



Rep. Edward J. Acevedo

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LRB098 03610 MRW 43533 a

1 AMENDMENT TO HOUSE BILL 773

2 AMENDMENT NO. _____. Amend House Bill 773 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing 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. No person shall
16 engage in the business of acquiring 5 or more previously owned

1 vehicles in one calendar year for the primary purpose of
2 disposing of those vehicles in the manner described in the
3 definition of a "scrap processor" in this Code unless the
4 person is licensed as an automotive parts recycler by the
5 Secretary of State under this Section. Each license shall be
6 applied for and issued separately, except that a license issued
7 to a new vehicle dealer under Section 5-101 of this Code shall
8 also be deemed to be a repairer license.

9 (a-5) No recyclable metal dealer may acquire or possess a
10 vehicle, junk vehicle, vehicle cowl, or essential vehicle
11 parts, as defined by Section 1-118 of this Code, for the
12 purpose of processing them into a form other than a vehicle
13 unless that recyclable metal dealer is also licensed by the
14 Secretary of State as a scrap processor under this Section. A
15 recyclable metal dealer who fails to obtain a scrap processor's
16 license shall be subject to the provisions of Sections 5-503
17 and 5-801 of this Code.

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

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

24 2. The kind or kinds of business enumerated in
25 subsection (a) of this Section to be conducted at each
26 location.

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

10 4. A statement that the applicant's officers,
11 directors, shareholders having a ten percent or greater
12 ownership interest therein, proprietor, partner, member,
13 officer, director, trustee, manager, or other principals
14 in the business have not committed in the past three years
15 any one violation as determined in any civil or criminal or
16 administrative proceedings of any one of the following
17 Acts:

18 (a) The Anti Theft Laws of the Illinois Vehicle
19 Code;

20 (b) The "Certificate of Title Laws" of the Illinois
21 Vehicle Code;

22 (c) The "Offenses against Registration and
23 Certificates of Title Laws" of the Illinois Vehicle
24 Code;

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

1 (e) Section 21-2 of the Criminal Code of 1961 or
2 the Criminal Code of 2012, Criminal Trespass to
3 Vehicles; or

4 (f) The Retailers Occupation Tax Act.

5 5. A statement that the applicant's officers,
6 directors, shareholders having a ten percent or greater
7 ownership interest therein, proprietor, partner, member,
8 officer, director, trustee, manager or other principals in
9 the business have not committed in any calendar year 3 or
10 more violations, as determined in any civil or criminal or
11 administrative proceedings, of any one or more of the
12 following Acts:

13 (a) The Consumer Finance Act;

14 (b) The Consumer Installment Loan Act;

15 (c) The Retail Installment Sales Act;

16 (d) The Motor Vehicle Retail Installment Sales
17 Act;

18 (e) The Interest Act;

19 (f) The Illinois Wage Assignment Act;

20 (g) Part 8 of Article XII of the Code of Civil
21 Procedure; or

22 (h) The Consumer Fraud Act.

23 6. An application for a license shall be accompanied by
24 the following fees: \$50 for applicant's established place
25 of business; \$25 for each additional place of business, if
26 any, to which the application pertains; provided, however,

1 that if such an application is made after June 15 of any
2 year, the license fee shall be \$25 for applicant's
3 established place of business plus \$12.50 for each
4 additional place of business, if any, to which the
5 application pertains. License fees shall be returnable
6 only in the event that such application shall be denied by
7 the Secretary of State.

8 7. A statement that the applicant understands Chapter 1
9 through Chapter 5 of this Code.

10 8. A statement that the applicant shall comply with
11 subsection (e) of this Section.

12 (c) Any change which renders no longer accurate any
13 information contained in any application for a license filed
14 with the Secretary of State shall be amended within 30 days
15 after the occurrence of such change on such form as the
16 Secretary of State may prescribe by rule or regulation,
17 accompanied by an amendatory fee of \$2.

18 (d) Anything in this chapter to the contrary,
19 notwithstanding, no person shall be licensed under this Section
20 unless such person shall maintain an established place of
21 business as defined in this Chapter.

