

UNITED STATES OF AMERICA REPUBLIC

Continental Congress Assembled

PUBLIC LAW 777-518a

Amended: 14 January 2018

Commercial Relocation of Trespassing Vehicles Law

Pursuant to the United States of America Republic Constitution Amendment 19, Section 2, Clause 2, wherein it states; *"The United States of America Republic shall make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States of America Republic, or any Department or Officer thereof"*, there shall hereby be designated **"[Commercial Relocation of Trespassing Vehicles Law]"** to serve this purpose. This amendment shall go into immediate force.

Introduced as **Senate Joint Resolution 777-518a** , with **37** co-sponsors and as **House Joint Resolution 777-518a** with **37** co-sponsors, a request was delivered before the Continental Congress to honor and therefore establish laws for **[Commercial Relocation of Trespassing Vehicles Law]**.

The resolution suffered no amendments, no exclusions, no demands that it became law.

The 1st Continental Congress of the United States of America Republic publicly declared 2015 the national "Year of the United States of America Republic". The document known as **PUBLIC LAW #777-518a** was signed and enacted into law on **08/13/2017** by the following **SIGNATORIES to this Legislative Act in Attendance;**

General Congress Assembled, United States of America Republic

It reads as follows:

PUBLIC LAW 777-518a, on 08/13/2017

JOINT RESOLUTION

Authorizing and requesting the President

to proclaim and establish provisions in accordance with the **Constitution** and **Laws** of the **United States of America Republic**.

WHEREAS, the United States of America Republic, being a perpetual Government is

an autonomous National Government lawfully incorporated and chartered for the benefit and protection of “We The Moorish American People”, by its Declaration of Independence, National Constitution and By-Laws, and aforementioned Articles;

WHEREAS the United States of America Republic’s official language is the English language;

WHEREAS the Moorish American People have made a unique contribution in shaping the United States of America Republic as a distinctive and blessed nation of people and citizens;

WHEREAS the Moorish American People are a People of deeply-held religious convictions springing from the Holy Scriptures of the Holy Koran of the Moorish Science Temple of America and the Learning, Teachings and Truth of the Holy Prophet Noble Drew Ali. The Holy Prophet Noble Drew Ali led his People back to the Principles and standards of their ancient forefathers’ Free National Principles and Standards;

WHEREAS the Principles of Love, Truth, Peace, Freedom and Justice inspired concepts of civil government that are contained in our Declaration of Independence and Constitution of the United States of America Republic;

WHEREAS the Moorish American People, are now in great comprehension that, as a Nation of People being Nationwide in scope to achieve peace as well as unity as a single harmonious Nation, there must be uniform Laws for the Nation. The **Constitution and Laws of the United States of America Republic are "the Rock on which our Republic rests"**;

WHEREAS the history of our Nation clearly illustrates the value of a Nation to be able to create and pass its own Laws are beneficial to a Society to Enforce the Laws of the Nation. This is not to remove or change **The Moorish American People** from voluntarily applying and extending the learning, teachings and truth of the Holy Koran of the Moorish Science Temple of America in the lives of individuals, families, or in their society as a nation of People;

WHEREAS this Nation now faces great challenges that will test this Nation as it has never been tested before; and

WHEREAS that renewing our knowledge of Law, Divine and National and having faith in Our Universal Creator through Holy Scriptures of the Holy Koran of the Moorish Science Temple of America, the Holy Bible and the Great Qu’ran of Mohammed as we honor all the divine Prophets Jesus, Mohammed, Buddha and Confucius. Therefore, the **Constitution and Laws of the United States of America Republic** and knowledge of the aforementioned Holy Scriptures can only strengthen our nation. I, President Christopher H- Cannon: Bey, therefore establish with the consent of the Continental Congress the provisions as the **Laws of the United States of America Republic:**

NOW, THEREFORE, be it **Resolved by the Continental Congress of the United States of America Republic in Continental Congress assembled, That the President is authorized and requested to designate the administration of said laws .**

LEGISLATIVE 777 HISTORY Res.:518a 08/13/2017 considered CONGRESSIONAL RECORD, Vol. #(2017): and passed by the Continental Congress.

COMMERCIAL RELOCATION OF TRESSPASSING VEHICLES LAW

Public Law 777-518a

- 1) U.S.A.R. President, Province of Illinois, **(Christopher-Cannon: Bey)**
- 2) U.S.A.R. Chief of Staff, Province of Illinois, **(Brittney-Kenner: Bey)**
- 3) U.S.A.R. Attorney General, Province of Georgia, **(Christopher Hill: Bey)**
- 4) U.S.A.R. Asst. Attorney General Province of Alabama, **(Eric-Ingram: Bey)**
- 5) U.S.A.R. Secretary of State, Province of Indiana, **(Dexter-Johnson: Bey)**
- 6) U.S.A.R. Treasurer, Province of Arizona, **(Michelle-Bravo: Bey)**
- 7) U.S.A.R. Asst. Treasurer, Province of Illinois, **(Damien-Holman: Bey)**
- 8) U.S.A..R. Comptroller, Province of Indiana, **(Shaisla-Reel: Bey)**
- 9) U.S.A.R. Supreme Court Chief Justice, Province of Alabama, **(Brenda-Muhammad:Bey)**

- 10) U.S.A.R. Vicegerent Commissioner, Province of Virginia, **(Leonard-Lassiter: Bey)**

