



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5056

by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Defines "road machine". Provides that the owner of a junk vehicle is not required to surrender the vehicle's certificate of title under certain circumstances. Provides that the Secretary of State may use alternating numeric and alphabetical characters when issuing a special registration plate. Provides that a permanent vehicle registration plate shall be issued for a one-time fee of \$8 to certain types of buses operating within a municipality. Provides that any vehicle with a permanent vehicle registration plate owned or operated by a public school district from grades K-12, a public community college, or a medical facility or hospital is exempt from any fee for the transfer of registration. Provides that the Secretary shall notify the State Police or the Secretary of State Department of Police if an application for a certificate of title or registration of a vehicle and the vehicle has been reported stolen or converted is received. Provides that the Secretary of State Department of Police shall conduct an investigation concerning the identity of the registered owner of the vehicle. Allows the Secretary of State Department of Police to restore, restamp, or reaffix a vehicle identification number plate or affix a new plate bearing the original manufacturer's vehicle identification number. Provides that a new or used vehicle dealer cannot issue any other person a newly created key to a vehicle without a color photocopy or electronic scan of the driver's license or identification card. Provides that for certain recyclable metals, a scrap processor shall obtain a color photocopy or electronic scan of the driver's license or identification card. Repeals a provision providing for 2-year registration period for buses operating within a municipality. Makes other changes. Effective January 1, 2019.

LRB100 18646 LNS 33873 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing
5 Sections 3-117.1, 3-405.1, 3-414, 3-600, 3-803, 3-804.01,
6 3-808.1, 3-815, 3-821, 4-107, 5-101, 5-102, and 5-401.3 and by
7 adding Section 1-177.5 as follows:

8 (625 ILCS 5/1-177.5 new)

9 Sec. 1-177.5. Road machine. A machine or implement designed
10 and used primarily for building, repair, or construction and
11 involves only temporary operation on roadways for purposes
12 other than transportation.

13 (625 ILCS 5/3-117.1) (from Ch. 95 1/2, par. 3-117.1)

14 Sec. 3-117.1. When junking certificates or salvage
15 certificates must be obtained.

16 (a) Except as provided in Chapter 4 and Section 3-117.3 of
17 this Code, a person who possesses a junk vehicle shall within
18 15 days cause the certificate of title, salvage certificate,
19 certificate of purchase, or a similarly acceptable out of state
20 document of ownership to be surrendered to the Secretary of
21 State along with an application for a junking certificate,
22 except as provided in Section 3-117.2, whereupon the Secretary

1 of State shall issue to such a person a junking certificate,
2 which shall authorize the holder thereof to possess, transport,
3 or, by an endorsement, transfer ownership in such junked
4 vehicle, and a certificate of title shall not again be issued
5 for such vehicle. The owner of a junk vehicle is not required
6 to surrender the certificate of title under this subsection if
7 (i) there is no lienholder on the certificate of title or (ii)
8 the owner of the junk vehicle has a valid lien release from the
9 lienholder releasing all interest in the vehicle and the owner
10 applying for the junk certificate matches the current record on
11 the certificate of title file for the vehicle.

12 A licensee who possesses a junk vehicle and a Certificate
13 of Title, Salvage Certificate, Certificate of Purchase, or a
14 similarly acceptable out-of-state document of ownership for
15 such junk vehicle, may transport the junk vehicle to another
16 licensee prior to applying for or obtaining a junking
17 certificate, by executing a uniform invoice. The licensee
18 transferor shall furnish a copy of the uniform invoice to the
19 licensee transferee at the time of transfer. In any case, the
20 licensee transferor shall apply for a junking certificate in
21 conformance with Section 3-117.1 of this Chapter. The following
22 information shall be contained on a uniform invoice:

23 (1) The business name, address and dealer license
24 number of the person disposing of the vehicle, junk vehicle
25 or vehicle cowl;

26 (2) The name and address of the person acquiring the

1 vehicle, junk vehicle or vehicle cowl, and if that person
2 is a dealer, the Illinois or out-of-state dealer license
3 number of that dealer;

4 (3) The date of the disposition of the vehicle, junk
5 vehicle or vehicle cowl;

6 (4) The year, make, model, color and description of
7 each vehicle, junk vehicle or vehicle cowl disposed of by
8 such person;

9 (5) The manufacturer's vehicle identification number,
10 Secretary of State identification number or Illinois
11 Department of State Police number, for each vehicle, junk
12 vehicle or vehicle cowl part disposed of by such person;

13 (6) The printed name and legible signature of the
14 person or agent disposing of the vehicle, junk vehicle or
15 vehicle cowl; and

16 (7) The printed name and legible signature of the
17 person accepting delivery of the vehicle, junk vehicle or
18 vehicle cowl.

19 The Secretary of State may certify a junking manifest in a
20 form prescribed by the Secretary of State that reflects those
21 vehicles for which junking certificates have been applied or
22 issued. A junking manifest may be issued to any person and it
23 shall constitute evidence of ownership for the vehicle listed
24 upon it. A junking manifest may be transferred only to a person
25 licensed under Section 5-301 of this Code as a scrap processor.
26 A junking manifest will allow the transportation of those

1 vehicles to a scrap processor prior to receiving the junk
2 certificate from the Secretary of State.

3 (b) An application for a salvage certificate shall be
4 submitted to the Secretary of State in any of the following
5 situations:

6 (1) When an insurance company makes a payment of
7 damages on a total loss claim for a vehicle, the insurance
8 company shall be deemed to be the owner of such vehicle and
9 the vehicle shall be considered to be salvage except that
10 ownership of (i) a vehicle that has incurred only hail
11 damage that does not affect the operational safety of the
12 vehicle or (ii) any vehicle 9 model years of age or older
13 may, by agreement between the registered owner and the
14 insurance company, be retained by the registered owner of
15 such vehicle. The insurance company shall promptly deliver
16 or mail within 20 days the certificate of title along with
17 proper application and fee to the Secretary of State, and a
18 salvage certificate shall be issued in the name of the
19 insurance company. Notwithstanding the foregoing, an
20 insurer making payment of damages on a total loss claim for
21 the theft of a vehicle shall not be required to apply for a
22 salvage certificate unless the vehicle is recovered and has
23 incurred damage that initially would have caused the
24 vehicle to be declared a total loss by the insurer.

25 (1.1) When a vehicle of a self-insured company is to be
26 sold in the State of Illinois and has sustained damaged by

1 collision, fire, theft, rust corrosion, or other means so
2 that the self-insured company determines the vehicle to be
3 a total loss, or if the cost of repairing the damage,
4 including labor, would be greater than 70% of its fair
5 market value without that damage, the vehicle shall be
6 considered salvage. The self-insured company shall
7 promptly deliver the certificate of title along with proper
8 application and fee to the Secretary of State, and a
9 salvage certificate shall be issued in the name of the
10 self-insured company. A self-insured company making
11 payment of damages on a total loss claim for the theft of a
12 vehicle may exchange the salvage certificate for a
13 certificate of title if the vehicle is recovered without
14 damage. In such a situation, the self-insured shall fill
15 out and sign a form prescribed by the Secretary of State
16 which contains an affirmation under penalty of perjury that
17 the vehicle was recovered without damage and the Secretary
18 of State may, by rule, require photographs to be submitted.

19 (2) When a vehicle the ownership of which has been
20 transferred to any person through a certificate of purchase
21 from acquisition of the vehicle at an auction, other
22 dispositions as set forth in Sections 4-208 and 4-209 of
23 this Code, a lien arising under Section 18a-501 of this
24 Code, or a public sale under the Abandoned Mobile Home Act
25 shall be deemed salvage or junk at the option of the
26 purchaser. The person acquiring such vehicle in such manner

1 shall promptly deliver or mail, within 20 days after the
2 acquisition of the vehicle, the certificate of purchase,
3 the proper application and fee, and, if the vehicle is an
4 abandoned mobile home under the Abandoned Mobile Home Act,
5 a certification from a local law enforcement agency that
6 the vehicle was purchased or acquired at a public sale
7 under the Abandoned Mobile Home Act to the Secretary of
8 State and a salvage certificate or junking certificate
9 shall be issued in the name of that person. The salvage
10 certificate or junking certificate issued by the Secretary
11 of State under this Section shall be free of any lien that
12 existed against the vehicle prior to the time the vehicle
13 was acquired by the applicant under this Code.

14 (3) A vehicle which has been repossessed by a
15 lienholder shall be considered to be salvage only when the
16 repossessed vehicle, on the date of repossession by the
17 lienholder, has sustained damage by collision, fire,
18 theft, rust corrosion, or other means so that the cost of
19 repairing such damage, including labor, would be greater
20 than 33 1/3% of its fair market value without such damage.
21 If the lienholder determines that such vehicle is damaged
22 in excess of 33 1/3% of such fair market value, the
23 lienholder shall, before sale, transfer or assignment of
24 the vehicle, make application for a salvage certificate,
25 and shall submit with such application the proper fee and
26 evidence of possession. If the facts required to be shown

1 in subsection (f) of Section 3-114 are satisfied, the
2 Secretary of State shall issue a salvage certificate in the
3 name of the lienholder making the application. In any case
4 wherein the vehicle repossessed is not damaged in excess of
5 33 1/3% of its fair market value, the lienholder shall
6 comply with the requirements of subsections (f), (f-5), and
7 (f-10) of Section 3-114, except that the affidavit of
8 repossession made by or on behalf of the lienholder shall
9 also contain an affirmation under penalty of perjury that
10 the vehicle on the date of sale is not damaged in excess of
11 33 1/3% of its fair market value. If the facts required to
12 be shown in subsection (f) of Section 3-114 are satisfied,
13 the Secretary of State shall issue a certificate of title
14 as set forth in Section 3-116 of this Code. The Secretary
15 of State may by rule or regulation require photographs to
16 be submitted.

17 (4) A vehicle which is a part of a fleet of more than 5
18 commercial vehicles registered in this State or any other
19 state or registered proportionately among several states
20 shall be considered to be salvage when such vehicle has
21 sustained damage by collision, fire, theft, rust,
22 corrosion or similar means so that the cost of repairing
23 such damage, including labor, would be greater than 33 1/3%
24 of the fair market value of the vehicle without such
25 damage. If the owner of a fleet vehicle desires to sell,
26 transfer, or assign his interest in such vehicle to a

1 person within this State other than an insurance company
2 licensed to do business within this State, and the owner
3 determines that such vehicle, at the time of the proposed
4 sale, transfer or assignment is damaged in excess of 33
5 1/3% of its fair market value, the owner shall, before such
6 sale, transfer or assignment, make application for a
7 salvage certificate. The application shall contain with it
8 evidence of possession of the vehicle. If the fleet vehicle
9 at the time of its sale, transfer, or assignment is not
10 damaged in excess of 33 1/3% of its fair market value, the
11 owner shall so state in a written affirmation on a form
12 prescribed by the Secretary of State by rule or regulation.
13 The Secretary of State may by rule or regulation require
14 photographs to be submitted. Upon sale, transfer or
15 assignment of the fleet vehicle the owner shall mail the
16 affirmation to the Secretary of State.

17 (5) A vehicle that has been submerged in water to the
18 point that rising water has reached over the door sill and
19 has entered the passenger or trunk compartment is a "flood
20 vehicle". A flood vehicle shall be considered to be salvage
21 only if the vehicle has sustained damage so that the cost
22 of repairing the damage, including labor, would be greater
23 than 33 1/3% of the fair market value of the vehicle
24 without that damage. The salvage certificate issued under
25 this Section shall indicate the word "flood", and the word
26 "flood" shall be conspicuously entered on subsequent

1 titles for the vehicle. A person who possesses or acquires
2 a flood vehicle that is not damaged in excess of 33 1/3% of
3 its fair market value shall make application for title in
4 accordance with Section 3-116 of this Code, designating the
5 vehicle as "flood" in a manner prescribed by the Secretary
6 of State. The certificate of title issued shall indicate
7 the word "flood", and the word "flood" shall be
8 conspicuously entered on subsequent titles for the
9 vehicle.

10 (6) When any licensed rebuilder, repairer, new or used
11 vehicle dealer, or remittance agent has submitted an
12 application for title to a vehicle (other than an
13 application for title to a rebuilt vehicle) that he or she
14 knows or reasonably should have known to have sustained
15 damages in excess of 33 1/3% of the vehicle's fair market
16 value without that damage; provided, however, that any
17 application for a salvage certificate for a vehicle
18 recovered from theft and acquired from an insurance company
19 shall be made as required by paragraph (1) of this
20 subsection (b).

21 (c) Any person who without authority acquires, sells,
22 exchanges, gives away, transfers or destroys or offers to
23 acquire, sell, exchange, give away, transfer or destroy the
24 certificate of title to any vehicle which is a junk or salvage
25 vehicle shall be guilty of a Class 3 felony.

26 (d) Except as provided under subsection (a), any ~~Any~~ person

1 who knowingly fails to surrender to the Secretary of State a
2 certificate of title, salvage certificate, certificate of
3 purchase or a similarly acceptable out-of-state document of
4 ownership as required under the provisions of this Section is
5 guilty of a Class A misdemeanor for a first offense and a Class
6 4 felony for a subsequent offense; except that a person
7 licensed under this Code who violates paragraph (5) of
8 subsection (b) of this Section is guilty of a business offense
9 and shall be fined not less than \$1,000 nor more than \$5,000
10 for a first offense and is guilty of a Class 4 felony for a
11 second or subsequent violation.

