

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 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
17 Assembly finds that the acquisition and disposition of
18 vehicles and their essential parts are strictly controlled
19 by law and that such acquisitions and dispositions are
20 reflected by documents of title, uniform invoices, rental
21 contracts, leasing agreements and bills of sale. The trier
22 of fact may infer that a person knows or recklessly
23 disregards that the vehicle or essential part of a vehicle

1 has been stolen or converted if the person: (i) operates a
2 vehicle or possesses an essential part of a vehicle without
3 the consent of the owner; or (ii) exercises unexplained
4 possession over a vehicle or an essential part of a vehicle
5 ~~It may be inferred, therefore that a person exercising~~
6 ~~exclusive unexplained possession over a stolen or~~
7 ~~converted vehicle or an essential part of a stolen or~~
8 ~~converted vehicle has knowledge that such vehicle or~~
9 ~~essential part is stolen or converted, regardless of~~
10 whether the date on which such vehicle or essential part
11 was stolen is recent or remote;

12 (2) A person to knowingly remove, alter, deface,
13 destroy, falsify, or forge a manufacturer's identification
14 number of a vehicle or an engine number of a motor vehicle
15 or any essential part thereof having an identification
16 number;

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

19 (4) A person to buy, receive, possess, sell or dispose
20 of a vehicle, or any essential part thereof, with knowledge
21 that the identification number of the vehicle or any
22 essential part thereof having an identification number has
23 been removed or falsified;

24 (5) A person to knowingly possess, buy, sell, exchange,
25 give away, or offer to buy, sell, exchange or give away,
26 any manufacturer's identification number plate, mylar

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

15 (6) A person to knowingly make a false report of the
16 theft or conversion of a vehicle to any police officer of
17 this State or any employee of a law enforcement agency of
18 this State designated by the law enforcement agency to
19 take, receive, process, or record reports of vehicle theft
20 or conversion.

21 (a-1) A person engaged in the repair or servicing of
22 vehicles does not violate this Chapter by knowingly possessing
23 a manufacturer's identification number plate for the purpose of
24 reaffixing it on the same damaged vehicle from which it was
25 originally taken, if the person reaffixes or intends to reaffix
26 the original manufacturer's identification number plate in

1 place of the identification number plate affixed on a new
2 dashboard that has been or will be installed in the vehicle.
3 The person must notify the Secretary of State each time the
4 original manufacturer's identification number plate is
5 reaffixed on a vehicle. The person must keep a record
6 indicating that the identification number plate affixed on the
7 new dashboard has been removed and has been replaced by the
8 manufacturer's identification number plate originally affixed
9 on the vehicle. The person also must keep a record regarding
10 the status and location of the identification number plate
11 removed from the replacement dashboard. The Secretary shall
12 adopt rules for implementing this subsection (a-1).

13 (a-2) The owner of a vehicle repaired under subsection
14 (a-1) must, within 90 days of the date of the repairs, contact
15 an officer of the Illinois State Police Vehicle Inspection
16 Bureau and arrange for an inspection of the vehicle, by the
17 officer or the officer's designee, at a mutually agreed upon
18 date and location.

19 (b) Sentence. A person convicted of a violation of this
20 Section shall be guilty of a Class 2 felony.

21 (c) The offenses set forth in subsection (a) of this
22 Section shall not include the offense set forth in Section
23 4-103.2 of this Code.

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

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.