

CITY OF CHICAGO

RULES



Installment Payment Plans and Traffic Enforcement Practices RULES



CITY OF CHICAGO
DEPARTMENT OF
FINANCE



BY AUTHORITY VESTED IN THE TRAFFIC COMPLIANCE ADMINISTRATOR
PURSUANT TO SECTIONS 2-32-096, 9-100-010, 9-100-120 AND 9-100-160 OF THE
MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES REGARDING
INSTALLMENT PAYMENT PLANS AND TRAFFIC ENFORCEMENT PRACTICES ARE
ADOPTED HEREIN:

By Order of the Comptroller:

Signed: Reshma Soni

Date: 10/30/19

Comptroller Reshma Soni

Published: _____

Effective: _____



DEPARTMENT OF FINANCE
CITY OF CHICAGO

INSTALLMENT PAYMENT PLANS AND TRAFFIC ENFORCEMENT PRACTICES.

SECTION I. DEFINITIONS.

Rule 1.01 (a) For purposes of these rules, the following definitions shall apply:

(1) “Administrator” means the City’s Traffic Compliance Administrator.

(2) “Administrative fee” means the fee charged related to the expenses and time incurred by the City or its agents to administer or monitor a vehicle owner’s installment payment plan; provided that the term “administrative fee” shall not include any collection cost, as that term is defined in Section 1-19-010 of the Code, or attorney’s fees.

(3) “Bifurcation date” means a date determined by the Administrator not less than three years prior to the date the eligible bankruptcy debtor filed a case under the United States Bankruptcy Code which resulted or may result in granting a bankruptcy discharge to an eligible bankruptcy debtor.

(4) “Code” means the Municipal Code of Chicago.

(5) “Debtor” means any person that owes the City of Chicago an eligible debt.

(6) “Default” means the non-payment or underpayment of a monthly amount due from a participant under any installment payment plan.

(7) “Eligible bankruptcy debtor” means a person who is a debtor in a pending case under Chapter 7 of the United States Bankruptcy Code, or who has received a discharge in such a case.

(8) “Eligible debts in final determination status” means all fines, fees, and penalties that result from violations of parking, standing, compliance, automated speed enforcement, and automated traffic law enforcement ordinances on which a notice of final determination for such violations have been issued, and collection

costs or attorney's fees charged pursuant to Section 1-19-020 of the Code or 1-19-030 of the Code, if any.

(9) "Eligible participant" means a person who was issued a notice: (i) under Section 9-100-030 of the Code or a second notice for a parking, standing or compliance violation under Section 9-100-050(d)(1) of the Code; or (ii) under Section 9-100-045 of the Code for an automated speed enforcement system or automated traffic law enforcement system violation, but has not been issued a notice of final determination for such violation.

(10) "Eligible violation" means a parking, standing, compliance, or automated speed enforcement system or automated traffic law enforcement system violation.

(11) "Individual" means a natural person. The term "individual" does not include legal entities, including bodies politic and corporate.

(12) "Qualifying hardship participant" means an individual who: (i) has a household income of 300 percent or less than the Federal Poverty Level; or (ii) is experiencing a financial emergency or financial uncertainty as these terms are defined in SECTION III of these Rules.

(13) "Wheel tax emblem citations debt relief" means a wheel tax emblem citation debt relief program authorized by Subsection 2 of SECTION 4 of Article II of the Year 2019 Revenue Ordinance, as amended by an ordinance passed by the City Council of the City of Chicago on September 18, 2019, referenced as O2019-5547.

(b) In the event of a conflict between the definition of terms in this section and section 9-100-160 of the Code, the definitions in Section 9-100-160 of the Code shall prevail.

SECTION II. INSTALLMENT PAYMENT PLANS.

Rule 2.01 Types of Installment Payment Plans.

Pursuant to section 9-100-160 of the Code, in addition to other installment payment plans authorized under that section, the Administrator may create: (i) an Early Installment Payment Plan; (ii) Standard Installment Payment Plan; (iii) Extended Installment Payment Plan; (iv) Hardship Installment Payment Plan; and (v) Fresh Start Installment Payment Plan.

Rule 2.02 Early Installment Payment Plan.

(a) **ELIGIBLE PERSONS.** Any eligible participant may enter into an Early Installment Payment Plan.

