

1 92ND GENERAL ASSEMBLY
2 FIRST CONFERENCE COMMITTEE REPORT
3 ON HOUSE BILL 4975

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6 To the President of the Senate and the Speaker of the
7 House of Representatives:

8 We, the conference committee appointed to consider the
9 differences between the houses in relation to Senate
10 Amendment No. 1 to House Bill 4975, recommend the following:

11 (1) that the Senate recede from Senate Amendment No. 1;
12 and

13 (2) that House Bill 4975 be amended by replacing
14 everything after the enacting clause with the following:

15 "Section 5. The Illinois Vehicle Code is amended by
16 changing Sections 5-101 and 5-102 as follows:

17 (625 ILCS 5/5-101) (from Ch. 95 1/2, par. 5-101)
18 Sec. 5-101. New vehicle dealers must be licensed.

19 (a) No person shall engage in this State in the business
20 of selling or dealing in, on consignment or otherwise, new
21 vehicles of any make, or act as an intermediary or agent or
22 broker for any licensed dealer or vehicle purchaser other
23 than as a salesperson, or represent or advertise that he is
24 so engaged or intends to so engage in such business unless
25 licensed to do so in writing by the Secretary of State under
26 the provisions of this Section.

27 (b) An application for a new vehicle dealer's license
28 shall be filed with the Secretary of State, duly verified by
29 oath, on such form as the Secretary of State may by rule or
30 regulation prescribe and shall contain:

31 1. The name and type of business organization of
32 the applicant and his established and additional places

1 of business, if any, in this State.

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

11 3. The make or makes of new vehicles which the
12 applicant will offer for sale at retail in this State.

13 4. The name of each manufacturer or franchised
14 distributor, if any, of new vehicles with whom the
15 applicant has contracted for the sale of such new
16 vehicles. As evidence of this fact, the application shall
17 be accompanied by a signed statement from each such
18 manufacturer or franchised distributor. If the applicant
19 is in the business of offering for sale new conversion
20 vehicles, trucks or vans, except for trucks modified to
21 serve a special purpose which includes but is not limited
22 to the following vehicles: street sweepers, fertilizer
23 spreaders, emergency vehicles, implements of husbandry or
24 maintenance type vehicles, he must furnish evidence of a
25 sales and service agreement from both the chassis
26 manufacturer and second stage manufacturer.

27 5. A statement that the applicant has been approved
28 for registration under the Retailers' Occupation Tax Act
29 by the Department of Revenue: Provided that this
30 requirement does not apply to a dealer who is already
31 licensed hereunder with the Secretary of State, and who
32 is merely applying for a renewal of his license. As
33 evidence of this fact, the application shall be
34 accompanied by a certification from the Department of
35 Revenue showing that that Department has approved the

1 applicant for registration under the Retailers'
2 Occupation Tax Act.

3 6. A statement that the applicant has complied with
4 the appropriate liability insurance requirement. A
5 Certificate of Insurance in a solvent company authorized
6 to do business in the State of Illinois shall be included
7 with each application covering each location at which he
8 proposes to act as a new vehicle dealer. The policy must
9 provide liability coverage in the minimum amounts of
10 \$100,000 for bodily injury to, or death of, any person,
11 \$300,000 for bodily injury to, or death of, two or more
12 persons in any one accident, and \$50,000 for damage to
13 property. Such policy shall expire not sooner than
14 December 31 of the year for which the license was issued
15 or renewed. The expiration of the insurance policy shall
16 not terminate the liability under the policy arising
17 during the period for which the policy was filed.
18 Trailer and mobile home dealers are exempt from this
19 requirement.

20 If the permitted user has a liability insurance
21 policy that provides automobile liability insurance
22 coverage of at least \$100,000 for bodily injury to or the
23 death of any person, \$300,000 for bodily injury to or the
24 death of any 2 or more persons in any one accident, and
25 \$50,000 for damage to property, then the permitted user's
26 insurer shall be the primary insurer and the dealer's
27 insurer shall be the secondary insurer. If the permitted
28 user does not have a liability insurance policy that
29 provides automobile liability insurance coverage of at
30 least \$100,000 for bodily injury to or the death of any
31 person, \$300,000 for bodily injury to or the death of any
32 2 or more persons in any one accident, and \$50,000 for
33 damage to property, or does not have any insurance at
34 all, then the dealer's insurer shall be the primary
35 insurer and the permitted user's insurer shall be the

1 secondary insurer.