22 (e) The Secretary of State shall within a reasonable time
23 after receipt thereof, examine an application submitted to him
24 under this Section and unless he makes a determination that the
25 application submitted to him does not conform with the
26 requirements of this Section or that grounds exist for a denial

1 of the application, as prescribed in Section 5-501 of this
2 Chapter, grant the applicant an original license as applied for
3 in writing for his established place of business and a
4 supplemental license in writing for each additional place of
5 business in such form as he may prescribe by rule or regulation
6 which shall include the following:

7 1. The name of the person licensed;

8 2. If a corporation, the name and address of its
9 officers or if a sole proprietorship, a partnership, an
10 unincorporated association or any similar form of business
11 organization, the name and address of the proprietor or of
12 each partner, member, officer, director, trustee or
13 manager;

14 3. A designation of the kind or kinds of business
15 enumerated in subsection (a) of this Section to be
16 conducted at each location;

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

19 5. In the case of a supplemental license, the
20 established place of business of the licensee and the
21 additional place of business to which such supplemental
22 license pertains.

23 (f) The appropriate instrument evidencing the license or a
24 certified copy thereof, provided by the Secretary of State
25 shall be kept, posted, conspicuously in the established place
26 of business of the licensee and in each additional place of

1 business, if any, maintained by such licensee. The licensee
2 also shall post conspicuously in the established place of
3 business and in each additional place of business a notice
4 which states that such business is required to be licensed by
5 the Secretary of State under Section 5-301, and which provides
6 the license number of the business and the license expiration
7 date. This notice also shall advise the consumer that any
8 complaints as to the quality of service may be brought to the
9 attention of the Attorney General. The information required on
10 this notice also shall be printed conspicuously on all
11 estimates and receipts for work by the licensee subject to this
12 Section. The Secretary of State shall prescribe the specific
13 format of this notice.

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

19 (h) Any license granted under this Section may be renewed
20 upon application and payment of the fee required herein as in
21 the case of an original license, provided, however, that in
22 case an application for the renewal of an effective license is
23 made during the month of December, such effective license shall
24 remain in force until such application is granted or denied by
25 the Secretary of State.

26 (i) All automotive repairers and rebuilders shall, in

1 addition to the requirements of subsections (a) through (h) of
2 this Section, meet the following licensing requirements:

3 1. Provide proof that the property on which first time
4 applicants plan to do business is in compliance with local
5 zoning laws and regulations, and a listing of zoning
6 classification;

7 2. Provide proof that the applicant for a repairer's
8 license complies with the proper workers' compensation
9 rate code or classification, and listing the code of
10 classification for that industry;

11 3. Provide proof that the applicant for a rebuilder's
12 license complies with the proper workers' compensation
13 rate code or classification for the repair industry or the
14 auto parts recycling industry and listing the code of
15 classification;

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

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

22 6. Provide proof that the applicant has obtained or
23 applied for the proper State sales tax classification and
24 federal identification tax number, and listing the actual
25 numbers if available.

26 (i-1) All automotive repairers shall provide proof that

1 they comply with all requirements of the Automotive Collision
2 Repair Act.

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

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

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

12 3. Provide proof that applicant complies with the
13 proper workers' compensation rate code or classification,
14 and listing the code of classification; and

15 4. Provide proof that applicant has obtained or applied
16 for the proper State sales tax classification and federal
17 identification tax number, and listing the actual numbers
18 if available.

19 (Source: P.A. 97-832, eff. 7-20-12; 97-1150, eff. 1-25-13.)

