



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4515

Introduced 2/4/2020, by Rep. Jaime M. Andrade, Jr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/5-401.2

from Ch. 95 1/2, par. 5-401.2

Amends the Illinois Vehicle Code. Provides that licensed dealers, financing affiliates, parts recyclers, scrap processors, repairers, rebuilders, and out-of-state salvage vehicle buyers shall retain records relating to the acquisition or disposition of tire rims, including the date of the acquisition of each tire rim and the name and address of the person from whom the tire rim was acquired and, if that person is a dealer, the Illinois or out-of-state dealer license number of such person. Provides that, if the tire rim being acquired is from a person other than a dealer, the licensee shall verify and record that person's identity by recording the identification numbers from at least 2 sources of identification, one of which shall be a driver's license or State identification card.

LRB101 14650 TAE 63566 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 changing
5 Section 5-401.2 as follows:

6 (625 ILCS 5/5-401.2) (from Ch. 95 1/2, par. 5-401.2)

7 (Text of Section before amendment by P.A. 101-505)

8 Sec. 5-401.2. Licensees required to keep records and make
9 inspections.

10 (a) Every person licensed or required to be licensed under
11 Section 5-101, 5-101.1, 5-101.2, 5-102, 5-301 or 5-302 of this
12 Code, shall, with the exception of scrap processors, maintain
13 for 3 years, in a form as the Secretary of State may by rule or
14 regulation prescribe, at his established place of business,
15 additional place of business, or principal place of business if
16 licensed under Section 5-302, the following records relating to
17 the acquisition or disposition of vehicles and their essential
18 parts possessed in this State, brought into this State from
19 another state, territory or country, or sold or transferred to
20 another person in this State or in another state, territory, or
21 country.

22 (1) The following records pertaining to new or used
23 vehicles shall be kept:

1 (A) the year, make, model, style and color of the
2 vehicle;

3 (B) the vehicle's manufacturer's identification
4 number or, if applicable, the Secretary of State or
5 Illinois Department of State Police identification
6 number;

7 (C) the date of acquisition of the vehicle;

8 (D) the name and address of the person from whom
9 the vehicle was acquired and, if that person is a
10 dealer, the Illinois or out-of-state dealer license
11 number of such person;

12 (E) the signature of the person making the
13 inspection of a used vehicle as required under
14 subsection (d) of this Section, if applicable;

15 (F) the purchase price of the vehicle, if
16 applicable;

17 (G) the date of the disposition of the vehicle;

18 (H) the name and address of the person to whom any
19 vehicle was disposed, and if that person is a dealer,
20 the Illinois or out-of-State dealer's license number
21 of that dealer;

22 (I) the uniform invoice number reflecting the
23 disposition of the vehicle, if applicable; and

24 (J) The sale price of the vehicle, if applicable.

25 (2) (A) The following records pertaining to used
26 essential parts other than quarter panels and

1 transmissions of vehicles of the first division shall be
2 kept:

3 (i) the year, make, model, color and type of such
4 part;

5 (ii) the vehicle's manufacturer's identification
6 number, derivative number, or, if applicable, the
7 Secretary of State or Illinois Department of State
8 Police identification number of such part;

9 (iii) the date of the acquisition of each part;

10 (iv) the name and address of the person from whom
11 the part was acquired and, if that person is a dealer,
12 the Illinois or out-of-state dealer license number of
13 such person; if the essential part being acquired is
14 from a person other than a dealer, the licensee shall
15 verify and record that person's identity by recording
16 the identification numbers from at least two sources of
17 identification, one of which shall be a drivers license
18 or State identification card;

19 (v) the uniform invoice number or out-of-state
20 bill of sale number reflecting the acquisition of such
21 part;

22 (vi) the stock number assigned to the essential
23 part by the licensee, if applicable;

24 (vii) the date of the disposition of such part;

25 (viii) the name and address of the person to whom
26 such part was disposed of and, if that person is a

1 dealer, the Illinois or out-of-state dealer license
2 number of that person;

3 (ix) the uniform invoice number reflecting the
4 disposition of such part.