2 When a permitted user is "test driving" a new
3 vehicle dealer's automobile, the new vehicle dealer's
4 insurance shall be primary and the permitted user's
5 insurance shall be secondary.

6 As used in this paragraph 6, a "permitted user" is a
7 person who, with the permission of the new vehicle dealer
8 or an employee of the new vehicle dealer, drives a
9 vehicle owned and held for sale or lease by the new
10 vehicle dealer which the person is considering to
11 purchase or lease, in order to evaluate the performance,
12 reliability, or condition of the vehicle. The term
13 "permitted user" also includes a person who, with the
14 permission of the new vehicle dealer, drives a vehicle
15 owned or held for sale or lease by the new vehicle dealer
16 for loaner purposes while the user's vehicle is being
17 repaired or evaluated.

18 As used in this paragraph 6, "test driving" occurs
19 when a permitted user who, with the permission of the new
20 vehicle dealer or an employee of the new vehicle dealer,
21 drives a vehicle owned and held for sale or lease by a
22 new vehicle dealer that the person is considering to
23 purchase or lease, in order to evaluate the performance,
24 reliability, or condition of the vehicle.

25 As used in this paragraph 6, "loaner purposes" means
26 when a person who, with the permission of the new vehicle
27 dealer, drives a vehicle owned or held for sale or lease
28 by the new vehicle dealer while the user's vehicle is
29 being repaired or evaluated.

30 7. (A) An application for a new motor vehicle
31 dealer's license shall be accompanied by the following
32 license fees:

33 \$100 for applicant's established place of
34 business, and \$50 for each additional place of
35 business, if any, to which the application pertains;

1 but if the application is made after June 15 of any
2 year, the license fee shall be \$50 for applicant's
3 established place of business plus \$25 for each
4 additional place of business, if any, to which the
5 application pertains. License fees shall be
6 returnable only in the event that the application is
7 denied by the Secretary of State. All moneys
8 received by the Secretary of State as license fees
9 under this Section shall be deposited into the Motor
10 Vehicle Review Board Fund and shall be used to
11 administer the Motor Vehicle Review Board under the
12 Motor Vehicle Franchise Act.

13 (B) An application for a new vehicle dealer's
14 license, other than for a new motor vehicle dealer's
15 license, shall be accompanied by the following
16 license fees:

17 \$50 for applicant's established place of
18 business, and \$25 for each additional place of
19 business, if any, to which the application pertains;
20 but if the application is made after June 15 of any
21 year, the license fee shall be \$25 for applicant's
22 established place of business plus \$12.50 for each
23 additional place of business, if any, to which the
24 application pertains. License fees shall be
25 returnable only in the event that the application is
26 denied by the Secretary of State.

27 8. A statement that the applicant's officers,
28 directors, shareholders having a 10% or greater ownership
29 interest therein, proprietor, a partner, member, officer,
30 director, trustee, manager or other principals in the
31 business have not committed in the past 3 years any one
32 violation as determined in any civil, criminal or
33 administrative proceedings of any one of the following
34 Acts:

35 (A) The Anti Theft Laws of the Illinois

1 Vehicle Code;

2 (B) The Certificate of Title Laws of the
3 Illinois Vehicle Code;

4 (C) The Offenses against Registration and
5 Certificates of Title Laws of the Illinois Vehicle
6 Code;

7 (D) The Dealers, Transporters, Wreckers and
8 Rebuilders Laws of the Illinois Vehicle Code;

9 (E) Section 21-2 of the Criminal Code of 1961,
10 Criminal Trespass to Vehicles; or

11 (F) The Retailers' Occupation Tax Act.

12 9. A statement that the applicant's officers,
13 directors, shareholders having a 10% or greater ownership
14 interest therein, proprietor, partner, member, officer,
15 director, trustee, manager or other principals in the
16 business have not committed in any calendar year 3 or
17 more violations, as determined in any civil, criminal or
18 administrative proceedings, of any one or more of the
19 following Acts:

20 (A) The Consumer Finance Act;

21 (B) The Consumer Installment Loan Act;

22 (C) The Retail Installment Sales Act;

23 (D) The Motor Vehicle Retail Installment Sales
24 Act;

25 (E) The Interest Act;

26 (F) The Illinois Wage Assignment Act;

27 (G) Part 8 of Article XII of the Code of Civil
28 Procedure; or

29 (H) The Consumer Fraud Act.

