

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 5-301, 5-401.3 and 5-402.1 as follows:

6 (625 ILCS 5/5-301) (from Ch. 95 1/2, par. 5-301)

7 Sec. 5-301. Automotive parts recyclers, scrap processors,
8 repairers and rebuilders must be licensed.

9 (a) No person in this State shall, except as an incident to
10 the servicing of vehicles, carry on or conduct the business of
11 a automotive parts recyclers, a scrap processor, a repairer, or
12 a rebuilder, unless licensed to do so in writing by the
13 Secretary of State under this Section. No person shall rebuild
14 a salvage vehicle unless such person is licensed as a rebuilder
15 by the Secretary of State under this Section. Each license
16 shall be applied for and issued separately, except that a
17 license issued to a new vehicle dealer under Section 5-101 of
18 this Code shall also be deemed to be a repairer license.

19 (a-5) No recyclable metal dealer may acquire or possess a
20 vehicle, junk vehicle, vehicle cowl, or essential vehicle parts
21 as defined by Section 1-118 of this Code, for the purpose of
22 processing it into a form other than a vehicle, unless that
23 recyclable metal dealer is also licensed by the Secretary of

1 State as a scrap processor pursuant to this Section. A
2 recyclable metal dealer who fails to obtain a scrap processor's
3 license shall be subject to the provisions of Sections 5-503
4 and 5-801 of this Code.

5 (b) Any application filed with the Secretary of State,
6 shall be duly verified by oath, in such form as the Secretary
7 of State may by rule or regulation prescribe and shall contain:

8 1. The name and type of business organization of the
9 applicant and his principal or additional places of
10 business, if any, in this State.

11 2. The kind or kinds of business enumerated in
12 subsection (a) of this Section to be conducted at each
13 location.

14 3. If the applicant is a corporation, a list of its
15 officers, directors, and shareholders having a ten percent
16 or greater ownership interest in the corporation, setting
17 forth the residence address of each; if the applicant is a
18 sole proprietorship, a partnership, an unincorporated
19 association, a trust, or any similar form of business
20 organization, the names and residence address of the
21 proprietor or of each partner, member, officer, director,
22 trustee or manager.

23 4. A statement that the applicant's officers,
24 directors, shareholders having a ten percent or greater
25 ownership interest therein, proprietor, partner, member,
26 officer, director, trustee, manager, or other principals

1 in the business have not committed in the past three years
2 any one violation as determined in any civil or criminal or
3 administrative proceedings of any one of the following
4 Acts:

5 (a) The Anti Theft Laws of the Illinois Vehicle
6 Code;

7 (b) The "Certificate of Title Laws" of the Illinois
8 Vehicle Code;

9 (c) The "Offenses against Registration and
10 Certificates of Title Laws" of the Illinois Vehicle
11 Code;

12 (d) The "Dealers, Transporters, Wreckers and
13 Rebuilders Laws" of the Illinois Vehicle Code;

14 (e) Section 21-2 of the Criminal Code of 1961,
15 Criminal Trespass to Vehicles; or

16 (f) The Retailers Occupation Tax Act.

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

25 (a) The Consumer Finance Act;

26 (b) The Consumer Installment Loan Act;

- 1 (c) The Retail Installment Sales Act;
- 2 (d) The Motor Vehicle Retail Installment Sales
- 3 Act;
- 4 (e) The Interest Act;
- 5 (f) The Illinois Wage Assignment Act;
- 6 (g) Part 8 of Article XII of the Code of Civil
- 7 Procedure; or
- 8 (h) The Consumer Fraud Act.

9 6. An application for a license shall be accompanied by

10 the following fees: \$50 for applicant's established place

11 of business; \$25 for each additional place of business, if

12 any, to which the application pertains; provided, however,

13 that if such an application is made after June 15 of any

14 year, the license fee shall be \$25 for applicant's

15 established place of business plus \$12.50 for each

16 additional place of business, if any, to which the

17 application pertains. License fees shall be returnable

18 only in the event that such application shall be denied by

19 the Secretary of State.