12 (e) Any vehicle which is salvage or junk may not be driven
13 or operated on roads and highways within this State. A
14 violation of this subsection is a Class A misdemeanor. A
15 salvage vehicle displaying valid special plates issued under
16 Section 3-601(b) of this Code, which is being driven to or from
17 an inspection conducted under Section 3-308 of this Code, is
18 exempt from the provisions of this subsection. A salvage
19 vehicle for which a short term permit has been issued under
20 Section 3-307 of this Code is exempt from the provisions of
21 this subsection for the duration of the permit.

22 (Source: P.A. 99-932, eff. 6-1-17; 100-104, eff. 11-9-17.)

23 (625 ILCS 5/3-405.1) (from Ch. 95 1/2, par. 3-405.1)

24 Sec. 3-405.1. Application for vanity and personalized
25 license plates.

1 (a) Vanity license plates mean any license plates, assigned
2 to a passenger motor vehicle of the first division, to a motor
3 vehicle of the second division registered at not more than
4 8,000 pounds, to a trailer weighing 8,000 pounds or less paying
5 the flat weight tax, to a funeral home vehicle, or to a
6 recreational vehicle, which display a registration number
7 containing 1 to 7 letters and no numbers or 1, 2, or 3 numbers
8 and no letters as requested by the owner of the vehicle and
9 license plates issued to retired members of Congress under
10 Section 3-610.1 or to retired members of the General Assembly
11 as provided in Section 3-606.1. Personalized license plates
12 mean any license plates, assigned to a passenger motor vehicle
13 of the first division, to a motor vehicle of the second
14 division registered at not more than 8,000 pounds, to a trailer
15 weighing 8,000 pounds or less paying the flat weight tax, to a
16 funeral home vehicle, or to a recreational vehicle, which
17 display a registration number containing one of the following
18 combinations of letters and numbers, as requested by the owner
19 of the vehicle:

20 Standard Passenger Plates

21 First Division Vehicles

22 1 letter plus 0-99

23 2 letters plus 0-99

24 3 letters plus 0-99

1 4 letters plus 0-99

2 5 letters plus 0-99

3 6 letters plus 0-9

4 Second Division Vehicles

5 8,000 pounds or less, Trailers

6 8,000 pounds or less paying the flat

7 weight tax, and Recreation Vehicles

8 0-999 plus 1 letter

9 0-999 plus 2 letters

10 0-999 plus 3 letters

11 0-99 plus 4 letters

12 0-9 plus 5 letters

13 (b) For any registration period commencing after December
14 31, 2003, any person who is the registered owner of a passenger
15 motor vehicle of the first division, of a motor vehicle of the
16 second division registered at not more than 8,000 pounds, of a
17 trailer weighing 8,000 pounds or less paying the flat weight
18 tax, of a funeral home vehicle, or of a recreational vehicle
19 registered with the Secretary of State or who makes application
20 for an original registration of such a motor vehicle or renewal
21 registration of such a motor vehicle may, upon payment of a fee
22 prescribed in Section 3-806.1 or Section 3-806.5, apply to the
23 Secretary of State for vanity or personalized license plates.

1 (c) Except as otherwise provided in this Chapter 3, vanity
2 and personalized license plates as issued under this Section
3 shall be the same color and design as other passenger vehicle
4 license plates and shall not in any manner conflict with any
5 other existing passenger, commercial, trailer, motorcycle, or
6 special license plate series. However, special registration
7 plates issued under Sections 3-611 and 3-616 for vehicles
8 operated by or for persons with disabilities may also be vanity
9 or personalized license plates.

10 (d) Vanity and personalized license plates shall be issued
11 only to the registered owner of the vehicle on which they are
12 to be displayed, except as provided in Sections 3-611 and 3-616
13 for special registration plates for vehicles operated by or for
14 persons with disabilities.

15 (e) An applicant for the issuance of vanity or personalized
16 license plates or subsequent renewal thereof shall file an
17 application in such form and manner and by such date as the
18 Secretary of State may, in his discretion, require.

19 No vanity nor personalized license plates shall be
20 approved, manufactured, or distributed that contain any
21 characters, symbols other than the international accessibility
22 symbol for vehicles operated by or for persons with
23 disabilities, foreign words, or letters of punctuation.

24 (f) Vanity and personalized license plates as issued
25 pursuant to this Act may be subject to the Staggered
26 Registration System as prescribed by the Secretary of State.

1 (g) For purposes of this Section, "funeral home vehicle"
2 means any motor vehicle of the first division or motor vehicle
3 of the second division weighing 8,000 pounds or less that is
4 owned or leased by a funeral home.

5 (Source: P.A. 95-287, eff. 1-1-08.)

6 (625 ILCS 5/3-414) (from Ch. 95 1/2, par. 3-414)

7 Sec. 3-414. Expiration of registration.

8 (a) Every vehicle registration under this Chapter and every
9 registration card and registration plate or registration
10 sticker issued hereunder to a vehicle shall be for the periods
11 specified in this Chapter and shall expire at midnight on the
12 day and date specified in this Section as follows:

13 1. When registered on a calendar year basis commencing
14 January 1, expiration shall be on the 31st day of December
15 or at such other date as may be selected in the discretion
16 of the Secretary of State; however, through December 31,
17 2004, registrations of apportionable vehicles,
18 motorcycles, motor driven cycles and pedalcycles shall
19 commence on the first day of April and shall expire March
20 31st of the following calendar year;

21 1.1. Beginning January 1, 2005, registrations of
22 motorcycles and motor driven cycles shall commence on
23 January 1 and shall expire on December 31 or on another
24 date that may be selected by the Secretary; registrations
25 of apportionable vehicles and pedalcycles, however, shall

1 commence on the first day of April and shall expire March
2 31 of the following calendar year;

3 2. When registered on a 2 calendar year basis
4 commencing January 1 of an even-numbered year, expiration
5 shall be on the 31st day of December of the ensuing
6 odd-numbered year, or at such other later date as may be
7 selected in the discretion of the Secretary of State not
8 beyond March 1 next;

9 3. When registered on a fiscal year basis commencing
10 July 1, expiration shall be on the 30th day of June or at
11 such other later date as may be selected in the discretion
12 of the Secretary of State not beyond September 1 next;

13 4. When registered on a 2 fiscal year basis commencing
14 July 1 of an even-numbered year, expiration shall be on the
15 30th day of June of the ensuing even-numbered year, or at
16 such other later date as may be selected in the discretion
17 of the Secretary of State not beyond September 1 next;

18 5. When registered on a 4 fiscal year basis commencing
19 July 1 of an even-numbered year, expiration shall be on the
20 30th day of June of the second ensuing even-numbered year,
21 or at such other later date as may be selected in the
22 discretion of the Secretary of State not beyond September 1
23 next.

24 (a-5) The Secretary may, in his or her discretion, require
25 an owner of a motor vehicle of the first division or a motor
26 vehicle of the second division weighing not more than 8,000

1 pounds to select the owner's birthday as the date of
2 registration expiration under this Section. If the motor
3 vehicle has more than one registered owner, the owners may
4 select one registered owner's birthday as the date of
5 registration expiration. The Secretary may adopt any rules
6 necessary to implement this subsection.

7 (b) Vehicle registrations of vehicles of the first division
8 shall be for a calendar year, 2 calendar year, 3 calendar year,
9 or 5 calendar year basis as provided for in this Chapter.

10 Vehicle registrations of vehicles under Sections ~~3-807,~~
11 3-808 and 3-809 shall be on an indefinite term basis or a 2
12 calendar year basis as provided for in this Chapter.

13 Vehicle registrations for vehicles of the second division
14 shall be for a fiscal year, 2 fiscal year or calendar year
15 basis as provided for in this Chapter.

16 Motor vehicles registered under the provisions of Section
17 3-402.1 shall be issued multi-year registration plates with a
18 new registration card issued annually upon payment of the
19 appropriate fees. Motor vehicles registered under the
20 provisions of Section 3-405.3 shall be issued multi-year
21 registration plates with a new multi-year registration card
22 issued pursuant to subsections (j), (k), and (l) of this
23 Section upon payment of the appropriate fees. Apportionable
24 trailers and apportionable semitrailers registered under the
25 provisions of Section 3-402.1 shall be issued multi-year
26 registration plates and cards that will be subject to

1 revocation for failure to pay annual fees required by Section
2 3-814.1. The Secretary shall determine when these vehicles
3 shall be issued new registration plates.

4 (c) Every vehicle registration specified in Section 3-810
5 and every registration card and registration plate or
6 registration sticker issued thereunder shall expire on the 31st
7 day of December of each year or at such other date as may be
8 selected in the discretion of the Secretary of State.

9 (d) Every vehicle registration for a vehicle of the second
10 division weighing over 8,000 pounds, except as provided in
11 subsection ~~paragraph~~ (g) of this Section, and every
12 registration card and registration plate or registration
13 sticker, where applicable, issued hereunder to such vehicles
14 shall be issued for a fiscal year commencing on July 1st of
15 each registration year. However, the Secretary of State may,
16 pursuant to an agreement or arrangement or declaration
17 providing for apportionment of a fleet of vehicles with other
18 jurisdictions, provide for registration of such vehicles under
19 apportionment or for all of the vehicles registered in Illinois
20 by an applicant who registers some of his vehicles under
21 apportionment on a calendar year basis instead, and the fees or
22 taxes to be paid on a calendar year basis shall be identical to
23 those specified in this Code ~~Act~~ for a fiscal year
24 registration. Provision for installment payment may also be
25 made.

26 (e) Semitrailer registrations under apportionment may be

1 on a calendar year under a reciprocal agreement or arrangement
2 and all other semitrailer registrations shall be on fiscal year
3 or 2 fiscal year or 4 fiscal year basis as provided for in this
4 Chapter.

5 (f) The Secretary of State may convert annual registration
6 plates or 2-year registration plates, whether registered on a
7 calendar year or fiscal year basis, to multi-year plates. The
8 determination of which plate categories and when to convert to
9 multi-year plates is solely within the discretion of the
10 Secretary of State.

11 (g) After January 1, 1975, each registration, registration
12 card and registration plate or registration sticker, where
13 applicable, issued for a recreational vehicle or recreational
14 or camping trailer, except a house trailer, used exclusively by
15 the owner for recreational purposes, and not used commercially
16 nor as a truck or bus, nor for hire, shall be on a calendar year
17 basis; except that the Secretary of State shall provide for
18 registration and the issuance of registration cards and plates
19 or registration stickers, where applicable, for one 6-month
20 period in order to accomplish an orderly transition from a
21 fiscal year to a calendar year basis. Fees and taxes due under
22 this Code Act for a registration year shall be appropriately
23 reduced for such 6-month transitional registration period.

24 (h) The Secretary of State may, in order to accomplish an
25 orderly transition for vehicles registered under Section
26 3-402.1 of this Code from a calendar year registration to a

1 March 31st expiration, require applicants to pay fees and taxes
2 due under this Code on a 15 month registration basis. However,
3 if in the discretion of the Secretary of State this creates an
4 undue hardship on any applicant the Secretary may allow the
5 applicant to pay 3 month fees and taxes at the time of
6 registration and the additional 12 month fees and taxes to be
7 payable no later than March 31, 1992.

8 (i) The Secretary of State may stagger registrations, or
9 change the annual expiration date, as necessary for the
10 convenience of the public and the efficiency of his Office. In
11 order to appropriately and effectively accomplish any such
12 staggering, the Secretary of State is authorized to prorate all
13 required registration fees, rounded to the nearest dollar, but
14 in no event for a period longer than 18 months, at a monthly
15 rate for a 12-month ~~12-month~~ registration fee.

16 (j) The Secretary of State may enter into an agreement with
17 a rental owner, as defined in Section 3-400 of this Code, who
18 registers a fleet of motor vehicles of the first division
19 pursuant to Section 3-405.3 of this Code to provide for the
20 registration of the rental owner's vehicles on a 2 or 3
21 calendar year basis and the issuance of multi-year registration
22 plates with a new registration card issued up to every 3 years.

23 (k) The Secretary of State may provide multi-year
24 registration cards for any registered fleet of motor vehicles
25 of the first or second division that are registered pursuant to
26 Section 3-405.3 of this Code. Each motor vehicle of the

1 registered fleet must carry a ~~an~~ unique multi-year registration
2 card that displays the vehicle identification number of the
3 registered motor vehicle. The Secretary of State shall
4 promulgate rules in order to implement multi-year
5 registrations.

6 (1) Beginning with the 2018 registration year, the
7 Secretary of State may enter into an agreement with a rental
8 owner, as defined in Section 3-400 of this Code, who registers
9 a fleet of motor vehicles of the first division under Section
10 3-405.3 of this Code to provide for the registration of the
11 rental owner's vehicle on a 5 calendar year basis. Motor
12 vehicles registered on a 5 calendar year basis shall be issued
13 a distinct registration plate that expires on a 5-year cycle.
14 The Secretary may prorate the registration of these
15 registration plates to the length of time remaining in the
16 5-year cycle. The Secretary may adopt any rules necessary to
17 implement this subsection.

18 (Source: P.A. 99-80, eff. 1-1-16; 99-644, eff. 1-1-17; 100-201,
19 eff. 8-18-17; revised 10-12-17.)

