



Rep. Edward J. Acevedo

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LRB098 03610 MLW 44251 a

1 AMENDMENT TO HOUSE BILL 773

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 773 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 5-301, 5-401.3 and 5-402.1 as follows:

6 (625 ILCS 5/5-301) (from Ch. 95 1/2, par. 5-301)

7 Sec. 5-301. Automotive parts recyclers, scrap processors,  
8 repairers and rebuilders must be licensed.

9 (a) No person in this State shall, except as an incident to  
10 the servicing of vehicles, carry on or conduct the business of  
11 a automotive parts recyclers, a scrap processor, a repairer, or  
12 a rebuilder, unless licensed to do so in writing by the  
13 Secretary of State under this Section. No person shall rebuild  
14 a salvage vehicle unless such person is licensed as a rebuilder  
15 by the Secretary of State under this Section. No person shall  
16 engage in the business of acquiring 5 or more previously owned

1 vehicles in one calendar year for the primary purpose of  
2 disposing of those vehicles in the manner described in the  
3 definition of a "scrap processor" in this Code unless the  
4 person is licensed as an automotive parts recycler by the  
5 Secretary of State under this Section. Each license shall be  
6 applied for and issued separately, except that a license issued  
7 to a new vehicle dealer under Section 5-101 of this Code shall  
8 also be deemed to be a repairer license.

9 (a-5) No recyclable metal dealer may acquire or possess a  
10 vehicle, junk vehicle, vehicle cowl, or essential vehicle  
11 parts, as defined by Section 1-118 of this Code, for the  
12 purpose of processing them into a form other than a vehicle  
13 unless that recyclable metal dealer is licensed by the  
14 Secretary of State as a scrap processor under this Section. A  
15 recyclable metal dealer who fails to obtain a scrap processor's  
16 license shall be subject to the provisions of Sections 5-503  
17 and 5-801 of this Code.

18 (b) Any application filed with the Secretary of State,  
19 shall be duly verified by oath, in such form as the Secretary  
20 of State may by rule or regulation prescribe and shall contain:

21 1. The name and type of business organization of the  
22 applicant and his principal or additional places of  
23 business, if any, in this State.

24 2. The kind or kinds of business enumerated in  
25 subsection (a) of this Section to be conducted at each  
26 location.

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

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

18           (a) The Anti Theft Laws of the Illinois Vehicle  
19 Code;

20           (b) The "Certificate of Title Laws" of the Illinois  
21 Vehicle Code;

22           (c) The "Offenses against Registration and  
23 Certificates of Title Laws" of the Illinois Vehicle  
24 Code;

25           (d) The "Dealers, Transporters, Wreckers and  
26 Rebuilders Laws" of the Illinois Vehicle Code;

1 (e) Section 21-2 of the Criminal Code of 1961 or  
2 the Criminal Code of 2012, Criminal Trespass to  
3 Vehicles; or

4 (f) The Retailers Occupation Tax Act.

5 5. A statement that the applicant's officers,  
6 directors, shareholders having a ten percent or greater  
7 ownership interest therein, proprietor, partner, member,  
8 officer, director, trustee, manager or other principals in  
9 the business have not committed in any calendar year 3 or  
10 more violations, as determined in any civil or criminal or  
11 administrative proceedings, of any one or more of the  
12 following Acts:

13 (a) The Consumer Finance Act;

14 (b) The Consumer Installment Loan Act;

15 (c) The Retail Installment Sales Act;

16 (d) The Motor Vehicle Retail Installment Sales  
17 Act;

18 (e) The Interest Act;

19 (f) The Illinois Wage Assignment Act;

20 (g) Part 8 of Article XII of the Code of Civil  
21 Procedure; or

22 (h) The Consumer Fraud Act.

23 6. An application for a license shall be accompanied by  
24 the following fees: \$50 for applicant's established place  
25 of business; \$25 for each additional place of business, if  
26 any, to which the application pertains; provided, however,

1           that if such an application is made after June 15 of any  
2           year, the license fee shall be \$25 for applicant's  
3           established place of business plus \$12.50 for each  
4           additional place of business, if any, to which the  
5           application pertains. License fees shall be returnable  
6           only in the event that such application shall be denied by  
7           the Secretary of State.