20 7. A statement that the applicant understands Chapter 1

21 through Chapter 5 of this Code.

22 8. A statement that the applicant shall comply with

23 subsection (e) of this Section.

24 (c) Any change which renders no longer accurate any

25 information contained in any application for a license filed

26 with the Secretary of State shall be amended within 30 days

1 after the occurrence of such change on such form as the
2 Secretary of State may prescribe by rule or regulation,
3 accompanied by an amendatory fee of \$2.

4 (d) Anything in this chapter to the contrary,
5 notwithstanding, no person shall be licensed under this Section
6 unless such person shall maintain an established place of
7 business as defined in this Chapter.

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

19 1. The name of the person licensed;

20 2. If a corporation, the name and address of its
21 officers or if a sole proprietorship, a partnership, an
22 unincorporated association or any similar form of business
23 organization, the name and address of the proprietor or of
24 each partner, member, officer, director, trustee or
25 manager;

26 3. A designation of the kind or kinds of business

1 enumerated in subsection (a) of this Section to be
2 conducted at each location;

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

5 5. 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. The licensee
14 also shall post conspicuously in the established place of
15 business and in each additional place of business a notice
16 which states that such business is required to be licensed by
17 the Secretary of State under Section 5-301, and which provides
18 the license number of the business and the license expiration
19 date. This notice also shall advise the consumer that any
20 complaints as to the quality of service may be brought to the
21 attention of the Attorney General. The information required on
22 this notice also shall be printed conspicuously on all
23 estimates and receipts for work by the licensee subject to this
24 Section. The Secretary of State shall prescribe the specific
25 format of this notice.

26 (g) Except as provided in subsection (h) hereof, licenses

1 granted under this Section shall expire by operation of law on
2 December 31 of the calendar year for which they are granted
3 unless sooner revoked or cancelled under the provisions of
4 Section 5-501 of this Chapter.

5 (h) Any license granted under this Section may be renewed
6 upon application and payment of the fee required herein as in
7 the case of an original license, provided, however, that in
8 case an application for the renewal of an effective license is
9 made during the month of December, such effective license shall
10 remain in force until such application is granted or denied by
11 the Secretary of State.

12 (i) All automotive repairers and rebuilders shall, in
13 addition to the requirements of subsections (a) through (h) of
14 this Section, meet the following licensing requirements:

15 1. Provide proof that the property on which first time
16 applicants plan to do business is in compliance with local
17 zoning laws and regulations, and a listing of zoning
18 classification;

19 2. Provide proof that the applicant for a repairer's
20 license complies with the proper workers' compensation
21 rate code or classification, and listing the code of
22 classification for that industry;

23 3. Provide proof that the applicant for a rebuilder's
24 license complies with the proper workers' compensation
25 rate code or classification for the repair industry or the
26 auto parts recycling industry and listing the code of

1 classification;

2 4. Provide proof that the applicant has obtained or
3 applied for a hazardous waste generator number, and listing
4 the actual number if available or certificate of exemption;

5 5. Provide proof that applicant has proper liability
6 insurance, and listing the name of the insurer and the
7 policy number; and

8 6. Provide proof that the applicant has obtained or
9 applied for the proper State sales tax classification and
10 federal identification tax number, and listing the actual
11 numbers if available.

12 (i-1) All automotive repairers shall provide proof that
13 they comply with all requirements of the Automotive Collision
14 Repair Act.

15 (j) All automotive parts recyclers shall, in addition to
16 the requirements of subsections (a) through (h) of this
17 Section, meet the following licensing requirements:

18 1. A statement that the applicant purchases 5 vehicles
19 per year or has 5 hulks or chassis in stock;

20 2. Provide proof that the property on which all first
21 time applicants will do business does comply to the proper
22 local zoning laws in existence, and a listing of zoning
23 classifications;

24 3. Provide proof that applicant complies with the
25 proper workers' compensation rate code or classification,
26 and listing the code of classification; and

1 4. Provide proof that applicant has obtained or applied
2 for the proper State sales tax classification and federal
3 identification tax number, and listing the actual numbers
4 if available.