(b) **ELIGIBLE VIOLATIONS.** Only eligible violations that have not been issued a

notice of final determination are eligible to be paid through an Early Installment Payment Plan.

(c) TERM. Early Installment Payment Plan shall have a scheduled duration of up to 6 months.

(d) MINIMUM DOWN PAYMENT. The down payment to enter into an Early Installment Payment Plan shall be any of the following amounts as the eligible participant chooses:

(1) Total fine amount divided by the number of months in the plan, provided that the minimum down payment amount cannot be less than \$10.

(2) If total fine amount divided by the number of months in the plan equals an amount greater than \$25, the eligible participant may initiate the installment payment plan with a minimum down payment amount of \$25.

(3) Any amount the eligible participant chooses, provided such amount is greater than the minimum payments set forth in (d)(1) and (d)(2) above.

(e) MINIMUM MONTHLY PAYMENT. Minimum monthly payment for an Early Installment Payment Plan shall be as follows:

(1) The down payment specified in subsection (d) of this Rule shall constitute the payment for the first month of the installment payment plan.

(2) The minimum monthly payment shall be the greater of \$10 or the total debt minus the down payment divided by the remaining months in the plan.

(f) MANNER OF ENTRANCE AND PAYMENT. Early Installment Payment Plans must be entered into online. Payments for an Early Installment Payment Plan may be made online, by mail or in person. Provided, however, cash payments may be made only in person after entering into the payment plan online.

(g) EFFECT. All tickets currently being paid through an Early Installment Payment Plan will not be subject to a late penalty, and will not be considered for vehicle immobilization (booting) or impoundment and driver's license suspension against the eligible participant as long as the eligible participant is not in default.

(h) AMOUNT. There is no minimum or maximum amount of debt to qualify for an Early Installment Payment Plan.

(i) NUMBER OF PLANS. An eligible participant may enter into additional Early Installment Payment Plans for the payment of additional eligible violations.

(j) DEFAULT. No default penalty shall be charged against an eligible participant in an Early Installment Payment Plan. However, as provided in Section 9-100-160, in the event of default on an Early Installment Payment Plan, the Administrator shall, no earlier than 25 days after the default, issue a determination of liability or

a notice of final determination, whichever is applicable, in accordance with Chapter 9-100 of the Code. In addition, upon defaulting on an Early Installment Payment Plan, the eligible participant shall not be eligible to enter into an Early Installment Payment Plan for any violation which was included in a prior Early Installment Payment Plan.

Rule 2.03 Standard Installment Payment Plan.

(a) **ELIGIBLE PERSONS.** A debtor whose car has not been immobilized (booted) or impounded, and whose driver's license has not been suspended is eligible to enter into a Standard Installment Payment Plan.

(b) **ELIGIBLE DEBTS.** Only eligible debts in final determination status are eligible to be paid through a Standard Installment Payment Plan.

(c) **TERM.** A Standard Installment Payment Plan shall have a scheduled duration of up to 24 months.

(d) **MINIMUM DOWN PAYMENT.** The down payment to enter into a Standard Installment Payment Plan shall be any of the following amounts as the debtor chooses:

(1) Total debts in final determination status divided by the number of months in the plan, provided that the minimum down payment amount cannot be less than \$10, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(2) If total debts in final determination status divided by the number of months in the plan equals an amount greater than \$25, the debtor may initiate the installment payment plan with a minimum down payment amount of \$25, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(3) Any amount the debtor chooses provided such amount is greater than the minimum payments set forth in (d)(1) and (d)(2) above, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(e) **MINIMUM MONTHLY PAYMENT.** Minimum monthly payment for a Standard Installment Payment Plan shall be as follows:

(1) The down payment specified in subsection (d) of this Rule shall constitute the payment for the first month of the installment payment plan.

(2) The minimum monthly payment shall be the greater of \$10 or the total debt minus the down payment divided by the remaining months in the plan.

(f) **MANNER OF ENTRANCE AND PAYMENT.** Standard Installment Payment Plans may be entered into online or in person. Payments for a Standard Installment

Payment Plan may be made online, by mail or in person. Provided, however, cash payments may be made only in person.

(g) EFFECT. All tickets currently in a Standard Installment Payment Plan will not be considered for vehicle immobilization (booting) or impoundment and driver's license suspension against the debtor if the debtor is not in default.