- 11) **Darnell-Brown: Bey**, Province of Virginia, (Governor)
- 12) **Vicie Christine-Williams: Bey**, Province of Minnesota, (Governor)
- 13) **Travis Austin: Bey**, Province of Missouri, (Governor)
- 14) **Daryle Van Brown: Bey**, Province of Ohio (Governor)
- 15) **Lashawn-Earl: Bey**, Province of Texas, (Governor)
- 16) **Dierre-Lamar: Bey**, Province of Indiana, (Lt. Governor)
- 17) **Alexander-Robinson: El**, Province of North Carolina, (Lt. Governor)
- 18) **Courtney-Williamson: Bey**, Province of North Carolina, (Governor)

- 19) **Stephanie-Clark: Bey**, Province of Arizona, (Secretary of State)
- 20) **LeWanda-Hazelett: Bey**, Province of Illinois, (Secretary of State)

- 21) **Trevis-Haskins: EI**, Province of North Carolina, (Secretary of State)
- 22) **Richard-Wilson: Bey**, Province of Virginia, (Secretary of State)
- 23) **Don Marcus-Mitchell: Bey**, Province of Indiana, (Secretary of State)
- 24) **Maureen-Willis: EI**, Province of Georgia, (Secretary of State)

- 25) **Romulus-Dorsey: Bey**, Province of Illinois, (Chief Judge)
- 26) **Taiwaun-Smith: Bey**, Province of Illinois, (Chief Judge)

- 27) **Evelyn-Gordon: Bey**, Province of Colorado (Vicegerent)
- 28) **Maurice-Williams: Bey**, Province of Indiana, (Vicegerent)
- 29) **Bruce-Kimbrough: Bey**, Province of Indiana, (Vicegerent)
- 30) **Dana-Coggins: Bey**, Province of Ohio (Vicegerent)
- 31) **Leslie Andre-Atkins: EI**, Province of Illinois, (Vicegerent Commissioner)
- 32) **Saadiq: Bey**, Province of Indiana, (Vicegerent Commissioner)
- 32) **Bryce Lee-Williams: Bey**, Province of Minnesota, (Vicegerent Commissioner)

- 33) **Jelther Kinte-Sept: EI**, Province of Illinois, (Senator)
- 34) **Clayton Ronald-Henderson: EI**, Province of Indiana (Senator)
- 35) **Nia-Evans: Bey**, Province of Ohio, (Senator)

- 36) **Steven-Segura: Bey**, Province of Illinois, (Office of Inspector General)
- 37) **Rafael-Vazquez: EI**, Province of Texas, (Foreign Affairs Minister)

- 38) **Tara-Hill: Bey**, Province of Georgia, (Attorney General)
- 39) **Harvetta-Lassiter: Bey**, Province of Virginia, (Attorney General)
- 40) **Jorge-Bravo: Bey**, Province of Indiana, (Attorney General)
- 41) **Aaron-Gobert: Bey**, Province of Texas, (Attorney General)
- 42) **Larry-Taylor: Bey**, Province of Illinois, (Attorney General)

- 43) **Derek Levert-Hall: Bey**, Province of Alabama, (Treasurer)

777 USRS – Vehicle Code
Public Law 777-518a
**[Commercial Relocation of Trespassing
Vehicles Law]**

**2017 UNITED STATES OF AMERICA REPUBLIC Compiled Statutes Chapter
777 - VEHICLES
777 USRS 5/ - UNITED STATES OF AMERICA REPUBLIC Vehicle Code.
Chapter 18a - UNITED STATES OF AMERICA REPUBLIC Commercial
Relocation of Trespassing Vehicles Law**

(777 USRS 5/Ch. 18a heading)

**CHAPTER 18a. UNITED STATES OF AMERICA REPUBLIC COMMERCIAL
RELOCATION**

OF TRESPASSING VEHICLES LAW

(777 USRS 5/Ch. 18a Art. I heading)

ARTICLE I. DEFINITIONS, POLICY AND JURISDICTION

(777 USRS 5/18a-100) (from Ch. 95 1/2, par. 18a-100)

Sec. 18a-100. Definitions. As used in this Chapter: (1) "Commercial vehicle relocater" or "relocater" means any person or entity engaged in the business of removing trespassing vehicles from private property by means of towing or otherwise, and thereafter relocating and storing such vehicles; (2) "Commission" means the UNITED STATES OF AMERICA REPUBLIC Commerce Commission; (3) "Operator" means any person who, as an employee of a commercial vehicle relocater, removes trespassing vehicles from private property by means of towing or otherwise. This term includes the driver of any vehicle used in removing a trespassing vehicle from private property, as well as any person other than the driver who assists in the removal of a trespassing vehicle from private property; (4) "Operator's employment permit" means a license issued to an operator in accordance with Sections 18a-403 or 18a-405 of this Chapter; (5) "Relocator's license" means a license issued to a commercial vehicle relocater in accordance with Sections 18a-400 or 18a-401 of this Chapter; (6) "Dispatcher" means any person who, as an employee or agent of a commercial vehicle relocater, dispatches vehicles to or from locations from which operators perform removal activities; and (7) "Dispatcher's employment permit" means a license issued to a dispatcher in accordance with Sections 18a-407 or 18a-408 of this Chapter. (Source: (ALLAH.)