5 (B) Inspections of all essential parts shall be
6 conducted in accordance with Section 5-402.1.

7 (C) A separate entry containing all of the information
8 required to be recorded in subparagraph (A) of paragraph
9 (2) of subsection (a) of this Section shall be made for
10 each separate essential part. Separate entries shall be
11 made regardless of whether the part was a large purchase
12 acquisition. In addition, a separate entry shall be made
13 for each part acquired for immediate sale or transfer, or
14 for placement into the overall inventory or stock to be
15 disposed of at a later time, or for use on a vehicle to be
16 materially altered by the licensee, or acquired for any
17 other purpose or reason. Failure to make a separate entry
18 for each essential part acquired or disposed of, or a
19 failure to record any of the specific information required
20 to be recorded concerning the acquisition or disposition of
21 each essential part as set forth in subparagraph (A) of
22 paragraph (2) of subsection (a) shall constitute a failure
23 to keep records.

24 (D) The vehicle's manufacturer's identification number
25 or Secretary of State or Illinois Department of State
26 Police identification number for the essential part shall

1 be ascertained and recorded even if such part is acquired
2 from a person or dealer located in a State, territory, or
3 country which does not require that such information be
4 recorded. If the vehicle's manufacturer's identification
5 number or Secretary of State or Illinois Department of
6 State Police identification number for an essential part
7 cannot be obtained, that part shall not be acquired by the
8 licensee or any of his agents or employees. If such part or
9 parts were physically acquired by the licensee or any of
10 his agents or employees while the licensee or agent or
11 employee was outside this State, that licensee or agent or
12 employee was outside the State, that licensee, agent or
13 employee shall not bring such essential part into this
14 State or cause it to be brought into this State. The
15 acquisition or disposition of an essential part by a
16 licensee without the recording of the vehicle
17 identification number or Secretary of State identification
18 number for such part or the transportation into the State
19 by the licensee or his agent or employee of such part or
20 parts shall constitute a failure to keep records.

21 (E) The records of essential parts required to be kept
22 by this Section shall apply to all hulks, chassis, frames
23 or cowls, regardless of the age of those essential parts.
24 The records required to be kept by this Section for
25 essential parts other than hulks, chassis, frames or cowls,
26 shall apply only to those essential parts which are 6 model

1 years of age or newer. In determining the model year of
2 such an essential part it may be presumed that the
3 identification number of the vehicle from which the
4 essential part came or the identification number affixed to
5 the essential part itself acquired by the licensee denotes
6 the model year of that essential part. This presumption,
7 however, shall not apply if the gross appearance of the
8 essential part does not correspond to the year, make or
9 model of either the identification number of the vehicle
10 from which the essential part is alleged to have come or
11 the identification number which is affixed to the essential
12 part itself. To determine whether an essential part is 6
13 years of age or newer within this paragraph, the model year
14 of the essential part shall be subtracted from the calendar
15 year in which the essential part is acquired or disposed of
16 by the licensee. If the remainder is 6 or less, the record
17 of the acquisition or disposition of that essential part
18 shall be kept as required by this Section.

19 (F) The requirements of paragraph (2) of subsection (a)
20 of this Section shall not apply to the disposition of an
21 essential part other than a cowl which has been damaged or
22 altered to a state in which it can no longer be returned to
23 a usable condition and which is being sold or transferred
24 to a scrap processor or for delivery to a scrap processor.