5 (Source: P.A. 94-784, eff. 1-1-07.)

6 (625 ILCS 5/5-401.3) (from Ch. 95 1/2, par. 5-401.3)

7 Sec. 5-401.3. Scrap processors and recyclable metal
8 dealers required to keep records.

9 (a) Every person licensed or required to be licensed as a
10 scrap processor pursuant to Section 5-301 of this Chapter, and
11 every recyclable metal dealer as defined in Section 1-169.3 of
12 this Code, shall maintain for 3 years, at his established place
13 of business, the following records relating to the acquisition
14 of scrap metals or the acquisition of a vehicle, junk vehicle,
15 or vehicle cowl which has been acquired for the purpose of
16 processing into a form other than a vehicle, junk vehicle or
17 vehicle cowl which is possessed in the State or brought into
18 this State from another state, territory or country. No scrap
19 metal processor or recyclable metal dealer shall sell a vehicle
20 or essential part, as such, except for engines, transmissions,
21 and powertrains, unless licensed to do so under another
22 provision of this Code. A scrap processor or recyclable metal
23 dealer who is additionally licensed as an automotive parts
24 recycler shall not be subject to the record keeping
25 requirements for a scrap processor or recyclable metal dealer

1 when acting as an automotive parts recycler.

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

20 (2) For a vehicle, junk vehicle or vehicle cowl
21 acquired from a person who is not licensed under this
22 Chapter, the scrap processor or recyclable metal dealer
23 shall verify and record that person's identity by recording
24 the identification of such person from at least 2 sources
25 of identification, one of which shall be a driver's license
26 or State Identification Card, on the scrap processor or

1 recyclable metal dealer's weight ticket at the time of the
2 acquisition. The person disposing of the vehicle, junk
3 vehicle, or vehicle cowl shall furnish the scrap processor
4 or recyclable metal dealer with documentary proof of
5 ownership of the vehicle, junk vehicle, or vehicle cowl in
6 one of the following forms: a Certificate of Title, a
7 Salvage Certificate, or a Junking Certificate, ~~a Secretary~~
8 ~~of State Junking Manifest, a Certificate of Purchase, or~~
9 ~~other similar documentary proof of ownership.~~ The scrap
10 processor or recyclable metal dealer shall not acquire a
11 vehicle, junk vehicle or vehicle cowl without obtaining one
12 of the aforementioned documentary proofs of ownership.

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

26 (4) The scrap processor or recyclable metal dealer

1 shall maintain a copy of a Junk Vehicle Notification
2 relating to any Certificate of Title, Salvage Certificate,
3 or Junking Certificate, ~~Certificate of Purchase~~ or
4 similarly acceptable out-of-state document surrendered to
5 the Secretary of State pursuant to the provisions of
6 Section 3-117.2 of this Code.

7 (5) For recyclable scrap metals valued at \$100 or more,
8 the scrap processor or recyclable metal dealer shall verify
9 and record the identity of the person from whom the
10 recyclable scrap metals were acquired by recording the
11 identification of that person from one source of
12 identification, which shall be a driver's license or State
13 Identification Card, on the scrap processor or recyclable
14 metal dealer's weight ticket at the time of the
15 acquisition. The inspection of records pertaining only to
16 recyclable scrap metals shall not be counted as an
17 inspection of a premises for purposes of subparagraph (7)
18 of Section 5-403 of this Code.

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

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

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

24 (c) It shall be an affirmative defense to an offense
25 brought under paragraph (b) of this Section that the licensee
26 or recyclable metal dealer or person required to be licensed

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

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

17 (e) Any scrap processor who finds a nonconforming vehicle
18 identification number on any documentary proof of ownership of
19 a vehicle, junk vehicle, or vehicle cowl provided by the person
20 attempting to dispose of such item shall report the offense to
21 the Secretary of State, including the name of the person
22 attempting to dispose of the vehicle, junk vehicle, or vehicle
23 cowl, the actual vehicle identification number, the
24 nonconforming vehicle number, the vehicle license plate
25 number, a copy of the document used, and the license number of
26 the person or persons involved in the attempted transaction.

