



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5266

by Rep. Jaime M. Andrade, Jr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-614 new

Amends the Illinois Vehicle Code. Provides that no person may possess a vehicle security circumvention device if he or she has previously been convicted of specified felonies under the Code. Provides that a mechanic, a licensed new or used vehicle dealer, a licensed locksmith, a repossession agent, or a State or local law enforcement officer may possess a vehicle security circumvention device. Provides that any seller of a vehicle security circumvention device shall: (1) conduct a criminal background check on a buyer before completing the sale; and (2) confirm that the buyer may lawfully possess a vehicle security circumvention device before completing the sale. Provides criminal penalties.

LRB101 15865 LNS 70403 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 12-614 as follows:

6 (625 ILCS 5/12-614 new)

7 Sec. 12-614. Vehicle security circumvention device.

8 (a) For purposes of this Section, "vehicle security
9 circumvention device" means a device that is capable of
10 obtaining, intercepting, or processing information from a
11 motor vehicle keyless entry system.

12 (b) No person may possess a vehicle security circumvention
13 device if he or she has previously been convicted of a felony
14 under Section 4-103. A person who commits a violation of this
15 subsection is guilty of a Class A misdemeanor.

16 (c) No person may possess a vehicle security circumvention
17 device in this State except for the following persons:

18 (1) a mechanic;

19 (2) a new vehicle dealer or used vehicle dealer
20 licensed under Section 5-101 or 5-102;

21 (3) a locksmith licensed under the Private Detective,
22 Private Alarm, Private Security, Fingerprint Vendor, and
23 Locksmith Act of 2004;

1 (4) a repossession agent; or

2 (5) a State or local law enforcement officer.

3 A person who commits a violation of this subsection is
4 guilty of a Class B misdemeanor.

5 (d) Any seller of a vehicle security circumvention device
6 in this State who reaches an agreement with a buyer for the
7 purchase of the vehicle security circumvention device shall
8 conduct a criminal background check of the buyer before
9 completing the sale. A seller of a vehicle security
10 circumvention device who conducts a criminal background check
11 under this Section shall not complete the sale of the vehicle
12 security circumvention device if the background check reveals
13 that the buyer has been convicted of a felony in this State or
14 another jurisdiction. A seller who violates this subsection is
15 guilty of a Class A misdemeanor.

16 (e) Any seller of a vehicle security circumvention device
17 in this State who reaches an agreement with a buyer for the
18 purchase of the vehicle security circumvention device shall
19 confirm that the buyer may lawfully possess a vehicle security
20 circumvention device pursuant to subsections (b) and (c) before
21 completing the sale. A seller of a vehicle security
22 circumvention device shall not complete the sale of the vehicle
23 security circumvention device if the buyer is unable to confirm
24 that the buyer may lawfully possess a vehicle security
25 circumvention device pursuant to subsections (b) and (c). A
26 seller who violates this subsection is guilty of a Class B

1 misdemeanor.