20 (625 ILCS 5/5-401.3) (from Ch. 95 1/2, par. 5-401.3)

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

22 (a) Every person licensed or required to be licensed as a
23 scrap processor pursuant to Section 5-301 of this Chapter shall
24 maintain for 3 years, at his established place of business, the
25 following records relating to the acquisition of recyclable

1 metals or the acquisition of a vehicle, junk vehicle, or
2 vehicle cowl which has been acquired for the purpose of
3 processing into a form other than a vehicle, junk vehicle or
4 vehicle cowl which is possessed in the State or brought into
5 this State from another state, territory or country. No scrap
6 metal processor shall sell a vehicle or essential part, as
7 such, except for engines, transmissions, and powertrains,
8 unless licensed to do so under another provision of this Code.
9 A scrap processor who is additionally licensed as an automotive
10 parts recycler shall not be subject to the record keeping
11 requirements for a scrap processor when acting as an automotive
12 parts recycler.

13 (1) For a vehicle, junk vehicle, or vehicle cowl
14 acquired from a person who is licensed under this Chapter,
15 the scrap processor shall record the name and address of
16 the person, and the Illinois or out-of-state dealer license
17 number of such person on the scrap processor's weight
18 ticket at the time of the acquisition. The person disposing
19 of the vehicle, junk vehicle, or vehicle cowl shall furnish
20 the scrap processor with documentary proof of ownership of
21 the vehicle, junk vehicle, or vehicle cowl in one of the
22 following forms: a Certificate of Title, a Salvage
23 Certificate, or a Junking Certificate, ~~a Secretary of State~~
24 ~~Junking Manifest, a Uniform Invoice, a Certificate of~~
25 ~~Purchase, or other similar documentary proof of ownership.~~
26 The scrap processor shall not acquire a vehicle, junk

1 vehicle or vehicle cowl without obtaining one of the
2 aforementioned documentary proofs of ownership.

3 (2) For a vehicle, junk vehicle or vehicle cowl
4 acquired from a person who is not licensed under this
5 Chapter, the scrap processor shall verify and record that
6 person's identity by recording the identification of such
7 person from at least 2 sources of identification, one of
8 which shall be a driver's license or State Identification
9 Card, on the scrap processor's weight ticket at the time of
10 the acquisition. The person disposing of the vehicle, junk
11 vehicle, or vehicle cowl shall furnish the scrap processor
12 with documentary proof of ownership of the vehicle, junk
13 vehicle, or vehicle cowl in one of the following forms: a
14 Certificate of Title, a Salvage Certificate, or a Junking
15 Certificate, ~~a Secretary of State Junking Manifest, a~~
16 ~~Certificate of Purchase, or other similar documentary~~
17 ~~proof of ownership~~. The scrap processor shall not acquire a
18 vehicle, junk vehicle or vehicle cowl without obtaining one
19 of the aforementioned documentary proofs of ownership.

20 (3) In addition to the other information required on
21 the scrap processor's weight ticket, a scrap processor who
22 at the time of acquisition of a vehicle, junk vehicle, or
23 vehicle cowl is furnished a Certificate of Title, a Salvage
24 Certificate, or a Junking Certificate ~~Certificate of~~
25 ~~Purchase~~ shall record the Vehicle Identification Number on
26 the weight ticket or affix a copy of the Certificate of

1 Title, Salvage Certificate, or Junking Certificate
2 ~~Certificate of Purchase~~ to the weight ticket and the
3 identification of the person acquiring the information on
4 the behalf of the scrap processor.

5 (4) The scrap processor shall maintain a copy of a Junk
6 Vehicle Notification relating to any Certificate of Title,
7 Salvage Certificate, or Junking Certificate, ~~Certificate~~
8 ~~of Purchase~~ or similarly acceptable out-of-state document
9 surrendered to the Secretary of State pursuant to the
10 provisions of Section 3-117.2 of this Code.

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

1 (7) of Section 5-403 of this Code.

2 This subdivision (a)(5) does not apply to electrical
3 contractors, to agencies or instrumentalities of the State
4 of Illinois or of the United States, to common carriers, to
5 purchases from persons, firms, or corporations regularly
6 engaged in the business of manufacturing recyclable metal,
7 in the business of selling recyclable metal at retail or
8 wholesale, or in the business of razing, demolishing,
9 destroying, or removing buildings, to the purchase by one
10 recyclable metal dealer from another, or the purchase from
11 persons, firms, or corporations engaged in either the
12 generation, transmission, or distribution of electric
13 energy or in telephone, telegraph, and other
14 communications if such common carriers, persons, firms, or
15 corporations at the time of the purchase provide the
16 recyclable metal dealer with a bill of sale or other
17 written evidence of title to the recyclable metal. This
18 subdivision (a)(5) also does not apply to contractual
19 arrangements between dealers.