30 10. A bond or certificate of deposit in the amount
31 of \$20,000 for each location at which the applicant
32 intends to act as a new vehicle dealer. The bond shall
33 be for the term of the license, or its renewal, for which
34 application is made, and shall expire not sooner than
35 December 31 of the year for which the license was issued

1 or renewed. The bond shall run to the People of the
2 State of Illinois, with surety by a bonding or insurance
3 company authorized to do business in this State. It
4 shall be conditioned upon the proper transmittal of all
5 title and registration fees and taxes (excluding taxes
6 under the Retailers' Occupation Tax Act) accepted by the
7 applicant as a new vehicle dealer.

8 11. Such other information concerning the business
9 of the applicant as the Secretary of State may by rule or
10 regulation prescribe.

11 12. A statement that the applicant understands
12 Chapter One through Chapter Five of this Code.

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

19 (d) Anything in this Chapter 5 to the contrary
20 notwithstanding no person shall be licensed as a new vehicle
21 dealer unless:

22 1. He is authorized by contract in writing between
23 himself and the manufacturer or franchised distributor of
24 such make of vehicle to so sell the same in this State,
25 and

26 2. Such person shall maintain an established place
27 of business as defined in this Act.

28 (e) The Secretary of State shall, within a reasonable
29 time after receipt, examine an application submitted to him
30 under this Section and unless he makes a determination that
31 the application submitted to him does not conform with the
32 requirements of this Section or that grounds exist for a
33 denial of the application, under Section 5-501 of this
34 Chapter, grant the applicant an original new vehicle dealer's
35 license in writing for his established place of business and

1 a supplemental license in writing for each additional place
2 of business in such form as he may prescribe by rule or
3 regulation which shall include the following:

4 1. The name of the person licensed;

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

11 3. In the case of an original license, the
12 established place of business of the licensee;

13 4. In the case of a supplemental license, the
14 established place of business of the licensee and the
15 additional place of business to which such supplemental
16 license pertains;

17 5. The make or makes of new vehicles which the
18 licensee is licensed to sell.

19 (f) The appropriate instrument evidencing the license or
20 a certified copy thereof, provided by the Secretary of State,
21 shall be kept posted conspicuously in the established place
22 of business of the licensee and in each additional place of
23 business, if any, maintained by such licensee.

24 (g) Except as provided in subsection (h) hereof, all new
25 vehicle dealer's licenses granted under this Section shall
26 expire by operation of law on December 31 of the calendar
27 year for which they are granted unless sooner revoked or
28 cancelled under the provisions of Section 5-501 of this
29 Chapter.

30 (h) A new vehicle dealer's license may be renewed upon
31 application and payment of the fee required herein, and
32 submission of proof of coverage under an approved bond under
33 the "Retailers' Occupation Tax Act" or proof that applicant
34 is not subject to such bonding requirements, as in the case
35 of an original license, but in case an application for the

1 renewal of an effective license is made during the month of
2 December, the effective license shall remain in force until
3 the application is granted or denied by the Secretary of
4 State.

5 (i) All persons licensed as a new vehicle dealer are
6 required to furnish each purchaser of a motor vehicle:

7 1. In the case of a new vehicle a manufacturer's
8 statement of origin and in the case of a used motor
9 vehicle a certificate of title, in either case properly
10 assigned to the purchaser;

11 2. A statement verified under oath that all
12 identifying numbers on the vehicle agree with those on
13 the certificate of title or manufacturer's statement of
14 origin;

15 3. A bill of sale properly executed on behalf of
16 such person;

17 4. A copy of the Uniform Invoice-transaction
18 reporting return referred to in Section 5-402 hereof;

19 5. In the case of a rebuilt vehicle, a copy of the
20 Disclosure of Rebuilt Vehicle Status; and

21 6. In the case of a vehicle for which the warranty
22 has been reinstated, a copy of the warranty.

23 (j) Except at the time of sale or repossession of the
24 vehicle, no person licensed as a new vehicle dealer may issue
25 any other person a newly created key to a vehicle unless the
26 new vehicle dealer makes a copy of the driver's license or
27 State identification card of the person requesting or
28 obtaining the newly created key. The new vehicle dealer must
29 retain the copy for 30 days.