(h) MODIFICATION OF EXISTING PLAN. Additional eligible debts in final determination status may be added to an existing Standard Installment Payment Plan at which time new monthly payment amounts will be calculated in accordance with subsection (e) of this Rule and the term of the plan shall be extended, provided that the modified term cannot exceed the term set forth in subsection (c) of this Rule.

(i) DEFAULT. As provided in Section 9-100-160 of the Code, if the debtor defaults, the debtor's motor vehicle shall be subject to immobilization (booting) or impoundment, or the vehicle owner's driver's license may be subject to suspension pursuant to Section 5/6-306.5 of the Illinois Vehicle Code, if applicable, and the vehicle owner shall be liable for the outstanding balance plus an additional penalty of \$100.00.

Rule 2.04

Extended Installment Payment Plan.

(a) ELIGIBLE PERSONS. A debtor whose car has been immobilized (booted) or impounded, whose driver's license has been suspended, or whose City permit application or City business license has been put on hold due to eligible debts in final determination status is eligible to enter into an Extended Installment Payment Plan.

(b) ELIGIBLE DEBTS. Only eligible debts in final determination status are eligible to be paid through an Extended Installment Payment Plan.

(c) TERM. An Extended Installment Payment Plan has a scheduled duration of up to 24 months.

(d) MINIMUM DOWN PAYMENT. The minimum down payment to enter into an Extended Installment Payment Plan by a debtor shall be 50% of all debt to be paid under the plan, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(e) MINIMUM MONTHLY PAYMENT. Minimum monthly payment for an Extended Installment Payment Plan shall be as follows:

(1) The down payment specified in subsection (d) of this Rule shall constitute the payment for the first month of the installment payment plan.

(2) For the rest of the duration of the plan, the minimum monthly payment for an Extended Installment Payment Plan shall be the greater of \$10 or the total debt

minus the down payment divided by the remaining number of months in the installment payment plan.

(f) MANNER OF ENTRANCE AND PAYMENT. Extended Installment Payment Plans must be entered into in person. Payments for an Extended Installment Payment Plan may be online, by mail or in person. Provided, however, cash payments may be made only in person.

(g) EFFECT. All tickets currently in an Extended Installment Payment Plan will not be considered for vehicle immobilization (booting) or impoundment and driver's license suspension against the debtor if the debtor is not in default. A debtor who enters into an Extended Installment Payment Plan may, in compliance with applicable law, redeem his or her vehicle if that vehicle is currently impounded or immobilized (booted) by the City without any additional payment. If the debtor's driver's license has been suspended, the Administrator will notify the Secretary of State in accordance with Section 6-306.5(d) of the Illinois Vehicle Code that the debtor has entered into a payment plan pursuant to which the City has agreed to terminate the suspension.

(h) MODIFICATION OF EXISTING PLAN. Additional eligible debts in a final determination status may be added to an existing Extended Installment Payment Plan at which time new monthly payment amounts will be calculated in accordance with subsection (e) of this Rule and the term of the plan shall be extended, provided that the modified term cannot exceed the term set forth in subsection (c) of this Rule.

(i) DEFAULT. As provided in Section 9-100-160 of the Code, if the debtor defaults, the debtor's motor vehicle shall be subject to immobilization (booting) or impoundment, or the vehicle owner's driver's license may be subject to suspension pursuant to Section 5/6-306.5 of the Illinois Vehicle Code, if applicable, and the debtor shall be liable for the outstanding balance plus an additional penalty of \$100.00.

Rule 2.05 Hardship Installment Payment Plans.

(a) ELIGIBLE PERSONS. A qualifying hardship participant is eligible to enter into a Hardship Installment Payment Plan.

(b) ELIGIBLE DEBTS. Only eligible debts in final determination status are eligible to be paid through a Hardship Installment Payment Plan.

(c) TERM. A Hardship Installment Payment Plan has a scheduled duration of up to 60 months.