20 (b) Any licensee who knowingly fails to record any of the
21 specific information required to be recorded on the weight
22 ticket required under any other subsection of this Section, or
23 Section 5-401 of this Code, or who knowingly fails to acquire
24 and maintain for 3 years documentary proof of ownership in one
25 of the prescribed forms shall be guilty of a Class A
26 misdemeanor and subject to suspension of his or her license for

1 ~~a period of up to 5 years a fine not to exceed \$1,000.~~ Each
2 violation shall constitute a separate and distinct offense and
3 a separate count may be brought in the same complaint for each
4 violation. Any licensee who commits a second violation of this
5 Section within two years of a previous conviction of a
6 violation of this Section shall be guilty of a Class 4 felony.

7 (c) It shall be an affirmative defense to an offense
8 brought under paragraph (b) of this Section that the licensee
9 or person required to be licensed both reasonably and in good
10 faith relied on information appearing on a Certificate of
11 Title, a Salvage Certificate, or a Junking Certificate, ~~a~~
12 ~~Secretary of State Manifest, a Secretary of State's Uniform~~
13 ~~Invoice, a Certificate of Purchase, or other documentary proof~~
14 ~~of ownership prepared under Section 3 117.1(a) of this Code,~~
15 ~~relating to the transaction for which the required record was~~
16 ~~not kept which was supplied to the licensee by another licensee~~
17 ~~or an out of state dealer.~~

18 (d) No later than 15 days prior to going out of business,
19 selling the business, or transferring the ownership of the
20 business, the scrap processor shall notify the Secretary of
21 that fact. Failure to so notify the Secretary of State shall
22 constitute a failure to keep records under this Section.

23 (e) (Blank). ~~Evidence derived directly or indirectly from~~
24 ~~the keeping of records required to be kept under this Section~~
25 ~~shall not be admissible in a prosecution of the licensee for an~~
26 ~~alleged violation of Section 4 102(a) (3) of this Code.~~

1 (f) Any scrap processor who finds a nonconforming vehicle
2 identification number on any documentary proof of ownership of
3 a vehicle, junk vehicle, or vehicle cowl provided by the person
4 attempting to dispose of that item shall report the offense to
5 the Secretary of State, including the name of the person
6 attempting to dispose of the vehicle, junk vehicle, or vehicle
7 cowl, the actual vehicle identification number, the
8 nonconforming vehicle number, the vehicle license plate
9 number, a copy of the document used, and the license number of
10 the person or persons involved in the attempted transaction.
11 Any person licensed as a scrap processor under Section 5-301
12 who is found to be in violation of this subsection or any
13 licensed entity found in violation of this subsection shall be
14 subject to suspension of his, her, or its license for a period
15 of up to 5 years. Any person in violation of this subsection
16 shall be guilty of a Class 2 felony.

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

18 (625 ILCS 5/5-402.1) (from Ch. 95 1/2, par. 5-402.1)

19 Sec. 5-402.1. Use of Secretary of State Uniform Invoice for
20 Essential Parts.

21 (a) Except for scrap processors, every person licensed or
22 required to be licensed under Section 5-101, 5-101.1, 5-102 or
23 5-301 of this Code shall issue, in a form the Secretary of
24 State may by rule or regulation prescribe, a Uniform Invoice,
25 which may also act as a bill of sale, made out in triplicate

1 with respect to each transaction in which he disposes of an
2 essential part other than quarter panels and transmissions of
3 vehicles of the first division. Such Invoice shall be made out
4 at the time of the disposition of the essential part. ~~If the~~
5 ~~licensee disposes of several essential parts in the same~~
6 ~~transaction, the licensee may issue one Uniform Invoice~~
7 ~~covering all essential parts disposed of in that transaction.~~

