

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

MANDATORY INSURANCE PROGRAM: ENFORCEMENT

Reviewed by: Sgt. Todd McClusky	Effective Date: October 18, 1990
Authorized by: Asst. Chief Gary Sutherland	Revision Date: July 17, 2018

PURPOSE

Bloomington Police officers will be responsible for checking for evidence of liability insurance while conducting traffic stops and investigating accidents.

PROCEDURE

Officers may not stop a vehicle solely for the purpose of verifying insurance coverage. This does not preclude an officer from taking enforcement action if after running a registration check it is determined the vehicle's registration is suspended for noninsurance, nor does it preclude officers from requesting proof of liability insurance coverage at roadside safety checks.

FOLLOWING ARE THE ENFORCEMENT SECTIONS UNDER ILLINOIS VEHICLE CODE:

625 ILCS 5/3-707 Operation of Uninsured Motor Vehicle

1. No person shall operate a motor vehicle unless that vehicle is covered by a liability insurance policy in accordance with 625 ILCS 5/7-601 of the IVC.
2. This applies to operators and motor vehicles regardless of the state or jurisdiction in which they are licensed/registered.
3. If the operator refuses to display evidence of insurance, he/she shall be deemed to be operating an uninsured motor vehicle.
4. Bond is a valid Illinois Driver's license or \$2,000 cash - 10% rule applies. VEHICLES WILL NOT BE TOWED FOR THIS VIOLATION.
5. This violation may be written as a compliance violation.

625 ILCS 5/3-708 Operation of Motor Vehicle When Registration is Suspended for Noninsurance

1. No person may operate a vehicle whose registration is suspended for noninsurance.
2. This jurisdiction will not confiscate plates.
3. Bond is \$3,000 or \$1,000 and a valid Illinois Driver's license - 10% rule applies.
There is no need to book the violator as it is a business offense. However, an initial case report is required per the city's tow ordinance. VEHICLES WILL BE TOWED FOR THIS VIOLATION.

625 ILCS 5/3-707 and 625 ILCS 5/3-708 ARE NON-JAILABLE OFFENSES.

625 ILCS 5/3-710 Display of False Insurance Card

1. No person shall display evidence of insurance to a law enforcement officer knowing:
 - a. There is no valid liability insurance in effect for the vehicle in question.
 - b. The evidence of insurance is illegally altered, counterfeit, or otherwise invalid.
2. If a person is cited under this section, the officer shall confiscate the evidence for presentation in court.
3. Bond is a valid Illinois Driver's license or \$2,000 - 10% rule applies. However this is still a class "A" misdemeanor. These violations require an Initial Case Report VEHICLES WILL BE TOWED FOR THIS VIOLATION.

625 ILCS 5/7-603 Illegal Insurance Cards (fraudulent or altered cards)

This is a class 4 felony = **NO BOND** VEHICLES WILL BE TOWED FOR THIS VIOLATION.

Special Conditions:

Personal recognizance bond is acceptable under the same conditions as for other offenses. However, the offense of altering an insurance certificate is a class IV felony for which bond cannot be posted in the police station unless the arrest is on a warrant and bond is endorsed on the warrant.

All mandatory insurance violation UTT's are must appears.

If the vehicle is insured under the fleet policy, the word "FLEET" may replace the vehicle year, make and VIN.

"Non-Owner Policy" may replace the above identifiers if the person does not own a vehicle, but drives vehicles owned by others.

More than one vehicle may be described on one card.

Vehicles must carry evidence of insurance.

Certain vehicles are exempt from the Mandatory Insurance Law. The exempt categories are:

1. Trailers and other vehicles that are not "motor" vehicles
2. Vehicles regulated by the Illinois Commerce Commission,
3. Vehicles covered by a certificate of self-insurance,
4. Vehicles subject to other insurance requirements, which include taxi, livery, funeral home, ambulance, tow truck, school bus, leased and rental vehicles,
5. Vehicles owned by federal, state or local governmental agencies,
6. Inoperable or stored vehicles,
7. Vehicles not subject to registration.