

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Identification Card Act is amended by changing Section 14 as follows:

(15 ILCS 335/14) (from Ch. 124, par. 34)

Sec. 14. Unlawful use of identification card.

(a) It is a violation of this Section for any person:

1. To possess, display, or cause to be displayed any cancelled or revoked identification card;

2. To display or represent as the person's own any identification card issued to another;

3. To allow any unlawful use of an identification card issued to the person;

4. To lend an identification card to another or knowingly allow the use thereof by another;

5. To fail or refuse to surrender to the Secretary of State, the Secretary's agent or any peace officer upon lawful demand, any identification card which has been revoked or cancelled;

6. To possess, use, or allow to be used any materials, hardware, or software specifically designed for or primarily used in the manufacture, assembly, issuance, or authentication of an official Illinois Identification Card or Illinois Disabled Person Identification Card issued by the Secretary of State; or

7. ~~6.~~ To knowingly possess, use, or allow to be used a stolen identification card making implement.

(a-1) It is a violation of this Section for any person to possess, use, or allow to be used any materials, hardware, or software specifically designed for or primarily used in the reading of encrypted language from the bar code or magnetic

strip of an official Illinois Identification Card or Illinois Disabled Person Identification Card issued by the Secretary of State. This subsection (a-1) does not apply if a federal or State law, rule, or regulation requires that the card holder's address be recorded in specified transactions or if the encrypted information is obtained for the detection or possible prosecution of criminal offenses or fraud. If the address information is obtained under this subsection (a-1), it may be used only for the purposes authorized by this subsection (a-1).

(a-5) As used in this Section "identification card" means any document made or issued by or under the authority of the United States Government, the State of Illinois or any other State or political subdivision thereof, or any governmental or quasi-governmental organization that, when completed with information concerning the individual, is of a type intended or commonly accepted for the purpose of identifying the individual.

(b) Sentence.

1. Any person convicted of a violation of this Section shall be guilty of a Class A misdemeanor and shall be sentenced to a minimum fine of \$500 or 50 hours of community service, preferably at an alcohol abuse prevention program, if available.

2. A person convicted of a second or subsequent violation of this Section shall be guilty of a Class 4 felony.

(c) This Section does not prohibit any lawfully authorized investigative, protective, law enforcement or other activity of any agency of the United States, State of Illinois or any other state or political subdivision thereof.

(Source: P.A. 93-667, eff. 3-19-04; 93-895, eff. 1-1-05; revised 10-25-04.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 3-113, 3-401, 3-412, 3-416, 3-704, 3-802, 3-803, 3-818, 6-107, 6-301.2, 7-315, 7-318, 7-503, and 12-603.1

as follows:

(625 ILCS 5/3-113) (from Ch. 95 1/2, par. 3-113)

Sec. 3-113. Transfer to or from dealer; records.

(a) After ~~if~~ a dealer buys a vehicle and holds it for resale, the dealer must procure and procures the certificate of title from the owner or the lienholder. The dealer may hold the certificate until he or she transfers the vehicle to another person. ~~within 10 days after delivery to him of the vehicle, he need not send the certificate to the Secretary of State but,~~ Upon transferring the vehicle to another person, the dealer ~~other than by the creation of a security interest,~~ shall promptly and within 20 days execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale, in the spaces provided therefor on the certificate or as the Secretary of State prescribes, and mail or deliver the certificate to the Secretary of State with the transferee's application for a new certificate, except as provided in Section 3-117.2.

(b) The Secretary of State may decline to process any application for a transfer of an interest in a vehicle if any fees or taxes due under this Code from the transferor or the transferee have not been paid upon reasonable notice and demand.

(c) Any person who violates this Section shall be guilty of a petty offense.

(Source: P.A. 86-820; 87-1225.)

(625 ILCS 5/3-401) (from Ch. 95 1/2, par. 3-401)

Sec. 3-401. Effect of provisions.

(a) It shall be unlawful for any person to violate any provision of this Chapter or to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any vehicle of a type required to be registered hereunder which is not registered or for which the appropriate fee has not been

paid when and as required hereunder, except that when application accompanied by proper fee has been made for registration of a vehicle it may be operated temporarily pending complete registration upon displaying a duplicate application duly verified or other evidence of such application or otherwise under rules and regulations promulgated by the Secretary of State.

(b) The appropriate fees required to be paid under the various provisions of this Act for registration of vehicles shall mean the fee or fees which would have been paid initially, if proper and timely application had been made to the Secretary of State for the appropriate registration required, whether such registration be a flat weight registration, a single trip permit, a reciprocity permit or a supplemental application to an original prorate application together with payment of fees due under the supplemental application for prorate decals.