(d) MINIMUM DOWN PAYMENT:

(1) The minimum down payment to enter into a Hardship Installment Payment

Plan by a qualifying hardship participant that is not requesting the release of a vehicle currently immobilized or release of a driver's license suspension shall be:

(i) Total eligible debts in final determination status divided by the number of months in the plan provided that the minimum down payment amount cannot be less than \$10, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(ii) If total eligible debts in final determination status divided by the number of months in the plan equals an amount greater than \$25, the qualifying hardship participant may initiate the installment payment plan with a minimum down payment amount of \$25, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(iii) Any amount the qualifying hardship participant chooses provided such amount is greater than the minimum payments set forth in (d)(1)(i) and (d)(1)(ii) above, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(2) The minimum down payment to enter into a Hardship Installment Payment Plan by a qualifying hardship participant that is requesting the release of a vehicle currently immobilized (booted) or impounded, or of a driver's license suspension for the first time shall be:

(i) Total eligible debts in final determination status divided by the number of months in the plan provided that the minimum down payment amount cannot be less than \$10, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(ii) If total eligible debts in final determination status divided by the number of months in the plan equals an amount greater than \$25, the qualifying hardship participant may initiate the installment payment plan with a minimum down payment amount of \$25, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(iii) Any amount the qualifying hardship participant chooses provided such amount is greater than the minimum payments set forth in (d)(2)(i) and (d)(2)(ii) above, plus the applicable certification fee, boot fee, tow fee, storage fee, and any other applicable fee.

(3) The down payment to enter into a Hardship Installment Payment Plan by a qualifying hardship participant that is requesting the release of a currently immobilized (booted) or impounded vehicle, or of a driver's license suspension who has previously had a vehicle immobilized or impounded by the City or whose driver's license had previously been suspended and who has not successfully completed the most recent prior installment payment plan initiated to release an immobilization (boot) or driver's license suspension shall be:

(i) \$100, plus the applicable certification fee, boot fee, tow fee, storage fees, and any other applicable fee.

(4) The down payment to enter into a Hardship Installment Payment Plan by a qualifying hardship participant that is requesting the release of a currently immobilized (booted) or impounded vehicle or a driver's license suspension who has previously had a vehicle immobilized or impounded by the City or whose driver's license had been previously suspended and who has not successfully completed the most recent two prior installment payment plans initiated to release a boot or driver's license suspension shall be:

(i) 25% of eligible debts in final determination status, plus the applicable certification fee, boot fee, tow fee, storage fees, and any other applicable fee.

(e) MINIMUM MONTHLY PAYMENT. Minimum monthly payment for a Hardship Installment Payment Plan shall be as follows:

(1) The down payment specified in subsection (d) of this Rule shall constitute the payment for the first month of the installment payment plan.

(2) For the rest of the duration of the plan, the minimum monthly payment for a Hardship Installment Payment Plan shall be the greater of \$10 or the total debt minus the down payment divided by the remaining number of months in the installment payment plan.

(f) MANNER OF ENTRANCE AND PAYMENT.

(1) Hardship Installment Payment Plans provided in subsection (d)(1) of this Rule may be entered into online or in person. Monthly Payments for such Hardship Installment Payment Plan may be online, by mail or in person.

(2) Such Hardship Installment Payment Plans provided in subsection (d)(2), (d)(3) and (d)(4) of this Rule must be entered in person. Monthly payments for such Hardship Installment Payment Plan may be online, by mail or in person. Provided, however, cash payments may be made only in person.

(g) EFFECT. All tickets currently in a Hardship Installment Payment Plan will not be considered for vehicle immobilization (booting) or impoundment and driver's license suspension against the debtor as long as the debtor is not in default. A debtor who enters into a Hardship Installment Payment Plan may, in compliance with applicable law, redeem his or her vehicle if that vehicle is currently impounded or immobilized (booted) by the City without any additional payment. If the debtor's driver's license has been suspended, the Administrator will notify the Secretary of State in accordance with Section 6-306.5(d) of the Illinois Vehicle Code that the debtor has entered into a payment plan pursuant to which the City has agreed to terminate the suspension.

(h) MODIFICATION OF EXISTING PLAN. Additional eligible debts in final

determination status may be added to an existing Hardship Installment Payment Plan at which time new monthly payment amounts will be calculated in accordance with subsection (e) of this Rule and the term of the plan is extended, provided that the modified term cannot exceed the term set forth in subsection (c) of this Rule.

