



Rep. Jaime M. Andrade, Jr.

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10000HB4729ham002

LRB100 17438 LNS 37063 a

1 AMENDMENT TO HOUSE BILL 4729

2 AMENDMENT NO. _____. Amend House Bill 4729 by replacing
3 everything after the enacting clause with the following:

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, possess,
13 conceal, sell, dispose, or transfer it while knowing or
14 recklessly disregarding that the vehicle or essential part
15 of a vehicle has been stolen or converted, ~~knowing it to~~
16 ~~have been stolen or converted;~~ additionally the General

1 Assembly finds that the acquisition and disposition of
2 vehicles and their essential parts are strictly controlled
3 by law and that such acquisitions and dispositions are
4 reflected by documents of title, uniform invoices, rental
5 contracts, leasing agreements and bills of sale. The trier
6 of fact may infer that a person knows or recklessly
7 disregards that the vehicle or essential part of a vehicle
8 has been stolen or converted if the person: (i) operates a
9 vehicle or possesses an essential part of a vehicle without
10 the consent of the owner; or (ii) exercises unexplained
11 possession over a vehicle or an essential part of a vehicle
12 ~~It may be inferred, therefore that a person exercising~~
13 ~~exclusive unexplained possession over a stolen or~~
14 ~~converted vehicle or an essential part of a stolen or~~
15 ~~converted vehicle has knowledge that such vehicle or~~
16 ~~essential part is stolen or converted, regardless of~~
17 whether the date on which such vehicle or essential part
18 was stolen is recent or remote;

19 (2) A person to knowingly remove, alter, deface,
20 destroy, falsify, or forge a manufacturer's identification
21 number of a vehicle or an engine number of a motor vehicle
22 or any essential part thereof having an identification
23 number;

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

26 (4) A person to buy, receive, possess, sell or dispose

1 of a vehicle, or any essential part thereof, with knowledge
2 that the identification number of the vehicle or any
3 essential part thereof having an identification number has
4 been removed or falsified;

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

22 (6) A person to knowingly make a false report of the
23 theft or conversion of a vehicle to any police officer of
24 this State or any employee of a law enforcement agency of
25 this State designated by the law enforcement agency to
26 take, receive, process, or record reports of vehicle theft

1 or conversion.

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

20 (a-2) The owner of a vehicle repaired under subsection
21 (a-1) must, within 90 days of the date of the repairs, contact
22 an officer of the Illinois State Police Vehicle Inspection
23 Bureau and arrange for an inspection of the vehicle, by the
24 officer or the officer's designee, at a mutually agreed upon
25 date and location.

26 (b) Sentence. A person convicted of a violation of this

1 Section shall be guilty of a Class 2 felony.

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

5 (Source: P.A. 93-456, eff. 8-8-03.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".