8           7. A statement that the applicant understands Chapter 1  
9           through Chapter 5 of this Code.

10          8. A statement that the applicant shall comply with  
11          subsection (e) of this Section.

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

18          (d) Anything in this chapter to the contrary,  
19          notwithstanding, no person shall be licensed under this Section  
20          unless such person shall maintain an established place of  
21          business as defined in this Chapter.

22          (e) The Secretary of State shall within a reasonable time  
23          after receipt thereof, examine an application submitted to him  
24          under this Section and unless he makes a determination that the  
25          application submitted to him does not conform with the  
26          requirements of this Section or that grounds exist for a denial

1 of the application, as prescribed in Section 5-501 of this  
2 Chapter, grant the applicant an original license as applied for  
3 in writing for his established place of business and a  
4 supplemental license in writing for each additional place of  
5 business in such form as he may prescribe by rule or regulation  
6 which shall include the following:

7 1. The name of the person licensed;

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

14 3. A designation of the kind or kinds of business  
15 enumerated in subsection (a) of this Section to be  
16 conducted at each location;

17 4. In the case of an original license, the established  
18 place of business of the licensee;

19 5. In the case of a supplemental license, the  
20 established place of business of the licensee and the  
21 additional place of business to which such supplemental  
22 license pertains.

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

1 business, if any, maintained by such licensee. The licensee  
2 also shall post conspicuously in the established place of  
3 business and in each additional place of business a notice  
4 which states that such business is required to be licensed by  
5 the Secretary of State under Section 5-301, and which provides  
6 the license number of the business and the license expiration  
7 date. This notice also shall advise the consumer that any  
8 complaints as to the quality of service may be brought to the  
9 attention of the Attorney General. The information required on  
10 this notice also shall be printed conspicuously on all  
11 estimates and receipts for work by the licensee subject to this  
12 Section. The Secretary of State shall prescribe the specific  
13 format of this notice.

14 (g) Except as provided in subsection (h) hereof, licenses  
15 granted under this Section shall expire by operation of law on  
16 December 31 of the calendar year for which they are granted  
17 unless sooner revoked or cancelled under the provisions of  
18 Section 5-501 of this Chapter.

19 (h) Any license granted under this Section may be renewed  
20 upon application and payment of the fee required herein as in  
21 the case of an original license, provided, however, that in  
22 case an application for the renewal of an effective license is  
23 made during the month of December, such effective license shall  
24 remain in force until such application is granted or denied by  
25 the Secretary of State.

26 (i) All automotive repairers and rebuilders shall, in

1 addition to the requirements of subsections (a) through (h) of  
2 this Section, meet the following licensing requirements:

3 1. Provide proof that the property on which first time  
4 applicants plan to do business is in compliance with local  
5 zoning laws and regulations, and a listing of zoning  
6 classification;

7 2. Provide proof that the applicant for a repairer's  
8 license complies with the proper workers' compensation  
9 rate code or classification, and listing the code of  
10 classification for that industry;

11 3. Provide proof that the applicant for a rebuilder's  
12 license complies with the proper workers' compensation  
13 rate code or classification for the repair industry or the  
14 auto parts recycling industry and listing the code of  
15 classification;

16 4. Provide proof that the applicant has obtained or  
17 applied for a hazardous waste generator number, and listing  
18 the actual number if available or certificate of exemption;

19 5. Provide proof that applicant has proper liability  
20 insurance, and listing the name of the insurer and the  
21 policy number; and

22 6. Provide proof that the applicant has obtained or  
23 applied for the proper State sales tax classification and  
24 federal identification tax number, and listing the actual  
25 numbers if available.

26 (i-1) All automotive repairers shall provide proof that



1 they comply with all requirements of the Automotive Collision  
2 Repair Act.

3 (j) All automotive parts recyclers shall, in addition to  
4 the requirements of subsections (a) through (h) of this  
5 Section, meet the following licensing requirements:

6 1. A statement that the applicant purchases 5 vehicles  
7 per year or has 5 hulks or chassis in stock;

8 2. Provide proof that the property on which all first  
9 time applicants will do business does comply to the proper  
10 local zoning laws in existence, and a listing of zoning  
11 classifications;

12 3. Provide proof that applicant complies with the  
13 proper workers' compensation rate code or classification,  
14 and listing the code of classification; and

15 4. Provide proof that applicant has obtained or applied  
16 for the proper State sales tax classification and federal  
17 identification tax number, and listing the actual numbers  
18 if available.