(c) Effective October 1, 1984, no vehicle required to pay a Federal Highway Users Tax shall be registered unless proof of payment, in a form prescribed and approved by the Secretary of State, is submitted with the appropriate registration. Notwithstanding any other provision of this Code, failure of the applicant to comply with this paragraph shall be deemed grounds for the Secretary to refuse registration.

(c-1) A vehicle may not be registered by the Secretary of State unless that vehicle:

(1) was originally manufactured for operation on highways;

(2) is a modification of a vehicle that was originally manufactured for operation on highways; or

(3) was assembled from component parts designed for use in vehicles to be operated on highways.

(d) Second division vehicles.

(1) A vehicle of the second division moved or operated within this State shall have had paid for it the appropriate registration fees and flat weight tax, as

evidenced by the Illinois registration issued for that vehicle, for the gross weight of the vehicle and load being operated or moved within this State. Second division vehicles of foreign jurisdictions operated within this State under a single trip permit, fleet reciprocity plan, prorated registration plan, or apportioned registration plan, instead of second division vehicle registration under Article VIII of this Chapter, must have had paid for it the appropriate registration fees and flat weight tax in the base jurisdiction of that vehicle, as evidenced by the maximum gross weight shown on the foreign registration cards, plus any appropriate fees required under this Code.

(2) If a vehicle and load are operated in this State and the appropriate fees and taxes have not been paid or the vehicle and load exceed the registered gross weight for which the required fees and taxes have been paid by 2001 pounds or more, the operator or owner shall be fined as provided in Section 15-113 of this Code. However, an owner or operator shall not be subject to arrest under this subsection for any weight in excess of 80,000 pounds. Further, for any unregistered vehicle or vehicle displaying expired registration, no fine shall exceed the actual cost of what the appropriate registration for that vehicle and load should have been as established in subsection (a) of Section 3-815 of this Chapter regardless of the route traveled.

(3) Any person operating a legal combination of vehicles displaying valid registration shall not be considered in violation of the registration provision of this subsection unless the total gross weight of the combination exceeds the total licensed weight of the vehicles in the combination. The gross weight of a vehicle exempt from the registration requirements of this Chapter shall not be included when determining the total gross weight of vehicles in combination.

(4) If the defendant claims that he or she had

previously paid the appropriate Illinois registration fees and taxes for this vehicle before the alleged violation, the defendant shall have the burden of proving the existence of the payment by competent evidence. Proof of proper Illinois registration issued by the Secretary of State, or the appropriate registration authority from the foreign state, shall be the only competent evidence of payment.

(Source: P.A. 88-476; 89-245, eff. 1-1-96.)

(625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

Sec. 3-412. Registration plates and registration stickers to be furnished by the Secretary of State.

(a) The Secretary of State upon registering a vehicle subject to annual registration for the first time shall issue or shall cause to be issued to the owner one registration plate for a motorcycle, trailer, semitrailer, motorized pedalcycle or truck-tractor, 2 registration plates for other motor vehicles and, where applicable, current registration stickers for motor vehicles of the first division. The provisions of this Section may be made applicable to such vehicles of the second division, as the Secretary of State may, from time to time, in his discretion designate. On subsequent annual registrations during the term of the registration plate as provided in Section 3-414.1, the Secretary shall issue or cause to be issued registration stickers as evidence of current registration. However, the issuance of annual registration stickers to vehicles registered under the provisions of Sections 3-402.1 and 3-405.3 of this Code may not be required if the Secretary deems the issuance unnecessary.

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, the name of this State, which may be abbreviated, the year number for which it was issued, which may be abbreviated, the phrase "Land of Lincoln" (except as otherwise provided in this Code ~~Chapter 3~~), and such other letters or numbers as the

Secretary may prescribe. However, for apportionment plates issued to vehicles registered under Section 3-402.1 and fleet plates issued to vehicles registered under Section 3-405.3, the phrase "Land of Lincoln" may be omitted to allow for the word "apportioned", the word "fleet", or other similar language to be displayed. Registration plates issued to a vehicle registered as a fleet vehicle may display a designation determined by the Secretary.

The Secretary may in his discretion prescribe that letters be used as prefixes only on registration plates issued to vehicles of the first division which are registered under this Code and only as suffixes on registration plates issued to other vehicles. Every registration sticker issued as evidence of current registration shall designate the year number for which it is issued and such other letters or numbers as the Secretary may prescribe and shall be of a contrasting color with the registration plates and registration stickers of the previous year.

