



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4589

Introduced 1/31/2024, by Rep. Jay Hoffman - Brad Stephens

SYNOPSIS AS INTRODUCED:

20 ILCS 4005/12 rep.	
625 ILCS 5/1-110.05 new	
625 ILCS 5/1-115.01 new	
625 ILCS 5/1-118	from Ch. 95 1/2, par. 1-118
625 ILCS 5/5-401.2	from Ch. 95 1/2, par. 5-401.2
625 ILCS 5/5-402.1	from Ch. 95 1/2, par. 5-402.1
815 ILCS 325/2	from Ch. 121 1/2, par. 322
815 ILCS 325/3	from Ch. 121 1/2, par. 323
815 ILCS 325/4.1	
815 ILCS 325/4.4	

Amends the Illinois Vehicle Hijacking and Motor Vehicle Theft Prevention and Insurance Verification Act. Eliminates the provision that provided for the repeal of the Act on January 1, 2025. Amends the Illinois Vehicle Code. Includes "catalytic converter" in the definition of "essential parts". Amends the Recyclable Metal Purchase Registration Law. Excludes catalytic converter from the definition of "recyclable metals". Requires transactions involving a catalytic converter to include the identification number of the vehicle from which the catalytic converter was removed and the part number or other identifying number of the catalytic converter that was removed. Provides that, in a transaction involving a catalytic converter, the recyclable metal dealer must also require a copy of the certificate of title or registration showing the seller's ownership in the vehicle. Makes it unlawful for any person to purchase or otherwise acquire a used, detached catalytic converter or any nonferrous part thereof unless specified conditions are met. Provides that a used, detached catalytic converter does not include a catalytic converter that has been tested, certified, and labeled for reuse in accordance with the United States Environmental Protection Agency Clean Air Act. Defines terms. Makes technical changes.

LRB103 37108 MXP 67227 b

1 AN ACT concerning transportation.

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

4 (20 ILCS 4005/12 rep.)

5 Section 5. The Illinois Vehicle Hijacking and Motor
6 Vehicle Theft Prevention and Insurance Verification Act is
7 amended by repealing Section 12.

8 Section 10. The Illinois Vehicle Code is amended by
9 changing Sections 1-118, 5-401.2, and 5-402.1 and by adding
10 Sections 1-110.05 and 1-115.01 as follows:

11 (625 ILCS 5/1-110.05 new)

12 Sec. 1-110.05. Catalytic converter.

13 "Catalytic converter" means a post-combustion device that:
14 (1) oxidizes hydrocarbons and carbon monoxide gases or reduces
15 oxides of nitrogen; and (2) is designed or intended for use as
16 part of an emission control system. As used in this Section,
17 "catalytic converter" includes nonferrous parts, including
18 rhodium, platinum, and palladium.

19 (625 ILCS 5/1-115.01 new)

20 Sec. 1-115.01. Detached catalytic converter.

21 "Detached catalytic converter" means a catalytic

1 converter, as defined in Section 1-110.05 of the Code, that
2 was previously installed on a motor vehicle and subsequently
3 removed.

4 (625 ILCS 5/1-118) (from Ch. 95 1/2, par. 1-118)

5 Sec. 1-118. Essential parts. All integral and body parts
6 of a vehicle of a type required to be registered hereunder, the
7 removal, alteration or substitution of which would tend to
8 conceal the identity of the vehicle or substantially alter its
9 appearance, model, type or mode of operation. "Essential
10 parts" includes the following: vehicle hulks, shells, chassis,
11 frames, front end assemblies (which may consist of headlight,
12 grill, fenders and hood), front clip (front end assembly with
13 cowl attached), rear clip (which may consist of quarter
14 panels, fenders, floor and top), doors, hatchbacks, fenders,
15 cabs, cab clips, cowls, hoods, trunk lids, deck lids, bed,
16 front bumper, rear bumper, transmissions, seats, engines, and
17 similar parts. "Essential parts" also includes fairings, fuel
18 tanks, and forks of motorcycles. "Essential parts" ~~shall~~ also
19 include stereo radios and catalytic converters.

20 An essential part which does not have affixed to it an
21 identification number as defined in Section 1-129 adopts the
22 identification number of the vehicle to which such part is
23 affixed, installed or mounted.