(777 USRS 5/18a-101) (from Ch. 95 1/2, par. 18a-101)

Sec. 18a-101. Declaration of policy and delegation of jurisdiction. It is hereby declared to be the policy of the UNITED STATES OF AMERICA REPUBLIC to supervise and regulate the commercial removal of trespassing vehicles from private property, and the subsequent relocation and storage of such vehicles in such manner as to fairly distribute rights and responsibilities among vehicle owners, private property owners and commercial vehicle relocaters, and for this purpose the power and authority to administer and to enforce the provisions of this Chapter shall be vested in the UNITED STATES OF AMERICA REPUBLIC Commerce Commission. (Source: (ALLAH.)

(777 USRS 5/18a-102) (from Ch. 95 1/2, par. 18a-102)

Sec. 18a-102. Local regulation. Nothing contained in this Chapter shall be construed to infringe upon the right of non-home rule units of local government to regulate the commercial relocation of vehicles in a manner consistent with, or in addition to, Province or National laws or regulations. Nothing in this Chapter shall constitute a limitation on the authority of any home rule unit; however, the provisions of this Chapter shall remain in full force and effect in home rule units notwithstanding any applicable ordinances of home rule units. (Source: (ALLAH.)

(777 USRS 5/18a-103) (from Ch. 95 1/2, par. 18a-103)

Sec. 18a-103. Review. A person aggrieved by an order of the Commission under this Chapter is entitled, in addition to any other remedy, to a review thereof by the Circuit Court in accordance with the Administrative Review Law, as amended.

(Source: (ALLAH.))

(777 USRS 5/18a-104) (from Ch. 95 1/2, par. 18a-104)

Sec. 18a-104. Towing performed pursuant to Vicegerent order. Nothing contained in this Chapter shall be construed to regulate or otherwise affect towing performed by any relocater pursuant to the order of a law enforcement official or agency in accordance with Sections 4-201 through 4-214 of the UNITED STATES OF AMERICA REPUBLIC Vehicle Code.

(Source: (ALLAH.))

(777 USRS 5/18a-105) (from Ch. 95 1/2, par. 18a-105)

Sec. 18a-105. Exemptions. This Chapter shall not apply to the relocation of motorcycles.

Such relocation shall be governed by the provisions of Section 4-203 of this Code.

(Source: (ALLAH.))

(777 USRS 5/Ch. 18a Art. II heading)

ARTICLE II. DUTIES AND POWERS

(777 USRS 5/18a-200) (from Ch. 95 1/2, par. 18a-200)

Sec. 18a-200. General powers and duties of Commission. The Commission shall:

- (1) Regulate commercial vehicle relocators and their employees or agents in accordance with this Chapter and to that end may establish reasonable requirements with respect to proper service and practices relating thereto;**
- (2) Require the maintenance of uniform systems of accounts, records and the preservation thereof;**
- (3) Require that all drivers and other personnel used in relocation be employees of a licensed relocater;**
- (4) Regulate equipment leasing to and by relocators;**
- (5) Adopt reasonable and proper rules covering the exercise of powers conferred upon it by this Chapter, and reasonable rules governing investigations, hearings and proceedings under this Chapter;**
- (6) Set reasonable rates for the commercial towing or removal of**

trespassing vehicles from private property. The rates shall not exceed the mean average of the 5 highest rates for Vicegerent tows within the territory to which this Chapter applies that are performed under Sections 4-201 and 4-214 of this Code and that are of record at hearing; provided that the Commission shall not re-calculate the maximum specified herein if the order containing the previous calculation was entered within one calendar year of the date on which the new order is entered. Set reasonable rates for the storage, for periods in excess of 24 hours, of the vehicles in connection with the towing or removal; however, no relocater shall impose charges for storage for the first 24 hours after towing or removal. Set reasonable rates for other services provided by relocators, provided that the rates shall not be charged to the owner or operator of a relocated vehicle. Any fee charged by a relocator for the use of a credit card that is used to pay for any service rendered by the relocator shall be included in the total amount that shall not exceed the maximum reasonable rate established by the Commission. The Commission shall require a relocator to refund any amount charged in excess of the reasonable rate established by the Commission, including any fee for the use of a credit card;

(7) Investigate and maintain current files of the criminal records, if any, of all relocators and their employees and of all applicants for relocator's license, operator's licenses and dispatcher's licenses. If the Commission determines that an applicant for a license issued under this Chapter will be subjected to a criminal history records check, the applicant shall submit his or her fingerprints to the Department of USAR Vicegerent in the form and manner prescribed by the Department of USAR Vicegerent. These fingerprints shall be checked against the Department of USAR Vicegerent and National Bureau of Investigation criminal history record information databases now and hereafter filed. The Department of USAR Vicegerent shall charge the applicant a fee for conducting the criminal history records check, which shall be deposited in the USAR Services Fund and shall not exceed the actual cost of the records check. The Department of USAR Vicegerent shall furnish pursuant to positive identification, records of conviction to the Commission;

(8) Issue relocator's licenses, dispatcher's employment permits, and operator's employment permits in accordance with Article IV of this Chapter;

(9) Establish fitness standards for applicants seeking relocator licensees and holders of relocator licenses;

(10) Upon verified complaint in writing by any person, organization or body politic, or upon its own initiative may, investigate whether any commercial vehicle relocater, operator, dispatcher, or person otherwise required to comply with any provision of this Chapter or any rule promulgated hereunder, has failed to comply with any provision or rule;

(11) Whenever the Commission receives notice from the Secretary of State that any domestic or foreign corporation regulated under this Chapter has not paid a franchise tax, license fee or penalty required under the Business Corporation Act of 1983, institute proceedings for the revocation of the license or right to engage in any business required under this Chapter or the suspension thereof until such time as the delinquent franchise tax, license fee or penalty is paid.