1 Any person licensed as a scrap processor pursuant to Section
2 5-301 who is found to be in violation of this subsection or any
3 licensed entity found in violation of this subsection shall be
4 subject to suspension of his, her, or its license for a period
5 of up to 5 years. Any person in violation of this subsection
6 shall be guilty of a Class 2 felony. Evidence derived directly
7 or indirectly from the keeping of records required to be kept
8 under this Section shall not be admissible in a prosecution of
9 the licensee or recyclable metal dealer for an alleged
10 violation of Section 4-102 (a) (3) of this Code.

11 (Source: P.A. 95-253, eff. 1-1-08.)

12 (625 ILCS 5/5-402.1) (from Ch. 95 1/2, par. 5-402.1)

13 Sec. 5-402.1. Use of Secretary of State Uniform Invoice for
14 Essential Parts.

15 (a) Except for scrap processors, every person licensed or
16 required to be licensed under Section 5-101, 5-101.1, 5-102 or
17 5-301 of this Code shall issue, in a form the Secretary of
18 State may by rule or regulation prescribe, a Uniform Invoice,
19 which may also act as a bill of sale, made out in triplicate
20 with respect to each transaction in which he disposes of an
21 essential part other than quarter panels and transmissions of
22 vehicles of the first division. Such Invoice shall be made out
23 at the time of the disposition of the essential part. ~~If the~~
24 ~~licensee disposes of several essential parts in the same~~
25 ~~transaction, the licensee may issue one Uniform Invoice~~

1 ~~covering all essential parts disposed of in that transaction.~~

2 (b) The following information shall be contained on the
3 Uniform Invoice:

4 (1) the business name, address and dealer license
5 number of the person disposing of the essential part;

6 (2) the name and address of the person acquiring the
7 essential part, and if that person is a dealer, the
8 Illinois or out-of-state dealer license number of that
9 dealer;

10 (3) the date of the disposition of the essential part;

11 (4) the year, make, model, color and description of
12 each essential part disposed of by the person;

13 (5) the manufacturer's vehicle identification number,
14 Secretary of State identification number or Illinois
15 Department of State Police identification number, for each
16 essential part disposed of by the person;

17 (6) the printed name and legible signature of the
18 person or agent disposing of the essential part; and

19 (7) if the person is a dealer the printed name and
20 legible signature of the dealer or his agent or employee
21 accepting delivery of the essential part.

22 (c) Except for scrap processors, and except as set forth in
23 subsection (d) of this Section, whenever a person licensed or
24 required to be licensed by Section 5-101, 5-101.1, 5-102, or
25 5-301 accepts delivery of an essential part, other than quarter
26 panels and transmissions of vehicles of the first division,

1 that person shall, at the time of the acceptance or delivery,
2 comply with the following procedures:

3 (1) Before acquiring or accepting delivery of any
4 essential part, the licensee or his authorized agent or
5 employee shall inspect the part to determine whether the
6 vehicle identification number, Secretary of State
7 identification number, Illinois Department of State Police
8 identification number, or identification plate or sticker
9 attached to or stamped on any part being acquired or
10 delivered has been removed, falsified, altered, defaced,
11 destroyed, or tampered with. If the licensee or his agent
12 or employee determines that the vehicle identification
13 number, Secretary of State identification number, Illinois
14 Department of State Police identification number,
15 identification plate or identification sticker containing
16 an identification number, or Federal Certificate label of
17 an essential part has been removed, falsified, altered,
18 defaced, destroyed or tampered with, the licensee or agent
19 shall not accept or receive that part.

