

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.

10 (a) This subsection applies to units of local government
11 other than a unit described in subsection (b).

12 It shall be unlawful for an owner or other person in lawful
13 possession or control of private property to remove or employ
14 a commercial relocater to remove an unauthorized vehicle from
15 such property unless written notice is provided to the effect
16 that such vehicles will be removed, including the name,
17 address and telephone number of the appropriate commercial
18 vehicle relocater, if any. Such notice shall consist of a
19 sign, posted in a conspicuous place in the affected area, of a
20 size at least 24 inches in height by 36 inches in width. Such
21 sign shall be at least 4 feet from the ground but less than 8
22 feet from the ground and shall be either illuminated or
23 painted with reflective paint, or both. Such sign shall state

1 the amount of towing charges to which the person parking may be
2 subject. This provision shall not be construed as prohibiting
3 any unit of local government from imposing additional or
4 greater notice requirements.

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

10 (b) This subsection only applies to municipalities with a
11 population over 2,000,000.

12 It shall be unlawful for an owner or other person in lawful
13 possession or control of private property to remove or employ
14 a commercial relocater to remove an unauthorized vehicle from
15 such property unless written notice is provided to the effect
16 that such vehicles will be removed, including the name,
17 address and telephone number of the appropriate commercial
18 vehicle relocater, if any. Such notice shall consist of a
19 sign, posted in a conspicuous place in the affected area, of a
20 size at least 24 inches in height by 36 inches in width. Such
21 sign shall be at least 4 feet from the ground but less than 8
22 feet from the ground and shall be either illuminated or
23 painted with reflective paint, or both. Such sign shall state
24 the amount of towing charges to which the person parking may be
25 subject.

26 Express notice shall be required under this subsection to

1 remove a vehicle blocking an area that is clearly reserved or
2 intended as an ingress or egress point for a residential
3 property, including, but not limited to, a driveway.

4 An owner or other person in lawful possession or control
5 of private property must use a private vendor approved by the
6 municipality in which the property is located to remove an
7 unauthorized vehicle from the property.

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

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