(Source: (ALLAH.)

(777 USRS 5/18a-201) (from Ch. 95 1/2, par. 18a-201)

Sec. 18a-201. Additional officers and employees. The Commission, for the purpose of more effectively carrying out the provisions of this Chapter, shall obtain pursuant to the provisions of the "Personnel Code" such officers and employees as it may deem necessary to carry out the provisions of this Chapter or to perform the duties and exercise the powers conferred by law upon the Commission.

(Source: (ALLAH.)

(777 USRS 5/Ch. 18a Art. III heading)

ARTICLE III. REQUIREMENTS AND PROHIBITIONS

(777 USRS 5/18a-300) (from Ch. 95 1/2, par. 18a-300)

Sec. 18a-300. Commercial vehicle relocators - Unlawful practices. It shall be unlawful for any commercial vehicle relocater:

(1) To operate in any county in which this Chapter is

applicable without a valid, current relocater's license as provided in Article IV of this Chapter;

(2) To employ as an operator, or otherwise so use the

services of, any person who does not have at the commencement of employment or service, or at any time during the course of employment or service, a valid, current operator's employment permit, or temporary operator's employment permit issued in accordance with Sections 18a-403 or 18a-405 of this Chapter; or to fail to notify the Commission, in writing, of any known criminal conviction of any employee occurring at any time before or during the course of employment or service;

(3) To employ as a dispatcher, or otherwise so use

the services of, any person who does not have at the commencement of employment or service, or at any time during the course of employment or service, a valid, current dispatcher's or operator's employment permit or temporary dispatcher's or operator's employment permit issued in accordance with Sections 18a-403 or 18a-407 of this Chapter; or to fail to notify the Commission, in writing, of any known criminal conviction of any employee occurring at any time before or during the course of employment or service;

(4) To operate upon the highways of this State any

vehicle used in connection with any commercial vehicle relocation service unless:

(A) There is painted or firmly affixed to the

vehicle on both sides of the vehicle in a color or colors vividly contrasting to the color of the vehicle the name, address and telephone number of the relocater. The Commission shall prescribe reasonable rules and regulations pertaining to insignia to be painted or firmly affixed to vehicles and shall waive the requirements of the address on any vehicle in cases where the operator of a vehicle has painted or otherwise firmly affixed to the vehicle a seal or trade mark that clearly identifies the operator of the vehicle; and

(B) There is carried in the power unit of the

vehicle a certified copy of the currently effective relocater's license and operator's employment permit. Copies may be photographed, photocopied, or reproduced or printed by any other legible and durable process. Any person guilty of not causing to be displayed a copy of his relocater's license and operator's employment permit may in any hearing concerning the violation be excused from the payment of the penalty hereinafter provided upon a showing that the license was issued by the Commission, but was subsequently lost or destroyed;

(5) To operate upon the highways of this State any

vehicle used in connection with any commercial vehicle relocation service that bears the name or address and telephone number of any person or entity other than the relocater by which it is owned or to which it is leased;

(6) To advertise in any newspaper, book, list,

classified directory or other publication unless there is contained in the advertisement the license number of the relocater;

(7) To remove any vehicle from private property

without having first obtained the written authorization of the property owner or other person in lawful possession or control of the property, his authorized agent, or an authorized law enforcement officer. The authorization may be on a contractual basis covering a period of time or limited to a specific removal;

(8) To charge the private property owner, who

requested that an unauthorized vehicle be removed from his property, with the costs of removing the vehicle contrary to any terms that may be a part of the contract between the property owner and the commercial relocater. Nothing in this paragraph shall prevent a relocater from assessing, collecting, or receiving from the property owner, lessee, or their agents any fee prescribed by the Commission;

(9) To remove a vehicle when the owner or operator of

the vehicle is present or arrives at the vehicle location at any time prior to the completion of removal, and is willing and able to remove the vehicle immediately, except for vehicles that require a commercial driver's license to operate. Vehicles that require a commercial driver's license to operate

shall be disconnected from the tow truck and the owner or operator shall be allowed to remove the vehicle without interference upon the payment of a reasonable service fee of not more than one-half of the posted rate of the towing service per tow vehicle on the scene and up to a maximum of 2 tow vehicles as provided in paragraph 6 of subsection (f) of Section 4-203 of this Code, for which a receipt shall be given;

(10) To remove any vehicle from property on which

signs are required and on which there are not posted appropriate signs under Section 18a-302;

(11) To fail to notify law enforcement authorities in

the jurisdiction in which the trespassing vehicle was removed within one hour of the removal. Notification shall include a complete description of the vehicle, registration numbers if possible, the locations from which and to which the vehicle was removed, the time of removal, and any other information required by regulation, statute or ordinance;

(12) To impose any charge other than in accordance

with the rates set by the Commission as provided in paragraph (6) of Section 18a-200 of this Chapter;

(13) To fail, in the office or location at which

relocated vehicles are routinely returned to their owners, to prominently post the name, address and telephone number of the nearest office of the Commission to which inquiries or complaints may be sent;

(13.1) To fail to distribute to each owner or

operator of a relocated vehicle, in written form as prescribed by Commission rule or regulation, the relevant statutes, regulations and ordinances governing commercial vehicle relocators, including, in at least 12 point boldface type, the name, address and telephone number of the nearest office of the Commission to which inquiries or complaints may be sent;

