

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Motor
5 Vehicle Dealer Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Motor vehicle dealer" means any person who, in the
8 ordinary course of business, is engaged in the business of
9 selling new or used motor vehicles to consumers or other end
10 users.

11 "Person" means a natural person, corporation, partnership,
12 trust, or other entity, and in the case of an entity, it shall
13 include any other entity in which it has a majority interest or
14 which it effectively controls as well as the individual
15 officers, directors, and other persons in active control of
16 the activities of each such entity.

17 Section 10. Third-party use of motor vehicle dealer
18 likenesses. A person shall not use the name, image, likeness,
19 registered trademark, or intellectual property belonging to a
20 motor vehicle dealer without first obtaining written
21 permission from the motor vehicle dealer.

1 Section 15. Enforcement and penalties. A motor vehicle
2 dealer whose name, image, likeness, registered trademark, or
3 intellectual property is used in violation of Section 10, may
4 bring an action in the circuit court in the county in which the
5 motor vehicle dealer conducts business to recover actual
6 damages or up to \$5,000, whichever is greater. The court may,
7 in its discretion, award punitive damages and other equitable
8 relief it deems appropriate.

9 Section 97. Severability. The provisions of this Act are
10 severable under Section 1.31 of the Statute on Statutes.