(c) Each registration plate and the required letters and numerals thereon, except the year number for which issued, shall be of sufficient size to be plainly readable from a distance of 100 feet during daylight, and shall be coated with reflectorizing material. The dimensions of the plate issued to vehicles of the first division shall be 6 by 12 inches.

(d) The Secretary of State shall issue for every passenger motor vehicle rented without a driver the same type of registration plates as the type of plates issued for a private passenger vehicle.

(e) The Secretary of State shall issue for every passenger car used as a taxicab or livery, distinctive registration plates.

(f) The Secretary of State shall issue for every motorcycle distinctive registration plates distinguishing between motorcycles having 150 or more cubic centimeters piston displacement, or having less than 150 cubic centimeter piston displacement.

(g) Registration plates issued to vehicles for-hire may display a designation as determined by the Secretary that such vehicles are for-hire.

(h) The Secretary of State shall issue ~~for each electric vehicle~~ distinctive registration plates for electric vehicles ~~which shall distinguish between electric vehicles having a maximum operating speed of 45 miles per hour or more and those having a maximum operating speed of less than 45 miles per hour.~~

(i) The Secretary of State shall issue for every public and private ambulance registration plates identifying the vehicle as an ambulance. The Secretary shall forward to the Department of Public Aid registration information for the purpose of verification of claims filed with the Department by ambulance owners for payment for services to public assistance recipients.

(j) The Secretary of State shall issue for every public and private medical carrier or rescue vehicle livery registration plates displaying numbers within ranges of numbers reserved respectively for medical carriers and rescue vehicles. The Secretary shall forward to the Department of Public Aid registration information for the purpose of verification of claims filed with the Department by owners of medical carriers or rescue vehicles for payment for services to public assistance recipients.

(Source: P.A. 92-629, eff. 7-1-03; 92-651, eff. 7-11-02; revised 9-27-03.)

(625 ILCS 5/3-416) (from Ch. 95 1/2, par. 3-416)

Sec. 3-416. Notice of change of address or name.

(a) Whenever any person after making application for or obtaining the registration of a vehicle shall move from the address named in the application or shown upon a registration card ~~or certificate of title~~ such person shall within 10 days thereafter notify the Secretary of State ~~in writing~~ of his or her old and new address.

(a-5) A police officer, a deputy sheriff, an elected sheriff, a law enforcement officer for the Department of State Police, or a fire investigator who, in accordance with Section 3-405, has furnished the address of the office of the headquarters of the governmental entity or police district where he or she works instead of his or her residence address shall, within 10 days after he or she is no longer employed by that governmental entity or police district as a police officer, a deputy sheriff, an elected sheriff, a law enforcement officer for the Department of State Police or a fire investigator, notify the Secretary of State of the old address and his or her new address. If, in accordance with Section 3-405, the spouse and children of a police officer, deputy sheriff, elected sheriff, law enforcement officer for the Department of State Police, or fire investigator have furnished the address of the office of the headquarters of the governmental entity or police district where the police officer, deputy sheriff, elected sheriff, law enforcement officer for the Department of State Police, or fire investigator works instead of their residence address, the spouse and children shall notify the Secretary of State of their old address and new address within 10 days after the police officer, deputy sheriff, elected sheriff, law enforcement officer for the Department of State Police, or fire investigator is no longer employed by that governmental entity or police district as a police officer, deputy sheriff, elected sheriff, law enforcement officer for the Department of State Police, or fire investigator.

(b) Whenever the name of any person who has made application for or obtained the registration of a vehicle is thereafter changed by marriage or otherwise such person shall within 10 days notify the Secretary of State of such former and new name.

(c) In either event, any such person may obtain a corrected registration card or certificate of title upon application and payment of the statutory fee.

(Source: P.A. 91-575, eff. 8-14-99.)

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

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

(a) The Secretary of State may suspend or revoke the registration of a vehicle or a certificate of title, registration card, registration sticker, registration plate, person with disabilities parking decal or device, or any nonresident or other permit in any of the following events:

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

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

3. When the Secretary of State determines that any required fees have not been paid to ~~either~~ the Secretary of State, to ~~or~~ the Illinois Commerce Commission, or to the Illinois Department of Revenue under the Motor Fuel Tax Law, and the same are not paid upon reasonable notice and demand;

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

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

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

7. When the Secretary of State determines that an owner

of a for-hire motor vehicle has failed to give proof of financial responsibility as required by this Act;

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

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

10. When the Secretary of State is so authorized under any other provision of law;

11. When the Secretary of State determines that the holder of a person with disabilities parking decal or device has committed any offense under Chapter 11 of this Code involving the use of a person with disabilities parking decal or device.