30 A new vehicle dealer who violates this subsection (j) is
31 guilty of a petty offense. Violation of this subsection (j)
32 is not cause to suspend, revoke, cancel, or deny renewal of
33 the new vehicle dealer's license.

34 This amendatory Act of 1983 shall be applicable to the
35 1984 registration year and thereafter.

1 (Source: P.A. 92-391, eff. 8-16-01.)

2 (625 ILCS 5/5-102) (from Ch. 95 1/2, par. 5-102)

3 Sec. 5-102. Used vehicle dealers must be licensed.

4 (a) No person, other than a licensed new vehicle dealer,
5 shall engage in the business of selling or dealing in, on
6 consignment or otherwise, 5 or more used vehicles of any make
7 during the year (except house trailers as authorized by
8 paragraph (j) of this Section and rebuilt salvage vehicles
9 sold by their rebuilders to persons licensed under this
10 Chapter), or act as an intermediary, agent or broker for any
11 licensed dealer or vehicle purchaser (other than as a
12 salesperson) or represent or advertise that he is so engaged
13 or intends to so engage in such business unless licensed to
14 do so by the Secretary of State under the provisions of this
15 Section.

16 (b) An application for a used vehicle dealer's license
17 shall be filed with the Secretary of State, duly verified by
18 oath, in such form as the Secretary of State may by rule or
19 regulation prescribe and shall contain:

20 1. The name and type of business organization
21 established and additional places of business, if any, in
22 this State.

23 2. If the applicant is a corporation, a list of its
24 officers, directors, and shareholders having a ten
25 percent or greater ownership interest in the corporation,
26 setting forth the residence address of each; if the
27 applicant is a sole proprietorship, a partnership, an
28 unincorporated association, a trust, or any similar form
29 of business organization, the names and residence address
30 of the proprietor or of each partner, member, officer,
31 director, trustee or manager.

32 3. A statement that the applicant has been approved
33 for registration under the Retailers' Occupation Tax Act
34 by the Department of Revenue. However, this requirement

1 does not apply to a dealer who is already licensed
2 hereunder with the Secretary of State, and who is merely
3 applying for a renewal of his license. As evidence of
4 this fact, the application shall be accompanied by a
5 certification from the Department of Revenue showing that
6 the Department has approved the applicant for
7 registration under the Retailers' Occupation Tax Act.

8 4. A statement that the applicant has complied with
9 the appropriate liability insurance requirement. A
10 Certificate of Insurance in a solvent company authorized
11 to do business in the State of Illinois shall be included
12 with each application covering each location at which he
13 proposes to act as a used vehicle dealer. The policy
14 must provide liability coverage in the minimum amounts of
15 \$100,000 for bodily injury to, or death of, any person,
16 \$300,000 for bodily injury to, or death of, two or more
17 persons in any one accident, and \$50,000 for damage to
18 property. Such policy shall expire not sooner than
19 December 31 of the year for which the license was issued
20 or renewed. The expiration of the insurance policy shall
21 not terminate the liability under the policy arising
22 during the period for which the policy was filed.
23 Trailer and mobile home dealers are exempt from this
24 requirement.

25 If the permitted user has a liability insurance
26 policy that provides automobile liability insurance
27 coverage of at least \$100,000 for bodily injury to or the
28 death of any person, \$300,000 for bodily injury to or the
29 death of any 2 or more persons in any one accident, and
30 \$50,000 for damage to property, then the permitted user's
31 insurer shall be the primary insurer and the dealer's
32 insurer shall be the secondary insurer. If the permitted
33 user does not have a liability insurance policy that
34 provides automobile liability insurance coverage of at
35 least \$100,000 for bodily injury to or the death of any

1 person, \$300,000 for bodily injury to or the death of any
2 2 or more persons in any one accident, and \$50,000 for
3 damage to property, or does not have any insurance at
4 all, then the dealer's insurer shall be the primary
5 insurer and the permitted user's insurer shall be the
6 secondary insurer.

7 When a permitted user is "test driving" a used
8 vehicle dealer's automobile, the used vehicle dealer's
9 insurance shall be primary and the permitted user's
10 insurance shall be secondary.

11 As used in this paragraph 4, a "permitted user" is a
12 person who, with the permission of the used vehicle
13 dealer or an employee of the used vehicle dealer, drives
14 a vehicle owned and held for sale or lease by the used
15 vehicle dealer which the person is considering to
16 purchase or lease, in order to evaluate the performance,
17 reliability, or condition of the vehicle. The term
18 "permitted user" also includes a person who, with the
19 permission of the used vehicle dealer, drives a vehicle
20 owned or held for sale or lease by the used vehicle
21 dealer for loaner purposes while the user's vehicle is
22 being repaired or evaluated.