19 (Source: P.A. 97-832, eff. 7-20-12; 97-1150, eff. 1-25-13.)

20 (625 ILCS 5/5-401.3) (from Ch. 95 1/2, par. 5-401.3)

21 Sec. 5-401.3. Scrap processors required to keep records.

22 (a) Every person licensed or required to be licensed as a  
23 scrap processor pursuant to Section 5-301 of this Chapter shall  
24 maintain for 3 years, at his established place of business, the  
25 following records relating to the acquisition of recyclable

1 metals or the acquisition of a vehicle, junk vehicle, or  
2 vehicle cowl which has been acquired for the purpose of  
3 processing into a form other than a vehicle, junk vehicle or  
4 vehicle cowl which is possessed in the State or brought into  
5 this State from another state, territory or country. No scrap  
6 metal processor shall sell a vehicle or essential part, as  
7 such, except for engines, transmissions, and powertrains,  
8 unless licensed to do so under another provision of this Code.  
9 A scrap processor who is additionally licensed as an automotive  
10 parts recycler shall not be subject to the record keeping  
11 requirements for a scrap processor when acting as an automotive  
12 parts recycler.

13 (1) For a vehicle, junk vehicle, or vehicle cowl  
14 acquired from a person who is licensed under this Chapter,  
15 the scrap processor shall record the name and address of  
16 the person, and the Illinois or out-of-state dealer license  
17 number of such person on the scrap processor's weight  
18 ticket at the time of the acquisition. The person disposing  
19 of the vehicle, junk vehicle, or vehicle cowl shall furnish  
20 the scrap processor with documentary proof of ownership of  
21 the vehicle, junk vehicle, or vehicle cowl in one of the  
22 following forms: a Certificate of Title, a Salvage  
23 Certificate, a Junking Certificate, a Secretary of State  
24 Junking Manifest, a Uniform Invoice, a Certificate of  
25 Purchase, or other similar documentary proof of ownership.  
26 The scrap processor shall not acquire a vehicle, junk

1 vehicle or vehicle cowl without obtaining one of the  
2 aforementioned documentary proofs of ownership.

3 (2) For a vehicle, junk vehicle or vehicle cowl  
4 acquired from a person who is not licensed under this  
5 Chapter, the scrap processor shall verify and record that  
6 person's identity by recording the identification of such  
7 person from at least 2 sources of identification, one of  
8 which shall be a driver's license or State Identification  
9 Card, on the scrap processor's weight ticket at the time of  
10 the acquisition. The person disposing of the vehicle, junk  
11 vehicle, or vehicle cowl shall furnish the scrap processor  
12 with documentary proof of ownership of the vehicle, junk  
13 vehicle, or vehicle cowl in one of the following forms: a  
14 Certificate of Title, a Salvage Certificate, or a Junking  
15 Certificate, ~~a Secretary of State Junking Manifest, a~~  
16 ~~Certificate of Purchase, or other similar documentary~~  
17 ~~proof of ownership.~~ The scrap processor shall not acquire a  
18 vehicle, junk vehicle or vehicle cowl without obtaining one  
19 of the aforementioned documentary proofs of ownership. No  
20 person shall engage in the business of acquiring 5 or more  
21 previously owned vehicles in one calendar year for the  
22 primary purpose of disposing of those vehicles in the  
23 manner described in the definition of a "scrap processor"  
24 in Section 1-182.3 of this Code unless the person is  
25 licensed as an automotive parts recycler by the Secretary  
26 of State under this Section.

1           (3) In addition to the other information required on  
2 the scrap processor's weight ticket, a scrap processor who  
3 at the time of acquisition of a vehicle, junk vehicle, or  
4 vehicle cowl is furnished a Certificate of Title, a Salvage  
5 Certificate, or a Junking Certificate ~~Certificate of~~  
6 ~~Purchase~~ shall record the Vehicle Identification Number on  
7 the weight ticket or affix a copy of the Certificate of  
8 Title, Salvage Certificate, or Junking Certificate  
9 ~~Certificate of Purchase~~ to the weight ticket and the  
10 identification of the person acquiring the information on  
11 the behalf of the scrap processor.