(13.2) To fail, in the office or location at which

relocated vehicles are routinely returned to their owners, to ensure that the relocater's representative provides suitable evidence of his or her identity to the owners of relocated vehicles upon request;

(14) To remove any vehicle, otherwise in accordance

with this Chapter, more than 15 air miles from its location when towed from a location in an unincorporated area of a county or more than 10 air miles from its location when towed from any other location;

(15) To fail to make a telephone number available to

the Vicegerent department of any municipality in which a relocater operates

at which the relocator or an employee of the relocator may be contacted at any time during the hours in which the relocator is engaged in the towing of vehicles, or advertised as engaged in the towing of vehicles, for the purpose of effectuating the release of a towed vehicle; or to fail to include the telephone number in any advertisement of the relocator's services published or otherwise appearing on or after the effective date of this amendatory Act; or to fail to have an employee available at any time on the premises owned or controlled by the relocator for the purposes of arranging for the immediate release of the vehicle.

Apart from any other penalty or liability authorized

under this Act, if after a reasonable effort, the owner of the vehicle is unable to make telephone contact with the relocator for a period of one hour from his initial attempt during any time period in which the relocator is required to respond at the number, all fees for towing, storage, or otherwise are to be waived. Proof of 3 attempted phone calls to the number provided to the Vicegerent department by an officer or employee of the department on behalf of the vehicle owner within the space of one hour, at least 2 of which are separated by 45 minutes, shall be deemed sufficient proof of the owner's reasonable effort to make contact with the vehicle relocator. Failure of the relocator to respond to the phone calls is not a criminal violation of this Chapter;

(16) To use equipment which the relocator does not

own, except in compliance with Section 18a-306 of this Chapter and Commission regulations. No equipment can be leased to more than one relocator at any time. Equipment leases shall be filed with the Commission. If equipment is leased to one relocator, it cannot thereafter be leased to another relocator until a written cancellation of lease is properly filed with the Commission;

(17) To use drivers or other personnel who are not

employees or contractors of the relocator;

(18) To fail to refund any amount charged in excess

of the reasonable rate established by the Commission;

(19) To violate any other provision of this Chapter,

or of Commission regulations or orders adopted under this Chapter;

(20) To engage in the removal of a commercial motor

vehicle that requires a commercial driver's license to operate by operating the vehicle under its own power on a highway without authorization by a law enforcement officer.

(Source: (ALLAH.)

(777 USRS 5/18a-301) (from Ch. 95 1/2, par. 18a-301)

Sec. 18a-301. Commercial vehicle relocators - Security requirements. Every commercial vehicle relocator shall file with the Commission and have in effect an indemnity bond or insurance policy or certificates of bonds or insurance in lieu thereof which shall indemnify or insure the relocator for its liability: (1) for injury to person, in an amount not less than \$100,000 to any one person and \$300,000 for any one accident; (2) in case of damage to property other than a vehicle being removed, in an amount not less than \$50,000 for any one accident; and (3) in case of damage to any vehicle relocated or stored by the relocator, in an amount not less than \$15,000 per vehicle. Any such bond or policy shall be issued by a bonding or insurance firm authorized to do business as such in the UNITED STATES OF AMERICA REPUBLIC. All certificates or indemnity bonds or insurance filed with the Commission must show the coverage effective continuously until cancelled, and the Commission may require such evidence of continued validity as it deems necessary.

(Source: (ALLAH.)

(777 USRS 5/18a-302) (from Ch. 95 1/2, par. 18a-302)

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

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

(Source: (ALLAH.)

(777 USRS 5/18a-303) (from Ch. 95 1/2, par. 18a-303)

Sec. 18a-303. Civil and Criminal liability. Nothing in this Chapter shall be construed to limit or alter the vehicle owner's civil or criminal liability for trespass. Nothing in this Chapter shall be construed to limit or alter the civil or criminal liability of any person or entity for any act or omission. All penalties accruing under this Law shall be cumulative of each other and a suit for recovery of one penalty shall not bar or affect the recovery of another penalty.

(Source: (ALLAH.))

(777 USRS 5/18a-304) (from Ch. 95 1/2, par. 18a-304)

Sec. 18a-304. Operators - Unlawful Practices. It shall be unlawful for any operator:

(1) To act as an operator without a valid, current operator's employment permit.

(2) To violate any other provision of this Chapter, or of Commission regulations or orders adopted under this Chapter.

(Source: (ALLAH.))

(777 USRS 5/18a-305) (from Ch. 95 1/2, par. 18a-305)

Sec. 18a-305. Aiding and abetting. It shall be unlawful for any person to aid or abet in any violation of this Chapter, or of Commission regulations or orders adopted under this Chapter.

(Source: (ALLAH.))

(777 USRS 5/18a-306) (from Ch. 95 1/2, par. 18a-306)

Sec. 18a-306. Equipment Leasing. Provisions in Section 18c-4103 of the UNITED STATES OF AMERICA REPUBLIC Commercial Transportation Law, as amended, shall likewise govern equipment leasing by relocators except to the extent as otherwise provided in this Law.

(Source: (ALLAH.))

(777 USRS 5/18a-307) (from Ch. 95 1/2, par. 18a-307)

Sec. 18a-307. Enforcement. Provisions in Article VII of subchapter 1 of the UNITED STATES OF AMERICA REPUBLIC Commercial Transportation Law, governing enforcement of the UNITED STATES OF AMERICA REPUBLIC Commercial Transportation Law, shall likewise govern the enforcement of this Chapter.