20 (625 ILCS 5/3-600) (from Ch. 95 1/2, par. 3-600)

21 Sec. 3-600. Requirements for issuance of special plates.

22 (a) The Secretary of State shall issue only special plates
23 that have been authorized by the General Assembly. Except as
24 provided in subsection (a-5), the Secretary of State shall not
25 issue a series of special plates, or Universal special plates

1 associated with an organization authorized to issue decals for
2 Universal special plates, unless applications, as prescribed
3 by the Secretary, have been received for 2,000 plates of that
4 series. Where a special plate is authorized by law to raise
5 funds for a specific civic group, charitable entity, or other
6 identified organization, or when the civic group, charitable
7 entity, or organization is authorized to issue decals for
8 Universal special license plates, and where the Secretary of
9 State has not received the required number of applications to
10 issue that special plate within 2 years of the effective date
11 of the Public Act authorizing the special plate or decal, the
12 Secretary of State's authority to issue the special plate or a
13 Universal special plate associated with that decal is
14 nullified. All applications for special plates shall be on a
15 form designated by the Secretary and shall be accompanied by
16 any civic group's, charitable entity's, or other identified
17 fundraising organization's portion of the additional fee
18 associated with that plate or decal. All fees collected under
19 this Section are non-refundable and shall be deposited in the
20 special fund as designated in the enabling legislation,
21 regardless of whether the plate or decal is produced. Upon the
22 adoption of this amendatory Act of the 99th General Assembly,
23 no further special license plates shall be authorized by the
24 General Assembly unless that special license plate is
25 authorized under subsection (a-5) of this Section.

26 (a-5) If the General Assembly authorizes the issuance of a

1 special plate that recognizes the applicant's military service
2 or receipt of a military medal or award, the Secretary may
3 immediately begin issuing that special plate.

4 (b) The Secretary of State, upon issuing a new series of
5 special license plates, shall notify all law enforcement
6 officials of the design, color and other special features of
7 the special license plate series.

8 (c) This Section shall not apply to the Secretary of
9 State's discretion as established in Section 3-611.

10 (d) If a law authorizing a special license plate provides
11 that the sponsoring organization is to designate a charitable
12 entity as the recipient of the funds from the sale of that
13 license plate, the designated charitable entity must be in
14 compliance with the registration and reporting requirements of
15 the Charitable Trust Act and the Solicitation for Charity Act.
16 In addition, the charitable entity must annually provide the
17 Secretary of State's office a letter of compliance issued by
18 the Illinois Attorney General's office verifying the entity is
19 in compliance with the Acts.

20 In the case of a law in effect before the effective date of
21 this amendatory Act of the 97th General Assembly, the name of
22 the charitable entity which is to receive the funds shall be
23 provided to the Secretary of State within one year after the
24 effective date of this amendatory Act of the 97th General
25 Assembly. In the case of a law that takes effect on or after
26 the effective date of this amendatory Act of the 97th General

1 Assembly, the name of the charitable entity which is to receive
2 the funds shall be provided to the Secretary of State within
3 one year after the law takes effect. If the organization fails
4 to designate an appropriate charitable entity within the
5 one-year period, or if the designated charitable entity fails
6 to annually provide the Secretary of State a letter of
7 compliance issued by the Illinois Attorney General's office,
8 any funds collected from the sale of plates authorized for that
9 organization and not previously disbursed shall be transferred
10 to the General Revenue Fund, and the special plates shall be
11 discontinued.

12 (e) If fewer than 1,000 sets of any special license plate
13 authorized by law and issued by the Secretary of State are
14 actively registered for 2 consecutive calendar years, the
15 Secretary of State may discontinue the issuance of that special
16 license plate or require that special license plate to be
17 exchanged for Universal special plates with appropriate
18 decals.

19 (f) Where special license plates have been discontinued
20 pursuant to subsection (d) or (e) of this Section, or when the
21 special license plates are required to be exchanged for
22 Universal special plates under subsection (e) of this Section,
23 all previously issued plates of that type shall be recalled.
24 Owners of vehicles which were registered with recalled plates
25 shall not be charged a reclassification or registration sticker
26 replacement plate fee upon the issuance of new plates for those

1 vehicles.

2 (g) Any special plate that is authorized to be issued for
3 motorcycles may also be issued for autocycles.

4 (h) The Secretary may use alternating numeric and
5 alphabetical characters when issuing a special registration
6 plate authorized under this Chapter.

7 (Source: P.A. 98-777, eff. 1-1-15; 99-483, eff. 7-1-16.)

8 (625 ILCS 5/3-803) (from Ch. 95 1/2, par. 3-803)

9 Sec. 3-803. Reductions.

10 (a) Reduction of fees and taxes prescribed in this Chapter
11 shall be applicable only to vehicles newly-acquired by the
12 owner after the beginning of a registration period or which
13 become subject to registration after the beginning of a
14 registration period as specified in this Act. The Secretary of
15 State may deny a reduction as to any vehicle operated in this
16 State without being properly and timely registered in Illinois
17 under this Chapter, of a vehicle in violation of any provision
18 of this Chapter, or upon detection of such violation by an
19 audit, or upon determining that such vehicle was operated in
20 Illinois before such violation. Bond or other security in the
21 proper amount may be required by the Secretary of State while
22 the matter is under investigation. Reductions shall be granted
23 if a person becomes the owner after the dates specified or if a
24 vehicle becomes subject to registration under this Act, as
25 amended, after the dates specified.

1 (b) Vehicles of the First Division. The annual fees and
2 taxes prescribed by Section 3-806 shall be reduced by 50% on
3 and after June 15, except as provided in Sections 3-414 and
4 3-802 of this Act.

5 (c) Vehicles of the Second Division. The annual fees and
6 taxes prescribed by Sections 3-402, 3-402.1, 3-815 and 3-819
7 and paid on a calendar year for such vehicles shall be reduced
8 on a quarterly basis if the vehicle becomes subject to
9 registration on and after March 31, June 30 or September 30.
10 Where such fees and taxes are payable on a fiscal year basis,
11 they shall be reduced on a quarterly basis on and after
12 September 30, December 31 or March 31.

13 (d) Two-year Registrations. The fees and taxes prescribed
14 by Section 3-808 for 2-year registrations shall not be reduced
15 in any event. However, the fees and taxes prescribed for all
16 other 2-year registrations by this Act, shall be reduced as
17 follows:

18 By 25% on and after June 15;

19 By 50% on and after December 15;

20 By 75% on and after the next ensuing June 15.

21 (e) The registration fees and taxes imposed upon certain
22 vehicles shall not be reduced by any amount in any event in the
23 following instances:

24 Permits under Sections 3-403 and 3-811;

25 ~~Municipal Buses under Section 3-807;~~

26 Governmental or charitable vehicles under Section 3-808;

1 Farm Machinery under Section 3-809;
2 Soil and conservation equipment under Section 3-809.1;
3 Special Plates under Section 3-810;
4 Permanently mounted equipment under Section 3-812;
5 Registration fee under Section 3-813;
6 Semitrailer fees under Section 3-814;
7 Farm trucks under Section 3-815;
8 Mileage weight tax option under Section 3-818;
9 Farm trailers under Section 3-819;
10 Duplicate plates under Section 3-820;
11 Fees under Section 3-821;
12 Search Fees under Section 3-823.

13 (f) The reductions provided for shall not apply to any
14 vehicle of the first or second division registered by the same
15 applicant in the prior registration year.

16 The changes to this Section made by Public Act 84-210 take
17 effect with the 1986 Calendar Registration Year.

18 (g) Reductions shall in no event result in payment of a fee
19 or tax less than \$6, and the Secretary of State shall
20 promulgate schedules of fees reflecting applicable reductions.
21 Where any reduced amount is not stated in full dollars, the
22 Secretary of State may adjust the amount due to the nearest
23 full dollar amount.

24 (h) The reductions provided for in subsections (a) through
25 (g) of this Section shall not apply to those vehicles of the
26 first or second division registered on a staggered registration

1 basis.

2 (i) A vehicle which becomes subject to registration during
3 the last month of the current registration year is exempt from
4 any applicable reduced fourth quarter or second semiannual
5 registration fee, and may register for the subsequent
6 registration year as its initial registration. This subsection
7 does not include those apportioned and prorated fees under
8 Sections 3-402 and 3-402.1 of this Code.

9 (Source: P.A. 94-239, eff. 1-1-06.)

10 (625 ILCS 5/3-804.01)

11 Sec. 3-804.01. Expanded-use antique vehicles.

12 (a) The owner of a motor vehicle that is more than 25 years
13 of age or a bona fide replica thereof may register the vehicle
14 as an expanded-use antique vehicle. In addition to the
15 appropriate registration and renewal fees, the fee for
16 expanded-use antique vehicle registration and renewal, except
17 as provided under subsection (d), shall be \$45 per year. The
18 application for registration must be accompanied by an
19 affirmation of the owner that:

20 (1) from January 1 through March 31 and from November 1
21 through December 31, the vehicle will be driven on the
22 highways only for the purpose of going to and returning
23 from an antique auto show or an exhibition, or for
24 servicing or demonstration; and

25 (2) the mechanical condition, physical condition,

1 brakes, lights, glass, and appearance of such vehicle is
2 the same or as safe as originally equipped.

3 From April 1 through October 31, a vehicle registered as an
4 expanded-use antique vehicle may be driven on the highways
5 without being subject to the restrictions set forth in
6 subdivision (1). The Secretary may prescribe, in the
7 Secretary's discretion, that expanded-use antique vehicle
8 plates be issued for a definite or an indefinite term, such
9 term to correspond to the term of registration plates issued
10 generally, as provided in Section 3-414.1. Any person
11 requesting expanded-use antique vehicle plates under this
12 Section may also apply to have vanity or personalized plates as
13 provided under Section 3-405.1.

14 (b) Any person who is the registered owner of an
15 expanded-use antique vehicle may display a historical license
16 plate from or representing the model year of the vehicle,
17 furnished by such person, in lieu of the current and valid
18 Illinois expanded-use antique vehicle plates issued thereto,
19 provided that the valid and current Illinois expanded-use
20 antique vehicle plates and registration card issued to the
21 expanded-use antique vehicle are simultaneously carried within
22 the vehicle and are available for inspection.

23 (c) The Secretary may credit a pro-rated portion of a fee
24 previously paid for an antique vehicle registration under
25 Section 3-804 to an owner who applies to have that vehicle
26 registered as an expanded-use antique vehicle instead of an

1 antique vehicle.

2 (d) The Secretary may make a version of the registration
3 plate authorized under this Section in a form appropriate for
4 motorcycles. In addition to the required registration and
5 renewal fees, the fee for motorcycle expanded-use antique
6 vehicle registration and renewal shall be \$23 per year.

7 (Source: P.A. 97-412, eff. 1-1-12.)

8 (625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

9 Sec. 3-808.1. Permanent vehicle registration plate.

10 (a) Permanent vehicle registration plates shall be issued,
11 at no charge, to the following:

12 1. Vehicles, other than medical transport vehicles,
13 owned and operated by the State of Illinois or by any State
14 agency financed by funds appropriated by the General
15 Assembly;

16 2. Special disability plates issued to vehicles owned
17 and operated by the State of Illinois or by any State
18 agency financed by funds appropriated by the General
19 Assembly.

20 (b) Permanent vehicle registration plates shall be issued,
21 for a one time fee of \$8.00, to the following:

22 1. Vehicles, other than medical transport vehicles,
23 operated by or for any county, township or municipal
24 corporation.

25 2. Vehicles owned by counties, townships or municipal

1 corporations for persons with disabilities.

2 3. Beginning with the 1991 registration year,
3 county-owned vehicles operated by or for any county sheriff
4 and designated deputy sheriffs. These registration plates
5 shall contain the specific county code and unit number.

6 4. All-terrain vehicles owned by counties, townships,
7 or municipal corporations and used for law enforcement
8 purposes when the Manufacturer's Statement of Origin is
9 accompanied with a letter from the original manufacturer or
10 a manufacturer's franchised dealer stating that this
11 all-terrain vehicle has been converted to a street worthy
12 vehicle that meets the equipment requirements set forth in
13 Chapter 12 of this Code.

14 5. Beginning with the 2001 registration year,
15 municipally-owned vehicles operated by or for any police
16 department. These registration plates shall contain the
17 designation "municipal police" and shall be numbered and
18 distributed as prescribed by the Secretary of State.

19 6. Beginning with the 2014 registration year,
20 municipally owned, fire district owned, or Mutual Aid Box
21 Alarm System (MABAS) owned vehicles operated by or for any
22 fire department, fire protection district, or MABAS. These
23 registration plates shall display the designation "Fire
24 Department" and shall display the specific fire
25 department, fire district, fire unit, or MABAS division
26 number or letter.

1 7. Beginning with the 2017 registration year, vehicles
2 that do not require a school bus driver permit under
3 Section 6-104 to operate and are not registered under
4 Section 3-617 of this Code, and are owned by a public
5 school district from grades K-12 or a public community
6 college.

7 8. Beginning with the 2017 registration year, vehicles
8 of the first division or vehicles of the second division
9 weighing not more than 8,000 pounds that are owned by a
10 medical facility or hospital of a municipality, county, or
11 township.

12 9. Beginning with the 2020 registration year, 2-axle
13 motor vehicles that (i) are designed and used as buses in a
14 public system for transporting more than 10 passengers;
15 (ii) are used as common carriers in the general
16 transportation of passengers and not devoted to any
17 specialized purpose; (iii) operate entirely within the
18 territorial limits of a single municipality or a single
19 municipality and contiguous municipalities; and (iv) are
20 subject to the regulation of the Illinois Commerce
21 Commission. The owner of a vehicle under this paragraph is
22 exempt from paying a flat weight tax or a mileage weight
23 tax under this Code.

