
7 as follows:

8 Original driver's license \$30

9 Original or renewal driver's license

10 issued to 18, 19 and 20 year olds 5

11 All driver's licenses for persons

12 age 69 through age 80 5

13 All driver's licenses for persons

14 age 81 through age 86 2

15 All driver's licenses for persons

16 age 87 or older 0

17 Renewal driver's license (except for

18 applicants ages 18, 19 and 20 or

19 age 69 and older) 30

20 Original instruction permit issued to

21 persons (except those age 69 and older)

22 who do not hold or have not previously

23 held an Illinois instruction permit or

24 driver's license 20

25 Instruction permit issued to any person

1 holding an Illinois driver's license

2 who wishes a change in classifications,

3 other than at the time of renewal 5

4 Any instruction permit issued to a person

5 age 69 and older 5

6 Instruction permit issued to any person,

7 under age 69, not currently holding a

8 valid Illinois driver's license or

9 instruction permit but who has

10 previously been issued either document

11 in Illinois 10

12 Restricted driving permit 8

13 Monitoring device driving permit 8

14 Duplicate or corrected driver's license

15 or permit 5

16 Duplicate or corrected restricted

17 driving permit 5

18 Duplicate or corrected monitoring

19 device driving permit 5

20 Duplicate driver's license or permit issued to

21 an active-duty member of the

22 United States Armed Forces,

23 the member's spouse, or

24 the dependent children living

25 with the member 0

26 Original or renewal M or L endorsement 5

1 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

2 The fees for commercial driver licenses and permits
3 under Article V shall be as follows:

4 Commercial driver's license:

5 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
6 (Commercial Driver's License Information
7 System/American Association of Motor Vehicle
8 Administrators network/National Motor Vehicle
9 Title Information Service Trust Fund);
10 \$20 for the Motor Carrier Safety Inspection Fund;
11 \$10 for the driver's license;
12 and \$24 for the CDL: \$60

13 Renewal commercial driver's license:

14 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
15 \$20 for the Motor Carrier Safety Inspection Fund;
16 \$10 for the driver's license; and
17 \$24 for the CDL: \$60

18 Commercial learner's permit

19 issued to any person holding a valid
20 Illinois driver's license for the
21 purpose of changing to a
22 CDL classification: \$6 for the
23 CDLIS/AAMVAnet/NMVTIS Trust Fund;
24 \$20 for the Motor Carrier
25 Safety Inspection Fund; and
26 \$24 for the CDL classification \$50

1 Commercial learner's permit
 2 issued to any person holding a valid
 3 Illinois CDL for the purpose of
 4 making a change in a classification,
 5 endorsement or restriction \$5
 6 CDL duplicate or corrected license \$5

7 In order to ensure the proper implementation of the Uniform
 8 Commercial Driver License Act, Article V of this Chapter, the
 9 Secretary of State is empowered to pro-rate the \$24 fee for the
 10 commercial driver's license proportionate to the expiration
 11 date of the applicant's Illinois driver's license.

12 The fee for any duplicate license or permit shall be waived
 13 for any person who presents the Secretary of State's office
 14 with a police report showing that his license or permit was
 15 stolen.

16 The fee for any duplicate license or permit shall be waived
 17 for any person age 60 or older whose driver's license or permit
 18 has been lost or stolen.

19 No additional fee shall be charged for a driver's license,
 20 or for a commercial driver's license, when issued to the holder
 21 of an instruction permit for the same classification or type of
 22 license who becomes eligible for such license.

