

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 Recyclable Metal Purchase Registration Law  
5 is amended by changing Sections 2, 4.1, and 8 as follows:

6 (815 ILCS 325/2) (from Ch. 121 1/2, par. 322)

7 Sec. 2. Definitions. When used in this Act:

8 "Recyclable metal" means any copper, brass, or aluminum,  
9 or any combination of those metals, any catalytic converter or  
10 its contents, or any aluminum wheel or steel wheel purchased  
11 by a recyclable metal dealer, irrespective of form or  
12 quantity, except that "recyclable metal" does not include: (i)  
13 items designed to contain, or to be used in the preparation of,  
14 beverages or food for human consumption; (ii) discarded items  
15 of non-commercial or household waste; (iii) gold, silver,  
16 platinum, and other precious metals used in jewelry; or (iv)  
17 vehicles, junk vehicles, vehicle cowls, or essential vehicle  
18 parts.

19 "Recyclable metal dealer" means any individual, firm,  
20 corporation or partnership engaged in the business of  
21 purchasing and reselling recyclable metal either at a  
22 permanently established place of business or in connection  
23 with a business of an itinerant nature, including junk shops,

1 junk yards, or junk stores, except that "recyclable metal  
2 dealer" does not include automotive parts recyclers, scrap  
3 processors, repairers and rebuilders licensed pursuant to  
4 Section 5-301 of the Illinois Vehicle Code. Recyclable metal  
5 dealers shall not be engaged in the business of purchasing or  
6 reselling vehicles, junk vehicles, vehicle cowls, or essential  
7 vehicle parts.

8 (Source: P.A. 95-979, eff. 1-2-09.)

9 (815 ILCS 325/4.1)

10 Sec. 4.1. Restricted purchases.

11 (a) It is a violation of this Act for any person to sell or  
12 attempt to sell, or for any recyclable metal dealer to  
13 purchase or attempt to purchase, any of the following:

14 (1) materials that are clearly marked as property  
15 belonging to a business or someone else other than the  
16 seller;

17 (2) property associated with use by governments,  
18 utilities, or railroads including, but not limited to,  
19 guardrails, manhole covers, electric transmission and  
20 distribution equipment, including transformers, grounding  
21 straps, wires or poles, historical markers, street signs,  
22 traffic signs, sewer grates, or any rail, switch  
23 component, spike, angle bar, tie plate, or bolt of the  
24 type used in constructing railroad track;

25 (3) cemetery plaques or ornaments; ~~or~~

1           (4) any catalytic converter or its contents not  
2 attached to a motor vehicle at the time of the transaction  
3 unless the seller is licensed as an automotive parts  
4 recycler or scrap processor; ~~or~~

5           (5) any aluminum or steel wheel not attached to a  
6 motor vehicle unless the seller is licensed as an  
7 automotive parts recycler or scrap processor.

8           (b) This Section shall not apply when the seller produces  
9 written documentation reasonably demonstrating that the seller  
10 is the owner of the recyclable metal material or is authorized  
11 to sell the material on behalf of the owner. The recyclable  
12 metal dealer shall copy any such documentation and maintain it  
13 along with the purchase record required by Section 3 of this  
14 Act.

15           (Source: P.A. 97-923, eff. 1-1-13.)

16           (815 ILCS 325/8) (from Ch. 121 1/2, par. 328)

17           Sec. 8. Penalty. Any recyclable metal dealer or other  
18 person who knowingly fails to comply with this Act is guilty of  
19 a Class A misdemeanor for the first offense along with a fine  
20 of \$1,000 or the value of the metal, whichever is greater,~~7~~ and  
21 a Class 4 felony for the second or subsequent offense along  
22 with a fine of \$5,000 or 3 times the value of the metal,  
23 whichever is greater. Each day that any recyclable metal  
24 dealer so fails to comply shall constitute a separate offense.

25           (Source: P.A. 97-923, eff. 1-1-13.)