25 (3) the following records for vehicles on which junking
26 certificates are obtained shall be kept:

1 (A) the year, make, model, style and color of the
2 vehicle;

3 (B) the vehicle's manufacturer's identification number
4 or, if applicable, the Secretary of State or Illinois
5 Department of State Police identification number;

6 (C) the date the vehicle was acquired;

7 (D) the name and address of the person from whom the
8 vehicle was acquired and, if that person is a dealer, the
9 Illinois or out-of-state dealer license number of that
10 person;

11 (E) the certificate of title number or salvage
12 certificate number for the vehicle, if applicable;

13 (F) the junking certificate number obtained by the
14 licensee; this entry shall be recorded at the close of
15 business of the fifth business day after receiving the
16 junking certificate;

17 (G) the name and address of the person to whom the
18 junking certificate has been assigned, if applicable, and
19 if that person is a dealer, the Illinois or out-of-state
20 dealer license number of that dealer;

21 (H) if the vehicle or any part of the vehicle is
22 dismantled for its parts to be disposed of in any way, or
23 if such parts are to be used by the licensee to materially
24 alter a vehicle, those essential parts shall be recorded
25 and the entries required by paragraph (2) of subsection (a)
26 shall be made.

1 (4) The following records for rebuilt vehicles shall be
2 kept:

3 (A) the year, make, model, style and color of the
4 vehicle;

5 (B) the vehicle's manufacturer's identification number
6 of the vehicle or, if applicable, the Secretary of State or
7 Illinois Department of State Police identification number;

8 (C) the date the vehicle was acquired;

9 (D) the name and address of the person from whom the
10 vehicle was acquired, and if that person is a dealer, the
11 Illinois or out-of-state dealer license number of that
12 person;

13 (E) the salvage certificate number for the vehicle;

14 (F) the newly issued certificate of title number for
15 the vehicle;

16 (G) the date of disposition of the vehicle;

17 (H) the name and address of the person to whom the
18 vehicle was disposed, and if a dealer, the Illinois or
19 out-of-state dealer license number of that dealer;

20 (I) The sale price of the vehicle.

21 (a-1) A person licensed or required to be licensed under
22 Section 5-101 or Section 5-102 of this Code who issues
23 temporary registration permits as permitted by this Code and by
24 rule must electronically file the registration with the
25 Secretary and must maintain records of the registration in the
26 manner prescribed by the Secretary.

1 (b) A failure to make separate entries for each vehicle
2 acquired, disposed of, or assigned, or a failure to record any
3 of the specific information required to be recorded concerning
4 the acquisition or disposition of each vehicle as set forth in
5 paragraphs (1), (3) and (4) of subsection (a) shall constitute
6 a failure to keep records.

7 (c) All entries relating to the acquisition of a vehicle or
8 essential part required by subsection (a) of this Section shall
9 be recorded no later than the close of business on the seventh
10 calendar day following such acquisition. All entries relating
11 to the disposition of a vehicle or an essential part shall be
12 made at the time of such disposition. If the vehicle or
13 essential part was disposed of on the same day as its
14 acquisition or the day thereafter, the entries relating to the
15 acquisition of the vehicle or essential part shall be made at
16 the time of the disposition of the vehicle or essential part.
17 Failure to make the entries required in or at the times
18 prescribed by this subsection following the acquisition or
19 disposition of such vehicle or essential part shall constitute
20 a failure to keep records.

21 (d) Every person licensed or required to be licensed shall,
22 before accepting delivery of a used vehicle, inspect the
23 vehicle to determine whether the manufacturer's public vehicle
24 identification number has been defaced, destroyed, falsified,
25 removed, altered, or tampered with in any way. If the person
26 making the inspection determines that the manufacturer's

1 public vehicle identification number has been altered,
2 removed, defaced, destroyed, falsified or tampered with he
3 shall not acquire that vehicle but instead shall promptly
4 notify law enforcement authorities of his finding.

5 (e) The information required to be kept in subsection (a)
6 of this Section shall be kept in a manner prescribed by rule or
7 regulation of the Secretary of State.

8 (f) Every person licensed or required to be licensed shall
9 have in his possession a separate certificate of title, salvage
10 certificate, junking certificate, certificate of purchase,
11 uniform invoice, out-of-state bill of sale or other acceptable
12 documentary evidence of his right to the possession of every
13 vehicle or essential part.

