



Rep. John M. Cabello

Filed: 4/17/2024

10300HB4447ham004

LRB103 34729 SPS 72520 a

1 AMENDMENT TO HOUSE BILL 4447

2 AMENDMENT NO. _____. Amend House Bill 4447, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the Motor
6 Vehicle Dealer Protection Act.

7 Section 5. Definitions. As used in this Act:

8 "Motor vehicle dealer" means any person who, in the
9 ordinary course of business, is engaged in the business of
10 selling new or used motor vehicles to consumers or other end
11 users.

12 "Person" means a natural person, corporation, partnership,
13 trust, or other entity, and in the case of an entity, it shall
14 include any other entity in which it has a majority interest or
15 which it effectively controls as well as the individual
16 officers, directors, and other persons in active control of

1 the activities of each such entity.

2 Section 10. Third-party use of motor vehicle dealer
3 likenesses. A person shall not use the name, image, likeness,
4 registered trademark, or intellectual property belonging to a
5 motor vehicle dealer without first obtaining written
6 permission from the motor vehicle dealer.

7 Section 15. Civil actions. A motor vehicle dealer whose
8 name, image, likeness, registered trademark, or intellectual
9 property is used in violation of Section 10, may bring an
10 action in the circuit court in the county in which the motor
11 vehicle dealer conducts business to recover actual damages or
12 up to \$5,000, whichever is greater. The court may, in its
13 discretion, award punitive damages and other equitable relief
14 it deems appropriate.

15 Section 20. Enforcement. A violation of this Act
16 constitutes an unlawful practice under the Consumer Fraud and
17 Deceptive Business Practices Act. All remedies, penalties, and
18 authority granted to the Attorney General by the Consumer
19 Fraud and Deceptive Business Practices Act shall be available
20 to him or her for the enforcement of this Act.

21 Section 90. The Consumer Fraud and Deceptive Business
22 Practices Act is amended by adding Section 2EEEE as follows:

1 (815 ILCS 505/2EEEE new)

2 Sec. 2EEEE. Violations of the Motor Vehicle Dealer
3 Protection Act. A person who violates the Motor Vehicle Dealer
4 Protection Act commits an unlawful practice within the meaning
5 of this Act."