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

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

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

(Source: P.A. 92-437, eff. 8-17-01.)

(625 ILCS 5/3-802) (from Ch. 95 1/2, par. 3-802)
Sec. 3-802. Reclassifications and upgrades.

(a) Definitions. For the purposes of this Section, the following words shall have the meanings ascribed to them as follows:

"Reclassification" means changing the registration of a vehicle from one plate category to another.

"Upgrade" means increasing the registered weight of a vehicle within the same plate category.

(b) When reclassing the registration of a vehicle from one plate category to another, the owner shall receive credit for the unused portion of the present plate and be charged the current portion fees for the new plate. In addition, the appropriate replacement plate and replacement sticker fees shall be assessed.

(c) When upgrading the weight of a registration within the same plate category, the owner shall pay the difference in current period fees between the two plates. In addition, the appropriate replacement plate and replacement sticker fees shall be assessed. In the event new plates are not required, the corrected registration card fee shall be assessed.

(d) In the event the owner of the vehicle desires to change the registered weight and change the plate category, the owner shall receive credit for the unused portion of the registration fee of the current plate and pay the current portion of the registration fee for the new plate, and in addition, pay the appropriate replacement plate and replacement sticker fees.

(e) Reclassing from one plate category to another plate category can be done only once within any registration period.

(f) No refunds shall be made in any of the circumstances found in subsection (b), subsection (c), or subsection (d); however, when reclassing from a flat weight ~~rate~~ plate to an apportioned plate, a refund may be issued if ~~the applicant was issued the wrong plate originally and~~ the credit amounts to an overpayment.

(g) In the event the registration of a vehicle registered under the mileage tax option is revoked, the owner shall be required to pay the annual registration fee in the new plate

category and shall not receive any credit for the mileage plate fees.

(h) Certain special interest plates may be displayed on first division vehicles, second division vehicles weighing 8,000 pounds or less, and recreational vehicles. Those plates can be transferred within those vehicle groups.

(i) Plates displayed on second division vehicles weighing 8,000 pounds or less and passenger vehicle plates may be reclassified from one division to the other.

(j) Other than in subsection (i), reclassing from one division to the other division is prohibited. In addition, a reclass from a motor vehicle to a trailer or a trailer to a motor vehicle is prohibited.

(Source: P.A. 93-365, eff. 7-24-03.)

(625 ILCS 5/3-803) (from Ch. 95 1/2, par. 3-803)

Sec. 3-803. Reductions.

(a) Reduction of fees and taxes prescribed in this Chapter shall be applicable only to vehicles newly-acquired by the owner after the beginning of a registration period or which become subject to registration after the beginning of a registration period as specified in this Act. The Secretary of State may deny a reduction as to any vehicle operated in this State without being properly and timely registered in Illinois under this Chapter, of a vehicle in violation of any provision of this Chapter, or upon detection of such violation by an audit, or upon determining that such vehicle was operated in Illinois before such violation. Bond or other security in the proper amount may be required by the Secretary of State while the matter is under investigation. Reductions shall be granted if a person becomes the owner after the dates specified or if a vehicle becomes subject to registration under this Act, as amended, after the dates specified.

(b) Vehicles of the First Division. The annual fees and taxes prescribed by Section 3-806 shall be reduced by 50% on and after June 15, except as provided in Sections 3-414 and

3-802 of this Act.

(c) Vehicles of the Second Division. The annual fees and taxes prescribed by Sections 3-402, 3-402.1, 3-815 and 3-819 and paid on a calendar year for such vehicles shall be reduced on a quarterly basis if the vehicle becomes subject to registration on and after March 31, June 30 or September 30. Where such fees and taxes are payable on a fiscal year basis, they shall be reduced on a quarterly basis on and after September 30, December 31 or March 31.

(d) Two-year Registrations. The fees and taxes prescribed by Section 3-808 for 2-year registrations shall not be reduced in any event. However, the fees and taxes prescribed for all other 2-year registrations by this Act, shall be reduced as follows:

By 25% on and after June 15;

By 50% on and after December 15;

By 75% on and after the next ensuing June 15.

(e) The registration fees and taxes imposed upon certain vehicles shall not be reduced by any amount in any event in the following instances:

Permits under Sections 3-403 and 3-811;

Municipal Buses under Section 3-807;

Governmental or charitable vehicles under Section 3-808;

Farm Machinery under Section 3-809;

Soil and conservation equipment under Section 3-809.1;

Special Plates under Section 3-810;

Permanently mounted equipment under Section 3-812;

Registration fee under Section 3-813;

Semitrailer fees under Section 3-814;

Farm trucks under Section 3-815;

Mileage weight tax option under Section 3-818;

Farm trailers under Section 3-819;

Duplicate plates under Section 3-820;

Fees under Section 3-821;

~~Security Fees under Section 3-822;~~

Search Fees under Section 3-823.