24 (b-5) Beginning with the 2016 registration year, permanent
25 vehicle registration plates shall be issued for a one-time fee
26 of \$8.00 to a county, township, or municipal corporation that

1 owns or operates vehicles used for the purpose of community
2 workplace commuting as defined by the Secretary of State by
3 administrative rule. The design and color of the plates shall
4 be wholly within the discretion of the Secretary. The Secretary
5 of State may adopt rules to implement this subsection (b-5).

6 (c) Beginning with the 2012 registration year,
7 county-owned vehicles operated by or for any county sheriff and
8 designated deputy sheriffs that have been issued registration
9 plates under subsection (b) of this Section shall be exempt
10 from any fee for the transfer of registration from one vehicle
11 to another vehicle. Each county sheriff shall report to the
12 Secretary of State any transfer of registration plates from one
13 vehicle to another vehicle operated by or for any county
14 sheriff and designated deputy sheriffs. The Secretary of State
15 shall adopt rules to implement this subsection (c).

16 (c-5) Beginning with the 2014 registration year,
17 municipally owned, fire district owned, or Mutual Aid Box Alarm
18 System (MABAS) owned vehicles operated by or for any fire
19 department, fire protection district, or MABAS that have been
20 issued registration plates under subsection (b) of this Section
21 shall be exempt from any fee for the transfer of registration
22 from one vehicle to another vehicle. Each fire department, fire
23 protection district, of MABAS shall report to the Secretary of
24 State any transfer of registration plates from one vehicle to
25 another vehicle operated by or for any fire department, fire
26 protection district, or MABAS. The Secretary of State shall

1 adopt rules to implement this subsection.

2 (d) Beginning with the 2013 registration year,
3 municipally-owned vehicles operated by or for any police
4 department that have been issued registration plates under
5 subsection (b) of this Section shall be exempt from any fee for
6 the transfer of registration from one vehicle to another
7 vehicle. Each municipal police department shall report to the
8 Secretary of State any transfer of registration plates from one
9 vehicle to another vehicle operated by or for any municipal
10 police department. The Secretary of State shall adopt rules to
11 implement this subsection (d).

12 (e) Beginning with the 2016 registration year, any vehicle
13 owned or operated by a county, township, or municipal
14 corporation that has been issued registration plates under this
15 Section is exempt from any fee for the transfer of registration
16 from one vehicle to another vehicle. Each county, township, or
17 municipal corporation shall report to the Secretary of State
18 any transfer of registration plates from one vehicle to another
19 vehicle operated by or for any county, township, or municipal
20 corporation.

21 (f) Beginning with the 2020 registration year, any vehicle
22 owned or operated by a public school district from grades K-12,
23 a public community college, or a medical facility or hospital
24 of a municipality, county, or township that has been issued
25 registration plates under this Section is exempt from any fee
26 for the transfer of registration from one vehicle to another

1 vehicle. Each school district, public community college, or
 2 medical facility or hospital shall report to the Secretary any
 3 transfer of registration plates from one vehicle to another
 4 vehicle operated by the school district, public community
 5 college, or medical facility.

6 (Source: P.A. 98-436, eff. 1-1-14; 98-1074, eff. 1-1-15;
 7 99-166, eff. 7-28-15; 99-707, eff. 7-29-16.)

8 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

9 Sec. 3-815. Flat weight tax; vehicles of the second
 10 division.

11 (a) Except as provided in Section 3-806.3 and 3-804.3,
 12 every owner of a vehicle of the second division registered
 13 under Section 3-813, and not registered under the mileage
 14 weight tax under Section 3-818, shall pay to the Secretary of
 15 State, for each registration year, for the use of the public
 16 highways, a flat weight tax at the rates set forth in the
 17 following table, the rates including the \$10 registration fee:

18 SCHEDULE OF FLAT WEIGHT TAX

19 REQUIRED BY LAW

| 20 Gross Weight in Lbs. | | Total Fees |
|---|----------|-------------|
| 21 Including Vehicle | | each Fiscal |
| 22 and Maximum Load | Class | year |
| 23 8,000 lbs. and less | B | \$98 |
| 24 <u>8,001 lbs. to 10,000 lbs.</u> | <u>C</u> | <u>118</u> |
| 25 <u>10,001</u> 8,001 lbs. to 12,000 lbs. | D | 138 |

| | | | |
|----|----------------------------|---|-------|
| 1 | 12,001 lbs. to 16,000 lbs. | F | 242 |
| 2 | 16,001 lbs. to 26,000 lbs. | H | 490 |
| 3 | 26,001 lbs. to 28,000 lbs. | J | 630 |
| 4 | 28,001 lbs. to 32,000 lbs. | K | 842 |
| 5 | 32,001 lbs. to 36,000 lbs. | L | 982 |
| 6 | 36,001 lbs. to 40,000 lbs. | N | 1,202 |
| 7 | 40,001 lbs. to 45,000 lbs. | P | 1,390 |
| 8 | 45,001 lbs. to 50,000 lbs. | Q | 1,538 |
| 9 | 50,001 lbs. to 54,999 lbs. | R | 1,698 |
| 10 | 55,000 lbs. to 59,500 lbs. | S | 1,830 |
| 11 | 59,501 lbs. to 64,000 lbs. | T | 1,970 |
| 12 | 64,001 lbs. to 73,280 lbs. | V | 2,294 |
| 13 | 73,281 lbs. to 77,000 lbs. | X | 2,622 |
| 14 | 77,001 lbs. to 80,000 lbs. | Z | 2,790 |

15 Beginning with the 2010 registration year a \$1 surcharge
16 shall be collected for vehicles registered in the 8,000 lbs.
17 and less flat weight plate category above to be deposited into
18 the State Police Vehicle Fund.

19 Beginning with the 2014 registration year, a \$2 surcharge
20 shall be collected in addition to the above fees for vehicles
21 registered in the 8,000 lb. and less flat weight plate category
22 as described in this subsection (a) to be deposited into the
23 Park and Conservation Fund for the Department of Natural
24 Resources to use for conservation efforts. The monies deposited
25 into the Park and Conservation Fund under this Section shall
26 not be subject to administrative charges or chargebacks unless

1 otherwise authorized by this Act.

2 All of the proceeds of the additional fees imposed by this
3 amendatory Act of the 96th General Assembly shall be deposited
4 into the Capital Projects Fund.

5 (a-1) A Special Hauling Vehicle is a vehicle or combination
6 of vehicles of the second division registered under Section
7 3-813 transporting asphalt or concrete in the plastic state or
8 a vehicle or combination of vehicles that are subject to the
9 gross weight limitations in subsection (a) of Section 15-111
10 for which the owner of the vehicle or combination of vehicles
11 has elected to pay, in addition to the registration fee in
12 subsection (a), \$125 to the Secretary of State for each
13 registration year. The Secretary shall designate this class of
14 vehicle as a Special Hauling Vehicle.

15 (a-5) Beginning January 1, 2015, upon the request of the
16 vehicle owner, a \$10 surcharge shall be collected in addition
17 to the above fees for vehicles in the 12,000 lbs. and less flat
18 weight plate categories as described in subsection (a) to be
19 deposited into the Secretary of State Special License Plate
20 Fund. The \$10 surcharge is to identify vehicles in the 12,000
21 lbs. and less flat weight plate categories as a covered farm
22 vehicle. The \$10 surcharge is an annual, flat fee that shall be
23 based on an applicant's new or existing registration year for
24 each vehicle in the 12,000 lbs. and less flat weight plate
25 categories. A designation as a covered farm vehicle under this
26 subsection (a-5) shall not alter a vehicle's registration as a

1 registration in the 12,000 lbs. or less flat weight category.
 2 The Secretary shall adopt any rules necessary to implement this
 3 subsection (a-5).

4 (b) Except as provided in Section 3-806.3, every camping
 5 trailer, motor home, mini motor home, travel trailer, truck
 6 camper or van camper used primarily for recreational purposes,
 7 and not used commercially, nor for hire, nor owned by a
 8 commercial business, may be registered for each registration
 9 year upon the filing of a proper application and the payment of
 10 a registration fee and highway use tax, according to the
 11 following table of fees:

12 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER

| 13 Gross Weight in Lbs. | Total Fees |
|-----------------------------|---------------|
| 14 Including Vehicle and | Each |
| 15 Maximum Load | Calendar Year |
| 16 8,000 lbs and less | \$78 |
| 17 8,001 Lbs. to 10,000 Lbs | 90 |
| 18 10,001 Lbs. and Over | 102 |

19 CAMPING TRAILER OR TRAVEL TRAILER

| 20 Gross Weight in Lbs. | Total Fees |
|------------------------------|---------------|
| 21 Including Vehicle and | Each |
| 22 Maximum Load | Calendar Year |
| 23 3,000 Lbs. and Less | \$18 |
| 24 3,001 Lbs. to 8,000 Lbs. | 30 |
| 25 8,001 Lbs. to 10,000 Lbs. | 38 |
| 26 10,001 Lbs. and Over | 50 |

1 Every house trailer must be registered under Section 3-819.

2 (c) Farm Truck. Any truck used exclusively for the owner's
 3 own agricultural, horticultural or livestock raising
 4 operations and not-for-hire only, or any truck used only in the
 5 transportation for-hire of seasonal, fresh, perishable fruit
 6 or vegetables from farm to the point of first processing, may
 7 be registered by the owner under this paragraph in lieu of
 8 registration under paragraph (a), upon filing of a proper
 9 application and the payment of the \$10 registration fee and the
 10 highway use tax herein specified as follows:

11 SCHEDULE OF FEES AND TAXES

| 12 Gross Weight in Lbs. | | Total Amount for |
|--------------------------|-------|------------------|
| 13 Including Truck and | | each |
| 14 Maximum Load | Class | Fiscal Year |
| 15 16,000 lbs. or less | VF | \$150 |
| 16 16,001 to 20,000 lbs. | VG | 226 |
| 17 20,001 to 24,000 lbs. | VH | 290 |
| 18 24,001 to 28,000 lbs. | VJ | 378 |
| 19 28,001 to 32,000 lbs. | VK | 506 |
| 20 32,001 to 36,000 lbs. | VL | 610 |
| 21 36,001 to 45,000 lbs. | VP | 810 |
| 22 45,001 to 54,999 lbs. | VR | 1,026 |
| 23 55,000 to 64,000 lbs. | VT | 1,202 |
| 24 64,001 to 73,280 lbs. | VV | 1,290 |
| 25 73,281 to 77,000 lbs. | VX | 1,350 |
| 26 77,001 to 80,000 lbs. | VZ | 1,490 |

1 In the event the Secretary of State revokes a farm truck
2 registration as authorized by law, the owner shall pay the flat
3 weight tax due hereunder before operating such truck.

4 Any combination of vehicles having 5 axles, with a distance
5 of 42 feet or less between extreme axles, that are subject to
6 the weight limitations in subsection (a) of Section 15-111 for
7 which the owner of the combination of vehicles has elected to
8 pay, in addition to the registration fee in subsection (c),
9 \$125 to the Secretary of State for each registration year shall
10 be designated by the Secretary as a Special Hauling Vehicle.

11 (d) The number of axles necessary to carry the maximum load
12 provided shall be determined from Chapter 15 of this Code.

13 (e) An owner may only apply for and receive 5 farm truck
14 registrations, and only 2 of those 5 vehicles shall exceed
15 59,500 gross weight in pounds per vehicle.

16 (f) Every person convicted of violating this Section by
17 failure to pay the appropriate flat weight tax to the Secretary
18 of State as set forth in the above tables shall be punished as
19 provided for in Section 3-401.

20 (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;
21 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13; 98-882, eff.
22 8-13-14.)

23 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)
24 Sec. 3-821. Miscellaneous registration and title fees.

25 (a) Except as provided under subsection (h), the ~~The~~ fee to

1 be paid to the Secretary of State for the following
2 certificates, registrations or evidences of proper
3 registration, or for corrected or duplicate documents shall be
4 in accordance with the following schedule:

| | | |
|----|--|------|
| 5 | Certificate of Title, except for an all-terrain | |
| 6 | vehicle or off-highway motorcycle | \$95 |
| 7 | Certificate of Title for an all-terrain vehicle | |
| 8 | or off-highway motorcycle | \$30 |
| 9 | Certificate of Title for an all-terrain vehicle | |
| 10 | or off-highway motorcycle used for production | |
| 11 | agriculture, or accepted by a dealer in trade | 13 |
| 12 | Certificate of Title for a low-speed vehicle | 30 |
| 13 | Transfer of Registration or any evidence of | |
| 14 | proper registration | \$25 |
| 15 | Duplicate Registration Card for plates or other | |
| 16 | evidence of proper registration | 3 |
| 17 | Duplicate Registration Sticker or Stickers, each | 20 |
| 18 | Duplicate Certificate of Title | 95 |
| 19 | Corrected Registration Card or Card for other | |
| 20 | evidence of proper registration | 3 |
| 21 | Corrected Certificate of Title | 95 |
| 22 | Salvage Certificate | 4 |
| 23 | Fleet Reciprocity Permit | 15 |
| 24 | Prorate Decal | 1 |
| 25 | Prorate Backing Plate | 3 |
| 26 | Special Corrected Certificate of Title | 15 |

1 Expedited Title Service (to be charged in addition
2 to other applicable fees) 30

3 Dealer Lien Release Certificate of Title 20

4 A special corrected certificate of title shall be issued
5 (i) to remove a co-owner's name due to the death of the
6 co-owner, to transfer title to a spouse if the decedent-spouse
7 was the sole owner on the title, or due to a divorce; ~~or~~ (ii) to
8 change a co-owner's name due to a marriage; or (iii) due to a
9 name change under Article XXI of the Code of Civil Procedure.

