



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0696

Introduced 2/6/2009, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

815 ILCS 325/3
815 ILCS 325/5

from Ch. 121 1/2, par. 323
from Ch. 121 1/2, par. 325

Amends the Recyclable Metal Purchase Registration Law. Requires a recyclable metal dealer to obtain and record certain information for each transaction involving the purchase of metal street signs, including a declaration, signed and dated, by the person or persons from whom the metal street signs were purchased which states that the property subject to the transaction is not stolen property. Contains a provision regarding exemptions, defines the term "metal street sign", and makes other changes. Effective immediately.

LRB096 05719 KTG 15786 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Recyclable Metal Purchase Registration Law
5 is amended by changing Sections 3 and 5 as follows:

6 (815 ILCS 325/3) (from Ch. 121 1/2, par. 323)

7 Sec. 3. Records of purchases. Except as provided in Section
8 5 of this Act every recyclable metal dealer in this State shall
9 enter on forms provided by the Department of State Police or
10 such department as may succeed to its functions, for each
11 purchase of recyclable metal valued at \$100 or more and for
12 each transaction involving the purchase of metal street signs
13 the following information:

- 14 1. The name and address of the recyclable metal dealer;
- 15 2. The date and place of each purchase;
- 16 3. The name and address of the person or persons from
17 whom the recyclable metal or metal street signs were ~~was~~
18 purchased, which shall be verified from a valid driver's
19 license or State Identification Card. The recyclable metal
20 dealer shall make and record a photocopy or electronic scan
21 of the driver's license or State Identification Card. If
22 the person delivering the recyclable metal or metal street
23 signs does not have a valid driver's license or State

1 Identification Card, the recyclable metal dealer shall not
2 complete the transaction;

3 4. The motor vehicle license number and state of
4 issuance of the motor vehicle license number of the vehicle
5 or conveyance on which the recyclable metal was delivered
6 to the recyclable metal dealer;

7 5. A description of the recyclable metal or metal
8 street signs purchased, including the weight and whether it
9 consists of bars, cable, ingots, rods, tubing, wire, wire
10 scraps, clamps, connectors, other appurtenances, or some
11 combination thereof; and -

12 6. A declaration signed and dated by the person or
13 persons from whom the recyclable metal or metal street
14 signs were purchased which states the following:

15 "I, the undersigned, affirm under penalty of law
16 that the property that is subject to this transaction
17 is not to the best of my knowledge stolen property."

18 For purposes of this Section, "metal street sign" means any
19 sign displaying the name of the street on which it is located
20 and all signs, signals, markings, and other devices placed or
21 erected by authority of a public body or official having
22 jurisdiction, for the purpose of regulating, warning, or
23 guiding traffic.

24 A copy of the completed form shall be kept in a separate
25 book or register by the recyclable metal dealer and shall be
26 retained for a period of 2 years. Such book or register shall

1 be made available for inspection by any law enforcement
2 official or the representatives of common carriers and persons,
3 firms, corporations or municipal corporations engaged in
4 either the generation, transmission or distribution of
5 electric energy or engaged in telephone, telegraph or other
6 communications, at any time.

7 (Source: P.A. 94-181, eff. 1-1-06; 95-979, eff. 1-2-09.)

8 (815 ILCS 325/5) (from Ch. 121 1/2, par. 325)

9 Sec. 5. Exemptions. The provisions of Section 3 of this Act
10 do not apply to electrical contractors, to agencies or
11 instrumentalities of the State of Illinois or of the United
12 States, to units of local government, their agents or
13 representatives, that have contracted with the recyclable
14 metal dealer in the disposal of its metal street signs, to
15 common carriers or to purchases from persons, firms or
16 corporations regularly engaged in the business of
17 manufacturing recyclable metal, the business of selling
18 recyclable metal at retail or wholesale, in the business of
19 razing, demolishing, destroying or removing buildings, to the
20 purchase of one recyclable metal dealer from another or the
21 purchase from persons, firms or corporations engaged in either
22 the generation, transmission or distribution of electric
23 energy or in telephone, telegraph and other communications if
24 such common carriers, persons, firms or corporations at the
25 time of the purchase provide the recyclable metal dealer with a

1 bill of sale or other written evidence of title to the
2 recyclable metal.

3 (Source: P.A. 94-181, eff. 1-1-06; 95-979, eff. 1-2-09.)

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