

SB2064



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2064

Introduced 2/20/2009, by Sen. Dan Kotowski

SYNOPSIS AS INTRODUCED:

New Act

Creates the Motor Vehicle Repossession Act. Provides that a person who repossesses a motor vehicle must, before repossessing the motor vehicle, provide a law enforcement agency with the identity of the repossession agent, a description of the motor vehicle, the name and address of the person believed to be in possession of the motor vehicle, and the address where the motor vehicle repossession agent believes that the motor vehicle will be found. Provides that a violation is a petty offense for which a fine not to exceed \$500 may be imposed.

LRB096 11403 AJT 21867 b

A BILL FOR

1 AN ACT concerning repossession.

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

4 Section 1. Short title. This Act may be cited as the Motor
5 Vehicle Repossession Act.

6 Section 5. Definitions. As used in this Act:

7 "Motor vehicle" has the meaning ascribed to that term in
8 Chapter 1 of the Illinois Vehicle Code.

9 "Motor vehicle repossession agent" means a person who
10 physically repossesses a motor vehicle on behalf of another
11 person or on the person's own behalf.

12 "Repossess" or "repossesses" means to take possession of
13 personal property used as collateral under Section 9-609 of the
14 Uniform Commercial Code.

15 Section 10. Information to law enforcement agency.

16 (a) A motor vehicle repossession agent who intends to
17 repossess a motor vehicle must provide the following
18 information, if available, to a law enforcement agency having
19 jurisdiction in the location where the motor vehicle
20 repossession agent believes that the motor vehicle will be
21 found:

22 (1) The identity of the repossession agent.

1 (2) A description of the motor vehicle.

2 (3) The name and address of the person believed to be
3 in possession of the motor vehicle.

4 (4) The address where the motor vehicle repossession
5 agent believes that the motor vehicle will be found.

6 (b) A motor vehicle repossession agent must provide the
7 information described in subsection (a) before the
8 repossession occurs.

9 Section 15. Penalty. A violation of this Act is a petty
10 offense for which a fine not to exceed \$500 may be imposed.