10 There shall be no fee paid for a Junking Certificate.

11 There shall be no fee paid for a certificate of title
12 issued to a county when the vehicle is forfeited to the county
13 under Article 36 of the Criminal Code of 2012.

14 (a-5) The Secretary of State may revoke a certificate of
15 title and registration card and issue a corrected certificate
16 of title and registration card, at no fee to the vehicle owner
17 or lienholder, if there is proof that the vehicle
18 identification number is erroneously shown on the original
19 certificate of title.

20 (a-10) The Secretary of State may issue, in connection with
21 the sale of a motor vehicle, a corrected title to a motor
22 vehicle dealer upon application and submittal of a lien release
23 letter from the lienholder listed in the files of the
24 Secretary. In the case of a title issued by another state, the
25 dealer must submit proof from the state that issued the last
26 title. The corrected title, which shall be known as a dealer

1 lien release certificate of title, shall be issued in the name
2 of the vehicle owner without the named lienholder. If the motor
3 vehicle is currently titled in a state other than Illinois, the
4 applicant must submit either (i) a letter from the current
5 lienholder releasing the lien and stating that the lienholder
6 has possession of the title; or (ii) a letter from the current
7 lienholder releasing the lien and a copy of the records of the
8 department of motor vehicles for the state in which the vehicle
9 is titled, showing that the vehicle is titled in the name of
10 the applicant and that no liens are recorded other than the
11 lien for which a release has been submitted. The fee for the
12 dealer lien release certificate of title is \$20.

13 (b) The Secretary may prescribe the maximum service charge
14 to be imposed upon an applicant for renewal of a registration
15 by any person authorized by law to receive and remit or
16 transmit to the Secretary such renewal application and fees
17 therewith.

18 (c) If payment is delivered to the Office of the Secretary
19 of State as payment of any fee or tax under this Code, and such
20 payment is not honored for any reason, the registrant or other
21 person tendering the payment remains liable for the payment of
22 such fee or tax. The Secretary of State may assess a service
23 charge of \$25 in addition to the fee or tax due and owing for
24 all dishonored payments.

25 If the total amount then due and owing exceeds the sum of
26 \$100 and has not been paid in full within 60 days from the date

1 the dishonored payment was first delivered to the Secretary of
2 State, the Secretary of State shall assess a penalty of 25% of
3 such amount remaining unpaid.

4 All amounts payable under this Section shall be computed to
5 the nearest dollar. Out of each fee collected for dishonored
6 payments, \$5 shall be deposited in the Secretary of State
7 Special Services Fund.

8 (d) The minimum fee and tax to be paid by any applicant for
9 apportionment of a fleet of vehicles under this Code shall be
10 \$15 if the application was filed on or before the date
11 specified by the Secretary together with fees and taxes due. If
12 an application and the fees or taxes due are filed after the
13 date specified by the Secretary, the Secretary may prescribe
14 the payment of interest at the rate of 1/2 of 1% per month or
15 fraction thereof after such due date and a minimum of \$8.

16 (e) Trucks, truck tractors, truck tractors with loads, and
17 motor buses, any one of which having a combined total weight in
18 excess of 12,000 lbs. shall file an application for a Fleet
19 Reciprocity Permit issued by the Secretary of State. This
20 permit shall be in the possession of any driver operating a
21 vehicle on Illinois highways. Any foreign licensed vehicle of
22 the second division operating at any time in Illinois without a
23 Fleet Reciprocity Permit or other proper Illinois
24 registration, shall subject the operator to the penalties
25 provided in Section 3-834 of this Code. For the purposes of
26 this Code, "Fleet Reciprocity Permit" means any second division

1 motor vehicle with a foreign license and used only in
2 interstate transportation of goods. The fee for such permit
3 shall be \$15 per fleet which shall include all vehicles of the
4 fleet being registered.

5 (f) For purposes of this Section, "all-terrain vehicle or
6 off-highway motorcycle used for production agriculture" means
7 any all-terrain vehicle or off-highway motorcycle used in the
8 raising of or the propagation of livestock, crops for sale for
9 human consumption, crops for livestock consumption, and
10 production seed stock grown for the propagation of feed grains
11 and the husbandry of animals or for the purpose of providing a
12 food product, including the husbandry of blood stock as a main
13 source of providing a food product. "All-terrain vehicle or
14 off-highway motorcycle used in production agriculture" also
15 means any all-terrain vehicle or off-highway motorcycle used in
16 animal husbandry, floriculture, aquaculture, horticulture, and
17 viticulture.

18 (g) All of the proceeds of the additional fees imposed by
19 Public Act 96-34 shall be deposited into the Capital Projects
20 Fund.

21 (h) The fee for a duplicate registration sticker or
22 stickers shall be the amount required under subsection (a) or
23 the vehicle's annual registration fee amount, whichever is
24 less.

25 (Source: P.A. 99-260, eff. 1-1-16; 99-607, eff. 7-22-16.)

1 (625 ILCS 5/4-107) (from Ch. 95 1/2, par. 4-107)

2 Sec. 4-107. Stolen, converted, recovered and unclaimed
3 vehicles.

4 (a) Every Sheriff, Superintendent of police, Chief of
5 police or other police officer in command of any Police
6 department in any City, Village or Town of the State, shall, by
7 the fastest means of communications available to his law
8 enforcement agency, immediately report to the State Police, in
9 Springfield, Illinois, the theft or recovery of any stolen or
10 converted vehicle within his district or jurisdiction. The
11 report shall give the date of theft, description of the vehicle
12 including color, year of manufacture, manufacturer's trade
13 name, manufacturer's series name, body style, vehicle
14 identification number and license registration number,
15 including the state in which the license was issued and the
16 year of issuance, together with the name, residence address,
17 business address, and telephone number of the owner. The report
18 shall be routed by the originating law enforcement agency
19 through the State Police District in which such agency is
20 located.

21 (b) A registered owner or a lienholder may report the theft
22 by conversion of a vehicle, to the State Police, or any other
23 police department or Sheriff's office. Such report will be
24 accepted as a report of theft and processed only if a formal
25 complaint is on file and a warrant issued.

26 (c) An operator of a place of business for garaging,

1 repairing, parking or storing vehicles for the public, in which
2 a vehicle remains unclaimed, after being left for the purpose
3 of garaging, repairing, parking or storage, for a period of 15
4 days, shall, within 5 days after the expiration of that period,
5 report the vehicle as unclaimed to the municipal police when
6 the vehicle is within the corporate limits of any City, Village
7 or incorporated Town, or the County Sheriff, or State Police
8 when the vehicle is outside the corporate limits of a City,
9 Village or incorporated Town. This Section does not apply to
10 any vehicle:

11 (1) removed to a place of storage by a law enforcement
12 agency having jurisdiction, in accordance with Sections
13 4-201 and 4-203 of this Act; or

14 (2) left under a garaging, repairing, parking, or
15 storage order signed by the owner, lessor, or other legally
16 entitled person.

17 Failure to comply with this Section will result in the
18 forfeiture of storage fees for that vehicle involved.

19 (d) The State Police shall keep a complete record of all
20 reports filed under this Section of the Act. Upon receipt of
21 such report, a careful search shall be made of the records of
22 the office of the State Police, and where it is found that a
23 vehicle reported recovered was stolen in a County, City,
24 Village or Town other than the County, City, Village or Town in
25 which it is recovered, the State Police shall immediately
26 notify the Sheriff, Superintendent of police, Chief of police,

1 or other police officer in command of the Sheriff's office or
2 Police department of the County, City, Village or Town in which
3 the vehicle was originally reported stolen, giving complete
4 data as to the time and place of recovery.

5 (e) Notification of the theft or conversion of a vehicle
6 will be furnished to the Secretary of State by the State
7 Police. The Secretary of State shall place the proper
8 information in the license registration and title registration
9 files to indicate the theft or conversion of a motor vehicle or
10 other vehicle. Notification of the recovery of a vehicle
11 previously reported as a theft or a conversion will be
12 furnished to the Secretary of State by the State Police. The
13 Secretary of State shall remove the proper information from the
14 license registration and title registration files that has
15 previously indicated the theft or conversion of a vehicle. The
16 Secretary of State shall suspend the registration of a vehicle
17 upon receipt of a report from the State Police that such
18 vehicle was stolen or converted.

19 (f) When the Secretary of State receives an application for
20 a certificate of title or an application for registration of a
21 vehicle and it is determined from the records of the office of
22 the Secretary of State that such vehicle has been reported
23 stolen or converted, the Secretary of State shall immediately
24 notify the State Police or the Secretary of State Department of
25 Police and shall give the State Police or the Secretary of
26 State Department of Police the name and address of the person

1 or firm titling or registering the vehicle, together with all
2 other information contained in the application submitted by
3 such person or firm. If the Secretary of State Department of
4 Police receives notification under this subsection (f), it
5 shall conduct an investigation concerning the identity of the
6 registered owner of the stolen or converted vehicle.

7 (g) During the usual course of business the manufacturer of
8 any vehicle shall place an original manufacturer's vehicle
9 identification number on all such vehicles manufactured and on
10 any part of such vehicles requiring an identification number.

11 (h) Except provided in subsection (h-1), if a
12 manufacturer's vehicle identification number is missing or has
13 been removed, changed or mutilated on any vehicle, or any part
14 of such vehicle requiring an identification number, the State
15 Police or the Secretary of State Department of Police shall
16 restore, restamp or reaffix the vehicle identification number
17 plate, or affix a new plate bearing the original manufacturer's
18 vehicle identification number on each such vehicle and on all
19 necessary parts of the vehicles. A vehicle identification
20 number so affixed, restored, restamped, reaffixed or replaced
21 is not falsified, altered or forged within the meaning of this
22 Act.

23 (h-1) A person engaged in the repair or servicing of
24 vehicles may reaffix a manufacturer's identification number
25 plate on the same damaged vehicle from which it was originally
26 removed, if the person reaffixes the original manufacturer's

1 identification number plate in place of the identification
2 number plate affixed on a new dashboard that has been installed
3 in the vehicle. The person must notify the Secretary of State
4 each time the original manufacturer's identification number
5 plate is reaffixed on a vehicle. The person must keep a record
6 indicating that the identification number plate affixed on the
7 new dashboard has been removed and has been replaced by the
8 manufacturer's identification number plate originally affixed
9 on the vehicle. The person also must keep a record regarding
10 the status and location of the identification number plate
11 removed from the replacement dashboard. The Secretary shall
12 adopt rules for implementing this subsection (h-1).

13 (h-2) The owner of a vehicle repaired under subsection
14 (h-1) must, within 90 days of the date of the repairs, contact
15 an officer of the Illinois State Police Vehicle Inspection
16 Bureau and arrange for an inspection of the vehicle, by the
17 officer or the officer's designee, at a mutually agreed upon
18 date and location.

19 (i) If a vehicle or part of any vehicle is found to have
20 the manufacturer's identification number removed, altered,
21 defaced or destroyed, the vehicle or part shall be seized by
22 any law enforcement agency having jurisdiction and held for the
23 purpose of identification. In the event that the manufacturer's
24 identification number of a vehicle or part cannot be
25 identified, the vehicle or part shall be considered contraband,
26 and no right of property shall exist in any person owning,

1 leasing or possessing such property, unless the person owning,
2 leasing or possessing the vehicle or part acquired such without
3 knowledge that the manufacturer's vehicle identification
4 number has been removed, altered, defaced, falsified or
5 destroyed.

6 Either the seizing law enforcement agency or the State's
7 Attorney of the county where the seizure occurred may make an
8 application for an order of forfeiture to the circuit court in
9 the county of seizure. The application for forfeiture shall be
10 independent from any prosecution arising out of the seizure and
11 is not subject to any final determination of such prosecution.
12 The circuit court shall issue an order forfeiting the property
13 to the seizing law enforcement agency if the court finds that
14 the property did not at the time of seizure possess a valid
15 manufacturer's identification number and that the original
16 manufacturer's identification number cannot be ascertained.
17 The seizing law enforcement agency may:

18 (1) retain the forfeited property for official use; or
19 (2) sell the forfeited property and distribute the
20 proceeds in accordance with Section 4-211 of this Code, or
21 dispose of the forfeited property in such manner as the law
22 enforcement agency deems appropriate.

23 (i-1) If a motorcycle is seized under subsection (i), the
24 motorcycle must be returned within 45 days of the date of
25 seizure to the person from whom it was seized, unless (i)
26 criminal charges are pending against that person or (ii) an

1 application for an order of forfeiture has been submitted to
2 the circuit in the county of seizure or (iii) the circuit court
3 in the county of seizure has received from the seizing law
4 enforcement agency and has granted a petition to extend, for a
5 single 30 day period, the 45 days allowed for return of the
6 motorcycle. Except as provided in subsection (i-2), a
7 motorcycle returned to the person from whom it was seized must
8 be returned in essentially the same condition it was in at the
9 time of seizure.

10 (i-2) If any part or parts of a motorcycle seized under
11 subsection (i) are found to be stolen and are removed, the
12 seizing law enforcement agency is not required to replace the
13 part or parts before returning the motorcycle to the person
14 from whom it was seized.

15 (j) The State Police or the Secretary of State Department
16 of Police shall notify the Secretary of State each time a
17 manufacturer's vehicle identification number is affixed,
18 reaffixed, restored or restamped on any vehicle. The Secretary
19 of State shall make the necessary changes or corrections in his
20 records, after the proper applications and fees have been
21 submitted, if applicable.