(f) The reductions provided for shall not apply to any vehicle of the first or second division registered by the same applicant in the prior registration year.

The changes to this Section made by Public Act 84-210 take
~~This bill takes~~ effect with the 1986 Calendar Registration Year.

(g) Reductions shall in no event result in payment of a fee or tax less than \$6, and the Secretary of State shall promulgate schedules of fees reflecting applicable reductions. Where any reduced amount is not stated in full dollars, the Secretary of State may adjust the amount due to the nearest full dollar amount.

(h) The reductions provided for in subsections (a) through (g) of this Section shall not apply to those vehicles of the first or second division registered on a staggered registration basis.

(i) A vehicle which becomes subject to registration during the last month of the current registration year is exempt from any applicable reduced fourth quarter or second semiannual registration fee, and may register for the subsequent registration year as its initial registration. This subsection does not include those apportioned and prorated fees under Sections 3-402 and 3-402.1 of this Code.

(Source: P.A. 84-1311; revised 2-25-02.)

(625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

Sec. 3-818. (a) Mileage weight tax option. Any owner of a vehicle of the second division may elect to pay a mileage weight tax for such vehicle in lieu of the flat weight tax set out in Section 3-815. Such election shall be binding to the end of the registration year. Renewal of this election must be filed with the Secretary of State on or before July 1 of each registration period. In such event the owner shall, at the time of making such election, pay the \$10 registration fee and the minimum guaranteed mileage weight tax, as hereinafter provided, which payment shall permit the owner to operate that

vehicle the maximum mileage in this State hereinafter set forth. Any vehicle being operated on mileage plates cannot be operated outside of this State. In addition thereto, the owner of that vehicle shall pay a mileage weight tax at the following rates for each mile traveled in this State in excess of the maximum mileage provided under the minimum guaranteed basis:

BUS, TRUCK OR TRUCK TRACTOR

Gross Weight Vehicle and Load	Class	Minimum	Maximum	Mileage
		Guaranteed Mileage Weight Tax	Permitted Under Guaranteed Tax	Weight Tax for Mileage in excess of Guaranteed Mileage
12,000 lbs. or less	MD	\$73	5,000	26 Mills
12,001 to 16,000 lbs.	MF	120	6,000	34 Mills
16,001 to 20,000 lbs.	MG	180	6,000	46 Mills
20,001 to 24,000 lbs.	MH	235	6,000	63 Mills
24,001 to 28,000 lbs.	MJ	315	7,000	63 Mills
28,001 to 32,000 lbs.	MK	385	7,000	83 Mills
32,001 to 36,000 lbs.	ML	485	7,000	99 Mills
36,001 to 40,000 lbs.	MN	615	7,000	128 Mills
40,001 to 45,000 lbs.	MP	695	7,000	139 Mills
45,001 to 54,999 lbs.	MR	853	7,000	156 Mills
55,000 to 59,500 lbs.	MS	920	7,000	178 Mills
59,501 to 64,000 lbs.	MT	985	7,000	195 Mills
64,001 to 73,280 lbs.	MV	1,173	7,000	225 Mills
73,281 to 77,000 lbs.	MX	1,328	7,000	258 Mills
77,001 to 80,000 lbs.	MZ	1,415	7,000	275 Mills

TRAILER

Gross Weight Vehicle and Load	Class	Minimum	Maximum	Mileage
		Guaranteed Mileage Weight Tax	Permitted Under Guaranteed Tax	Weight Tax for Mileage in excess of Guaranteed Mileage
14,000 lbs. or less	ME	\$75	5,000	31 Mills

14,001 to 20,000 lbs.	MF	135	6,000	36 Mills
20,001 to 36,000 lbs.	ML	540	7,000	103 Mills
36,001 to 40,000 lbs.	MM	750	7,000	150 Mills

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section 3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (b) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), \$125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

In preparing rate schedules on registration applications, the Secretary of State shall add to the above rates, the \$10 registration fee. The Secretary may decline to accept any renewal filed after July 1st.