24 "Essential parts" does not include an engine,
25 transmission, or a rear axle that is used in a glider kit.

1 (Source: P.A. 99-748, eff. 8-5-16; 100-409, eff. 8-25-17;
2 100-863, eff. 8-14-18.)

3 (625 ILCS 5/5-401.2) (from Ch. 95 1/2, par. 5-401.2)

4 Sec. 5-401.2. Licensees required to keep records and make
5 inspections.

6 (a) Every person licensed or required to be licensed under
7 Section 5-101, 5-101.1, 5-101.2, 5-102, 5-102.8, 5-301, or
8 5-302 of this Code, shall, with the exception of scrap
9 processors, maintain for 3 years, in a form as the Secretary of
10 State may by rule or regulation prescribe, at his established
11 place of business, additional place of business, or principal
12 place of business if licensed under Section 5-302, the
13 following records relating to the acquisition or disposition
14 of vehicles and their essential parts possessed in this State,
15 brought into this State from another state, territory or
16 country, or sold or transferred to another person in this
17 State or in another state, territory, or country.

18 (1) The following records pertaining to new or used
19 vehicles shall be kept:

20 (A) the year, make, model, style and color of the
21 vehicle;

22 (B) the vehicle's manufacturer's identification
23 number or, if applicable, the Secretary of State or
24 Illinois State Police identification number;

25 (C) the date of acquisition of the vehicle;

1 (D) the name and address of the person from whom
2 the vehicle was acquired and, if that person is a
3 dealer, the Illinois or out-of-state dealer license
4 number of such person;

5 (E) the signature of the person making the
6 inspection of a used vehicle as required under
7 subsection (d) of this Section, if applicable;

8 (F) the purchase price of the vehicle, if
9 applicable;

10 (G) the date of the disposition of the vehicle;

11 (H) the name and address of the person to whom any
12 vehicle was disposed, and if that person is a dealer,
13 the Illinois or out-of-State dealer's license number
14 of that dealer;

15 (I) the uniform invoice number reflecting the
16 disposition of the vehicle, if applicable; and

17 (J) The sale price of the vehicle, if applicable.

18 (2) (A) The following records pertaining to used
19 essential parts other than quarter panels and
20 transmissions of vehicles of the first division shall be
21 kept:

22 (i) the year, make, model, color and type of such
23 part;

24 (ii) the vehicle's manufacturer's identification
25 number, derivative number, or, if applicable, the
26 Secretary of State or Illinois State Police

1 identification number of such part;

2 (iii) the date of the acquisition of each part;

3 (iv) the name and address of the person from whom
4 the part was acquired and, if that person is a dealer,
5 the Illinois or out-of-state dealer license number of
6 such person; if the essential part being acquired is
7 from a person other than a dealer, the licensee shall
8 verify and record that person's identity by recording
9 the identification numbers from at least two sources
10 of identification, one of which shall be a drivers
11 license or State identification card;

12 (v) the uniform invoice number or out-of-state
13 bill of sale number reflecting the acquisition of such
14 part;

15 (vi) the stock number assigned to the essential
16 part by the licensee, if applicable;

17 (vii) the date of the disposition of such part;

18 (viii) the name and address of the person to whom
19 such part was disposed of and, if that person is a
20 dealer, the Illinois or out-of-state dealer license
21 number of that person;

22 (ix) the uniform invoice number reflecting the
23 disposition of such part.

24 (B) Inspections of all essential parts shall be
25 conducted in accordance with Section 5-402.1.

26 (C) A separate entry containing all of the information

1 required to be recorded in subparagraph (A) of paragraph
2 (2) of subsection (a) of this Section shall be made for
3 each separate essential part. Separate entries shall be
4 made regardless of whether the part was a large purchase
5 acquisition. In addition, a separate entry shall be made
6 for each part acquired for immediate sale or transfer, or
7 for placement into the overall inventory or stock to be
8 disposed of at a later time, or for use on a vehicle to be
9 materially altered by the licensee, or acquired for any
10 other purpose or reason. Failure to make a separate entry
11 for each essential part acquired or disposed of, or a
12 failure to record any of the specific information required
13 to be recorded concerning the acquisition or disposition
14 of each essential part as set forth in subparagraph (A) of
15 paragraph (2) of subsection (a) shall constitute a failure
16 to keep records.