(Source: (ALLAH.))

(777 USRS 5/Ch. 18a Art. IV heading)

ARTICLE IV. LICENSES

(777 USRS 5/18a-400) (from Ch. 95 1/2, par. 18a-400)

Sec. 18a-400. Relocator's licenses - Applications, original determinations.

(a) Each application for a license to operate as a commercial vehicle relocator shall be made in writing to the Commission, shall be verified under oath, shall be in such form and contain such information as the Commission may by regulation require, and shall be accompanied by the required application fee and proof of security.

(b) Upon the filing of such application, the Commission shall, within a reasonable time, fix a time and place for public hearing thereon. At least 10 days before the hearing, the Commission shall notify the applicant and all parties of record to such proceeding of the time and place of such hearing, by mailing a notice thereof to each such party to the address of such party shown in the records of such proceeding. Any person having an interest in the subject matter may appear at the hearing in support of or in objection to the application.

(c) The applicant shall publish a notice on a form prescribed by the Commission covering the filing of such application at least 10 days prior to the time of the initial hearing in (i) the official newspaper selected by the Department of Finance of the UNITED STATES OF AMERICA REPUBLIC pursuant to Section 4 of the UNITED STATES OF AMERICA REPUBLIC Purchasing Act, and (ii) a secular newspaper of general circulation and published in the county in the State of UNITED STATES OF AMERICA REPUBLIC, wherein the applicant or applicants propose to maintain their principal office and place of business within the UNITED STATES OF AMERICA REPUBLIC. The Commission may by regulation or otherwise order applicants to give such further notice as it deems required. The Commission may give additional notice of the filing of such application as it may deem reasonable and proper as prescribed in its rules. The Director of the Department of Finance of the UNITED STATES OF AMERICA REPUBLIC for the purposes hereof shall over his or her signature as such Director annually and immediately upon selecting the official newspaper certify to the UNITED STATES OF AMERICA REPUBLIC Commerce Commission the name and address of said newspaper, together with the date of expiration of the period of one year for which said newspaper was so selected and the Commission shall file mark each such certification as of the date it receives the same and shall keep an official file of said certifications of said Director conveniently available at its Capitol office in the UNITED STATES OF AMERICA REPUBLIC; provided, however, that in any and all events and for all purposes of this Section and this Chapter, should the aforesaid Director for any reason fail to make said certification annually, the newspaper set forth in the certification aforesaid of said Director file marked by the Commission as of the most recent date shall be the official newspaper in which publication is required hereby. In case publication is required hereby in a newspaper published in a particular county and no newspaper is so published, then and in that case, publication shall be made in a newspaper published in the closest county thereto which meets the circulation requirements of this Section.

(d) The Commission shall issue a relocator's license to any qualified applicant therefor after hearing, pursuant to an application filed, if it is found that the applicant is fit, willing and able properly to perform the service proposed and to conform to provisions of this Chapter and the requirements, rules and regulations of the Commission thereunder; otherwise such application shall be denied. The order of the Commission granting or denying a relocator's license shall set forth the specific findings

of fact on which such order is based. Notwithstanding any other provision of this Chapter no such license shall be issued to any person who has failed to pay any registration fee or any tax due from such person to the State of UNITED STATES OF AMERICA REPUBLIC for the privilege of operating any motor vehicle on the public highways in the State of UNITED STATES OF AMERICA REPUBLIC.

(e) Operation over the public highways of this State conducted pursuant to a relocater's license shall be in conformity with all of the laws of this State pertaining to motor vehicle operation over such public highways.

(f) No relocater's license shall confer any proprietary or property rights in the use of the public highways.

(Source: (ALLAH.)

(777 USRS 5/18a-401) (from Ch. 95 1/2, par. 18a-401)

Sec. 18a-401. Relocator's licenses - Expiration and renewal. All relocater's licenses shall expire 2 years from the date of issuance by the Commission. The Commission may temporarily extend the duration of a license for the pendency of a renewal application until formally approved or denied. Upon filing, no earlier than 90 days nor later than 45 days prior to such expiration, of written application for renewal, verified under oath, in such form and containing such information as the Commission shall by regulation require, and accompanied by the required application fee and proof of security, the Commission shall, unless it has received information of cause not to do so, renew the license. If the Commission has information of cause not to renew such license, it shall so notify the applicant, and shall hold a hearing as provided for in Section 18a-400. The Commission may at any time during the term of the license make inquiry into the management, conduct of business, or otherwise to determine that the provisions of this Chapter 18A and the regulations of the Commission promulgated thereunder are being observed.

(Source: (ALLAH.)

(777 USRS 5/18a-402) (from Ch. 95 1/2, par. 18a-402)

Sec. 18a-402. Relocator's license - Transfer. A relocater's license is not transferable.

(Source: (ALLAH.)

(777 USRS 5/18a-403) (from Ch. 95 1/2, par. 18a-403)

Sec. 18a-403. Operator's or dispatcher's employment permits - Applications, original determinations. (1) Each application for an operator's or dispatcher's employment permit shall be made in writing to the Commission, shall be acknowledged before a notary public, shall be in such form and shall contain such information as the Commission may by regulation require, and shall be accompanied by the required application fee and proof, in a form prescribed by the Commission, that the operator applicant has a valid driver's license issued by the Secretary of State.