23 (b) Any person whose license or privilege to operate a
 24 motor vehicle in this State has been suspended or revoked under
 25 Section 3-707, any provision of Chapter 6, Chapter 11, or
 26 Section 7-205, 7-303, or 7-702 of the Family Financial

1 Responsibility Law of this Code, shall in addition to any other
2 fees required by this Code, pay a reinstatement fee as follows:

3	Suspension under Section 3-707	\$100
4	<u>Suspension under Section 11-1431</u>	<u>\$100</u>
5	Summary suspension under Section 11-501.1	\$250
6	Suspension under Section 11-501.9	\$250
7	Summary revocation under Section 11-501.1	\$500
8	Other suspension	\$70
9	Revocation	\$500

10 However, any person whose license or privilege to operate a
11 motor vehicle in this State has been suspended or revoked for a
12 second or subsequent time for a violation of Section 11-501,
13 11-501.1, or 11-501.9 of this Code or a similar provision of a
14 local ordinance or a similar out-of-state offense or Section
15 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
16 and each suspension or revocation was for a violation of
17 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar
18 provision of a local ordinance or a similar out-of-state
19 offense or Section 9-3 of the Criminal Code of 1961 or the
20 Criminal Code of 2012 shall pay, in addition to any other fees
21 required by this Code, a reinstatement fee as follows:

22	Summary suspension under Section 11-501.1	\$500
23	Suspension under Section 11-501.9	\$500
24	Summary revocation under Section 11-501.1	\$500
25	Revocation	\$500

26 (c) All fees collected under the provisions of this Chapter

1 6 shall be paid into the Road Fund in the State Treasury except
2 as follows:

3 1. The following amounts shall be paid into the Driver
4 Education Fund:

5 (A) \$16 of the \$20 fee for an original driver's
6 instruction permit;

7 (B) \$5 of the \$30 fee for an original driver's
8 license;

9 (C) \$5 of the \$30 fee for a 4 year renewal driver's
10 license;

11 (D) \$4 of the \$8 fee for a restricted driving
12 permit; and

13 (E) \$4 of the \$8 fee for a monitoring device
14 driving permit.

15 2. \$30 of the \$250 fee for reinstatement of a license
16 summarily suspended under Section 11-501.1 or suspended
17 under Section 11-501.9 shall be deposited into the Drunk
18 and Drugged Driving Prevention Fund. However, for a person
19 whose license or privilege to operate a motor vehicle in
20 this State has been suspended or revoked for a second or
21 subsequent time for a violation of Section 11-501,
22 11-501.1, or 11-501.9 of this Code or Section 9-3 of the
23 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of
24 the \$500 fee for reinstatement of a license summarily
25 suspended under Section 11-501.1 or suspended under
26 Section 11-501.9, and \$190 of the \$500 fee for

1 reinstatement of a revoked license shall be deposited into
2 the Drunk and Drugged Driving Prevention Fund. \$190 of the
3 \$500 fee for reinstatement of a license summarily revoked
4 pursuant to Section 11-501.1 shall be deposited into the
5 Drunk and Drugged Driving Prevention Fund.

6 3. \$6 of the original or renewal fee for a commercial
7 driver's license and \$6 of the commercial learner's permit
8 fee when the permit is issued to any person holding a valid
9 Illinois driver's license, shall be paid into the
10 CDLIS/AAMVAnet/NMVTIS Trust Fund.

11 4. \$30 of the \$70 fee for reinstatement of a license
12 suspended under the Family Financial Responsibility Law
13 shall be paid into the Family Responsibility Fund.

14 5. The \$5 fee for each original or renewal M or L
15 endorsement shall be deposited into the Cycle Rider Safety
16 Training Fund.

17 6. \$20 of any original or renewal fee for a commercial
18 driver's license or commercial learner's permit shall be
19 paid into the Motor Carrier Safety Inspection Fund.

20 7. The following amounts shall be paid into the General
21 Revenue Fund:

22 (A) \$190 of the \$250 reinstatement fee for a
23 summary suspension under Section 11-501.1 or a
24 suspension under Section 11-501.9;

25 (B) \$40 of the \$70 reinstatement fee for any other
26 suspension provided in subsection (b) of this Section;

1 and

2 (C) \$440 of the \$500 reinstatement fee for a first
3 offense revocation and \$310 of the \$500 reinstatement
4 fee for a second or subsequent revocation.

5 (d) All of the proceeds of the additional fees imposed by
6 this amendatory Act of the 96th General Assembly shall be
7 deposited into the Capital Projects Fund.

8 (e) The additional fees imposed by this amendatory Act of
9 the 96th General Assembly shall become effective 90 days after
10 becoming law.