23 As used in this paragraph 4, "test driving" occurs
24 when a permitted user who, with the permission of the
25 used vehicle dealer or an employee of the used vehicle
26 dealer, drives a vehicle owned and held for sale or lease
27 by a used vehicle dealer that the person is considering
28 to purchase or lease, in order to evaluate the
29 performance, reliability, or condition of the vehicle.

30 As used in this paragraph 4, "loaner purposes" means
31 when a person who, with the permission of the used
32 vehicle dealer, drives a vehicle owned or held for sale
33 or lease by the used vehicle dealer while the user's
34 vehicle is being repaired or evaluated.

35 5. An application for a used vehicle dealer's

1 license shall be accompanied by the following license
2 fees:

3 \$50 for applicant's established place of business,
4 and \$25 for each additional place of business, if any, to
5 which the application pertains; however, if the
6 application is made after June 15 of any year, the
7 license fee shall be \$25 for applicant's established
8 place of business plus \$12.50 for each additional place
9 of business, if any, to which the application pertains.

10 License fees shall be returnable only in the event that
11 the application is denied by the Secretary of State.

12 6. A statement that the applicant's officers,
13 directors, shareholders having a 10% or greater ownership
14 interest therein, proprietor, partner, member, officer,
15 director, trustee, manager or other principals in the
16 business have not committed in the past 3 years any one
17 violation as determined in any civil, criminal or
18 administrative proceedings of any one of the following
19 Acts:

20 (A) The Anti Theft Laws of the Illinois
21 Vehicle Code;

22 (B) The Certificate of Title Laws of the
23 Illinois Vehicle Code;

24 (C) The Offenses against Registration and
25 Certificates of Title Laws of the Illinois Vehicle
26 Code;

27 (D) The Dealers, Transporters, Wreckers and
28 Rebuilders Laws of the Illinois Vehicle Code;

29 (E) Section 21-2 of the Illinois Criminal Code
30 of 1961, Criminal Trespass to Vehicles; or

31 (F) The Retailers' Occupation Tax Act.

32 7. A statement that the applicant's officers,
33 directors, shareholders having a 10% or greater ownership
34 interest therein, proprietor, partner, member, officer,
35 director, trustee, manager or other principals in the

1 business have not committed in any calendar year 3 or
2 more violations, as determined in any civil or criminal
3 or administrative proceedings, of any one or more of the
4 following Acts:

- 5 (A) The Consumer Finance Act;
- 6 (B) The Consumer Installment Loan Act;
- 7 (C) The Retail Installment Sales Act;
- 8 (D) The Motor Vehicle Retail Installment Sales
9 Act;
- 10 (E) The Interest Act;
- 11 (F) The Illinois Wage Assignment Act;
- 12 (G) Part 8 of Article XII of the Code of Civil
13 Procedure; or
- 14 (H) The Consumer Fraud Act.

15 8. A bond or Certificate of Deposit in the amount
16 of \$20,000 for each location at which the applicant
17 intends to act as a used vehicle dealer. The bond shall
18 be for the term of the license, or its renewal, for which
19 application is made, and shall expire not sooner than
20 December 31 of the year for which the license was issued
21 or renewed. The bond shall run to the People of the
22 State of Illinois, with surety by a bonding or insurance
23 company authorized to do business in this State. It
24 shall be conditioned upon the proper transmittal of all
25 title and registration fees and taxes (excluding taxes
26 under the Retailers' Occupation Tax Act) accepted by the
27 applicant as a used vehicle dealer.

28 9. Such other information concerning the business
29 of the applicant as the Secretary of State may by rule or
30 regulation prescribe.

31 10. A statement that the applicant understands
32 Chapter 1 through Chapter 5 of this Code.

33 (c) Any change which renders no longer accurate any
34 information contained in any application for a used vehicle
35 dealer's license shall be amended within 30 days after the

1 occurrence of each change on such form as the Secretary of
2 State may prescribe by rule or regulation, accompanied by an
3 amendatory fee of \$2.

4 (d) Anything in this Chapter to the contrary
5 notwithstanding, no person shall be licensed as a used
6 vehicle dealer unless such person maintains an established
7 place of business as defined in this Chapter.