The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

Every owner of a second division motor vehicle for which he has elected to pay a mileage weight tax shall keep a daily record upon forms prescribed by the Secretary of State, showing the mileage covered by that vehicle in this State. Such record shall contain the license number of the vehicle and the miles traveled by the vehicle in this State for each day of the calendar month. Such owner shall also maintain records of fuel consumed by each such motor vehicle and fuel purchases therefor. On or before the 10th day of ~~January and~~ July the owner shall certify to the Secretary of State upon forms prescribed therefor, summaries of his daily records which shall show the miles traveled by the vehicle in this State during the preceding 12 ~~6~~ months and such other information as the Secretary of State may require. The daily record and fuel records shall be filed, preserved and available for audit for a period of 3 years. Any owner filing a return hereunder shall certify that such return is a true, correct and complete

return. Any person who willfully makes a false return hereunder is guilty of perjury and shall be punished in the same manner and to the same extent as is provided therefor.

At the time of filing his return, each owner shall pay to the Secretary of State the proper amount of tax at the rate herein imposed.

Every owner of a vehicle of the second division who elects to pay on a mileage weight tax basis and who operates the vehicle within this State, shall file with the Secretary of State a bond in the amount of \$500. The bond shall be in a form approved by the Secretary of State and with a surety company approved by the Illinois Department of Insurance to transact business in this State as surety, and shall be conditioned upon such applicant's paying to the State of Illinois all money becoming due by reason of the operation of the second division vehicle in this State, together with all penalties and interest thereon.

Upon notice from the Secretary that the registrant has failed to pay the excess mileage fees, the surety shall immediately pay the fees together with any penalties and interest thereon in an amount not to exceed the limits of the bond.

(Source: P.A. 91-37, eff. 7-1-99; 91-499, eff. 8-13-99; 92-16, eff. 6-28-01.)

(625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

Sec. 6-107. Graduated license.

(a) The purpose of the Graduated Licensing Program is to develop safe and mature driving habits in young, inexperienced drivers and reduce or prevent motor vehicle accidents, fatalities, and injuries by:

(1) providing for an increase in the time of practice period before granting permission to obtain a driver's license;

(2) strengthening driver licensing and testing standards for persons under the age of 21 years;

(3) sanctioning driving privileges of drivers under age 21 who have committed serious traffic violations or other specified offenses; and

(4) setting stricter standards to promote the public's health and safety.

(b) The application of any person under the age of 18 years, and not legally emancipated by marriage, for a drivers license or permit to operate a motor vehicle issued under the laws of this State, shall be accompanied by the written consent of either parent of the applicant; otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult.

No graduated driver's license shall be issued to any applicant under 18 years of age, unless the applicant is at least 16 years of age and has:

(1) Held a valid instruction permit for a minimum of 3 months.

(2) Passed an approved driver education course and submits proof of having passed the course as may be required.

(3) certification by the parent, legal guardian, or responsible adult that the applicant has had a minimum of 25 hours of behind-the-wheel practice time and is sufficiently prepared and able to safely operate a motor vehicle.

(c) No graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 of this Code and no graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed an offense that would otherwise result in a mandatory revocation of a license or permit as provided in Section 6-205 of this Code or who has been either convicted of or adjudicated a delinquent based upon a violation of the Cannabis Control Act or the Illinois Controlled Substances Act, while that individual was

in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such.

(d) No graduated driver's license shall be issued for 6 months to any applicant under the age of 18 years who has been convicted of any offense defined as a serious traffic violation in this Code or a similar provision of a local ordinance.

(e) No graduated driver's license holder under the age of 18 years shall operate any motor vehicle, except a motor driven cycle or motorcycle, with more than one passenger in the front seat of the motor vehicle and no more passengers in the back seats than the number of available seat safety belts as set forth in Section 12-603 of this Code.

(f) No graduated driver's license holder under the age of 18 shall operate a motor vehicle unless each driver and ~~front or back seat~~ passenger under the age of 18 is wearing a properly adjusted and fastened seat safety belt and each child under the age of 8 is protected as required under the Child Passenger Protection Act.

(g) If a graduated driver's license holder is under the age of 18 when he or she receives the license, for the first 6 months he or she holds the license or until he or she reaches the age of 18, whichever occurs sooner, the graduated license holder may not operate a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver.

(Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05.)

(625 ILCS 5/6-301.2) (from Ch. 95 1/2, par. 6-301.2)

Sec. 6-301.2. Fraudulent driver's license or permit.

(a) (Blank).