(i) **DEFAULT.** As provided in Section 9-100-160 of the Code, if the debtor defaults, the debtor's motor vehicle shall be subject to immobilization (booting) or impoundment, or the vehicle owner's driver's license may be subject to suspension pursuant to Section 5/6-306.5 of the Illinois Vehicle Code, if applicable, and the debtor shall be liable for the outstanding balance.

(j) **HARDSHIP CERTIFICATE.** Qualifying hardship participants may show their qualifying hardship participant status by submitting an affidavit, in a form prescribed by the Administrator, including online forms, attesting to their qualifying hardship participant status. The Department of Finance may request supporting documentation to substantiate a qualifying hardship status.

Rule 2.06 Fresh Start Installment Payment Plans.

(a) **ELIGIBLE PERSONS:** An eligible bankruptcy debtor, including an eligible bankruptcy debtor whose car has been immobilized (booted) or impounded, or whose driver's license has been suspended, is eligible to enter into a Fresh Start Installment Payment Plan.

(b) **ELIGIBLE DEBTS.** Only eligible debts in final determination status incurred prior to the debtor enrolling in the plan are eligible to be satisfied through a Fresh Start Installment Payment Plan. Debt incurred after the Fresh Start Payment Plan goes into effect cannot be rolled into the plan. If otherwise eligible, a debtor may enter into a separate payment plan under these rules to address debts incurred after the Fresh Start Payment Plan goes into effect, which may facilitate release of a vehicle booted or impounded during a period of default

(c) **DEBT TO BE PAID.** Under a Fresh Start Installment Payment Plan the eligible bankruptcy debtor will only be required to pay the initial fine amount of any eligible violation incurred after the eligible bankruptcy debtor's bifurcation date.

(d) **TERM.** A Fresh Start Payment Plan has a scheduled duration of up to 60 months. The City may, in its sole discretion, agree to modification of terms of repayment, but in no case shall a Fresh Start Payment Plan extend beyond 60 months from the month when the first payment was made.

(e) **MINIMUM DOWN PAYMENT.**

(1) The down payment to enter into a Fresh Start Installment Payment Plan

by an eligible bankruptcy debtor whose car has not been immobilized (booted) or impounded, or whose driver's license has not been suspended, shall be:

- (i) \$25, plus the applicable certification fee, boot fee, tow fee, storage fees, and any other applicable fee; or
 - (ii) If the total eligible debts in final determination status to be paid under the payment plan is more than \$1,500, an amount equal to the total eligible debts in final determination status divided by the number of months in the payment plan, plus the applicable certification fee, boot fee, tow fee, storage fees, and any other applicable fee; or
 - (iii) Any amount the eligible bankruptcy debtor chooses provided such amount is more than the minimum down payment in (e)(1)(i) or (e)(1)(ii), plus the applicable certification fee, boot fee, tow fee, storage fees, and any other applicable fee.
- (2) The minimum down payment to enter into a Fresh Start Installment Payment Plan by an eligible bankruptcy debtor that is requesting the release of a currently immobilized (booted) or impounded vehicle shall be 25% of the total amount that must be paid under the plan (excluding all amounts eligible to be waived), unless the total debt to be paid under the payment plan is more than \$4,000, in which case the down payment shall be \$1,000.
- (f) **MINIMUM MONTHLY PAYMENT.** Minimum monthly payment for a Fresh Start Installment Payment Plan shall be as follows:
- (1) The down payment specified in subsection (e) of this Rule shall constitute the payment for the first month of the installment payment plan.
 - (2) For the rest of the duration of the plan, the minimum monthly payment for a Fresh Start Installment Payment Plan shall be the greater of \$10 or the total debt minus the down payment divided by the remaining number of months in the installment payment plan.
- (g) **MANNER OF ENTRANCE AND PAYMENT.**
- (1) **Plan Term Request.** The first step for entering into a Fresh Start Payment Plan is submission of a Plan Term Request. A debtor may obtain estimated terms for a Fresh Start Payment Plan by submitting the debtor's name, address, driver's license number, and current and past license plate numbers.
 - (2) **Fresh Start Payment Agreement.**