8 (e) The Secretary of State shall, within a reasonable
9 time after receipt, examine an application submitted to him
10 under this Section. Unless the Secretary makes a
11 determination that the application submitted to him does not
12 conform to this Section or that grounds exist for a denial of
13 the application under Section 5-501 of this Chapter, he must
14 grant the applicant an original used vehicle dealer's license
15 in writing for his established place of business and a
16 supplemental license in writing for each additional place of
17 business in such form as he may prescribe by rule or
18 regulation which shall include the following:

- 19 1. The name of the person licensed;
- 20 2. If a corporation, the name and address of its
21 officers or if a sole proprietorship, a partnership, an
22 unincorporated association or any similar form of
23 business organization, the name and address of the
24 proprietor or of each partner, member, officer, director,
25 trustee or manager;
- 26 3. In case of an original license, the established
27 place of business of the licensee;
- 28 4. In the case of a supplemental license, the
29 established place of business of the licensee and the
30 additional place of business to which such supplemental
31 license pertains.

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

1 business, if any, maintained by such licensee.

2 (g) Except as provided in subsection (h) of this
3 Section, all used vehicle dealer's licenses granted under
4 this Section expire by operation of law on December 31 of the
5 calendar year for which they are granted unless sooner
6 revoked or cancelled under Section 5-501 of this Chapter.

7 (h) A used vehicle dealer's license may be renewed upon
8 application and payment of the fee required herein, and
9 submission of proof of coverage by an approved bond under the
10 "Retailers' Occupation Tax Act" or proof that applicant is
11 not subject to such bonding requirements, as in the case of
12 an original license, but in case an application for the
13 renewal of an effective license is made during the month of
14 December, the effective license shall remain in force until
15 the application for renewal is granted or denied by the
16 Secretary of State.

17 (i) All persons licensed as a used vehicle dealer are
18 required to furnish each purchaser of a motor vehicle:

19 1. A certificate of title properly assigned to the
20 purchaser;

21 2. A statement verified under oath that all
22 identifying numbers on the vehicle agree with those on
23 the certificate of title;

24 3. A bill of sale properly executed on behalf of
25 such person;

26 4. A copy of the Uniform Invoice-transaction
27 reporting return referred to in Section 5-402 of this
28 Chapter;

29 5. In the case of a rebuilt vehicle, a copy of the
30 Disclosure of Rebuilt Vehicle Status; and

31 6. In the case of a vehicle for which the warranty
32 has been reinstated, a copy of the warranty.

33 (j) A real estate broker holding a valid certificate of
34 registration issued pursuant to "The Real Estate Brokers and
35 Salesmen License Act" may engage in the business of selling

1 or dealing in house trailers not his own without being
2 licensed as a used vehicle dealer under this Section; however
3 such broker shall maintain a record of the transaction
4 including the following:

- 5 (1) the name and address of the buyer and seller,
- 6 (2) the date of sale,
- 7 (3) a description of the mobile home, including the
8 vehicle identification number, make, model, and year, and
- 9 (4) the Illinois certificate of title number.

10 The foregoing records shall be available for inspection
11 by any officer of the Secretary of State's Office at any
12 reasonable hour.

13 (k) Except at the time of sale or repossession of the
14 vehicle, no person licensed as a used vehicle dealer may
15 issue any other person a newly created key to a vehicle
16 unless the used vehicle dealer makes a copy of the driver's
17 license or State identification card of the person requesting
18 or obtaining the newly created key. The used vehicle dealer
19 must retain the copy for 30 days.

20 A used vehicle dealer who violates this subsection (k) is
21 guilty of a petty offense. Violation of this subsection (k)
22 is not cause to suspend, revoke, cancel, or deny renewal of
23 the used vehicle dealer's license.

24 (Source: P.A. 92-391, eff. 8-16-01.)".

25 Submitted on May 30, 2002.

26 s/Sen. Dave Syverson

s/Rep. Jay Hoffman

27 s/Sen. Thomas Walsh

s/Rep. Barbara Flynn Currie

28 s/Sen. Todd Sieben

s/Rep. Gary Hannig

29 s/Sen. Denny Jacobs

s/Rep. Art Tenhouse

30 s/Sen. John Cullerton

s/Rep. Terry Parke

31 Committee for the Senate

Committee for the House