14 (g) Every person licensed or required to be licensed as a
15 transporter under Section 5-201 shall maintain for 3 years, in
16 such form as the Secretary of State may by rule or regulation
17 prescribe, at his principal place of business a record of every
18 vehicle transported by him, including numbers of or other marks
19 of identification thereof, the names and addresses of persons
20 from whom and to whom the vehicle was delivered and the dates
21 of delivery.

22 (h) No later than 15 days prior to going out of business,
23 selling the business, or transferring the ownership of the
24 business, the licensee shall notify the Secretary of State that
25 he is going out of business or that he is transferring the
26 ownership of the business. Failure to notify under this

1 paragraph shall constitute a failure to keep records.

2 (i) (Blank).

3 (j) A person who knowingly fails to comply with the
4 provisions of this Section or knowingly fails to obey, observe,
5 or comply with any order of the Secretary or any law
6 enforcement agency issued in accordance with this Section is
7 guilty of a Class B misdemeanor for the first violation and a
8 Class A misdemeanor for the second and subsequent violations.
9 Each violation constitutes a separate and distinct offense and
10 a separate count may be brought in the same indictment or
11 information for each vehicle or each essential part of a
12 vehicle for which a record was not kept as required by this
13 Section.

14 (k) Any person convicted of failing to keep the records
15 required by this Section with intent to conceal the identity or
16 origin of a vehicle or its essential parts or with intent to
17 defraud the public in the transfer or sale of vehicles or their
18 essential parts is guilty of a Class 2 felony. Each violation
19 constitutes a separate and distinct offense and a separate
20 count may be brought in the same indictment or information for
21 each vehicle or essential part of a vehicle for which a record
22 was not kept as required by this Section.

23 (l) A person may not be criminally charged with or
24 convicted of both a knowing failure to comply with this Section
25 and a knowing failure to comply with any order, if both
26 offenses involve the same record keeping violation.

1 (m) The Secretary shall adopt rules necessary for
2 implementation of this Section, which may include the
3 imposition of administrative fines.

4 (Source: P.A. 99-593, eff. 7-22-16.)

5 (Text of Section after amendment by P.A. 101-505)

6 Sec. 5-401.2. Licensees required to keep records and make
7 inspections.

8 (a) Every person licensed or required to be licensed under
9 Section 5-101, 5-101.1, 5-101.2, 5-102, 5-102.8, 5-301, or
10 5-302 of this Code, shall, with the exception of scrap
11 processors, maintain for 3 years, in a form as the Secretary of
12 State may by rule or regulation prescribe, at his established
13 place of business, additional place of business, or principal
14 place of business if licensed under Section 5-302, the
15 following records relating to the acquisition or disposition of
16 vehicles, ~~and~~ their essential parts, and tire rims possessed in
17 this State, brought into this State from another state,
18 territory or country, or sold or transferred to another person
19 in this State or in another state, territory, or country.

20 (1) The following records pertaining to new or used
21 vehicles shall be kept:

22 (A) the year, make, model, style and color of the
23 vehicle;

24 (B) the vehicle's manufacturer's identification
25 number or, if applicable, the Secretary of State or

1 Illinois Department of State Police identification
2 number;

3 (C) the date of acquisition of the vehicle;

4 (D) the name and address of the person from whom
5 the vehicle was acquired and, if that person is a
6 dealer, the Illinois or out-of-state dealer license
7 number of such person;

8 (E) the signature of the person making the
9 inspection of a used vehicle as required under
10 subsection (d) of this Section, if applicable;

11 (F) the purchase price of the vehicle, if
12 applicable;

13 (G) the date of the disposition of the vehicle;

14 (H) the name and address of the person to whom any
15 vehicle was disposed, and if that person is a dealer,
16 the Illinois or out-of-State dealer's license number
17 of that dealer;

18 (I) the uniform invoice number reflecting the
19 disposition of the vehicle, if applicable; and

20 (J) The sale price of the vehicle, if applicable.

