

1 AN ACT concerning criminal law.

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 Section 4-103 as follows:

6 (625 ILCS 5/4-103) (from Ch. 95 1/2, par. 4-103)

7 Sec. 4-103. Offenses relating to motor vehicles and other
8 vehicles - Felonies.

9 (a) Except as provided in subsection (a-1), it is a
10 violation of this Chapter for:

11 (1) A person not entitled to the possession of a
12 vehicle or essential part of a vehicle to receive, possess,
13 conceal, sell, dispose, or transfer it, knowing it to have
14 been stolen or converted. Knowledge that a vehicle or
15 essential part is stolen or converted may be inferred: (A)
16 from the surrounding facts and circumstances, which would
17 lead a reasonable person to believe that the vehicle or
18 essential part is stolen or converted; or (B) if the person
19 exercises exclusive unexplained possession over the stolen
20 or converted vehicle or essential part, regardless of
21 whether the date on which the vehicle or essential part was
22 stolen is recent or remote; additionally the General
23 Assembly finds that the acquisition and disposition of

1 ~~vehicles and their essential parts are strictly controlled~~
2 ~~by law and that such acquisitions and dispositions are~~
3 ~~reflected by documents of title, uniform invoices, rental~~
4 ~~contracts, leasing agreements and bills of sale. It may be~~
5 ~~inferred, therefore that a person exercising exclusive~~
6 ~~unexplained possession over a stolen or converted vehicle~~
7 ~~or an essential part of a stolen or converted vehicle has~~
8 ~~knowledge that such vehicle or essential part is stolen or~~
9 ~~converted, regardless of whether the date on which such~~
10 ~~vehicle or essential part was stolen is recent or remote;~~

11 (2) A person to knowingly remove, alter, deface,
12 destroy, falsify, or forge a manufacturer's identification
13 number of a vehicle or an engine number of a motor vehicle
14 or any essential part thereof having an identification
15 number;

16 (3) A person to knowingly conceal or misrepresent the
17 identity of a vehicle or any essential part thereof;

18 (4) A person to buy, receive, possess, sell or dispose
19 of a vehicle, or any essential part thereof, with knowledge
20 that the identification number of the vehicle or any
21 essential part thereof having an identification number has
22 been removed or falsified;

23 (5) A person to knowingly possess, buy, sell, exchange,
24 give away, or offer to buy, sell, exchange or give away,
25 any manufacturer's identification number plate, mylar
26 sticker, federal certificate label, State police

1 reassignment plate, Secretary of State assigned plate,
2 rosette rivet, or facsimile of such which has not yet been
3 attached to or has been removed from the original or
4 assigned vehicle. It is an affirmative defense to
5 subsection (a) of this Section that the person possessing,
6 buying, selling or exchanging a plate mylar sticker or
7 label described in this paragraph is a police officer doing
8 so as part of his official duties, or is a manufacturer's
9 authorized representative who is replacing any
10 manufacturer's identification number plate, mylar sticker
11 or Federal certificate label originally placed on the
12 vehicle by the manufacturer of the vehicle or any essential
13 part thereof;

14 (6) A person to knowingly make a false report of the
15 theft or conversion of a vehicle to any police officer of
16 this State or any employee of a law enforcement agency of
17 this State designated by the law enforcement agency to
18 take, receive, process, or record reports of vehicle theft
19 or conversion.

20 (a-1) A person engaged in the repair or servicing of
21 vehicles does not violate this Chapter by knowingly possessing
22 a manufacturer's identification number plate for the purpose of
23 reaffixing it on the same damaged vehicle from which it was
24 originally taken, if the person reaffixes or intends to reaffix
25 the original manufacturer's identification number plate in
26 place of the identification number plate affixed on a new

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

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

18 (b) Sentence. A person convicted of a violation of this
19 Section shall be guilty of a Class 2 felony.

20 (c) The offenses set forth in subsection (a) of this
21 Section shall not include the offense set forth in Section
22 4-103.2 of this Code.

23 (Source: P.A. 93-456, eff. 8-8-03.)

24 Section 10. The Juvenile Court Act of 1987 is amended by
25 adding Section 5-408 as follows:

1 (705 ILCS 405/5-408 new)

2 Sec. 5-408. Processing of juvenile detained for certain
3 offenses.

4 (a) If a law enforcement officer detains a minor for an act
5 that if committed by an adult would constitute vehicular
6 hijacking, aggravated vehicular hijacking, or possession of a
7 stolen motor vehicle, the officer shall deliver the minor to
8 the nearest juvenile officer, as provided under subsection (2)
9 of Section 5-405 of this Act. The juvenile officer shall
10 deliver the minor without unnecessary delay to the court or to
11 the place designated by rule or order of court for the
12 reception of minors. In no event shall the minor be eligible
13 for any other disposition by the juvenile police officer,
14 notwithstanding the provisions of subsection (3) of Section
15 5-405 of this Act.

16 (b) Minors shall be brought before a judicial officer
17 within 40 hours, exclusive of Saturdays, Sundays, and
18 court-designated holidays, for a detention hearing to
19 determine whether he or she shall be further held in custody.
20 If the court finds that there is probable cause to believe that
21 the minor is a delinquent minor by virtue of his or her
22 violation of Section 18-3 or 18-4 of the Criminal Code of 1961
23 or the Criminal Code of 2012 or item (1) of subsection (a) of
24 Section 4-103 of the Illinois Vehicle Code, that finding shall
25 create a presumption that immediate and urgent necessity exists

1 under subsection (2) of Section 5-501 of this Act. Once the
2 presumption of immediate and urgent necessity has been raised,
3 the burden of demonstrating the lack of immediate and urgent
4 necessity shall be on any party that is opposing detention for
5 the minor. Should the court order detention under this Section,
6 the minor shall be detained, pending the results of a
7 court-ordered psychological evaluation to determine if the
8 minor is a risk to himself, herself, or others. Upon receipt of
9 the psychological evaluation, the court shall review the
10 determination regarding the existence of urgent and immediate
11 necessity. The court shall consider the psychological
12 evaluation in conjunction with the other factors identified in
13 subsection (2) of Section 5-501 of this Act in order to make a
14 de novo determination regarding whether it is a matter of
15 immediate and urgent necessity for the protection of the minor
16 or of the person or property of another that the minor be
17 detained or placed in a shelter care facility. In addition to
18 the pre-trial conditions found in Section 5-505 of this Act,
19 the court may order the minor to receive counseling and any
20 other services recommended by the psychological evaluation as a
21 condition for release of the minor.

22 (c) Psychological evaluations ordered under subsection (b)
23 of this Section and statements made by the minor during the
24 course of these evaluations shall not be admissible on the
25 issue of delinquency during the course of any adjudicatory
26 hearing held under this Act.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.