12           (4) The scrap processor shall maintain a copy of a Junk  
13 Vehicle Notification relating to any Certificate of Title,  
14 Salvage Certificate, or Junking Certificate, ~~Certificate~~  
15 ~~of Purchase~~ or similarly acceptable out-of-state document  
16 surrendered to the Secretary of State pursuant to the  
17 provisions of Section 3-117.2 of this Code.

18           (5) For recyclable metals valued at \$100 or more, the  
19 scrap processor shall, for each transaction, record the  
20 identity of the person from whom the recyclable metals were  
21 acquired by verifying the identification of that person  
22 from one source of identification, which shall be a valid  
23 driver's license or State Identification Card, on the scrap  
24 processor's weight ticket at the time of the acquisition  
25 and by making and recording a photocopy or electronic scan  
26 of the driver's license or State Identification Card. Such

1 information shall be available for inspection by any law  
2 enforcement official. If the person delivering the  
3 recyclable metal does not have a valid driver's license or  
4 State Identification Card, the scrap processor shall not  
5 complete the transaction. The inspection of records  
6 pertaining only to recyclable metals shall not be counted  
7 as an inspection of a premises for purposes of subparagraph  
8 (7) of Section 5-403 of this Code.

9 This subdivision (a)(5) does not apply to electrical  
10 contractors, to agencies or instrumentalities of the State  
11 of Illinois or of the United States, to common carriers, to  
12 purchases from persons, firms, or corporations regularly  
13 engaged in the business of manufacturing recyclable metal,  
14 in the business of selling recyclable metal at retail or  
15 wholesale, or in the business of razing, demolishing,  
16 destroying, or removing buildings, to the purchase by one  
17 recyclable metal dealer from another, or the purchase from  
18 persons, firms, or corporations engaged in either the  
19 generation, transmission, or distribution of electric  
20 energy or in telephone, telegraph, and other  
21 communications if such common carriers, persons, firms, or  
22 corporations at the time of the purchase provide the  
23 recyclable metal dealer with a bill of sale or other  
24 written evidence of title to the recyclable metal. This  
25 subdivision (a)(5) also does not apply to contractual  
26 arrangements between dealers.

1 (b) Any licensee who knowingly fails to record any of the  
2 specific information required to be recorded on the weight  
3 ticket required under any other subsection of this Section, or  
4 Section 5-401 of this Code, or who knowingly fails to acquire  
5 and maintain for 3 years documentary proof of ownership in one  
6 of the prescribed forms shall be guilty of a Class A  
7 misdemeanor and subject to suspension of his or her license for  
8 a period of up to 5 years ~~a fine not to exceed \$1,000~~. Each  
9 violation shall constitute a separate and distinct offense and  
10 a separate count may be brought in the same complaint for each  
11 violation. Any licensee who commits a second violation of this  
12 Section within two years of a previous conviction of a  
13 violation of this Section shall be guilty of a Class 4 felony.

14 (c) It shall be an affirmative defense to an offense  
15 brought under paragraph (b) of this Section that the licensee  
16 or person required to be licensed both reasonably and in good  
17 faith relied on information appearing on a Certificate of  
18 Title, a Salvage Certificate, or a Junking Certificate, ~~a~~  
19 ~~Secretary of State Manifest, a Secretary of State's Uniform~~  
20 ~~Invoice, a Certificate of Purchase, or other documentary proof~~  
21 ~~of ownership prepared under Section 3-117.1(a) of this Code,~~  
22 ~~relating to the transaction for which the required record was~~  
23 ~~not kept which was supplied to the licensee by another licensee~~  
24 ~~or an out-of-state dealer.~~

25 (d) No later than 15 days prior to going out of business,  
26 selling the business, or transferring the ownership of the

1 business, the scrap processor shall notify the Secretary of  
2 that fact. Failure to so notify the Secretary of State shall  
3 constitute a failure to keep records under this Section.