(b) It is a violation of this Section for any person:

1. To knowingly possess any fraudulent driver's license or permit;

2. To knowingly possess, display or cause to be displayed any fraudulent driver's license or permit for the purpose of obtaining any account, credit, credit card or debit card from a bank, financial institution or retail mercantile establishment;

3. To knowingly possess any fraudulent driver's license or permit with the intent to commit a theft, deception or credit or debit card fraud in violation of any law of this State or any law of any other jurisdiction;

4. To knowingly possess any fraudulent driver's license or permit with the intent to commit any other violation of any laws of this State or any law of any other jurisdiction for which a sentence to a term of imprisonment in a penitentiary for one year or more is provided;

5. To knowingly possess any fraudulent driver's license or permit while in unauthorized possession of any document, instrument or device capable of defrauding another;

6. To knowingly possess any fraudulent driver's license or permit with the intent to use the license or permit to acquire any other identification document;

7. To knowingly possess without authority any driver's license-making or permit-making implement;

8. To knowingly possess any stolen driver's license-making or permit-making implement or to possess, use, or allow to be used any materials, hardware, or software specifically designed for or primarily used in the manufacture, assembly, issuance, or authentication of an official driver's license or permit issued by the Secretary of State;

9. To knowingly duplicate, manufacture, sell or transfer any fraudulent driver's license or permit;

10. To advertise or distribute any information or materials that promote the selling, giving, or furnishing of a fraudulent driver's license or permit;

11. To knowingly use any fraudulent driver's license or permit to purchase or attempt to purchase any ticket for a common carrier or to board or attempt to board any common carrier. As used in this Section, "common carrier" means any public or private provider of transportation, whether by land, air, or water;

12. To knowingly possess any fraudulent driver's license or permit if the person has at the time a different driver's license issued by the Secretary of State or another official driver's license agency in another jurisdiction that is suspended or revoked.

(b-1) It is a violation of this Section for any person to possess, use, or allow to be used any materials, hardware, or software specifically designed for or primarily used in the reading of encrypted language from the bar code or magnetic strip of an official Illinois Identification Card or Illinois Disabled Person Identification Card issued by the Secretary of State. This subsection (b-1) does not apply if a federal or State law, rule, or regulation requires that the card holder's address be recorded in specified transactions or if the encrypted information is obtained for the detection or possible prosecution of criminal offenses or fraud. If the address information is obtained under this subsection (b-1), it may be used only for the purposes authorized by this subsection (b-1).

(c) Sentence.

1. Any person convicted of a violation of paragraph 1 of subsection (b) of this Section shall be guilty of a Class 4 felony and shall be sentenced to a minimum fine of \$500 or 50 hours of community service, preferably at an alcohol abuse prevention program, if available.

2. Any person convicted of a violation of any of

paragraphs 2 through 9 or paragraph 11 or 12 of subsection (b) of this Section or a violation of subsection (b-1) of this Section shall be guilty of a Class 4 felony. A person convicted of a second or subsequent violation shall be guilty of a Class 3 felony.

3. Any person convicted of a violation of paragraph 10 of subsection (b) of this Section shall be guilty of a Class B misdemeanor.

(d) This Section does not prohibit any lawfully authorized investigative, protective, law enforcement or other activity of any agency of the United States, State of Illinois or any other state or political subdivision thereof.

(e) The Secretary may request the Attorney General to seek a restraining order in the circuit court against any person who violates this Section by advertising fraudulent driver's licenses or permits.

(Source: P.A. 92-673, eff. 1-1-03; 93-667, eff. 3-19-04; 93-895, eff. 1-1-05.)

(625 ILCS 5/7-315) (from Ch. 95 1/2, par. 7-315)

Sec. 7-315. A certificate of insurance proof.

(a) Proof of financial responsibility may be made by filing with the Secretary of State the written or electronic certificate of any insurance carrier duly authorized to do business in this State, certifying that it has issued to or for the benefit of the person furnishing such proof and named as the insured in a motor vehicle liability policy, a motor vehicle liability policy or policies or in certain events an operator's policy meeting the requirements of this Code and that said policy or policies are then in full force and effect. All written or electronic certificates must be submitted in a manner satisfactory to the Secretary of State.

(b) Such certificate or certificates shall give the dates of issuance and expiration of such policy or policies and certify that the same shall not be canceled unless 15 days' prior written or electronic notice thereof be given to the

Secretary of State and shall explicitly describe all motor vehicles covered thereby unless the policy or policies are issued to a person who is not the owner of a motor vehicle.

(c) The Secretary of State shall not accept any certificate or certificates unless the same shall cover all motor vehicles then registered in this State in the name of the person furnishing such proof as owner and an additional certificate or certificates shall be required as a condition precedent to the subsequent registration of any motor vehicle or motor vehicles in the name of the person giving such proof as owner.

(Source: P.A. 90-774, eff. 8-14-98.)