11 (f) As used in this Section, "active-duty member of the
12 United States Armed Forces" means a member of the Armed
13 Services or Reserve Forces of the United States or a member of
14 the Illinois National Guard who is called to active duty
15 pursuant to an executive order of the President of the United
16 States, an act of the Congress of the United States, or an
17 order of the Governor.

18 (Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13;
19 98-176, eff. 7-8-15 (see Section 10 of P.A. 98-722 for the
20 effective date of changes made by P.A. 98-176); 98-177, eff.
21 1-1-14; 98-756, eff. 7-16-14; 98-1172, eff. 1-12-15.)

22 (625 ILCS 5/11-1431)

23 Sec. 11-1431. Solicitations at accident or disablement
24 scene prohibited.

25 (a) A tower, as defined by Section 1-205.2 of this Code, or

1 an employee or agent of a tower may not: (i) stop at the scene
2 of a motor vehicle accident or at or near a damaged or disabled
3 vehicle for the purpose of soliciting the owner or operator of
4 the damaged or disabled vehicle to enter into a towing service
5 transaction; or (ii) stop at the scene of an accident or at or
6 near a damaged or disabled vehicle unless called to the
7 location by a law enforcement officer, the Illinois Department
8 of Transportation, the Illinois State Toll Highway Authority, a
9 local agency having jurisdiction over the highway, or the owner
10 or operator of the damaged or disabled vehicle. This Section
11 shall not apply to employees of the Department, the Illinois
12 State Toll Highway Authority, or local agencies when engaged in
13 their official duties. Nothing in this Section shall prevent a
14 tower from stopping at the scene of a motor vehicle accident or
15 at or near a damaged or disabled vehicle if the owner or
16 operator signals the tower for assistance from the location of
17 the motor vehicle accident or damaged or disabled vehicle.

18 (b) A person who violates this Section is guilty of a
19 business offense and shall be required to pay a fine of more
20 than \$500, but not more than \$1,000. A person convicted of
21 violating this Section shall also have his or her driver's
22 license, permit, or privileges suspended for 3 months. After
23 the expiration of the 3 month suspension, the person's driver's
24 license, permit, or privileges shall not be reinstated until he
25 or she has paid a reinstatement fee of \$100. If a person
26 violates this Section while his or her driver's license,

1 permit, or privileges are suspended under this subsection (b),
2 his or her driver's license, permit, or privileges shall be
3 suspended for an additional 6 months, and shall not be
4 reinstated after the expiration of the 6 month suspension until
5 he or she pays a reinstatement fee of \$100.

6 (Source: P.A. 96-1376, eff. 7-29-10.)

7 (625 ILCS 5/18a-300) (from Ch. 95 1/2, par. 18a-300)

8 Sec. 18a-300. Commercial vehicle relocators - Unlawful
9 practices. It shall be unlawful for any commercial vehicle
10 relocator:

11 (1) To operate in any county in which this Chapter is
12 applicable without a valid, current relocator's license as
13 provided in Article IV of this Chapter;

14 (2) To employ as an operator, or otherwise so use the
15 services of, any person who does not have at the
16 commencement of employment or service, or at any time
17 during the course of employment or service, a valid,
18 current operator's employment permit, or temporary
19 operator's employment permit issued in accordance with
20 Sections 18a-403 or 18a-405 of this Chapter; or to fail to
21 notify the Commission, in writing, of any known criminal
22 conviction of any employee occurring at any time before or
23 during the course of employment or service;

24 (3) To employ as a dispatcher, or otherwise so use the
25 services of, any person who does not have at the

1 commencement of employment or service, or at any time
2 during the course of employment or service, a valid,
3 current dispatcher's or operator's employment permit or
4 temporary dispatcher's or operator's employment permit
5 issued in accordance with Sections 18a-403 or 18a-407 of
6 this Chapter; or to fail to notify the Commission, in
7 writing, of any known criminal conviction of any employee
8 occurring at any time before or during the course of
9 employment or service;

10 (4) To operate upon the highways of this State any
11 vehicle used in connection with any commercial vehicle
12 relocation service unless:

