

HB2242



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2242

Introduced 2/14/2023, by Rep. Angelica Guerrero-Cuellar

SYNOPSIS AS INTRODUCED:

625 ILCS 5/4-103

from Ch. 95 1/2, par. 4-103

Amends a provision of the Illinois Vehicle Code making it a violation for a person not entitled to the possession of a vehicle or essential part of a vehicle to receive, possess, conceal, sell, dispose, or transfer it, knowing it to have been stolen or converted. Provides that the violation is committed regardless of whether the person stole or converted the vehicle.

LRB103 05110 HEP 50124 b

A BILL FOR

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 4-103 as follows:

6 (625 ILCS 5/4-103) (from Ch. 95 1/2, par. 4-103)

7 Sec. 4-103. Offenses relating to motor vehicles and other
8 vehicles - Felonies.

9 (a) Except as provided in subsection (a-1), it is a
10 violation of this Chapter for:

11 (1) A person not entitled to the possession of a
12 vehicle or essential part of a vehicle to receive,
13 possess, conceal, sell, dispose, or transfer it, knowing
14 it to have been stolen or converted, regardless of whether
15 the person stole or converted the vehicle. Knowledge that
16 a vehicle or essential part is stolen or converted may be
17 inferred: (A) from the surrounding facts and
18 circumstances, which would lead a reasonable person to
19 believe that the vehicle or essential part is stolen or
20 converted; or (B) if the person exercises exclusive
21 unexplained possession over the stolen or converted
22 vehicle or essential part, regardless of whether the date
23 on which the vehicle or essential part was stolen is

1 recent or remote;

2 (2) A person to knowingly remove, alter, deface,
3 destroy, falsify, or forge a manufacturer's identification
4 number of a vehicle or an engine number of a motor vehicle
5 or any essential part thereof having an identification
6 number;

7 (3) A person to knowingly conceal or misrepresent the
8 identity of a vehicle or any essential part thereof;

9 (4) A person to buy, receive, possess, sell or dispose
10 of a vehicle, or any essential part thereof, with
11 knowledge that the identification number of the vehicle or
12 any essential part thereof having an identification number
13 has been removed or falsified;

14 (5) A person to knowingly possess, buy, sell,
15 exchange, give away, or offer to buy, sell, exchange or
16 give away, any manufacturer's identification number plate,
17 mylar sticker, federal certificate label, State police
18 reassignment plate, Secretary of State assigned plate,
19 rosette rivet, or facsimile of such which has not yet been
20 attached to or has been removed from the original or
21 assigned vehicle. It is an affirmative defense to
22 subsection (a) of this Section that the person possessing,
23 buying, selling or exchanging a plate mylar sticker or
24 label described in this paragraph is a police officer
25 doing so as part of his official duties, or is a
26 manufacturer's authorized representative who is replacing

1 any manufacturer's identification number plate, mylar
2 sticker or Federal certificate label originally placed on
3 the vehicle by the manufacturer of the vehicle or any
4 essential part thereof;

5 (6) A person to knowingly make a false report of the
6 theft or conversion of a vehicle to any police officer of
7 this State or any employee of a law enforcement agency of
8 this State designated by the law enforcement agency to
9 take, receive, process, or record reports of vehicle theft
10 or conversion.

11 (a-1) A person engaged in the repair or servicing of
12 vehicles does not violate this Chapter by knowingly possessing
13 a manufacturer's identification number plate for the purpose
14 of reaffixing it on the same damaged vehicle from which it was
15 originally taken, if the person reaffixes or intends to
16 reaffix the original manufacturer's identification number
17 plate in place of the identification number plate affixed on a
18 new dashboard that has been or will be installed in the
19 vehicle. The person must notify the Secretary of State each
20 time the original manufacturer's identification number plate
21 is reaffixed on a vehicle. The person must keep a record
22 indicating that the identification number plate affixed on the
23 new dashboard has been removed and has been replaced by the
24 manufacturer's identification number plate originally affixed
25 on the vehicle. The person also must keep a record regarding
26 the status and location of the identification number plate

1 removed from the replacement dashboard. The Secretary shall
2 adopt rules for implementing this subsection (a-1).

3 (a-2) The owner of a vehicle repaired under subsection
4 (a-1) must, within 90 days of the date of the repairs, contact
5 an officer of the Illinois State Police Vehicle Inspection
6 Bureau and arrange for an inspection of the vehicle, by the
7 officer or the officer's designee, at a mutually agreed upon
8 date and location.

9 (b) Sentence. A person convicted of a violation of this
10 Section shall be guilty of a Class 2 felony.

11 (c) The offenses set forth in subsection (a) of this
12 Section shall not include the offense set forth in Section
13 4-103.2 of this Code.

14 (Source: P.A. 100-745, eff. 8-10-18.)