



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4722

Introduced 2/6/2024, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18a-302

from Ch. 95 1/2, par. 18a-302

Amends the Illinois Vehicle Code. In provisions allowing a person in lawful possession or control of private property to employ a commercial relocater to remove a vehicle that obstructs the person's ability to enter or exit the property if written notice is posted at the property, removes language providing that the provisions shall not be construed as prohibiting any unit of local government from imposing additional or greater notice requirements. Provides that a home rule unit may not regulate the removal of an unauthorized vehicle by an owner or other person in lawful possession or control of private property in a manner inconsistent with the provisions.

LRB103 36529 MXP 66636 b

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
5 changing Section 18a-302 as follows:

6 (625 ILCS 5/18a-302) (from Ch. 95 1/2, par. 18a-302)

7 Sec. 18a-302. Owner or other person in lawful possession
8 or control of private property; right ~~property~~ ~~Right~~ to
9 employ relocation service. It shall be unlawful for an owner
10 or other person in lawful possession or control of private
11 property to remove or employ a commercial relocater to remove
12 an unauthorized vehicle from such property unless written
13 notice is provided to the effect that such vehicles will be
14 removed, including the name, address and telephone number of
15 the appropriate commercial vehicle relocater, if any. Such
16 notice shall consist of a sign, posted in a conspicuous place
17 in the affected area, of a size at least 24 inches in height by
18 36 inches in width. Such sign shall be at least 4 feet from the
19 ground but less than 8 feet from the ground and shall be either
20 illuminated or painted with reflective paint, or both. Such
21 sign shall state the amount of towing charges to which the
22 person parking may be subject. ~~This provision shall not be~~
23 ~~construed as prohibiting any unit of local government from~~

1 ~~imposing additional or greater notice requirements.~~

2 No express notice shall be required under this Section
3 upon residential property which, paying due regard to the
4 circumstances and the surrounding area, is clearly reserved or
5 intended exclusively for the use or occupation of residents or
6 their vehicles.

7 A home rule unit may not regulate the removal of an
8 unauthorized vehicle by an owner or other person in lawful
9 possession or control of private property in a manner
10 inconsistent with this Section. This Section is a limitation
11 under subsection (i) of Section 6 of Article VII of the
12 Illinois Constitution on the concurrent exercise by home rule
13 units of powers and functions exercised by the State.

14 (Source: P.A. 81-332.)