4 (e) (Blank). ~~Evidence derived directly or indirectly from~~  
5 ~~the keeping of records required to be kept under this Section~~  
6 ~~shall not be admissible in a prosecution of the licensee for an~~  
7 ~~alleged violation of Section 4-102(a)(3) of this Code.~~

8 (f) Any scrap processor who finds a nonconforming vehicle  
9 identification number on any documentary proof of ownership of  
10 a vehicle, junk vehicle, or vehicle cowl provided by the person  
11 attempting to dispose of that item shall report the offense to  
12 the Secretary of State, including the name of the person  
13 attempting to dispose of the vehicle, junk vehicle, or vehicle  
14 cowl, the actual vehicle identification number, the  
15 nonconforming vehicle number, the vehicle license plate  
16 number, a copy of the document used, and the license number of  
17 the person or persons involved in the attempted transaction.  
18 Any person licensed as a scrap processor under Section 5-301  
19 who is found to be in violation of this subsection or any  
20 licensed entity found in violation of this subsection shall be  
21 subject to suspension of his, her, or its license for a period  
22 of up to 5 years. Any person in violation of this subsection  
23 shall be guilty of a Class 2 felony.

24 (Source: P.A. 95-253, eff. 1-1-08; 95-979, eff. 1-2-09.)

25 (625 ILCS 5/5-402.1) (from Ch. 95 1/2, par. 5-402.1)

1           Sec. 5-402.1. Use of Secretary of State Uniform Invoice for  
2 Essential Parts.

3           (a) Except for scrap processors, every person licensed or  
4 required to be licensed under Section 5-101, 5-101.1, 5-102 or  
5 5-301 of this Code shall issue, in a form the Secretary of  
6 State may by rule or regulation prescribe, a Uniform Invoice,  
7 which may also act as a bill of sale, made out in triplicate  
8 with respect to each transaction in which he disposes of an  
9 essential part other than quarter panels and transmissions of  
10 vehicles of the first division. Such Invoice shall be made out  
11 at the time of the disposition of the essential part. ~~If the~~  
12 ~~licensee disposes of several essential parts in the same~~  
13 ~~transaction, the licensee may issue one Uniform Invoice~~  
14 ~~covering all essential parts disposed of in that transaction.~~

15           (b) The following information shall be contained on the  
16 Uniform Invoice:

17           (1) the business name, address and dealer license  
18 number of the person disposing of the essential part;

19           (2) the name and address of the person acquiring the  
20 essential part, and if that person is a dealer, the  
21 Illinois or out-of-state dealer license number of that  
22 dealer;

23           (3) the date of the disposition of the essential part;

24           (4) the year, make, model, color and description of  
25 each essential part disposed of by the person;

26           (5) the manufacturer's vehicle identification number,



1 Secretary of State identification number or Illinois  
2 Department of State Police identification number, for each  
3 essential part disposed of by the person;

4 (6) the printed name and legible signature of the  
5 person or agent disposing of the essential part; and

6 (7) if the person is a dealer the printed name and  
7 legible signature of the dealer or his agent or employee  
8 accepting delivery of the essential part.

9 (c) Except for scrap processors, and except as set forth in  
10 subsection (d) of this Section, whenever a person licensed or  
11 required to be licensed by Section 5-101, 5-101.1, 5-102, or  
12 5-301 accepts delivery of an essential part, other than quarter  
13 panels and transmissions of vehicles of the first division,  
14 that person shall, at the time of the acceptance or delivery,  
15 comply with the following procedures:

16 (1) Before acquiring or accepting delivery of any  
17 essential part, the licensee or his authorized agent or  
18 employee shall inspect the part to determine whether the  
19 vehicle identification number, Secretary of State  
20 identification number, Illinois Department of State Police  
21 identification number, or identification plate or sticker  
22 attached to or stamped on any part being acquired or  
23 delivered has been removed, falsified, altered, defaced,  
24 destroyed, or tampered with. If the licensee or his agent  
25 or employee determines that the vehicle identification  
26 number, Secretary of State identification number, Illinois

1 Department of State Police identification number,  
2 identification plate or identification sticker containing  
3 an identification number, or Federal Certificate label of  
4 an essential part has been removed, falsified, altered,  
5 defaced, destroyed or tampered with, the licensee or agent  
6 shall not accept or receive that part.