13 (A) There is painted or firmly affixed to the
14 vehicle on both sides of the vehicle in a color or
15 colors vividly contrasting to the color of the vehicle
16 the name, address and telephone number of the
17 relocater. The Commission shall prescribe reasonable
18 rules and regulations pertaining to insignia to be
19 painted or firmly affixed to vehicles and shall waive
20 the requirements of the address on any vehicle in cases
21 where the operator of a vehicle has painted or
22 otherwise firmly affixed to the vehicle a seal or trade
23 mark that clearly identifies the operator of the
24 vehicle; and

25 (B) There is carried in the power unit of the
26 vehicle a certified copy of the currently effective

1 relocator's license and operator's employment permit.
2 Copies may be photographed, photocopied, or reproduced
3 or printed by any other legible and durable process.
4 Any person guilty of not causing to be displayed a copy
5 of his relocator's license and operator's employment
6 permit may in any hearing concerning the violation be
7 excused from the payment of the penalty hereinafter
8 provided upon a showing that the license was issued by
9 the Commission, but was subsequently lost or
10 destroyed;

11 (5) To operate upon the highways of this State any
12 vehicle used in connection with any commercial vehicle
13 relocation service that bears the name or address and
14 telephone number of any person or entity other than the
15 relocator by which it is owned or to which it is leased;

16 (6) To advertise in any newspaper, book, list,
17 classified directory or other publication unless there is
18 contained in the advertisement the license number of the
19 relocator;

20 (7) To remove any vehicle from private property without
21 having first obtained the written authorization of the
22 property owner or other person in lawful possession or
23 control of the property, his authorized agent, or an
24 authorized law enforcement officer. The authorization may
25 be on a contractual basis covering a period of time or
26 limited to a specific removal;

1 (8) To charge the private property owner, who requested
2 that an unauthorized vehicle be removed from his property,
3 with the costs of removing the vehicle contrary to any
4 terms that may be a part of the contract between the
5 property owner and the commercial relocater. Nothing in
6 this paragraph shall prevent a relocater from assessing,
7 collecting, or receiving from the property owner, lessee,
8 or their agents any fee prescribed by the Commission;

9 (9) To remove a vehicle when the owner or operator of
10 the vehicle is present or arrives at the vehicle location
11 at any time prior to the completion of removal, and is
12 willing and able to remove the vehicle immediately, except
13 for vehicles that require a commercial driver's license to
14 operate. Vehicles that require a commercial driver's
15 license to operate shall be disconnected from the tow truck
16 and the owner or operator shall be allowed to remove the
17 vehicle without interference upon the payment of a
18 reasonable service fee of not more than one-half of the
19 posted rate of the towing service as provided in paragraph
20 6 of subsection (f) of Section 4-203 of this Code, for
21 which a receipt shall be given. For purposes of this
22 paragraph, a tractor and trailer together shall be
23 considered 2 separate vehicles;

24 (10) To remove any vehicle from property on which signs
25 are required and on which there are not posted appropriate
26 signs under Section 18a-302;

1 (11) To fail to notify law enforcement authorities in
2 the jurisdiction in which the trespassing vehicle was
3 removed within one hour of the removal. Notification shall
4 include a complete description of the vehicle,
5 registration numbers if possible, the locations from which
6 and to which the vehicle was removed, the time of removal,
7 and any other information required by regulation, statute
8 or ordinance;

9 (12) To impose any charge other than in accordance with
10 the rates set by the Commission as provided in paragraph
11 (6) of Section 18a-200 of this Chapter;

12 (13) To fail, in the office or location at which
13 relocated vehicles are routinely returned to their owners,
14 to prominently post the name, address and telephone number
15 of the nearest office of the Commission to which inquiries
16 or complaints may be sent;

17 (13.1) To fail to distribute to each owner or operator
18 of a relocated vehicle, in written form as prescribed by
19 Commission rule or regulation, the relevant statutes,
20 regulations and ordinances governing commercial vehicle
21 relocators, including, in at least 12 point boldface type,
22 the name, address and telephone number of the nearest
23 office of the Commission to which inquiries or complaints
24 may be sent;