21 (2) (A) The following records pertaining to used
22 essential parts other than quarter panels and
23 transmissions of vehicles of the first division shall be
24 kept:

25 (i) the year, make, model, color and type of such
26 part;

1 (ii) the vehicle's manufacturer's identification
2 number, derivative number, or, if applicable, the
3 Secretary of State or Illinois Department of State
4 Police identification number of such part;

5 (iii) the date of the acquisition of each part;

6 (iv) the name and address of the person from whom
7 the part was acquired and, if that person is a dealer,
8 the Illinois or out-of-state dealer license number of
9 such person; if the essential part being acquired is
10 from a person other than a dealer, the licensee shall
11 verify and record that person's identity by recording
12 the identification numbers from at least two sources of
13 identification, one of which shall be a drivers license
14 or State identification card;

15 (v) the uniform invoice number or out-of-state
16 bill of sale number reflecting the acquisition of such
17 part;

18 (vi) the stock number assigned to the essential
19 part by the licensee, if applicable;

20 (vii) the date of the disposition of such part;

21 (viii) the name and address of the person to whom
22 such part was disposed of and, if that person is a
23 dealer, the Illinois or out-of-state dealer license
24 number of that person;

25 (ix) the uniform invoice number reflecting the
26 disposition of such part.

1 (B) Inspections of all essential parts shall be
2 conducted in accordance with Section 5-402.1.

3 (C) A separate entry containing all of the information
4 required to be recorded in subparagraph (A) of paragraph
5 (2) of subsection (a) of this Section shall be made for
6 each separate essential part. Separate entries shall be
7 made regardless of whether the part was a large purchase
8 acquisition. In addition, a separate entry shall be made
9 for each part acquired for immediate sale or transfer, or
10 for placement into the overall inventory or stock to be
11 disposed of at a later time, or for use on a vehicle to be
12 materially altered by the licensee, or acquired for any
13 other purpose or reason. Failure to make a separate entry
14 for each essential part acquired or disposed of, or a
15 failure to record any of the specific information required
16 to be recorded concerning the acquisition or disposition of
17 each essential part as set forth in subparagraph (A) of
18 paragraph (2) of subsection (a) shall constitute a failure
19 to keep records.

20 (D) The vehicle's manufacturer's identification number
21 or Secretary of State or Illinois Department of State
22 Police identification number for the essential part shall
23 be ascertained and recorded even if such part is acquired
24 from a person or dealer located in a State, territory, or
25 country which does not require that such information be
26 recorded. If the vehicle's manufacturer's identification

1 number or Secretary of State or Illinois Department of
2 State Police identification number for an essential part
3 cannot be obtained, that part shall not be acquired by the
4 licensee or any of his agents or employees. If such part or
5 parts were physically acquired by the licensee or any of
6 his agents or employees while the licensee or agent or
7 employee was outside this State, that licensee or agent or
8 employee was outside the State, that licensee, agent or
9 employee shall not bring such essential part into this
10 State or cause it to be brought into this State. The
11 acquisition or disposition of an essential part by a
12 licensee without the recording of the vehicle
13 identification number or Secretary of State identification
14 number for such part or the transportation into the State
15 by the licensee or his agent or employee of such part or
16 parts shall constitute a failure to keep records.

17 (E) The records of essential parts required to be kept
18 by this Section shall apply to all hulks, chassis, frames
19 or cowls, regardless of the age of those essential parts.
20 The records required to be kept by this Section for
21 essential parts other than hulks, chassis, frames or cowls,
22 shall apply only to those essential parts which are 6 model
23 years of age or newer. In determining the model year of
24 such an essential part it may be presumed that the
25 identification number of the vehicle from which the
26 essential part came or the identification number affixed to

1 the essential part itself acquired by the licensee denotes
2 the model year of that essential part. This presumption,
3 however, shall not apply if the gross appearance of the
4 essential part does not correspond to the year, make or
5 model of either the identification number of the vehicle
6 from which the essential part is alleged to have come or
7 the identification number which is affixed to the essential
8 part itself. To determine whether an essential part is 6
9 years of age or newer within this paragraph, the model year
10 of the essential part shall be subtracted from the calendar
11 year in which the essential part is acquired or disposed of
12 by the licensee. If the remainder is 6 or less, the record
13 of the acquisition or disposition of that essential part
14 shall be kept as required by this Section.