7 If that part was physically acquired by or delivered to  
8 a licensee or his agent or employee while that licensee,  
9 agent or employee was outside this State, that licensee or  
10 agent or employee shall not bring that essential part into  
11 this State or cause it to be brought into this State.

12 (2) If the person disposing of or delivering the  
13 essential part to the licensee is a licensed in-state or  
14 out-of-state dealer, the licensee or his agent or employee,  
15 after inspecting the essential part as required by  
16 paragraph (1) of this subsection (c), shall examine the  
17 Uniform Invoice, or bill of sale, as the case may be, to  
18 ensure that it contains all the information required to be  
19 provided by persons disposing of essential parts as set  
20 forth in subsection (b) of this Section. If the Uniform  
21 Invoice or bill of sale does not contain all the  
22 information required to be listed by subsection (b) of this  
23 Section, the dealer disposing of or delivering such part or  
24 his agent or employee shall record such additional  
25 information or other needed modifications on the Uniform  
26 Invoice or bill of sale or, if needed, an attachment

1           thereto. The dealer or his agent or employee delivering the  
2           essential part shall initial all additions or  
3           modifications to the Uniform Invoice or bill of sale and  
4           legibly print his name at the bottom of each document  
5           containing his initials. If the transaction involves a bill  
6           of sale rather than a Uniform Invoice, the licensee or his  
7           agent or employee accepting delivery of or acquiring the  
8           essential part shall affix his printed name and legible  
9           signature on the space on the bill of sale provided for his  
10          signature or, if no space is provided, on the back of the  
11          bill of sale. If the dealer or his agent or employee  
12          disposing of or delivering the essential part cannot or  
13          does not provide all the information required by subsection  
14          (b) of this Section, the licensee or his agent or employee  
15          shall not accept or receive any essential part for which  
16          that required information is not provided. If such  
17          essential part for which the information required is not  
18          fully provided was physically acquired while the licensee  
19          or his agent or employee was outside this State, the  
20          licensee or his agent or employee shall not bring that  
21          essential part into this State or cause it to be brought  
22          into this State.

23           (3) If the person disposing of the essential part is  
24          not a licensed dealer, the licensee or his agent or  
25          employee shall, after inspecting the essential part as  
26          required by paragraph (1) of subsection (c) of this Section

1        verify the identity of the person disposing of the  
2        essential part by examining 2 sources of identification,  
3        one of which shall be either a driver's license or state  
4        identification card. The licensee or his agent or employee  
5        shall then prepare a Uniform Invoice listing all the  
6        information required to be provided by subsection (b) of  
7        this Section. In the space on the Uniform Invoice provided  
8        for the dealer license number of the person disposing of  
9        the part, the licensee or his agent or employee shall list  
10       the numbers taken from the documents of identification  
11       provided by the person disposing of the part. The person  
12       disposing of the part shall affix his printed name and  
13       legible signature on the space on the Uniform Invoice  
14       provided for the person disposing of the essential part and  
15       the licensee or his agent or employee acquiring the part  
16       shall affix his printed name and legible signature on the  
17       space provided on the Uniform Invoice for the person  
18       acquiring the essential part. If the person disposing of  
19       the essential part cannot or does not provide all the  
20       information required to be provided by this paragraph, or  
21       does not present 2 satisfactory forms of identification,  
22       the licensee or his agent or employee shall not acquire  
23       that essential part.

24       (d) If an essential part other than quarter panels and  
25       transmissions of vehicles of the first division was delivered  
26       by a licensed commercial delivery service delivering such part

1 on behalf of a licensed dealer, the person required to comply  
2 with subsection (c) of this Section may conduct the inspection  
3 of that part required by paragraph (1) of subsection (c) and  
4 examination of the Uniform Invoice or bill of sale required by  
5 paragraph (2) of subsection (c) of this Section immediately  
6 after the acceptance of the part.