22 (k) Any vessel, vehicle or aircraft used with knowledge and
23 consent of the owner in the commission of, or in the attempt to
24 commit as defined in Section 8-4 of the Criminal Code of 2012,
25 an offense prohibited by Section 4-103 of this Chapter,
26 including transporting of a stolen vehicle or stolen vehicle

1 parts, shall be seized by any law enforcement agency. The
2 seizing law enforcement agency may:

3 (1) return the vehicle to its owner if such vehicle is
4 stolen; or

5 (2) confiscate the vehicle and retain it for any
6 purpose which the law enforcement agency deems
7 appropriate; or

8 (3) sell the vehicle at a public sale or dispose of the
9 vehicle in such other manner as the law enforcement agency
10 deems appropriate.

11 If the vehicle is sold at public sale, the proceeds of the
12 sale shall be paid to the law enforcement agency.

13 The law enforcement agency shall not retain, sell or
14 dispose of a vehicle under paragraphs (2) or (3) of this
15 subsection (k) except upon an order of forfeiture issued by the
16 circuit court. The circuit court may issue such order of
17 forfeiture upon application of the law enforcement agency or
18 State's Attorney of the county where the law enforcement agency
19 has jurisdiction, or in the case of the Department of State
20 Police or the Secretary of State, upon application of the
21 Attorney General.

22 The court shall issue the order if the owner of the vehicle
23 has been convicted of transporting stolen vehicles or stolen
24 vehicle parts and the evidence establishes that the owner's
25 vehicle has been used in the commission of such offense.

26 The provisions of subsection (k) of this Section shall not

1 apply to any vessel, vehicle or aircraft, which has been
2 leased, rented or loaned by its owner, if the owner did not
3 have knowledge of and consent to the use of the vessel, vehicle
4 or aircraft in the commission of, or in an attempt to commit,
5 an offense prohibited by Section 4-103 of this Chapter.

6 (Source: P.A. 97-1150, eff. 1-25-13.)

7 (625 ILCS 5/5-101) (from Ch. 95 1/2, par. 5-101)

8 Sec. 5-101. New vehicle dealers must be licensed.

9 (a) No person shall engage in this State in the business of
10 selling or dealing in, on consignment or otherwise, new
11 vehicles of any make, or act as an intermediary or agent or
12 broker for any licensed dealer or vehicle purchaser other than
13 as a salesperson, or represent or advertise that he is so
14 engaged or intends to so engage in such business unless
15 licensed to do so in writing by the Secretary of State under
16 the provisions of this Section.

17 (b) An application for a new vehicle dealer's license shall
18 be filed with the Secretary of State, duly verified by oath, on
19 such form as the Secretary of State may by rule or regulation
20 prescribe and shall contain:

21 1. The name and type of business organization of the
22 applicant and his established and additional places of
23 business, if any, in this State.

24 2. If the applicant is a corporation, a list of its
25 officers, directors, and shareholders having a ten percent

1 or greater ownership interest in the corporation, setting
2 forth the residence address of each; if the applicant is a
3 sole proprietorship, a partnership, an unincorporated
4 association, a trust, or any similar form of business
5 organization, the name and residence address of the
6 proprietor or of each partner, member, officer, director,
7 trustee, or manager.

8 3. The make or makes of new vehicles which the
9 applicant will offer for sale at retail in this State.

10 4. The name of each manufacturer or franchised
11 distributor, if any, of new vehicles with whom the
12 applicant has contracted for the sale of such new vehicles.
13 As evidence of this fact, the application shall be
14 accompanied by a signed statement from each such
15 manufacturer or franchised distributor. If the applicant
16 is in the business of offering for sale new conversion
17 vehicles, trucks or vans, except for trucks modified to
18 serve a special purpose which includes but is not limited
19 to the following vehicles: street sweepers, fertilizer
20 spreaders, emergency vehicles, implements of husbandry or
21 maintenance type vehicles, he must furnish evidence of a
22 sales and service agreement from both the chassis
23 manufacturer and second stage manufacturer.

24 5. A statement that the applicant has been approved for
25 registration under the Retailers' Occupation Tax Act by the
26 Department of Revenue: Provided that this requirement does

1 not apply to a dealer who is already licensed hereunder
2 with the Secretary of State, and who is merely applying for
3 a renewal of his license. As evidence of this fact, the
4 application shall be accompanied by a certification from
5 the Department of Revenue showing that that Department has
6 approved the applicant for registration under the
7 Retailers' Occupation Tax Act.

8 6. A statement that the applicant has complied with the
9 appropriate liability insurance requirement. A Certificate
10 of Insurance in a solvent company authorized to do business
11 in the State of Illinois shall be included with each
12 application covering each location at which he proposes to
13 act as a new vehicle dealer. The policy must provide
14 liability coverage in the minimum amounts of \$100,000 for
15 bodily injury to, or death of, any person, \$300,000 for
16 bodily injury to, or death of, two or more persons in any
17 one accident, and \$50,000 for damage to property. Such
18 policy shall expire not sooner than December 31 of the year
19 for which the license was issued or renewed. The expiration
20 of the insurance policy shall not terminate the liability
21 under the policy arising during the period for which the
22 policy was filed. Trailer and mobile home dealers are
23 exempt from this requirement.

24 If the permitted user has a liability insurance policy
25 that provides automobile liability insurance coverage of
26 at least \$100,000 for bodily injury to or the death of any

1 person, \$300,000 for bodily injury to or the death of any 2
2 or more persons in any one accident, and \$50,000 for damage
3 to property, then the permitted user's insurer shall be the
4 primary insurer and the dealer's insurer shall be the
5 secondary insurer. If the permitted user does not have a
6 liability insurance policy that provides automobile
7 liability insurance coverage of at least \$100,000 for
8 bodily injury to or the death of any person, \$300,000 for
9 bodily injury to or the death of any 2 or more persons in
10 any one accident, and \$50,000 for damage to property, or
11 does not have any insurance at all, then the dealer's
12 insurer shall be the primary insurer and the permitted
13 user's insurer shall be the secondary insurer.

14 When a permitted user is "test driving" a new vehicle
15 dealer's automobile, the new vehicle dealer's insurance
16 shall be primary and the permitted user's insurance shall
17 be secondary.

18 As used in this paragraph 6, a "permitted user" is a
19 person who, with the permission of the new vehicle dealer
20 or an employee of the new vehicle dealer, drives a vehicle
21 owned and held for sale or lease by the new vehicle dealer
22 which the person is considering to purchase or lease, in
23 order to evaluate the performance, reliability, or
24 condition of the vehicle. The term "permitted user" also
25 includes a person who, with the permission of the new
26 vehicle dealer, drives a vehicle owned or held for sale or

1 lease by the new vehicle dealer for loaner purposes while
2 the user's vehicle is being repaired or evaluated.

3 As used in this paragraph 6, "test driving" occurs when
4 a permitted user who, with the permission of the new
5 vehicle dealer or an employee of the new vehicle dealer,
6 drives a vehicle owned and held for sale or lease by a new
7 vehicle dealer that the person is considering to purchase
8 or lease, in order to evaluate the performance,
9 reliability, or condition of the vehicle.

10 As used in this paragraph 6, "loaner purposes" means
11 when a person who, with the permission of the new vehicle
12 dealer, drives a vehicle owned or held for sale or lease by
13 the new vehicle dealer while the user's vehicle is being
14 repaired or evaluated.

15 7. (A) An application for a new motor vehicle dealer's
16 license shall be accompanied by the following license fees:

17 (i) \$1,000 for applicant's established place of
18 business, and \$100 for each additional place of
19 business, if any, to which the application pertains;
20 but if the application is made after June 15 of any
21 year, the license fee shall be \$500 for applicant's
22 established place of business plus \$50 for each
23 additional place of business, if any, to which the
24 application pertains. License fees shall be returnable
25 only in the event that the application is denied by the
26 Secretary of State. All moneys received by the

1 Secretary of State as license fees under this
2 subparagraph (i) prior to applications for the 2004
3 licensing year shall be deposited into the Motor
4 Vehicle Review Board Fund and shall be used to
5 administer the Motor Vehicle Review Board under the
6 Motor Vehicle Franchise Act. Of the money received by
7 the Secretary of State as license fees under this
8 subparagraph (i) for the 2004 licensing year and
9 thereafter, 10% shall be deposited into the Motor
10 Vehicle Review Board Fund and shall be used to
11 administer the Motor Vehicle Review Board under the
12 Motor Vehicle Franchise Act and 90% shall be deposited
13 into the General Revenue Fund.

14 (ii) Except for dealers selling 25 or fewer
15 automobiles or as provided in subsection (h) of Section
16 5-102.7 of this Code, an Annual Dealer Recovery Fund
17 Fee in the amount of \$500 for the applicant's
18 established place of business, and \$50 for each
19 additional place of business, if any, to which the
20 application pertains; but if the application is made
21 after June 15 of any year, the fee shall be \$250 for
22 the applicant's established place of business plus \$25
23 for each additional place of business, if any, to which
24 the application pertains. For a license renewal
25 application, the fee shall be based on the amount of
26 automobiles sold in the past year according to the

1 following formula:

2 (1) \$0 for dealers selling 25 or less
3 automobiles;

4 (2) \$150 for dealers selling more than 25 but
5 less than 200 automobiles;

6 (3) \$300 for dealers selling 200 or more
7 automobiles but less than 300 automobiles; and

8 (4) \$500 for dealers selling 300 or more
9 automobiles.

10 License fees shall be returnable only in the event
11 that the application is denied by the Secretary of
12 State. Moneys received under this subparagraph (ii)
13 shall be deposited into the Dealer Recovery Trust Fund.

14 (B) An application for a new vehicle dealer's license,
15 other than for a new motor vehicle dealer's license, shall
16 be accompanied by the following license fees:

17 (i) \$1,000 for applicant's established place of
18 business, and \$50 for each additional place of
19 business, if any, to which the application pertains;
20 but if the application is made after June 15 of any
21 year, the license fee shall be \$500 for applicant's
22 established place of business plus \$25 for each
23 additional place of business, if any, to which the
24 application pertains. License fees shall be returnable
25 only in the event that the application is denied by the
26 Secretary of State. Of the money received by the

1 Secretary of State as license fees under this
2 subparagraph (i) for the 2004 licensing year and
3 thereafter, 95% shall be deposited into the General
4 Revenue Fund.

5 (ii) Except as provided in subsection (h) of
6 Section 5-102.7 of this Code, an Annual Dealer Recovery
7 Fund Fee in the amount of \$500 for the applicant's
8 established place of business, and \$50 for each
9 additional place of business, if any, to which the
10 application pertains; but if the application is made
11 after June 15 of any year, the fee shall be \$250 for
12 the applicant's established place of business plus \$25
13 for each additional place of business, if any, to which
14 the application pertains. License fees shall be
15 returnable only in the event that the application is
16 denied by the Secretary of State. Moneys received under
17 this subparagraph (ii) shall be deposited into the
18 Dealer Recovery Trust Fund.

19 8. A statement that the applicant's officers,
20 directors, shareholders having a 10% or greater ownership
21 interest therein, proprietor, a partner, member, officer,
22 director, trustee, manager or other principals in the
23 business have not committed in the past 3 years any one
24 violation as determined in any civil, criminal or
25 administrative proceedings of any one of the following
26 Acts:

1 (A) The Anti-Theft Laws of the Illinois Vehicle
2 Code;

3 (B) The Certificate of Title Laws of the Illinois
4 Vehicle Code;

5 (C) The Offenses against Registration and
6 Certificates of Title Laws of the Illinois Vehicle
7 Code;

8 (D) The Dealers, Transporters, Wreckers and
9 Rebuilders Laws of the Illinois Vehicle Code;

10 (E) Section 21-2 of the Criminal Code of 1961 or
11 the Criminal Code of 2012, Criminal Trespass to
12 Vehicles; or

13 (F) The Retailers' Occupation Tax Act.

14 9. A statement that the applicant's officers,
15 directors, shareholders having a 10% or greater ownership
16 interest therein, proprietor, partner, member, officer,
17 director, trustee, manager or other principals in the
18 business have not committed in any calendar year 3 or more
19 violations, as determined in any civil, criminal or
20 administrative proceedings, of any one or more of the
21 following Acts:

22 (A) The Consumer Finance Act;

23 (B) The Consumer Installment Loan Act;

24 (C) The Retail Installment Sales Act;

25 (D) The Motor Vehicle Retail Installment Sales
26 Act;

- 1 (E) The Interest Act;
- 2 (F) The Illinois Wage Assignment Act;
- 3 (G) Part 8 of Article XII of the Code of Civil
4 Procedure; or
- 5 (H) The Consumer Fraud Act.

6 10. A bond or certificate of deposit in the amount of
7 \$50,000 for each location at which the applicant intends to
8 act as a new vehicle dealer. The bond shall be for the term
9 of the license, or its renewal, for which application is
10 made, and shall expire not sooner than December 31 of the
11 year for which the license was issued or renewed. The bond
12 shall run to the People of the State of Illinois, with
13 surety by a bonding or insurance company authorized to do
14 business in this State. It shall be conditioned upon the
15 proper transmittal of all title and registration fees and
16 taxes (excluding taxes under the Retailers' Occupation Tax
17 Act) accepted by the applicant as a new vehicle dealer.

18 11. Such other information concerning the business of
19 the applicant as the Secretary of State may by rule or
20 regulation prescribe.

21 12. A statement that the applicant understands Chapter
22 1 through Chapter 5 of this Code.