15 (F) The requirements of paragraph (2) of subsection (a)
16 of this Section shall not apply to the disposition of an
17 essential part other than a cowl which has been damaged or
18 altered to a state in which it can no longer be returned to
19 a usable condition and which is being sold or transferred
20 to a scrap processor or for delivery to a scrap processor.

21 (3) the following records for vehicles on which junking
22 certificates are obtained shall be kept:

23 (A) the year, make, model, style and color of the
24 vehicle;

25 (B) the vehicle's manufacturer's identification number
26 or, if applicable, the Secretary of State or Illinois

1 Department of State Police identification number;

2 (C) the date the vehicle was acquired;

3 (D) the name and address of the person from whom the
4 vehicle was acquired and, if that person is a dealer, the
5 Illinois or out-of-state dealer license number of that
6 person;

7 (E) the certificate of title number or salvage
8 certificate number for the vehicle, if applicable;

9 (F) the junking certificate number obtained by the
10 licensee; this entry shall be recorded at the close of
11 business of the fifth business day after receiving the
12 junking certificate;

13 (G) the name and address of the person to whom the
14 junking certificate has been assigned, if applicable, and
15 if that person is a dealer, the Illinois or out-of-state
16 dealer license number of that dealer;

17 (H) if the vehicle or any part of the vehicle is
18 dismantled for its parts to be disposed of in any way, or
19 if such parts are to be used by the licensee to materially
20 alter a vehicle, those essential parts shall be recorded
21 and the entries required by paragraph (2) of subsection (a)
22 shall be made.

23 (4) The following records for rebuilt vehicles shall be
24 kept:

25 (A) the year, make, model, style and color of the
26 vehicle;

1 (B) the vehicle's manufacturer's identification number
2 of the vehicle or, if applicable, the Secretary of State or
3 Illinois Department of State Police identification number;

4 (C) the date the vehicle was acquired;

5 (D) the name and address of the person from whom the
6 vehicle was acquired, and if that person is a dealer, the
7 Illinois or out-of-state dealer license number of that
8 person;

9 (E) the salvage certificate number for the vehicle;

10 (F) the newly issued certificate of title number for
11 the vehicle;

12 (G) the date of disposition of the vehicle;

13 (H) the name and address of the person to whom the
14 vehicle was disposed, and if a dealer, the Illinois or
15 out-of-state dealer license number of that dealer;

16 (I) The sale price of the vehicle.

17 (5) The following records pertaining to tire rims shall be
18 kept:

19 (A) the date of the acquisition of each tire rim; and

20 (B) the name and address of the person from whom the
21 tire rim was acquired and, if that person is a dealer, the
22 Illinois or out-of-state dealer license number of such
23 person; if the tire rim being acquired is from a person
24 other than a dealer, the licensee shall verify and record
25 that person's identity by recording the identification
26 numbers from at least 2 sources of identification, one of

1 which shall be a driver's license or State identification
2 card.

3 (a-1) A person licensed or required to be licensed under
4 Section 5-101 or Section 5-102 of this Code who issues
5 temporary registration permits as permitted by this Code and by
6 rule must electronically file the registration with the
7 Secretary and must maintain records of the registration in the
8 manner prescribed by the Secretary.

9 (b) A failure to make separate entries for each vehicle
10 acquired, disposed of, or assigned, or a failure to record any
11 of the specific information required to be recorded concerning
12 the acquisition or disposition of each vehicle as set forth in
13 paragraphs (1), (3) and (4) of subsection (a) shall constitute
14 a failure to keep records.

