

**TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER VI: ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL
PART 1800: TRUST FUND COLLECTION RULES**

AUTHORITY: Implementing and authorized by the Illinois Motor Vehicle Theft Prevention Act [20 ILCS 4005].

SOURCE: Emergency Rules adopted at 15 Ill. Reg. 8702, effective May 30, 1991, for a maximum of 150 days; emergency expired October 27, 1991; new rules adopted at 18 Ill. Reg. 4852, effective March 14, 1994.

Section 1800.10 Purpose and Authorization

These rules establish procedures for the collection of money due from insurers of private passenger motor vehicles for each calendar year to be deposited in the Motor Vehicle Theft Prevention Trust Fund as authorized by the Illinois Motor Vehicle Theft Prevention Act [20 ILCS 4005] (the Act).

Section 1800.20 Definitions

"The Act" - The term "the Act" means the Illinois Motor Vehicle Theft Prevention Act [20 ILCS 4005].

"Authority" - The term "Authority" means the Illinois Criminal Justice Information Authority.

"Council" - The term "Council" means the Illinois Motor Vehicle Theft Prevention Council.

"Department" - The term "Department" means the Illinois Department of Insurance.

"Earned car year" - The term "earned car year" means the proportion of a calendar year during which a private passenger motor vehicle can be identified as being insured for physical damage insurance coverage.

"Physical damage insurance coverage" - The term "physical damage insurance coverage" means motor vehicle insurance provided for theft and/or comprehensive coverage.

"Private passenger motor vehicle" - The term "private passenger motor vehicle" includes any private passenger car, station wagon, jeep, or pickup truck with a load capacity of 1,500 pounds or less not used principally for business purposes, and small farm trucks.

This term includes, but is not limited to, jeeps, pick-up trucks, mini-vans, vans and conversion vans.

The term excludes uninsured motor vehicles, motorcycles, motor homes, motor scooters, golf carts, off-road recreational vehicles, all terrain vehicles, off highway motorcycles, street cars and special mobile equipment as defined under Chapter 1 of the Illinois Vehicle Code [625 ILCS 5/Ch.1].

"Total earned car years" - The term "total earned car years" is the sum of an insurer's earned car years of exposure for the calendar year, rounded to the nearest whole dollar. By way of examples, for purposes of calculating the amount to be remitted by insurers to the Council, a private passenger motor vehicle insured for physical damage insurance coverage for three (3) months during a calendar year would constitute 0.25 total earned car years and would be assessed \$.25 (\$1.00 x .25); and four (4) private passenger motor vehicles insured for six (6) months each during the calendar year would constitute the sum of two (2) total earned car years and would be assessed a fee of \$2.00.

Section 1800.30 Collection Process

Money to be deposited by the Council into the Motor Vehicle Theft Prevention Trust Fund shall be collected from insurers by the Council in the following manner:

a) By March 1 of each calendar year, the Council shall send correspondence to all insurers authorized to write private passenger motor vehicle physical damage insurance coverages which are included in Class 2 and Class 3 as defined by Section 4 of the Illinois Insurance Code [> 215 ILCS 5/4] during the preceding calendar year. The names and addresses of such insurers shall be identified by the Department and shall be provided to the Council by February 1 of each calendar year.

b) The correspondence will advise these insurers that, pursuant to the Act, they are required to submit to the Council by April 1 of the appropriate year an amount equal to \$1.00 multiplied by the insurer's total earned car years of private passenger motor vehicle insurance policies providing physical damage insurance coverage, as defined herein, written in the State during the preceding calendar year.

c) The correspondence shall include a worksheet which shall be returned with the correct remittance, if applicable. If an insurer owes no money pursuant to the Act, that fact must be noted on the worksheet returned to the Council. Such worksheet shall require the insurer to report the following information: insurer company's name, address, phone number and Federal taxpayer identification number; total earned car years of exposure for the preceding calendar year; the total fee due; the name, title and phone number of the person completing the worksheet; the person's signature; and the date.

d) Any remittance due shall be returned to the Council by April 1 of the appropriate year and shall be in the form of a certified or corporate check made payable to: "TREASURER, STATE OF ILLINOIS". The remittance shall be sent to:

**Illinois Motor Vehicle Theft Prevention Council
c/o Illinois Criminal Justice Information Authority
300 West Adams Street, Suite 200
Chicago, Illinois 60606-3997**

Attention: Office of Fiscal Management

e) Upon receipt by the Council of the remittance due, the money shall be deposited into the Illinois Motor Vehicle Theft Prevention Trust Fund.

f) On or before April 15 of each year, the Council shall provide the Department with a report indicating the insurers that returned the worksheet required in Section 1800.30 on time (April 1); the amount of funds, if any, contributed; and the insurers that did not return the worksheet or that returned the worksheet late.

Section 1800.40 Public Inquiries

All inquiries pertaining to the collection process should be directed to:

Program Director
Illinois Motor Vehicle Theft Prevention Council
c/o Illinois Criminal Justice Information Authority
300 West Adams Street, Suite 200
Chicago, Illinois 60606-3997

(312) 793-8550
TDD: (312) 793-4170