- (i) After receiving proposed plan terms in response to a Plan Term Request, a debtor who wishes to enter into a Fresh Start Payment Plan on the proposed terms must complete and sign a Fresh Start Payment Agreement. Along with the signed agreement, the debtor must provide his or her filed Chapter 7 bankruptcy petition, schedules, and Statement of Financial Affairs, as well as his or her driver's license.
 - (ii) If the debtor has no plan-eligible debts after the bifurcation date, the debtor must nevertheless follow the foregoing procedures and execute a Fresh Start Payment Agreement indicating a payment amount of zero. The debtor will be deemed to have completed a Fresh Start Payment Plan upon execution.
- (3) The Fresh Start Payment Plan becomes effective upon execution of the Fresh Start Payment Agreement and receipt of the initial payment.
- (4) Payments for such Fresh Start Installment Payment Plans may be online, by mail or in person. Provided, however, cash payments may be made only in person.
- (h) EFFECT. All tickets currently in a Fresh Start Installment Payment Plan will not be considered for vehicle immobilization (booting) or impoundment and driver's license suspension against the eligible bankruptcy debtor as long as the eligible bankruptcy debtor is not in default. An eligible bankruptcy debtor who enters into a Fresh Start Installment Payment Plan may, in compliance with applicable law, redeem his or her vehicle if that vehicle is currently impounded or immobilized (booted) by the City without any additional payment. If the debtor's driver's license has been suspended, the Administrator will notify the Secretary of State in accordance with Section 6-306.5(d) of the Illinois Vehicle Code that the debtor has entered into a payment plan pursuant to which the City has agreed to terminate the suspension.
- (i) WAIVER OF DEBT. Once an eligible bankruptcy debtor successfully completes a Fresh Start Installment Payment Plan and has received a bankruptcy discharge under 11 U.S.C. § 727, the Administrator may waive: (i) any penalties and fees associated with the fines paid under the Fresh Start Installment Payment Plan; and (ii) all eligible debt that the eligible bankruptcy debtor incurred prior to the bifurcation date.
- (j) DEFAULT.
 - (1) If payment is not received by a date specified in the Fresh Start Payment Agreement, the City may, in its sole discretion, declare the debtor to be in default. The City may provide notice to the debtor prior to declaring the default; however, notice to the debtor is not required for a declaration of default to be effective.

- (2) If payments under the agreement are not brought current by the thirty-fifth day after a payment is missed, the debtor will be in default, regardless of whether a default has been otherwise declared or whether notice has been provided to the debtor.
- (3) While a debtor is in default, privileges granted to the debtor under a Fresh Start Payment Agreement are suspended, meaning without limitation that his or her vehicle(s) shall be subject to immobilization (booting) or impoundment, or the vehicle owner's driver's license may be subject to suspension pursuant to Section 5/6-306.5 of the Illinois Vehicle Code, if applicable.
- (4) Unless an agreement has terminated under subsection (k)(1) of this Rule, the debtor can cure a default and reinstate the Fresh Start Payment Plan by bringing payments current.

(k) TERMINATION

- (1) Events of Termination. A Fresh Start Payment Agreement terminates, and cannot be reinstated, in the following circumstances:
 - (i) The agreement has gone into default three times;
 - (ii) The agreement is in default, and sixty days have passed since the date the last payment was due;
 - (iii) The debtor has not received a Chapter 7 discharge in the case identified in the agreement by the date six months after the conclusion of payments under the agreement; or
 - (iv) The bankruptcy court enters an order denying the debtor's discharge in the case identified in the agreement.
- (2) EFFECTS OF TERMINATION. If a Fresh Start Payment Agreement terminates:
 - (i) Unpaid fines, penalties, and fees will not be waived; and
 - (ii) No other Fresh Start Payment Agreement will be offered in connection with the same Chapter 7 case.

Rule 2.07 Each installment payment plan, in addition to other terms provided in these Rules and prescribed by the Administrator, shall:

- (a) be entered into in a form prescribed by the Administrator;
- (b) state the total indebtedness, the minimum down payment amount, the amount of each subsequent installment and the date each is due, and the penalty for delinquency under the installment payment plan.

SECTION III. QUALIFYING HARDSHIP PARTICIPANTS.