7 (1) If the inspection of the essential part pursuant to  
8 paragraph (1) of subsection (c) reveals that the vehicle  
9 identification number, Secretary of State identification  
10 number, Illinois Department of State Police identification  
11 number, identification plate or sticker containing an  
12 identification number, or Federal Certificate label of an  
13 essential part has been removed, falsified, altered,  
14 defaced, destroyed or tampered with, the licensee or his  
15 agent shall immediately record such fact on the Uniform  
16 Invoice or bill of sale, assign the part an inventory or  
17 stock number, place such inventory or stock number on both  
18 the essential part and the Uniform Invoice or bill of sale,  
19 and record the date of the inspection of the part on the  
20 Uniform Invoice or bill of sale. The licensee shall, within  
21 7 days of such inspection, return such part to the dealer  
22 from whom it was acquired.

23 (2) If the examination of the Uniform Invoice or bill  
24 of sale pursuant to paragraph (2) of subsection (c) reveals  
25 that any of the information required to be listed by  
26 subsection (b) of this Section is missing, the licensee or

1 person required to be licensed shall immediately assign a  
2 stock or inventory number to such part, place such stock or  
3 inventory number on both the essential part and the Uniform  
4 Invoice or bill of sale, and record the date of examination  
5 on the Uniform Invoice or bill of sale. The licensee or  
6 person required to be licensed shall acquire the  
7 information missing from the Uniform Invoice or bill of  
8 sale within 7 days of the examination of such Uniform  
9 Invoice or bill of sale. Such information may be received  
10 by telephone conversation with the dealer from whom the  
11 part was acquired. If the dealer provides the missing  
12 information the licensee shall record such information on  
13 the Uniform Invoice or bill of sale along with the name of  
14 the person providing the information. If the dealer does  
15 not provide the required information within the  
16 aforementioned 7 day period, the licensee shall return the  
17 part to that dealer.

18 (e) Except for scrap processors, all persons licensed or  
19 required to be licensed who acquire or dispose of essential  
20 parts other than quarter panels and transmissions of vehicles  
21 of the first division shall retain a copy of the Uniform  
22 Invoice required to be made by subsections (a), (b) and (c) of  
23 this Section for a period of 3 years.

24 (f) Except for scrap processors, any person licensed or  
25 required to be licensed under Sections 5-101, 5-102 or 5-301  
26 who knowingly fails to record on a Uniform Invoice any of the

1 information or entries required to be recorded by subsections  
2 (a), (b) and (c) of this Section, or who knowingly places false  
3 entries or other misleading information on such Uniform  
4 Invoice, or who knowingly fails to retain for 3 years a copy of  
5 a Uniform Invoice reflecting transactions required to be  
6 recorded by subsections (a), (b) and (c) of this Section, or  
7 who knowingly acquires or disposes of essential parts without  
8 receiving, issuing, or executing a Uniform Invoice reflecting  
9 that transaction as required by subsections (a), (b) and (c) of  
10 this Section, or who brings or causes to be brought into this  
11 State essential parts for which the information required to be  
12 recorded on a Uniform Invoice is not recorded as prohibited by  
13 subsection (c) of this Section, or who knowingly fails to  
14 comply with the provisions of this Section in any other manner  
15 shall be guilty of a Class 2 felony. Each violation shall  
16 constitute a separate and distinct offense and a separate count  
17 may be brought in the same indictment or information for each  
18 essential part for which a record was not kept as required by  
19 this Section or for which the person failed to comply with  
20 other provisions of this Section.

21 (g) The records required to be kept by this Section may be  
22 examined by a person or persons making a lawful inspection of  
23 the licensee's premises pursuant to Section 5-403.

24 (h) The records required to be kept by this Section shall  
25 be retained by the licensee at his principal place of business  
26 for a period of 7 years.

1           (i) (Blank). ~~The requirements of this Section shall not~~  
2 ~~apply to the disposition of an essential part other than a cowl~~  
3 ~~which has been damaged or altered to a state in which it can no~~  
4 ~~longer be returned to a usable condition and which is being~~  
5 ~~sold or transferred to a scrap processor or for delivery to a~~  
6 ~~scrap processor.~~

7           (j) Scrap processors shall, under no circumstances, be  
8 permitted to use the Uniform Invoice for any purpose under this  
9 Chapter. Any person found in violation of this subsection (j)  
10 shall be guilty of a Class 2 felony.

11           (Source: P.A. 91-415, eff. 1-1-00.)

12           Section 99. Effective date. This Act takes effect upon  
13 becoming law.".