

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  
5 changing Section 5-102.1 as follows:

6 (625 ILCS 5/5-102.1) (from Ch. 95 1/2, par. 5-102.1)

7 Sec. 5-102.1. Permits for off site sales and exhibitions.

8 (a) A licensed new or used motor vehicle dealer licensed  
9 under Section 5-101 or 5-102 shall not engage in any off site  
10 sale without an off site sale permit issued by the Secretary  
11 under this Section.

12 The Secretary shall issue an off site sale permit to a  
13 dealer if:

14 (1) an application therefor is received by the  
15 Secretary prior to the beginning date of the proposed off  
16 site sale, accompanied by a fee of \$25;

17 (2) the applicant is a licensed new vehicle dealer or  
18 used vehicle dealer in good standing; and

19 (3) the Secretary determines that the proposed off  
20 site sale will conform with the requirements imposed by  
21 law.

22 However, in no event shall an off site sale permit be  
23 issued to any licensed new or used vehicle dealer for any off

1 site sale to be conducted outside that dealer's relevant  
2 market area, as that term is defined in this Chapter, except  
3 that this restriction shall not apply to off site sales of  
4 motor homes or recreational vehicles.

5 The provisions of this subsection shall not apply to  
6 self-contained motor homes, mini motor homes, van campers, and  
7 recreational trailers, including trailers designed and used to  
8 transport vessels or watercraft.

9 An off site sale permit does not authorize the sale of  
10 vehicles on a Sunday.

11 (b) Only a new or used vehicle dealer licensed under  
12 Section 5-101 or 5-102 may participate in a display exhibition  
13 and shall obtain a display exhibition permit issued by the  
14 Secretary under this Section.

15 The Secretary shall issue a display exhibition permit to a  
16 dealer if:

17 (1) an application therefor is received by the  
18 Secretary prior to the beginning date of the proposed  
19 exhibition, accompanied by a fee of \$10;

20 (2) the applicant is a licensed new vehicle dealer or  
21 used vehicle dealer in good standing; and

22 (3) the Secretary determines that the proposed  
23 exhibition will conform with the requirements imposed by  
24 law.

25 A display exhibition permit shall be valid for a period of  
26 no longer than 30 days.

1 (c) A licensed new or used motor vehicle dealer under  
2 Section 5-101 or 5-102, or any other person as defined in this  
3 Section, may participate in a trade show exhibition and must  
4 obtain a trade show exhibition permit issued by the Secretary  
5 under this Section.

6 The Secretary shall issue a trade show exhibition permit  
7 if:

8 (1) an application is received by the Secretary before  
9 the beginning date of the proposed trade show exhibition,  
10 accompanied by a fee of \$10;

11 (2) the applicant is a licensed new vehicle dealer or  
12 used vehicle dealer in good standing; and

13 (3) the Secretary determines that the proposed trade  
14 show exhibition shall conform with the requirements  
15 imposed by law.

16 A trade show exhibition permit shall be valid for a period  
17 of no longer than 30 days.

18 The provisions of this subsection shall not apply to  
19 self-contained motor homes, mini motor homes, van campers, and  
20 recreational trailers, including trailers designed and used to  
21 transport vessels or watercraft.

22 The term "any other person" shall mean new or used vehicle  
23 dealers licensed by other states; provided however, a trade  
24 show exhibition of new vehicles shall only be participated in  
25 by licensed new vehicle dealers, at least 2 of which must be  
26 licensed under Section 5-101.

1           (d) An Illinois or out-of-state licensed new or used  
2 trailer dealer, manufactured home dealer, motor home dealer,  
3 mini motor home dealer, or van camper dealer shall not engage  
4 in any off site sale or trade show exhibition without first  
5 acquiring a permit issued by the Secretary under this  
6 subsection. However, the provisions of this Section shall not  
7 apply to a licensed trailer dealer selling a mobile home or  
8 manufactured housing, as defined in the Illinois Manufactured  
9 Housing and Mobile Home Safety Act, if the manufactured  
10 housing or mobile home has utilities permanently attached. The  
11 Secretary shall issue a permit to an Illinois dealer if:

12           (1) an application is received by the Secretary before  
13 the beginning date of the proposed off site sale or trade  
14 show exhibition, accompanied by a fee of \$25;

15           (2) the applicant is a licensed new or used vehicle  
16 dealer in good standing; and

17           (3) the Secretary determines that the proposed off  
18 site sale or trade show exhibition will conform with the  
19 requirements imposed by law.

20           The Secretary shall issue a permit to an out-of-state  
21 dealer if the requirements of subdivisions (1), (2), and (3)  
22 of this subsection (d) are met and at least 2 licensed Illinois  
23 dealers will participate in the off site sale or trade show  
24 exhibition.

25           A permit issued pursuant to this subsection shall allow  
26 for the sale of vehicles at either an off site sale or at a

1 trade show exhibition. The permit shall be valid for a period  
2 not to exceed 30 days.

3 (e) The Secretary of State may adopt rules regulating the  
4 conduct of off site deliveries, sales, and exhibitions, and  
5 governing the issuance and enforcement of the permits  
6 authorized under this Section. An Illinois licensed new or  
7 used motor vehicle dealer is authorized to conduct sales  
8 activities, including the collection of electronic signatures,  
9 via the Internet and deliver vehicles to a customer at the  
10 address provided in the customer's application, if the sale,  
11 lease, or delivery is requested by the customer in writing and  
12 only after the identity of the customer has been verified at  
13 the time of delivery. Any documents that State or federal law  
14 require to be signed in person may be signed at the time of  
15 delivery without constituting an off site sale that is subject  
16 to this Section. If a vehicle is delivered to an address other  
17 than the licensed dealer's established place of business, the  
18 date of the sale shall be that date on which the application  
19 for title is signed by the purchaser of the vehicle.

20 (Source: P.A. 90-718, eff. 1-1-99; 90-774, eff. 8-14-98;  
21 91-357, eff. 7-29-99.)