- Rule 3.01 Pursuant to section 9-100-160 of the Code, the Administrator is authorized to determine criteria for showing a qualifying hardship participant's status. Qualifying hardship participants may prove their status by showing a: (i) household income of 300 percent or less than the Federal Poverty Level; or (ii) financial emergency or financial uncertainty.
- Rule 3.02 Individuals may prove a household income of 300 percent or less than the Federal Poverty Level by showing either of the following: Tax Return and W-2's establishing a household income of 300 percent or less than the Federal Poverty Level or Tax Return showing claim of Earned Income Tax Credit for the most recent year.
- Rule 3.03 For purposes of this rule, any individual participating in any of the following programs will be deemed a qualifying hardship participant for experiencing a financial emergency or financial uncertainty:
- i. Government Issued Unemployment Compensation;
 - ii. Low income home energy assistance program (LIHEAP);
 - iii. Federal Public Housing/Section 8 Food Stamps;
 - iv. Medicaid or Supplemental Security Income (SSI);
 - v. Temporary Assistance for Needy Families (TANF) program;
 - vi. Special Supplemental Nutrition Program for Women, Infants, and Children (WIC);
 - vii. Worker's compensation income benefits;
 - viii. Illinois Free Lunch and Breakfast Program;
 - ix. Supplemental Nutrition Assistance Program (SNAP);
 - x. Enrollment in an organized community-based program that assesses and documents limited low income financial status as criteria.
- Rule 3.04 For purposes of these rules, any individual experiencing one of the following situations or having one of the following statuses will be deemed a qualifying hardship participant for experiencing a financial emergency or financial uncertainty:
- i. Foreclosure (received a notice of foreclosure, entered into a consent foreclosure, gave a deed in lieu of foreclosure, or had a judgment of foreclosure entered on primary residence within last three years);
 - ii. Eviction;
 - iii. Bankruptcy (liability for fines and penalties remain after obtaining a bankruptcy discharge);
 - iv. Student (attending high school, college, trade or vocational school with a valid student ID card);
 - v. Senior citizen (65 and older);

- vi. Active military (including reservists and national guard);
- vii. Recently inactive military (discharged from the military in the last 180 days);
- viii. Homelessness;
- ix. Unemployment;
- x. Domestic Violence Victim.

Rule 3.05 For purposes of these rules, participation in the programs listed under Rule 3.03 and experiencing the situations listed in Rule 3.04 are the exclusive way of showing a financial emergency or financial uncertainty.

SECTION IV. TICKETING PRACTICES.

Rule 4.01 For Section 3-56-150(b) or Section 9-64-125 violations (display of wheel tax license emblem) or Section 9-76-160 (registration plates) violations, the Administrator’s enforcement practice is to not prosecute or enforce subsequent violations issued for the same offense when those subsequent violations occurred on the same day of, or next day following, the first violation issued for the offense. If a subsequent violation as just described is not automatically voided by the Administrator, the Administrator will void the subsequent violation upon being notified by the violation notice recipient.

SECTION V. WHEEL TAX EMBLEM CITATIONS DEBT RELIEF.

Rule 5.01 (a) **AUTHORITY.** Pursuant to Subsection 2 of SECTION 4 of Article II of the Year 2019 Revenue Ordinance, as amended by ordinance passed by the City Council of Chicago on September 18, 2019, referenced as O2019-5547, the Administrator may waive the fines and associated penalties and fees with regard to all or some citations issued to any individual for failure to obtain or display a wheel tax emblem required by Chapter 3-56 of the Municipal Code of Chicago.

(b) **ELIGIBLE PERSONS.** Any individual who is in compliance with the City’s wheel tax emblem requirements as provided in Chapter 3-56 of the Municipal Code of Chicago with regard to all vehicles for which such person is required to obtain and display a wheel tax license emblem on or before November 1, 2019 is eligible for the wheel tax emblem citations amnesty program.

(c) **NUMBER OF CITATIONS TO BE WAIVED.** The number of wheel tax emblem citations that may be waived pursuant to the wheel tax emblem citations debt relief program shall be as follows:

(1) All such citations issued to an eligible person on or before October 1, 2019, if the eligible person is a qualifying hardship participant.

(2) Up to three such citations, starting from the oldest to the newest, issued to an eligible person on or before October 1, 2019, if the eligible person is not a qualifying hardship participant.

(d) AMNESTY PERIOD

Eligible persons must apply for debt relief in a manner prescribed by the Administrator from November 15, 2019 through December 15, 2019, inclusive, to be eligible for waiver of citations per section (c) of this rule.

