



Sen. Patrick J. Joyce

Filed: 2/28/2023

10300SB1896sam001

LRB103 25075 MXP 58090 a

1 AMENDMENT TO SENATE BILL 1896

2 AMENDMENT NO. _____. Amend Senate Bill 1896 by replacing
3 everything after the enacting clause with the following:

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;

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

3 (3) the Secretary determines that the proposed off
4 site sale will conform with the requirements imposed by
5 law.

6 However, in no event shall an off site sale permit be
7 issued to any licensed new or used vehicle dealer for any off
8 site sale to be conducted outside that dealer's relevant
9 market area, as that term is defined in this Chapter, except
10 that this restriction shall not apply to off site sales of
11 motor homes or recreational vehicles.

12 The provisions of this subsection shall not apply to
13 self-contained motor homes, mini motor homes, van campers, and
14 recreational trailers, including trailers designed and used to
15 transport vessels or watercraft.

16 An off site sale permit does not authorize the sale of
17 vehicles on a Sunday.

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

22 The Secretary shall issue a display exhibition permit to a
23 dealer if:

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

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

3 (3) the Secretary determines that the proposed
4 exhibition will conform with the requirements imposed by
5 law.

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

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

13 The Secretary shall issue a trade show exhibition permit
14 if:

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

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

20 (3) the Secretary determines that the proposed trade
21 show exhibition shall conform with the requirements
22 imposed by law.

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

25 The provisions of this subsection shall not apply to
26 self-contained motor homes, mini motor homes, van campers, and

1 recreational trailers, including trailers designed and used to
2 transport vessels or watercraft.

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

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

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

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

24 (3) the Secretary determines that the proposed off
25 site sale or trade show exhibition will conform with the
26 requirements imposed by law.

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

6 A permit issued pursuant to this subsection shall allow
7 for the sale of vehicles at either an off site sale or at a
8 trade show exhibition. The permit shall be valid for a period
9 not to exceed 30 days.

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

1 (Source: P.A. 90-718, eff. 1-1-99; 90-774, eff. 8-14-98;
2 91-357, eff. 7-29-99.)".