

1                                    AMENDMENT TO HOUSE BILL 933

2            AMENDMENT NO.\_\_\_\_. Amend House Bill 933 by replacing  
3 everything after the enacting clause with the following:

4            "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 5-103 as follows:

6            (625 ILCS 5/5-103) (from Ch. 95 1/2, par. 5-103)

7            Sec. 5-103. (a) Every new vehicle manufacturer shall  
8 specify the delivery and preparation obligations of its  
9 vehicle dealers prior to delivery of new vehicles to retail  
10 buyers. A copy of the delivery and preparation obligations of  
11 its dealers shall be filed with the Secretary of State by  
12 every vehicle manufacturer and shall constitute the vehicle  
13 dealer's only responsibility for product liability as between  
14 the dealer and the manufacturer. A manufacturer's product or  
15 warranty liability to the dealer shall extend to any  
16 mechanical, body or parts defect constituting a breach of any  
17 express or implied warranty of the manufacturer. The  
18 manufacturer shall reasonably compensate any authorized  
19 dealer who rectifies a defect which constitutes a breach of  
20 any express or implied warranty of the manufacturer and for  
21 preparation and delivery obligations. Every dealer shall  
22 perform the preparation and get ready services specified by

1 the manufacturer to be performed prior to the delivery of the  
2 new vehicle to the buyer.

3 (b) The owner of the vehicle may cause the vehicle to be  
4 inspected according to this Section and have the original  
5 manufacturer's warranty reinstated if the vehicle is a theft  
6 recovery that has been salvaged and is recovered without  
7 structural damage or missing essential parts, excluding  
8 wheels, damage to the steering column, and radios provided  
9 the owner:

10 (1) Submits the vehicle to a franchised dealer for  
11 a complete inspection, including fluids, frame, essential  
12 parts, and other items deemed by the manufacturer as  
13 essential for verification of the condition of the  
14 vehicle at the time of recovery.

15 (2) Submits a copy of the police recovery report to  
16 the inspecting dealer.

17 (3) Paid the inspection fee charged by the  
18 franchised dealer.

19 The manufacturer shall reinstate the original  
20 manufacturer's warranty if a vehicle is certified by a  
21 franchised dealer as having complied with the provisions of  
22 this Section. The manufacturer shall, in addition to  
23 reinstating the warranty, provide the owner with a written  
24 statement indicating that the original manufacturer's  
25 warranty has been reinstated.

26 ~~(c) Any-licensed-vehicle-dealer-that-offers,7-provides-or  
27 sells--in-house--and--or--self-insured-extended-warranties-or  
28 service--contracts,7--other--than---these---of---the---vehicle  
29 manufacturer,7-shall retain-adequate-reserves-or-insurance-for  
30 the--protection-of-the-purchasing-consumer.--The-Secretary-of  
31 State--shall--provide--by--rule--and---regulation---for---the  
32 implementation-of-this-requirement.~~

33 Nothing in this Section shall affect a cause of action a  
34 buyer may have against a dealer or manufacturer under present

1 applicable statutory or case law.

2 (Source: P.A. 89-189, eff. 1-1-96.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.".