23 (c) Any change which renders no longer accurate any
24 information contained in any application for a new vehicle
25 dealer's license shall be amended within 30 days after the
26 occurrence of such change on such form as the Secretary of

1 State may prescribe by rule or regulation, accompanied by an
2 amendatory fee of \$2.

3 (d) Anything in this Chapter 5 to the contrary
4 notwithstanding no person shall be licensed as a new vehicle
5 dealer unless:

6 1. He is authorized by contract in writing between
7 himself and the manufacturer or franchised distributor of
8 such make of vehicle to so sell the same in this State, and

9 2. Such person shall maintain an established place of
10 business as defined in this Act.

11 (e) The Secretary of State shall, within a reasonable time
12 after receipt, examine an application submitted to him under
13 this Section and unless he makes a determination that the
14 application submitted to him does not conform with the
15 requirements of this Section or that grounds exist for a denial
16 of the application, under Section 5-501 of this Chapter, grant
17 the applicant an original new vehicle dealer's license in
18 writing for his established place of business and a
19 supplemental license in writing for each additional place of
20 business in such form as he may prescribe by rule or regulation
21 which shall include the following:

22 1. The name of the person licensed;

23 2. If a corporation, the name and address of its
24 officers or if a sole proprietorship, a partnership, an
25 unincorporated association or any similar form of business
26 organization, the name and address of the proprietor or of

1 each partner, member, officer, director, trustee or
2 manager;

3 3. In the case of an original license, the established
4 place of business of the licensee;

5 4. In the case of a supplemental license, the
6 established place of business of the licensee and the
7 additional place of business to which such supplemental
8 license pertains;

9 5. The make or makes of new vehicles which the licensee
10 is licensed to sell.

11 (f) The appropriate instrument evidencing the license or a
12 certified copy thereof, provided by the Secretary of State,
13 shall be kept posted conspicuously in the established place of
14 business of the licensee and in each additional place of
15 business, if any, maintained by such licensee.

16 (g) Except as provided in subsection (h) hereof, all new
17 vehicle dealer's licenses granted under this Section shall
18 expire by operation of law on December 31 of the calendar year
19 for which they are granted unless sooner revoked or cancelled
20 under the provisions of Section 5-501 of this Chapter.

21 (h) A new vehicle dealer's license may be renewed upon
22 application and payment of the fee required herein, and
23 submission of proof of coverage under an approved bond under
24 the Retailers' Occupation Tax Act or proof that applicant is
25 not subject to such bonding requirements, as in the case of an
26 original license, but in case an application for the renewal of

1 an effective license is made during the month of December, the
2 effective license shall remain in force until the application
3 is granted or denied by the Secretary of State.

4 (i) All persons licensed as a new vehicle dealer are
5 required to furnish each purchaser of a motor vehicle:

6 1. In the case of a new vehicle a manufacturer's
7 statement of origin and in the case of a used motor vehicle
8 a certificate of title, in either case properly assigned to
9 the purchaser;

10 2. A statement verified under oath that all identifying
11 numbers on the vehicle agree with those on the certificate
12 of title or manufacturer's statement of origin;

13 3. A bill of sale properly executed on behalf of such
14 person;

15 4. A copy of the Uniform Invoice-transaction reporting
16 return referred to in Section 5-402 hereof;

17 5. In the case of a rebuilt vehicle, a copy of the
18 Disclosure of Rebuilt Vehicle Status; and

19 6. In the case of a vehicle for which the warranty has
20 been reinstated, a copy of the warranty.

21 (j) Except at the time of sale or repossession of the
22 vehicle, no person licensed as a new vehicle dealer may issue
23 any other person a newly created key to a vehicle unless the
24 new vehicle dealer makes a color photocopy or electronic scan
25 ~~copy~~ of the driver's license or State identification card of
26 the person requesting or obtaining the newly created key. The

1 new vehicle dealer must retain the photocopy or scan ~~copy~~ for
2 30 days.

3 A new vehicle dealer who violates this subsection (j) is
4 guilty of a petty offense. Violation of this subsection (j) is
5 not cause to suspend, revoke, cancel, or deny renewal of the
6 new vehicle dealer's license.

7 This amendatory Act of 1983 shall be applicable to the 1984
8 registration year and thereafter.

9 (Source: P.A. 99-78, eff. 7-20-15; 100-450, eff. 1-1-18.)

10 (625 ILCS 5/5-102) (from Ch. 95 1/2, par. 5-102)

11 Sec. 5-102. Used vehicle dealers must be licensed.

12 (a) No person, other than a licensed new vehicle dealer,
13 shall engage in the business of selling or dealing in, on
14 consignment or otherwise, 5 or more used vehicles of any make
15 during the year (except house trailers as authorized by
16 paragraph (j) of this Section and rebuilt salvage vehicles sold
17 by their rebuilders to persons licensed under this Chapter), or
18 act as an intermediary, agent or broker for any licensed dealer
19 or vehicle purchaser (other than as a salesperson) or represent
20 or advertise that he is so engaged or intends to so engage in
21 such business unless licensed to do so by the Secretary of
22 State under the provisions of this Section.

23 (b) An application for a used vehicle dealer's license
24 shall be filed with the Secretary of State, duly verified by
25 oath, in such form as the Secretary of State may by rule or

1 regulation prescribe and shall contain:

2 1. The name and type of business organization
3 established and additional places of business, if any, in
4 this State.

5 2. If the applicant is a corporation, a list of its
6 officers, directors, and shareholders having a ten percent
7 or greater ownership interest in the corporation, setting
8 forth the residence address of each; if the applicant is a
9 sole proprietorship, a partnership, an unincorporated
10 association, a trust, or any similar form of business
11 organization, the names and residence address of the
12 proprietor or of each partner, member, officer, director,
13 trustee or manager.

14 3. A statement that the applicant has been approved for
15 registration under the Retailers' Occupation Tax Act by the
16 Department of Revenue. However, this requirement does not
17 apply to a dealer who is already licensed hereunder with
18 the Secretary of State, and who is merely applying for a
19 renewal of his license. As evidence of this fact, the
20 application shall be accompanied by a certification from
21 the Department of Revenue showing that the Department has
22 approved the applicant for registration under the
23 Retailers' Occupation Tax Act.

24 4. A statement that the applicant has complied with the
25 appropriate liability insurance requirement. A Certificate
26 of Insurance in a solvent company authorized to do business

1 in the State of Illinois shall be included with each
2 application covering each location at which he proposes to
3 act as a used vehicle dealer. The policy must provide
4 liability coverage in the minimum amounts of \$100,000 for
5 bodily injury to, or death of, any person, \$300,000 for
6 bodily injury to, or death of, two or more persons in any
7 one accident, and \$50,000 for damage to property. Such
8 policy shall expire not sooner than December 31 of the year
9 for which the license was issued or renewed. The expiration
10 of the insurance policy shall not terminate the liability
11 under the policy arising during the period for which the
12 policy was filed. Trailer and mobile home dealers are
13 exempt from this requirement.

14 If the permitted user has a liability insurance policy
15 that provides automobile liability insurance coverage of
16 at least \$100,000 for bodily injury to or the death of any
17 person, \$300,000 for bodily injury to or the death of any 2
18 or more persons in any one accident, and \$50,000 for damage
19 to property, then the permitted user's insurer shall be the
20 primary insurer and the dealer's insurer shall be the
21 secondary insurer. If the permitted user does not have a
22 liability insurance policy that provides automobile
23 liability insurance coverage of at least \$100,000 for
24 bodily injury to or the death of any person, \$300,000 for
25 bodily injury to or the death of any 2 or more persons in
26 any one accident, and \$50,000 for damage to property, or

1 does not have any insurance at all, then the dealer's
2 insurer shall be the primary insurer and the permitted
3 user's insurer shall be the secondary insurer.

4 When a permitted user is "test driving" a used vehicle
5 dealer's automobile, the used vehicle dealer's insurance
6 shall be primary and the permitted user's insurance shall
7 be secondary.

8 As used in this paragraph 4, a "permitted user" is a
9 person who, with the permission of the used vehicle dealer
10 or an employee of the used vehicle dealer, drives a vehicle
11 owned and held for sale or lease by the used vehicle dealer
12 which the person is considering to purchase or lease, in
13 order to evaluate the performance, reliability, or
14 condition of the vehicle. The term "permitted user" also
15 includes a person who, with the permission of the used
16 vehicle dealer, drives a vehicle owned or held for sale or
17 lease by the used vehicle dealer for loaner purposes while
18 the user's vehicle is being repaired or evaluated.

19 As used in this paragraph 4, "test driving" occurs when
20 a permitted user who, with the permission of the used
21 vehicle dealer or an employee of the used vehicle dealer,
22 drives a vehicle owned and held for sale or lease by a used
23 vehicle dealer that the person is considering to purchase
24 or lease, in order to evaluate the performance,
25 reliability, or condition of the vehicle.

26 As used in this paragraph 4, "loaner purposes" means

1 when a person who, with the permission of the used vehicle
2 dealer, drives a vehicle owned or held for sale or lease by
3 the used vehicle dealer while the user's vehicle is being
4 repaired or evaluated.

5 5. An application for a used vehicle dealer's license
6 shall be accompanied by the following license fees:

7 (A) \$1,000 for applicant's established place of
8 business, and \$50 for each additional place of
9 business, if any, to which the application pertains;
10 however, if the application is made after June 15 of
11 any year, the license fee shall be \$500 for applicant's
12 established place of business plus \$25 for each
13 additional place of business, if any, to which the
14 application pertains. License fees shall be returnable
15 only in the event that the application is denied by the
16 Secretary of State. Of the money received by the
17 Secretary of State as license fees under this
18 subparagraph (A) for the 2004 licensing year and
19 thereafter, 95% shall be deposited into the General
20 Revenue Fund.

21 (B) Except for dealers selling 25 or fewer
22 automobiles or as provided in subsection (h) of Section
23 5-102.7 of this Code, an Annual Dealer Recovery Fund
24 Fee in the amount of \$500 for the applicant's
25 established place of business, and \$50 for each
26 additional place of business, if any, to which the

1 application pertains; but if the application is made
2 after June 15 of any year, the fee shall be \$250 for
3 the applicant's established place of business plus \$25
4 for each additional place of business, if any, to which
5 the application pertains. For a license renewal
6 application, the fee shall be based on the amount of
7 automobiles sold in the past year according to the
8 following formula:

9 (1) \$0 for dealers selling 25 or less
10 automobiles;

11 (2) \$150 for dealers selling more than 25 but
12 less than 200 automobiles;

13 (3) \$300 for dealers selling 200 or more
14 automobiles but less than 300 automobiles; and

15 (4) \$500 for dealers selling 300 or more
16 automobiles.

17 License fees shall be returnable only in the event
18 that the application is denied by the Secretary of
19 State. Moneys received under this subparagraph (B)
20 shall be deposited into the Dealer Recovery Trust Fund.

21 6. A statement that the applicant's officers,
22 directors, shareholders having a 10% or greater ownership
23 interest therein, proprietor, partner, member, officer,
24 director, trustee, manager or other principals in the
25 business have not committed in the past 3 years any one
26 violation as determined in any civil, criminal or

1 administrative proceedings of any one of the following
2 Acts:

3 (A) The Anti-Theft Laws of the Illinois Vehicle
4 Code;

5 (B) The Certificate of Title Laws of the Illinois
6 Vehicle Code;

7 (C) The Offenses against Registration and
8 Certificates of Title Laws of the Illinois Vehicle
9 Code;

10 (D) The Dealers, Transporters, Wreckers and
11 Rebuilders Laws of the Illinois Vehicle Code;

12 (E) Section 21-2 of the Illinois Criminal Code of
13 1961 or the Criminal Code of 2012, Criminal Trespass to
14 Vehicles; or

15 (F) The Retailers' Occupation Tax Act.

16 7. A statement that the applicant's officers,
17 directors, shareholders having a 10% or greater ownership
18 interest therein, proprietor, partner, member, officer,
19 director, trustee, manager or other principals in the
20 business have not committed in any calendar year 3 or more
21 violations, as determined in any civil or criminal or
22 administrative proceedings, of any one or more of the
23 following Acts:

24 (A) The Consumer Finance Act;

25 (B) The Consumer Installment Loan Act;

26 (C) The Retail Installment Sales Act;

1 (D) The Motor Vehicle Retail Installment Sales
2 Act;

3 (E) The Interest Act;

4 (F) The Illinois Wage Assignment Act;

5 (G) Part 8 of Article XII of the Code of Civil
6 Procedure; or

7 (H) The Consumer Fraud Act.

8 8. A bond or Certificate of Deposit in the amount of
9 \$50,000 for each location at which the applicant intends to
10 act as a used vehicle dealer. The bond shall be for the
11 term of the license, or its renewal, for which application
12 is made, and shall expire not sooner than December 31 of
13 the year for which the license was issued or renewed. The
14 bond shall run to the People of the State of Illinois, with
15 surety by a bonding or insurance company authorized to do
16 business in this State. It shall be conditioned upon the
17 proper transmittal of all title and registration fees and
18 taxes (excluding taxes under the Retailers' Occupation Tax
19 Act) accepted by the applicant as a used vehicle dealer.

20 9. Such other information concerning the business of
21 the applicant as the Secretary of State may by rule or
22 regulation prescribe.

23 10. A statement that the applicant understands Chapter
24 1 through Chapter 5 of this Code.

25 11. A copy of the certification from the prelicensing
26 education program.

1 (c) Any change which renders no longer accurate any
2 information contained in any application for a used vehicle
3 dealer's license shall be amended within 30 days after the
4 occurrence of each change on such form as the Secretary of
5 State may prescribe by rule or regulation, accompanied by an
6 amendatory fee of \$2.