8 (b) The following information shall be contained on the
9 Uniform Invoice:

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

12 (2) the name and address of the person acquiring the
13 essential part, and if that person is a dealer, the
14 Illinois or out-of-state dealer license number of that
15 dealer;

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

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

19 (5) the manufacturer's vehicle identification number,
20 Secretary of State identification number or Illinois
21 Department of State Police identification number, for each
22 essential part disposed of by the person;

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

25 (7) if the person is a dealer the printed name and
26 legible signature of the dealer or his agent or employee

1 accepting delivery of the essential part.

2 (c) Except for scrap processors, and except as set forth in
3 subsection (d) of this Section, whenever a person licensed or
4 required to be licensed by Section 5-101, 5-101.1, 5-102, or
5 5-301 accepts delivery of an essential part, other than quarter
6 panels and transmissions of vehicles of the first division,
7 that person shall, at the time of the acceptance or delivery,
8 comply with the following procedures:

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

26 If that part was physically acquired by or delivered to

1 a licensee or his agent or employee while that licensee,
2 agent or employee was outside this State, that licensee or
3 agent or employee shall not bring that essential part into
4 this State or cause it to be brought into this State.

5 (2) If the person disposing of or delivering the
6 essential part to the licensee is a licensed in-state or
7 out-of-state dealer, the licensee or his agent or employee,
8 after inspecting the essential part as required by
9 paragraph (1) of this subsection (c), shall examine the
10 Uniform Invoice, or bill of sale, as the case may be, to
11 ensure that it contains all the information required to be
12 provided by persons disposing of essential parts as set
13 forth in subsection (b) of this Section. If the Uniform
14 Invoice or bill of sale does not contain all the
15 information required to be listed by subsection (b) of this
16 Section, the dealer disposing of or delivering such part or
17 his agent or employee shall record such additional
18 information or other needed modifications on the Uniform
19 Invoice or bill of sale or, if needed, an attachment
20 thereto. The dealer or his agent or employee delivering the
21 essential part shall initial all additions or
22 modifications to the Uniform Invoice or bill of sale and
23 legibly print his name at the bottom of each document
24 containing his initials. If the transaction involves a bill
25 of sale rather than a Uniform Invoice, the licensee or his
26 agent or employee accepting delivery of or acquiring the

1 essential part shall affix his printed name and legible
2 signature on the space on the bill of sale provided for his
3 signature or, if no space is provided, on the back of the
4 bill of sale. If the dealer or his agent or employee
5 disposing of or delivering the essential part cannot or
6 does not provide all the information required by subsection
7 (b) of this Section, the licensee or his agent or employee
8 shall not accept or receive any essential part for which
9 that required information is not provided. If such
10 essential part for which the information required is not
11 fully provided was physically acquired while the licensee
12 or his agent or employee was outside this State, the
13 licensee or his agent or employee shall not bring that
14 essential part into this State or cause it to be brought
15 into this State.

16 (3) If the person disposing of the essential part is
17 not a licensed dealer, the licensee or his agent or
18 employee shall, after inspecting the essential part as
19 required by paragraph (1) of subsection (c) of this Section
20 verify the identity of the person disposing of the
21 essential part by examining 2 sources of identification,
22 one of which shall be either a driver's license or state
23 identification card. The licensee or his agent or employee
24 shall then prepare a Uniform Invoice listing all the
25 information required to be provided by subsection (b) of
26 this Section. In the space on the Uniform Invoice provided

1 for the dealer license number of the person disposing of
2 the part, the licensee or his agent or employee shall list
3 the numbers taken from the documents of identification
4 provided by the person disposing of the part. The person
5 disposing of the part shall affix his printed name and
6 legible signature on the space on the Uniform Invoice
7 provided for the person disposing of the essential part and
8 the licensee or his agent or employee acquiring the part
9 shall affix his printed name and legible signature on the
10 space provided on the Uniform Invoice for the person
11 acquiring the essential part. If the person disposing of
12 the essential part cannot or does not provide all the
13 information required to be provided by this paragraph, or
14 does not present 2 satisfactory forms of identification,
15 the licensee or his agent or employee shall not acquire
16 that essential part.