17 (D) The vehicle's manufacturer's identification number
18 or Secretary of State or Illinois State Police
19 identification number for the essential part shall be
20 ascertained and recorded even if such part is acquired
21 from a person or dealer located in a State, territory, or
22 country which does not require that such information be
23 recorded. If the vehicle's manufacturer's identification
24 number or Secretary of State or Illinois State Police
25 identification number for an essential part cannot be
26 obtained, that part shall not be acquired by the licensee

1 or any of his agents or employees. If such part or parts
2 were physically acquired by the licensee or any of his
3 agents or employees while the licensee or agent or
4 employee was outside this State, that licensee or agent or
5 employee was outside the State, that licensee, agent or
6 employee shall not bring such essential part into this
7 State or cause it to be brought into this State. The
8 acquisition or disposition of an essential part by a
9 licensee without the recording of the vehicle
10 identification number or Secretary of State identification
11 number for such part or the transportation into the State
12 by the licensee or his agent or employee of such part or
13 parts shall constitute a failure to keep records.

14 (E) The records of essential parts required to be kept
15 by this Section shall apply to all hulks, chassis, frames,
16 ~~or~~ cowls, or catalytic converters regardless of the age of
17 those essential parts. The records required to be kept by
18 this Section for essential parts, ~~other than hulks,~~
19 chassis, frames, ~~or~~ cowls, or catalytic converters, shall
20 apply only to those essential parts which are 6 model
21 years of age or newer. In determining the model year of
22 such an essential part it may be presumed that the
23 identification number of the vehicle from which the
24 essential part came or the identification number affixed
25 to the essential part itself acquired by the licensee
26 denotes the model year of that essential part. This

1 presumption, however, shall not apply if the gross
2 appearance of the essential part does not correspond to
3 the year, make or model of either the identification
4 number of the vehicle from which the essential part is
5 alleged to have come or the identification number which is
6 affixed to the essential part itself. To determine whether
7 an essential part is 6 years of age or newer within this
8 paragraph, the model year of the essential part shall be
9 subtracted from the calendar year in which the essential
10 part is acquired or disposed of by the licensee. If the
11 remainder is 6 or less, the record of the acquisition or
12 disposition of that essential part shall be kept as
13 required by this Section.

14 (F) The requirements of paragraph (2) of subsection
15 (a) of this Section shall not apply to the disposition of
16 an essential part, other than a cowl or catalytic
17 converter, which has been damaged or altered to a state in
18 which it can no longer be returned to a usable condition
19 and which is being sold or transferred to a scrap
20 processor or for delivery to a scrap processor.

21 (3) the following records for vehicles on which junking
22 certificates are obtained shall be kept:

23 (A) the year, make, model, style and color of the
24 vehicle;

25 (B) the vehicle's manufacturer's identification number
26 or, if applicable, the Secretary of State or Illinois

1 State Police identification number;

2 (C) the date the vehicle was acquired;

3 (D) the name and address of the person from whom the
4 vehicle was acquired and, if that person is a dealer, the
5 Illinois or out-of-state dealer license number of that
6 person;

7 (E) the certificate of title number or salvage
8 certificate number for the vehicle, if applicable;

9 (F) the junking certificate number obtained by the
10 licensee; this entry shall be recorded at the close of
11 business of the fifth business day after receiving the
12 junking certificate;

13 (G) the name and address of the person to whom the
14 junking certificate has been assigned, if applicable, and
15 if that person is a dealer, the Illinois or out-of-state
16 dealer license number of that dealer;

17 (H) if the vehicle or any part of the vehicle is
18 dismantled for its parts to be disposed of in any way, or
19 if such parts are to be used by the licensee to materially
20 alter a vehicle, those essential parts shall be recorded
21 and the entries required by paragraph (2) of subsection
22 (a) shall be made.