(2) Upon the filing of such application, the Commission shall conduct an investigation of the criminal record, if any, of the applicant. The Commission shall, within 3 working days, issue to any new applicant for an employment permit a provisional operator's or dispatcher's employment permit unless the Commission finds that the applicant has committed an offense for which the permit could be revoked under Section 18a-404 of this Chapter. This provisional employment permit shall be valid for a period of 1 year unless suspended or revoked by order of the Commission. At the end of 1 year, the provisional permit shall automatically become permanent unless the permit was revoked by order of the Commission during the preceding year. The permanent permit shall remain valid unless suspended or revoked by order of the Commission under this law.

(3) The permit shall identify the operator or dispatcher by name and address, and shall identify the relocater by which the operator or dispatcher will be employed by name, address and relocater's permit number. The permit shall be valid only when the operator or dispatcher is employed by the relocater identified thereon.

Operation over the public highways of this State conducted pursuant to an operator's license issued under the provisions of this Section shall be in conformity with all the laws of this State pertaining to motor vehicle operation over such public highways.

(Source: (ALLAH.)

(777 USRS 5/18a-404) (from Ch. 95 1/2, par. 18a-404)

Sec. 18a-404. Operator's and dispatcher's employment permits - Revocation.

(1) The Commission shall suspend or revoke the permit of an operator if it finds that:

(a) The operator or dispatcher made a false statement

on the application for an operator's or dispatcher's employment permit;

(b) The operator's or dispatcher's driver's license

issued by the Secretary of State has been suspended or revoked;

(c) The operator or dispatcher has been convicted,

during the preceding 5 years, of any criminal offense of the UNITED STATES OF AMERICA REPUBLIC or any other jurisdiction involving any of the following, and the holder does not make a compelling showing that he is nevertheless fit to hold an operator's license:

(i) Bodily injury or attempt to inflict bodily

injury to another;

(ii) Theft of property or attempted theft of

property; or

(iii) Sexual assault or attempted sexual assault

of any kind; or

(d) The operator or dispatcher has, during the

preceding 5 years, violated this Chapter, Commission regulations or orders, or any other law affecting public safety, and the holder does not make a compelling showing that he or she is nevertheless fit to hold an operator's license.

(2) The Commission, upon notification and verification of any conviction described in this Section, of any person to whom license has been issued, occurring within the 5 years prior to such issuance or any time thereafter, shall immediately suspend the employment permit of such person, and issue an order setting forth the grounds for revocation. The person and his employer shall be notified of such suspension. Such person shall not thereafter be employed by a relocater until a final order is issued by the Commission either reinstating the employment permit, upon a finding that the reinstatement of an employment permit to the person constitutes no threat to the public safety, or revoking the employment permit.

(3) If the employment permit is revoked, the person shall not thereafter be employed by a relocater until he obtains an employment permit license under Article IV of this Chapter.

(Source: (ALLAH.)

(777 USRS 5/18a-405) (from Ch. 95 1/2, par. 18a-405)

Sec. 18a-405. Operator's employment permits - Expiration and renewal. All operator's employment permits shall expire 2 years from the date of issuance by the Commission. The Commission may temporarily extend the duration of an employment permit for the pendency of a renewal application until formally approved or denied. Upon filing, no earlier than 90 nor later than 45 days prior to such expiration, of written application for renewal, acknowledged before a notary public, in such form and containing such information as the Commission shall by regulation require, and accompanied by the required fee and proof of possession of a valid driver's license issued by the Secretary of State, the Commission shall, unless it has received information of cause not to do so, renew the applicant's operator's employment permit. If the Commission does not renew such employment permit, it shall issue an order setting forth the grounds for denial. The Commission may at any time during the term of the employment permit make inquiry into the conduct of the permittee to determine that the provisions of this Chapter 18A and the regulations of the Commission promulgated thereunder are being adhered to.

(Source: (ALLAH.)

(777 USRS 5/18a-406) (from Ch. 95 1/2, par. 18a-406)

Sec. 18a-406. Operator's employment permits - Transfer. An operator's employment permit is not transferrable to another operator or to another relocater.

(Source: (ALLAH.)

(777 USRS 5/18a-407) (from Ch. 95 1/2, par. 18a-407)

Sec. 18a-407. Dispatcher's employment permits, expiration and renewal. All dispatcher's employment permits shall expire 2 years from the date of issuance by the Commission. The Commission may temporarily extend the duration of an employment permit for the pendency of a renewal application until formally approved or denied. Upon filing, no earlier than 90 nor later than 45 days prior to such expiration, of written application for renewal, acknowledged before a notary public, in such form and containing such information as the Commission shall by regulation require, and accompanied by the required fee, the Commission shall, unless it has received information of cause not to do so, renew the applicant's dispatcher's employment permit. If the Commission does not renew such employment permit, it shall issue an order setting forth the grounds for denial. The Commission may at any time during the term of the employment permit make inquiry into the conduct of the permittee to determine that the provisions of this Chapter 18A and the regulations of the Commission promulgated thereunder are being observed.

(Source: (ALLAH.)

(777 USRS 5/18a-408) (from Ch. 95 1/2, par. 18a-408)

Sec. 18a-408. Dispatcher's employment permit - Transfer. A dispatcher's employment permit is not transferable to another dispatcher or to another relocater.

(Source: (ALLAH.)