15 (c) All entries relating to the acquisition of a vehicle or
16 essential part required by subsection (a) of this Section shall
17 be recorded no later than the close of business on the seventh
18 calendar day following such acquisition. All entries relating
19 to the disposition of a vehicle or an essential part shall be
20 made at the time of such disposition. If the vehicle or
21 essential part was disposed of on the same day as its
22 acquisition or the day thereafter, the entries relating to the
23 acquisition of the vehicle or essential part shall be made at
24 the time of the disposition of the vehicle or essential part.
25 Failure to make the entries required in or at the times
26 prescribed by this subsection following the acquisition or

1 disposition of such vehicle or essential part shall constitute
2 a failure to keep records.

3 (d) Every person licensed or required to be licensed shall,
4 before accepting delivery of a used vehicle, inspect the
5 vehicle to determine whether the manufacturer's public vehicle
6 identification number has been defaced, destroyed, falsified,
7 removed, altered, or tampered with in any way. If the person
8 making the inspection determines that the manufacturer's
9 public vehicle identification number has been altered,
10 removed, defaced, destroyed, falsified or tampered with he
11 shall not acquire that vehicle but instead shall promptly
12 notify law enforcement authorities of his finding.

13 (e) The information required to be kept in subsection (a)
14 of this Section shall be kept in a manner prescribed by rule or
15 regulation of the Secretary of State.

16 (f) Every person licensed or required to be licensed shall
17 have in his possession a separate certificate of title, salvage
18 certificate, junking certificate, certificate of purchase,
19 uniform invoice, out-of-state bill of sale or other acceptable
20 documentary evidence of his right to the possession of every
21 vehicle or essential part.

22 (g) Every person licensed or required to be licensed as a
23 transporter under Section 5-201 shall maintain for 3 years, in
24 such form as the Secretary of State may by rule or regulation
25 prescribe, at his principal place of business a record of every
26 vehicle transported by him, including numbers of or other marks

1 of identification thereof, the names and addresses of persons
2 from whom and to whom the vehicle was delivered and the dates
3 of delivery.

4 (h) No later than 15 days prior to going out of business,
5 selling the business, or transferring the ownership of the
6 business, the licensee shall notify the Secretary of State that
7 he is going out of business or that he is transferring the
8 ownership of the business. Failure to notify under this
9 paragraph shall constitute a failure to keep records.

10 (i) (Blank).

11 (j) A person who knowingly fails to comply with the
12 provisions of this Section or knowingly fails to obey, observe,
13 or comply with any order of the Secretary or any law
14 enforcement agency issued in accordance with this Section is
15 guilty of a Class B misdemeanor for the first violation and a
16 Class A misdemeanor for the second and subsequent violations.
17 Each violation constitutes a separate and distinct offense and
18 a separate count may be brought in the same indictment or
19 information for each vehicle or each essential part of a
20 vehicle for which a record was not kept as required by this
21 Section.

22 (k) Any person convicted of failing to keep the records
23 required by this Section with intent to conceal the identity or
24 origin of a vehicle or its essential parts or with intent to
25 defraud the public in the transfer or sale of vehicles or their
26 essential parts is guilty of a Class 2 felony. Each violation

1 constitutes a separate and distinct offense and a separate
2 count may be brought in the same indictment or information for
3 each vehicle or essential part of a vehicle for which a record
4 was not kept as required by this Section.

5 (l) A person may not be criminally charged with or
6 convicted of both a knowing failure to comply with this Section
7 and a knowing failure to comply with any order, if both
8 offenses involve the same record keeping violation.

9 (m) The Secretary shall adopt rules necessary for
10 implementation of this Section, which may include the
11 imposition of administrative fines.

12 (Source: P.A. 101-505, eff. 1-1-20.)

13 Section 95. No acceleration or delay. Where this Act makes
14 changes in a statute that is represented in this Act by text
15 that is not yet or no longer in effect (for example, a Section
16 represented by multiple versions), the use of that text does
17 not accelerate or delay the taking effect of (i) the changes
18 made by this Act or (ii) provisions derived from any other
19 Public Act.