(625 ILCS 5/7-318) (from Ch. 95 1/2, par. 7-318)

Sec. 7-318. Notice of Cancellation or Termination of Certified Policy. When an insurance carrier has certified a motor vehicle liability policy or policies under this Act, it shall notify the Secretary of State of any cancellation by mailing a written or electronic notice at least 15 days prior to cancellation of such policy and the policy shall continue in full force and effect until the date of cancellation specified in such notice or until its expiration, except that such a policy subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified with respect to any vehicle designated in both certificates. All written or electronic certificates must be submitted in a manner satisfactory to the Secretary of State.

(Source: P.A. 86-549.)

(625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

Sec. 7-503. Unclaimed Security Deposits.

During July, annually, the Secretary shall compile a list of all securities on deposit, pursuant to this Article, for more than 3 years and concerning which he has received no notice as to the pendency of any judicial proceeding that could affect the disposition thereof. Thereupon, he shall promptly

send a notice ~~by certified mail~~ to the last known address of each depositor advising him that his deposit will be subject to escheat to the State of Illinois if not claimed within 30 days after the mailing date of such notice. At the expiration of such time, the Secretary of State shall file with the State Treasurer an order directing the transfer of such deposit to the general revenue fund in the State Treasury. Upon receipt of such order, the State Treasurer shall make such transfer, after converting to cash any other type of security. Thereafter any person having a legal claim against such deposit may enforce it by appropriate proceedings in the Court of Claims subject to the limitations prescribed for such Court. At the expiration of such limitation period such deposit shall escheat to the State of Illinois.

(Source: P.A. 76-1586.)

(625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

Sec. 12-603.1. Driver and passenger required to use safety belts, exceptions and penalty.

(a) Each driver and front seat passenger of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt; except that, a child less than 8 ~~6~~ years of age shall be protected as required pursuant to the Child Passenger Protection Act. Each driver under the age of 18 years and each of the driver's passengers under the age of 18 years of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt. Each driver of a motor vehicle transporting a child 8 ~~6~~ years of age or more, but less than 16 years of age, ~~in the front seat of the motor vehicle~~ shall secure the child in a properly adjusted and fastened seat safety belt as required under the Child Passenger Protection Act.

(b) Paragraph (a) shall not apply to any of the following:

1. A driver or passenger frequently stopping and leaving the vehicle or delivering property from the

vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour.

2. A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt.

3. A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt.

4. A driver operating a motor vehicle in reverse.

5. A motor vehicle with a model year prior to 1965.

6. A motorcycle or motor driven cycle.

7. A motorized pedalcycle.

8. A motor vehicle which is not required to be equipped with seat safety belts under federal law.

9. A motor vehicle operated by a rural letter carrier of the United States postal service while performing duties as a rural letter carrier.

(c) Failure to wear a seat safety belt in violation of this Section shall not be considered evidence of negligence, shall not limit the liability of an insurer, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle.

(d) A violation of this Section shall be a petty offense and subject to a fine not to exceed \$25.

(e) (Blank).

(f) A law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this Section.

(Source: P.A. 93-99, eff. 7-3-03.)

(625 ILCS 5/3-822 rep.) (from Ch. 95 1/2, par. 3-822)

Section 15. The Illinois Vehicle Code is amended by repealing Section 3-822.

INDEX

Statutes amended in order of appearance

15 ILCS 335/14	from Ch. 124, par. 34
625 ILCS 5/3-113	from Ch. 95 1/2, par. 3-113
625 ILCS 5/3-401	from Ch. 95 1/2, par. 3-401
625 ILCS 5/3-412	from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-416	from Ch. 95 1/2, par. 3-416
625 ILCS 5/3-704	from Ch. 95 1/2, par. 3-704
625 ILCS 5/3-802	from Ch. 95 1/2, par. 3-802
625 ILCS 5/3-803	from Ch. 95 1/2, par. 3-803
625 ILCS 5/3-818	from Ch. 95 1/2, par. 3-818
625 ILCS 5/6-107	from Ch. 95 1/2, par. 6-107
625 ILCS 5/6-301.2	from Ch. 95 1/2, par. 6-301.2
625 ILCS 5/7-315	from Ch. 95 1/2, par. 7-315
625 ILCS 5/7-318	from Ch. 95 1/2, par. 7-318
625 ILCS 5/7-503	from Ch. 95 1/2, par. 7-503
625 ILCS 5/12-603.1	from Ch. 95 1/2, par. 12-603.1
625 ILCS 5/3-822 rep.	from Ch. 95 1/2, par. 3-822