



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5159

by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

625 ILCS 5/5-403.2 new

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall establish or adopt an electronic system to allow an automotive recycler, scrap processor, repairer, or rebuilder to submit a report of any transaction that involves a vehicle or vehicle part to the Secretary of State and complete a real time inquiry to verify that a vehicle or vehicle part has not been stolen. Requires that a report of any transaction involving a vehicle or vehicle part shall be submitted to the Secretary within 48 hours of each day's close of business with specific information included. Provides that, without charge and upon request, the Secretary shall make the report available to any law enforcement agency. Provides that the Secretary shall forward the report to the National Motor Vehicle Title Information System within 2 business days of its receipt. Provides that prior to the purchase of a vehicle or vehicle part, an automotive recycler, scrap processor, repairer, or rebuilder shall determine whether a vehicle or vehicle part has been reported stolen. Provides procedures for an automotive recycler, scrap processor, repairer, or rebuilder for how to proceed with a transaction regarding a vehicle or vehicle part that has or has not been reported stolen.

LRB100 20408 LNS 35734 b

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 adding
5 Section 5-403.2 as follows:

6 (625 ILCS 5/5-403.2 new)

7 Sec. 5-403.2. Electronic vehicle and vehicle part
8 database.

9 (a) The Secretary of State shall establish or adopt an
10 electronic system that allows an automotive recycler, scrap
11 processor, repairer, or rebuilder to:

12 (1) submit a report of any transaction that involves a
13 vehicle or vehicle parts; and

14 (2) complete a real time inquiry to verify that a
15 vehicle or vehicle part offered to a buyer by a seller has
16 not been reported stolen.

17 (b) Within 48 hours of each day's close of business, every
18 automotive recycler, scrap processor, repairer, or rebuilder
19 shall report each transaction that involves a vehicle or
20 vehicle part to the Secretary of State. The report shall be in
21 an electronic format approved by the Secretary of State. The
22 report shall include the following information:

23 (1) the name, address, and contact information of the

1 buyer and seller;

2 (2) the buyer's automotive recycler, scrap processor,
3 repairer, or rebuilder license number;

4 (3) the seller's new vehicle dealer, used vehicle
5 dealer, automotive recycler, scrap processor, repairer, or
6 rebuilder license number or, if the person is not licensed,
7 the driver's license or State identification card;

8 (4) to the extent available, the make, model, year,
9 vehicle identification number, and current odometer
10 reading of the vehicle or vehicle part;

11 (5) the date of purchase by the automotive recycler,
12 scrap processor, repairer, or rebuilder;

13 (6) a statement of whether the vehicle or vehicle part
14 was, or will be, disposed of or offered for sale or other
15 purposes; and

16 (7) a statement of whether the vehicle or vehicle part
17 is intended for export out of the United States.

18 (c) The Secretary of State shall make the report received
19 under subsection (b) available, without charge and upon
20 request, to any law enforcement agency.

21 (d) The Secretary of State shall forward the report
22 received under subsection (b), excluding personally
23 identifiable information, to the National Motor Vehicle Title
24 Information System within 2 business days of its receipt.

25 (e) Except as otherwise provided in this Section, the
26 Secretary of State shall not disclose personally identifiable

1 information received under subsection (b).

2 (f) Before the purchase of a vehicle or vehicle part, an
3 automotive recycler, scrap processor, repairer, or rebuilder
4 shall access the electronic system provided for in this Section
5 to determine whether a vehicle or vehicle part has been
6 reported stolen.

7 (g) If the electronic system shows that the vehicle or
8 vehicle part was reported stolen, the automotive recycler,
9 scrap processor, repairer, or rebuilder shall not complete the
10 transaction and shall notify the Secretary of State of the
11 current location of the vehicle or vehicle part and provide the
12 personally identifying information of the person attempting to
13 transfer ownership.

14 (h) If the electronic system shows that the vehicle or
15 vehicle part was not reported stolen, the automotive recycler,
16 scrap processor, repairer, or rebuilder may proceed with the
17 transaction if the automotive recycler, scrap processor,
18 repairer, or rebuilder complies with the other requirements of
19 this Code. An automotive recycler, scrap processor, repairer,
20 or rebuilder shall not be held criminally or civilly liable if
21 the vehicle or vehicle part was stolen unless the automotive
22 recycler, scrap processor, repairer, or rebuilder had
23 knowledge that the vehicle or vehicle part was stolen.