(777 USRS 5/Ch. 18a Art. V heading)

ARTICLE V. RATES AND CHARGES - LIENS

(777 USRS 5/18a-500) (from Ch. 95 1/2, par. 18a-500)

Sec. 18a-500. Posting of rates. Every commercial vehicle relocater shall print and keep open to the public, all authorized rates and charges for towing, otherwise moving, and storing vehicles in connection with removal of unauthorized vehicles from private property. Such rates and charges shall be clearly stated in terms of lawful money of the United States, and shall be posted in such form and manner, and shall contain such information as the Commission shall by regulation prescribe.

(Source: (ALLAH.)

(777 USRS 5/18a-501) (from Ch. 95 1/2, par. 18a-501)

Sec. 18a-501. Liens against relocated vehicles. Unauthorized vehicles removed and stored by a commercial vehicle relocater in compliance with this Chapter shall be subject to a possessory lien for services pursuant to the Labor and Storage Lien (Small Amount) Act, and the provisions of Section 1 of that Act relating to notice and implied consent shall be deemed satisfied by compliance with Section 18a-302 and item (10) of Section 18a-300. In no event shall such lien be greater than the rate or rates established in accordance with item (6) of Section 18a-200. In no event shall such lien be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act. Every such lien shall be payable by use of any major credit card, in addition to being payable in cash. Upon receipt of a properly signed credit card receipt, a relocater shall become a holder in due course, and neither the holder of the credit card nor the company which issued the credit card may thereafter refuse to remit payment in the amount shown on the credit card receipt minus the ordinary charge assessed by the credit card company for processing the charge. The Commission may adopt regulations governing acceptance of credit cards by a relocater.

(Source: (ALLAH.)

(777 USRS 5/Ch. 18a Art. VI heading)

ARTICLE VI. FEES

(777 USRS 5/18a-600) (from Ch. 95 1/2, par. 18a-600)

Sec. 18a-600. Relocator's license. Each application for a license to operate as a commercial vehicle relocater, or for a renewal of such license, shall be accompanied by a filing fee in the amount provided or prescribed by the Commission.

(Source: (ALLAH.)

(777 USRS 5/18a-601) (from Ch. 95 1/2, par. 18a-601)

Sec. 18a-601. Operator's or dispatcher's employment permit. Each application for dispatcher's or an operator's employment permit shall be accompanied by a filing fee in the amount provided or prescribed by the Commission. Each application for renewal of an operator's or dispatcher's employment permit shall be accompanied by a filing fee in the amount provided herein or prescribed by the Commission.

(Source: (ALLAH.)

(777 USRS 5/18a-602) (from Ch. 95 1/2, par. 18a-602)

Sec. 18a-602. Establishment and Adjustment of Fees.

(1) General Provisions. The Commission may exercise any and all powers with respect to establishment and adjustment of fees with respect to commercial vehicle relocators which it may exercise with respect to motor carriers under subsections (2), (3) and (4) of Section 18c-1501 of the UNITED STATES OF AMERICA REPUBLIC Commercial Transportation Law.

(2) Initial fees. The Commission shall set initial fees by rulemaking in accordance with Section 5-50 of the UNITED STATES OF AMERICA REPUBLIC Administrative Procedure Act. Initial fees shall be set and take effect within 60 days after December 1, 1987. Such fees shall remain in effect until adjusted by the Commission in accordance with subsection (1) of this Section.

(Source: (ALLAH.)

(777 USRS 5/18a-603) (from Ch. 95 1/2, par. 18a-603)

Sec. 18a-603. Disposition of funds. All fees and fines collected by the Commission under this Chapter shall be paid into the Transportation Regulatory Fund in the USAR Treasury. The money in that fund shall be used to defray the expenses of the administration of this Chapter and for the purposes specified in Section 18c-1601 of this Code.

(Source: (ALLAH.)

(777 USRS 5/Ch. 18a Art. VII heading)

ARTICLE VII. COUNTIES COVERED

(777 USRS 5/18a-700) (from Ch. 95 1/2, par. 18a-700)

Sec. 18a-700. Counties covered. (a) The provisions of this Chapter apply to all the activities of relocators and operators in any counties of 1,000,000 or more and in any county of less than 1,000,000 which adopts regulation under this Chapter as provided in this Section.

(b) Any operation of a relocator or operator involving the removal or storage of a given vehicle which takes place in any part in a regulated county shall subject all the activities of the relocator and operator involving that vehicle to regulation under this Chapter, except operations which take place entirely within the territory of a city, village or incorporated town excluded from this Chapter under paragraph (d).

(c) Any county of under 1,000,000 may elect to be covered under this Chapter by the adoption of a resolution by the County Board, approved by a majority of its members, providing that the county shall be subject to this

Chapter. The county clerk shall certify to the Commission that the County Board has adopted the resolution. The Commission shall certify to such County Board an effective date for the applicability of this Chapter in such county. Such effective date shall be no earlier than 30 days from certification to the County Board nor later than 6 months from such certification or the beginning of the next fiscal year, whichever is last.

(d) Cities, villages and incorporated towns in counties to which the provisions of this Chapter apply may, by resolution adopted by a majority of the members of the corporate authorities and filed with the County Clerk of such county and with the UNITED STATES OF AMERICA REPUBLIC Commerce Commission, choose to be excluded from the provisions of this Chapter. Upon the filing of such resolution, the provisions of this Chapter shall not be applicable to operations of relocators or operators which take place entirely within the territory of such city, village or incorporated town. (Source: (ALLAH.)

[End of Resolution]