20 If that part was physically acquired by or delivered to
21 a licensee or his agent or employee while that licensee,
22 agent or employee was outside this State, that licensee or
23 agent or employee shall not bring that essential part into
24 this State or cause it to be brought into this State.

25 (2) If the person disposing of or delivering the
26 essential part to the licensee is a licensed in-state or

1 out-of-state dealer, the licensee or his agent or employee,
2 after inspecting the essential part as required by
3 paragraph (1) of this subsection (c), shall examine the
4 Uniform Invoice, or bill of sale, as the case may be, to
5 ensure that it contains all the information required to be
6 provided by persons disposing of essential parts as set
7 forth in subsection (b) of this Section. If the Uniform
8 Invoice or bill of sale does not contain all the
9 information required to be listed by subsection (b) of this
10 Section, the dealer disposing of or delivering such part or
11 his agent or employee shall record such additional
12 information or other needed modifications on the Uniform
13 Invoice or bill of sale or, if needed, an attachment
14 thereto. The dealer or his agent or employee delivering the
15 essential part shall initial all additions or
16 modifications to the Uniform Invoice or bill of sale and
17 legibly print his name at the bottom of each document
18 containing his initials. If the transaction involves a bill
19 of sale rather than a Uniform Invoice, the licensee or his
20 agent or employee accepting delivery of or acquiring the
21 essential part shall affix his printed name and legible
22 signature on the space on the bill of sale provided for his
23 signature or, if no space is provided, on the back of the
24 bill of sale. If the dealer or his agent or employee
25 disposing of or delivering the essential part cannot or
26 does not provide all the information required by subsection

1 (b) of this Section, the licensee or his agent or employee
2 shall not accept or receive any essential part for which
3 that required information is not provided. If such
4 essential part for which the information required is not
5 fully provided was physically acquired while the licensee
6 or his agent or employee was outside this State, the
7 licensee or his agent or employee shall not bring that
8 essential part into this State or cause it to be brought
9 into this State.

10 (3) If the person disposing of the essential part is
11 not a licensed dealer, the licensee or his agent or
12 employee shall, after inspecting the essential part as
13 required by paragraph (1) of subsection (c) of this Section
14 verify the identity of the person disposing of the
15 essential part by examining 2 sources of identification,
16 one of which shall be either a driver's license or state
17 identification card. The licensee or his agent or employee
18 shall then prepare a Uniform Invoice listing all the
19 information required to be provided by subsection (b) of
20 this Section. In the space on the Uniform Invoice provided
21 for the dealer license number of the person disposing of
22 the part, the licensee or his agent or employee shall list
23 the numbers taken from the documents of identification
24 provided by the person disposing of the part. The person
25 disposing of the part shall affix his printed name and
26 legible signature on the space on the Uniform Invoice

1 provided for the person disposing of the essential part and
2 the licensee or his agent or employee acquiring the part
3 shall affix his printed name and legible signature on the
4 space provided on the Uniform Invoice for the person
5 acquiring the essential part. If the person disposing of
6 the essential part cannot or does not provide all the
7 information required to be provided by this paragraph, or
8 does not present 2 satisfactory forms of identification,
9 the licensee or his agent or employee shall not acquire
10 that essential part.

11 (d) If an essential part other than quarter panels and
12 transmissions of vehicles of the first division was delivered
13 by a licensed commercial delivery service delivering such part
14 on behalf of a licensed dealer, the person required to comply
15 with subsection (c) of this Section may conduct the inspection
16 of that part required by paragraph (1) of subsection (c) and
17 examination of the Uniform Invoice or bill of sale required by
18 paragraph (2) of subsection (c) of this Section immediately
19 after the acceptance of the part.