7 (d) Anything in this Chapter to the contrary
8 notwithstanding, no person shall be licensed as a used vehicle
9 dealer unless such person maintains an established place of
10 business as defined in this Chapter.

11 (e) The Secretary of State shall, within a reasonable time
12 after receipt, examine an application submitted to him under
13 this Section. Unless the Secretary makes a determination that
14 the application submitted to him does not conform to this
15 Section or that grounds exist for a denial of the application
16 under Section 5-501 of this Chapter, he must grant the
17 applicant an original used vehicle dealer's license in writing
18 for his established place of business and a supplemental
19 license in writing for each additional place of business in
20 such form as he may prescribe by rule or regulation which shall
21 include the following:

22 1. The name of the person licensed;

23 2. If a corporation, the name and address of its
24 officers or if a sole proprietorship, a partnership, an
25 unincorporated association or any similar form of business
26 organization, the name and address of the proprietor or of

1 each partner, member, officer, director, trustee or
2 manager;

3 3. In case of an original license, the established
4 place of business of the licensee;

5 4. In the case of a supplemental license, the
6 established place of business of the licensee and the
7 additional place of business to which such supplemental
8 license pertains.

9 (f) The appropriate instrument evidencing the license or a
10 certified copy thereof, provided by the Secretary of State
11 shall be kept posted, conspicuously, in the established place
12 of business of the licensee and in each additional place of
13 business, if any, maintained by such licensee.

14 (g) Except as provided in subsection (h) of this Section,
15 all used vehicle dealer's licenses granted under this Section
16 expire by operation of law on December 31 of the calendar year
17 for which they are granted unless sooner revoked or cancelled
18 under Section 5-501 of this Chapter.

19 (h) A used vehicle dealer's license may be renewed upon
20 application and payment of the fee required herein, and
21 submission of proof of coverage by an approved bond under the
22 "Retailers' Occupation Tax Act" or proof that applicant is not
23 subject to such bonding requirements, as in the case of an
24 original license, but in case an application for the renewal of
25 an effective license is made during the month of December, the
26 effective license shall remain in force until the application

1 for renewal is granted or denied by the Secretary of State.

2 (i) All persons licensed as a used vehicle dealer are
3 required to furnish each purchaser of a motor vehicle:

4 1. A certificate of title properly assigned to the
5 purchaser;

6 2. A statement verified under oath that all identifying
7 numbers on the vehicle agree with those on the certificate
8 of title;

9 3. A bill of sale properly executed on behalf of such
10 person;

11 4. A copy of the Uniform Invoice-transaction reporting
12 return referred to in Section 5-402 of this Chapter;

13 5. In the case of a rebuilt vehicle, a copy of the
14 Disclosure of Rebuilt Vehicle Status; and

15 6. In the case of a vehicle for which the warranty has
16 been reinstated, a copy of the warranty.

17 (j) A real estate broker holding a valid certificate of
18 registration issued pursuant to "The Real Estate Brokers and
19 Salesmen License Act" may engage in the business of selling or
20 dealing in house trailers not his own without being licensed as
21 a used vehicle dealer under this Section; however such broker
22 shall maintain a record of the transaction including the
23 following:

24 (1) the name and address of the buyer and seller,

25 (2) the date of sale,

26 (3) a description of the mobile home, including the

1 vehicle identification number, make, model, and year, and

2 (4) the Illinois certificate of title number.

3 The foregoing records shall be available for inspection by
4 any officer of the Secretary of State's Office at any
5 reasonable hour.

6 (k) Except at the time of sale or repossession of the
7 vehicle, no person licensed as a used vehicle dealer may issue
8 any other person a newly created key to a vehicle unless the
9 used vehicle dealer makes a color photocopy or electronic scan
10 ~~copy~~ of the driver's license or State identification card of
11 the person requesting or obtaining the newly created key. The
12 used vehicle dealer must retain the photocopy or scan ~~copy~~ for
13 30 days.

14 A used vehicle dealer who violates this subsection (k) is
15 guilty of a petty offense. Violation of this subsection (k) is
16 not cause to suspend, revoke, cancel, or deny renewal of the
17 used vehicle dealer's license.

18 (l) Used vehicle dealers licensed under this Section shall
19 provide the Secretary of State a register for the sale at
20 auction of each salvage or junk certificate vehicle. Each
21 register shall include the following information:

22 1. The year, make, model, style and color of the
23 vehicle;

24 2. The vehicle's manufacturer's identification number
25 or, if applicable, the Secretary of State or Illinois
26 Department of State Police identification number;

- 1 3. The date of acquisition of the vehicle;
- 2 4. The name and address of the person from whom the
3 vehicle was acquired;
- 4 5. The name and address of the person to whom any
5 vehicle was disposed, the person's Illinois license number
6 or if the person is an out-of-state salvage vehicle buyer,
7 the license number from the state or jurisdiction where the
8 buyer is licensed; and
- 9 6. The purchase price of the vehicle.

10 The register shall be submitted to the Secretary of State
11 via written or electronic means within 10 calendar days from
12 the date of the auction.

13 (Source: P.A. 99-78, eff. 7-20-15; 100-450, eff. 1-1-18.)

14 (625 ILCS 5/5-401.3) (from Ch. 95 1/2, par. 5-401.3)

15 Sec. 5-401.3. Scrap processors required to keep records.

16 (a) Every person licensed or required to be licensed as a
17 scrap processor pursuant to Section 5-301 of this Chapter shall
18 maintain for 3 years, at his established place of business, the
19 following records relating to the acquisition of recyclable
20 metals or the acquisition of a vehicle, junk vehicle, or
21 vehicle cowl which has been acquired for the purpose of
22 processing into a form other than a vehicle, junk vehicle or
23 vehicle cowl which is possessed in the State or brought into
24 this State from another state, territory or country. No scrap
25 metal processor shall sell a vehicle or essential part, as

1 such, except for engines, transmissions, and powertrains,
2 unless licensed to do so under another provision of this Code.
3 A scrap processor who is additionally licensed as an automotive
4 parts recycler shall not be subject to the record keeping
5 requirements for a scrap processor when acting as an automotive
6 parts recycler.

7 (1) For a vehicle, junk vehicle, or vehicle cowl
8 acquired from a person who is licensed under this Chapter,
9 the scrap processor shall record the name and address of
10 the person, and the Illinois or out-of-state dealer license
11 number of such person on the scrap processor's weight
12 ticket at the time of the acquisition. The person disposing
13 of the vehicle, junk vehicle, or vehicle cowl shall furnish
14 the scrap processor with documentary proof of ownership of
15 the vehicle, junk vehicle, or vehicle cowl in one of the
16 following forms: a Certificate of Title, a Salvage
17 Certificate, a Junking Certificate, a Secretary of State
18 Junking Manifest, a Uniform Invoice, a Certificate of
19 Purchase, or other similar documentary proof of ownership.
20 The scrap processor shall not acquire a vehicle, junk
21 vehicle or vehicle cowl without obtaining one of the
22 aforementioned documentary proofs of ownership.

23 (2) For a vehicle, junk vehicle or vehicle cowl
24 acquired from a person who is not licensed under this
25 Chapter, the scrap processor shall verify and record that
26 person's identity by recording the identification of such

1 person from at least 2 sources of identification, one of
2 which shall be a driver's license or State Identification
3 Card, on the scrap processor's weight ticket at the time of
4 the acquisition. The person disposing of the vehicle, junk
5 vehicle, or vehicle cowl shall furnish the scrap processor
6 with documentary proof of ownership of the vehicle, junk
7 vehicle, or vehicle cowl in one of the following forms: a
8 Certificate of Title, a Salvage Certificate, a Junking
9 Certificate, a Secretary of State Junking Manifest, a
10 Certificate of Purchase, or other similar documentary
11 proof of ownership. The scrap processor shall not acquire a
12 vehicle, junk vehicle or vehicle cowl without obtaining one
13 of the aforementioned documentary proofs of ownership.

14 (3) In addition to the other information required on
15 the scrap processor's weight ticket, a scrap processor who
16 at the time of acquisition of a vehicle, junk vehicle, or
17 vehicle cowl is furnished a Certificate of Title, Salvage
18 Certificate or Certificate of Purchase shall record the
19 Vehicle Identification Number on the weight ticket or affix
20 a copy of the Certificate of Title, Salvage Certificate or
21 Certificate of Purchase to the weight ticket and the
22 identification of the person acquiring the information on
23 the behalf of the scrap processor.

24 (4) The scrap processor shall maintain a copy of a Junk
25 Vehicle Notification relating to any Certificate of Title,
26 Salvage Certificate, Certificate of Purchase or similarly

1 acceptable out-of-state document surrendered to the
2 Secretary of State pursuant to the provisions of Section
3 3-117.2 of this Code.

4 (5) For recyclable metals valued at \$100 or more, the
5 scrap processor shall, for each transaction, record the
6 identity of the person from whom the recyclable metals were
7 acquired by verifying the identification of that person
8 from one source of identification, which shall be a valid
9 driver's license or State Identification Card, on the scrap
10 processor's weight ticket at the time of the acquisition
11 and by making and recording a color photocopy or electronic
12 scan of the driver's license or State Identification Card.
13 Such information shall be available for inspection by any
14 law enforcement official. If the person delivering the
15 recyclable metal does not have a valid driver's license or
16 State Identification Card, the scrap processor shall not
17 complete the transaction. The inspection of records
18 pertaining only to recyclable metals shall not be counted
19 as an inspection of a premises for purposes of subparagraph
20 (7) of Section 5-403 of this Code.

21 This subdivision (a)(5) does not apply to electrical
22 contractors, to agencies or instrumentalities of the State
23 of Illinois or of the United States, to common carriers, to
24 purchases from persons, firms, or corporations regularly
25 engaged in the business of manufacturing recyclable metal,
26 in the business of selling recyclable metal at retail or

1 wholesale, or in the business of razing, demolishing,
2 destroying, or removing buildings, to the purchase by one
3 recyclable metal dealer from another, or the purchase from
4 persons, firms, or corporations engaged in either the
5 generation, transmission, or distribution of electric
6 energy or in telephone, telegraph, and other
7 communications if such common carriers, persons, firms, or
8 corporations at the time of the purchase provide the
9 recyclable metal dealer with a bill of sale or other
10 written evidence of title to the recyclable metal. This
11 subdivision (a)(5) also does not apply to contractual
12 arrangements between dealers.

13 (b) Any licensee who knowingly fails to record any of the
14 specific information required to be recorded on the weight
15 ticket required under any other subsection of this Section, or
16 Section 5-401 of this Code, or who knowingly fails to acquire
17 and maintain for 3 years documentary proof of ownership in one
18 of the prescribed forms shall be guilty of a Class A
19 misdemeanor and subject to a fine not to exceed \$1,000. Each
20 violation shall constitute a separate and distinct offense and
21 a separate count may be brought in the same complaint for each
22 violation. Any licensee who commits a second violation of this
23 Section within two years of a previous conviction of a
24 violation of this Section shall be guilty of a Class 4 felony.

25 (c) It shall be an affirmative defense to an offense
26 brought under paragraph (b) of this Section that the licensee

1 or person required to be licensed both reasonably and in good
2 faith relied on information appearing on a Certificate of
3 Title, a Salvage Certificate, a Junking Certificate, a
4 Secretary of State Manifest, a Secretary of State's Uniform
5 Invoice, a Certificate of Purchase, or other documentary proof
6 of ownership prepared under Section 3-117.1(a) of this Code,
7 relating to the transaction for which the required record was
8 not kept which was supplied to the licensee by another licensee
9 or an out-of-state dealer.

10 (d) No later than 15 days prior to going out of business,
11 selling the business, or transferring the ownership of the
12 business, the scrap processor shall notify the Secretary of
13 that fact. Failure to so notify the Secretary of State shall
14 constitute a failure to keep records under this Section.

15 (e) Evidence derived directly or indirectly from the
16 keeping of records required to be kept under this Section shall
17 not be admissible in a prosecution of the licensee for an
18 alleged violation of Section 4-102(a)(3) of this Code.

19 (Source: P.A. 95-253, eff. 1-1-08; 95-979, eff. 1-2-09.)

20 (625 ILCS 5/3-807 rep.)

21 Section 10. The Illinois Vehicle Code is amended by
22 repealing Section 3-807.

23 Section 99. Effective date. This Act takes effect January
24 1, 2019.

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Statutes amended in order of appearance

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625 ILCS 5/1-177.5 new

4

625 ILCS 5/3-117.1 from Ch. 95 1/2, par. 3-117.1

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625 ILCS 5/3-405.1 from Ch. 95 1/2, par. 3-405.1

6

625 ILCS 5/3-414 from Ch. 95 1/2, par. 3-414

7

625 ILCS 5/3-600 from Ch. 95 1/2, par. 3-600

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625 ILCS 5/3-803 from Ch. 95 1/2, par. 3-803

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625 ILCS 5/3-804.01

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625 ILCS 5/3-808.1 from Ch. 95 1/2, par. 3-808.1

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625 ILCS 5/3-815 from Ch. 95 1/2, par. 3-815

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625 ILCS 5/3-821 from Ch. 95 1/2, par. 3-821

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625 ILCS 5/4-107 from Ch. 95 1/2, par. 4-107

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625 ILCS 5/5-101 from Ch. 95 1/2, par. 5-101

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625 ILCS 5/5-401.3 from Ch. 95 1/2, par. 5-401.3

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625 ILCS 5/3-807 rep.