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

26 (1) If the inspection of the essential part pursuant to

1 paragraph (1) of subsection (c) reveals that the vehicle
2 identification number, Secretary of State identification
3 number, Illinois Department of State Police identification
4 number, identification plate or sticker containing an
5 identification number, or Federal Certificate label of an
6 essential part has been removed, falsified, altered,
7 defaced, destroyed or tampered with, the licensee or his
8 agent shall immediately record such fact on the Uniform
9 Invoice or bill of sale, assign the part an inventory or
10 stock number, place such inventory or stock number on both
11 the essential part and the Uniform Invoice or bill of sale,
12 and record the date of the inspection of the part on the
13 Uniform Invoice or bill of sale. The licensee shall, within
14 7 days of such inspection, return such part to the dealer
15 from whom it was acquired.

16 (2) If the examination of the Uniform Invoice or bill
17 of sale pursuant to paragraph (2) of subsection (c) reveals
18 that any of the information required to be listed by
19 subsection (b) of this Section is missing, the licensee or
20 person required to be licensed shall immediately assign a
21 stock or inventory number to such part, place such stock or
22 inventory number on both the essential part and the Uniform
23 Invoice or bill of sale, and record the date of examination
24 on the Uniform Invoice or bill of sale. The licensee or
25 person required to be licensed shall acquire the
26 information missing from the Uniform Invoice or bill of

1 sale within 7 days of the examination of such Uniform
2 Invoice or bill of sale. Such information may be received
3 by telephone conversation with the dealer from whom the
4 part was acquired. If the dealer provides the missing
5 information the licensee shall record such information on
6 the Uniform Invoice or bill of sale along with the name of
7 the person providing the information. If the dealer does
8 not provide the required information within the
9 aforementioned 7 day period, the licensee shall return the
10 part to that dealer.

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

17 (f) Except for scrap processors, any person licensed or
18 required to be licensed under Sections 5-101, 5-102 or 5-301
19 who knowingly fails to record on a Uniform Invoice any of the
20 information or entries required to be recorded by subsections
21 (a), (b) and (c) of this Section, or who knowingly places false
22 entries or other misleading information on such Uniform
23 Invoice, or who knowingly fails to retain for 3 years a copy of
24 a Uniform Invoice reflecting transactions required to be
25 recorded by subsections (a), (b) and (c) of this Section, or
26 who knowingly acquires or disposes of essential parts without

1 receiving, issuing, or executing a Uniform Invoice reflecting
2 that transaction as required by subsections (a), (b) and (c) of
3 this Section, or who brings or causes to be brought into this
4 State essential parts for which the information required to be
5 recorded on a Uniform Invoice is not recorded as prohibited by
6 subsection (c) of this Section, or who knowingly fails to
7 comply with the provisions of this Section in any other manner
8 shall be guilty of a Class 2 felony. Each violation shall
9 constitute a separate and distinct offense and a separate count
10 may be brought in the same indictment or information for each
11 essential part for which a record was not kept as required by
12 this Section or for which the person failed to comply with
13 other provisions of this Section.

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

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

20 (i) (Blank). ~~The requirements of this Section shall not~~
21 ~~apply to the disposition of an essential part other than a cowl~~
22 ~~which has been damaged or altered to a state in which it can no~~
23 ~~longer be returned to a usable condition and which is being~~
24 ~~sold or transferred to a scrap processor or for delivery to a~~
25 ~~scrap processor.~~

26 (j) Scrap processors shall, under no circumstances, be

1 permitted to use the Uniform Invoice for any purpose under this
2 Chapter. Any person found in violation of this subsection (j)
3 shall be guilty of a Class 2 felony.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".