20 (1) If the inspection of the essential part pursuant to
21 paragraph (1) of subsection (c) reveals that the vehicle
22 identification number, Secretary of State identification
23 number, Illinois Department of State Police identification
24 number, identification plate or sticker containing an
25 identification number, or Federal Certificate label of an
26 essential part has been removed, falsified, altered,

1 defaced, destroyed or tampered with, the licensee or his
2 agent shall immediately record such fact on the Uniform
3 Invoice or bill of sale, assign the part an inventory or
4 stock number, place such inventory or stock number on both
5 the essential part and the Uniform Invoice or bill of sale,
6 and record the date of the inspection of the part on the
7 Uniform Invoice or bill of sale. The licensee shall, within
8 7 days of such inspection, return such part to the dealer
9 from whom it was acquired.

10 (2) If the examination of the Uniform Invoice or bill
11 of sale pursuant to paragraph (2) of subsection (c) reveals
12 that any of the information required to be listed by
13 subsection (b) of this Section is missing, the licensee or
14 person required to be licensed shall immediately assign a
15 stock or inventory number to such part, place such stock or
16 inventory number on both the essential part and the Uniform
17 Invoice or bill of sale, and record the date of examination
18 on the Uniform Invoice or bill of sale. The licensee or
19 person required to be licensed shall acquire the
20 information missing from the Uniform Invoice or bill of
21 sale within 7 days of the examination of such Uniform
22 Invoice or bill of sale. Such information may be received
23 by telephone conversation with the dealer from whom the
24 part was acquired. If the dealer provides the missing
25 information the licensee shall record such information on
26 the Uniform Invoice or bill of sale along with the name of

1 the person providing the information. If the dealer does
2 not provide the required information within the
3 aforementioned 7 day period, the licensee shall return the
4 part to that dealer.

5 (e) Except for scrap processors, all persons licensed or
6 required to be licensed who acquire or dispose of essential
7 parts other than quarter panels and transmissions of vehicles
8 of the first division shall retain a copy of the Uniform
9 Invoice required to be made by subsections (a), (b) and (c) of
10 this Section for a period of 3 years.

11 (f) Except for scrap processors, any person licensed or
12 required to be licensed under Sections 5-101, 5-102 or 5-301
13 who knowingly fails to record on a Uniform Invoice any of the
14 information or entries required to be recorded by subsections
15 (a), (b) and (c) of this Section, or who knowingly places false
16 entries or other misleading information on such Uniform
17 Invoice, or who knowingly fails to retain for 3 years a copy of
18 a Uniform Invoice reflecting transactions required to be
19 recorded by subsections (a), (b) and (c) of this Section, or
20 who knowingly acquires or disposes of essential parts without
21 receiving, issuing, or executing a Uniform Invoice reflecting
22 that transaction as required by subsections (a), (b) and (c) of
23 this Section, or who brings or causes to be brought into this
24 State essential parts for which the information required to be
25 recorded on a Uniform Invoice is not recorded as prohibited by
26 subsection (c) of this Section, or who knowingly fails to

1 comply with the provisions of this Section in any other manner
2 shall be guilty of a Class 2 felony. Each violation shall
3 constitute a separate and distinct offense and a separate count
4 may be brought in the same indictment or information for each
5 essential part for which a record was not kept as required by
6 this Section or for which the person failed to comply with
7 other provisions of this Section.

8 (g) The records required to be kept by this Section may be
9 examined by a person or persons making a lawful inspection of
10 the licensee's premises pursuant to Section 5-403.

11 (h) The records required to be kept by this Section shall
12 be retained by the licensee at his principal place of business
13 for a period of 7 years.

14 (i) (Blank). ~~The requirements of this Section shall not~~
15 ~~apply to the disposition of an essential part other than a cow~~
16 ~~which has been damaged or altered to a state in which it can no~~
17 ~~longer be returned to a usable condition and which is being~~
18 ~~sold or transferred to a scrap processor or for delivery to a~~
19 ~~scrap processor.~~

20 (j) Scrap processors shall, under no circumstances, be
21 permitted to use the Uniform Invoice for any purpose under this
22 Chapter. Any person found in violation of this subsection (j)
23 shall be guilty of a Class 2 felony.

24 (Source: P.A. 91-415, eff. 1-1-00.)