25 (13.2) To fail, in the office or location at which
26 relocated vehicles are routinely returned to their owners,

1 to ensure that the relocator's representative provides
2 suitable evidence of his or her identity to the owners of
3 relocated vehicles upon request;

4 (14) To remove any vehicle, otherwise in accordance
5 with this Chapter, more than 15 air miles from its location
6 when towed from a location in an unincorporated area of a
7 county or more than 10 air miles from its location when
8 towed from any other location;

9 (15) To fail to make a telephone number available to
10 the police department of any municipality in which a
11 relocater operates at which the relocater or an employee of
12 the relocater may be contacted at any time during the hours
13 in which the relocater is engaged in the towing of
14 vehicles, or advertised as engaged in the towing of
15 vehicles, for the purpose of effectuating the release of a
16 towed vehicle; or to fail to include the telephone number
17 in any advertisement of the relocater's services published
18 or otherwise appearing on or after the effective date of
19 this amendatory Act; or to fail to have an employee
20 available at any time on the premises owned or controlled
21 by the relocater for the purposes of arranging for the
22 immediate release of the vehicle.

23 Apart from any other penalty or liability authorized
24 under this Act, if after a reasonable effort, the owner of
25 the vehicle is unable to make telephone contact with the
26 relocater for a period of one hour from his initial attempt

1 during any time period in which the relocator is required
2 to respond at the number, all fees for towing, storage, or
3 otherwise are to be waived. Proof of 3 attempted phone
4 calls to the number provided to the police department by an
5 officer or employee of the department on behalf of the
6 vehicle owner within the space of one hour, at least 2 of
7 which are separated by 45 minutes, shall be deemed
8 sufficient proof of the owner's reasonable effort to make
9 contact with the vehicle relocater. Failure of the
10 relocater to respond to the phone calls is not a criminal
11 violation of this Chapter;

12 (16) To use equipment which the relocater does not own,
13 except in compliance with Section 18a-306 of this Chapter
14 and Commission regulations. No equipment can be leased to
15 more than one relocater at any time. Equipment leases shall
16 be filed with the Commission. If equipment is leased to one
17 relocater, it cannot thereafter be leased to another
18 relocater until a written cancellation of lease is properly
19 filed with the Commission;

20 (17) To use drivers or other personnel who are not
21 employees or contractors of the relocater;

22 (18) To fail to refund any amount charged in excess of
23 the reasonable rate established by the Commission;

24 (19) To violate any other provision of this Chapter, or
25 of Commission regulations or orders adopted under this
26 Chapter; -

1 (20) To engage in the removal of a commercial motor
2 vehicle that requires a commercial driver's license to
3 operate by operating the vehicle under its own power on a
4 highway without authorization by a law enforcement
5 officer.

6 (Source: P.A. 94-650, eff. 1-1-06.)

7 (625 ILCS 5/18d-153)

8 Sec. 18d-153. Misrepresentation of affiliation. It shall
9 be unlawful for any tower to misrepresent an affiliation with
10 the State, a unit of local government, an insurance company, a
11 private club, or any other entity, or falsely claim to be
12 included on a law enforcement agency's tow rotation list
13 maintained under Section 4-203.5 of this Code, for the purpose
14 of securing a business transaction with a vehicle owner or
15 operator.

16 (Source: P.A. 96-1369, eff. 1-1-11.)

17 Section 95. No acceleration or delay. Where this Act makes
18 changes in a statute that is represented in this Act by text
19 that is not yet or no longer in effect (for example, a Section
20 represented by multiple versions), the use of that text does
21 not accelerate or delay the taking effect of (i) the changes
22 made by this Act or (ii) provisions derived from any other
23 Public Act.

1

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2

Statutes amended in order of appearance

3

625 ILCS 5/4-203 from Ch. 95 1/2, par. 4-203

4

625 ILCS 5/4-203.5 new

5

625 ILCS 5/6-118

6

625 ILCS 5/11-1431

7

625 ILCS 5/18a-300 from Ch. 95 1/2, par. 18a-300

8

625 ILCS 5/18d-153