23 (4) The following records for rebuilt vehicles shall be
24 kept:

25 (A) the year, make, model, style and color of the
26 vehicle;

1 (B) the vehicle's manufacturer's identification number
2 of the vehicle or, if applicable, the Secretary of State
3 or Illinois State Police identification number;

4 (C) the date the vehicle was acquired;

5 (D) the name and address of the person from whom the
6 vehicle was acquired, and if that person is a dealer, the
7 Illinois or out-of-state dealer license number of that
8 person;

9 (E) the salvage certificate number for the vehicle;

10 (F) the newly issued certificate of title number for
11 the vehicle;

12 (G) the date of disposition of the vehicle;

13 (H) the name and address of the person to whom the
14 vehicle was disposed, and if a dealer, the Illinois or
15 out-of-state dealer license number of that dealer;

16 (I) The sale price of the vehicle.

17 (a-1) A person licensed or required to be licensed under
18 Section 5-101 or Section 5-102 of this Code who issues
19 temporary registration permits as permitted by this Code and
20 by rule must electronically file the registration with the
21 Secretary and must maintain records of the registration in the
22 manner prescribed by the Secretary.

23 (b) A failure to make separate entries for each vehicle
24 acquired, disposed of, or assigned, or a failure to record any
25 of the specific information required to be recorded concerning
26 the acquisition or disposition of each vehicle as set forth in

1 paragraphs (1), (3) and (4) of subsection (a) shall constitute
2 a failure to keep records.

3 (c) All entries relating to the acquisition of a vehicle
4 or essential part required by subsection (a) of this Section
5 shall be recorded no later than the close of business on the
6 seventh calendar day following such acquisition. All entries
7 relating to the disposition of a vehicle or an essential part
8 shall be made at the time of such disposition. If the vehicle
9 or essential part was disposed of on the same day as its
10 acquisition or the day thereafter, the entries relating to the
11 acquisition of the vehicle or essential part shall be made at
12 the time of the disposition of the vehicle or essential part.
13 Failure to make the entries required in or at the times
14 prescribed by this subsection following the acquisition or
15 disposition of such vehicle or essential part shall constitute
16 a failure to keep records.

17 (d) Every person licensed or required to be licensed
18 shall, before accepting delivery of a used vehicle, inspect
19 the vehicle to determine whether the manufacturer's public
20 vehicle identification number has been defaced, destroyed,
21 falsified, removed, altered, or tampered with in any way. If
22 the person making the inspection determines that the
23 manufacturer's public vehicle identification number has been
24 altered, removed, defaced, destroyed, falsified or tampered
25 with he shall not acquire that vehicle but instead shall
26 promptly notify law enforcement authorities of his or her

1 finding.

2 (e) The information required to be kept in subsection (a)
3 of this Section shall be kept in a manner prescribed by rule or
4 regulation of the Secretary of State.

5 (f) Every person licensed or required to be licensed shall
6 have in the person's ~~his~~ possession a separate certificate of
7 title, salvage certificate, junking certificate, certificate
8 of purchase, uniform invoice, out-of-state bill of sale or
9 other acceptable documentary evidence of the person's ~~his~~
10 right to the possession of every vehicle or essential part.

11 (g) Every person licensed or required to be licensed as a
12 transporter under Section 5-201 shall maintain for 3 years, in
13 such form as the Secretary of State may by rule or regulation
14 prescribe, at the person's ~~his~~ principal place of business a
15 record of every vehicle transported by the person ~~him~~,
16 including numbers of or other marks of identification thereof,
17 the names and addresses of persons from whom and to whom the
18 vehicle was delivered and the dates of delivery.

19 (h) No later than 15 days prior to going out of business,
20 selling the business, or transferring the ownership of the
21 business, the licensee shall notify the Secretary of State
22 that the licensee ~~he~~ is going out of business or that the
23 licensee ~~he~~ is transferring the ownership of the business.
24 Failure to notify under this paragraph shall constitute a
25 failure to keep records.

26 (i) (Blank).

1 (j) A person who knowingly fails to comply with the
2 provisions of this Section or knowingly fails to obey,
3 observe, or comply with any order of the Secretary or any law
4 enforcement agency issued in accordance with this Section is
5 guilty of a Class B misdemeanor for the first violation and a
6 Class A misdemeanor for the second and subsequent violations.
7 Each violation constitutes a separate and distinct offense and
8 a separate count may be brought in the same indictment or
9 information for each vehicle or each essential part of a
10 vehicle for which a record was not kept as required by this
11 Section.

12 (k) Any person convicted of failing to keep the records
13 required by this Section with intent to conceal the identity
14 or origin of a vehicle or its essential parts or with intent to
15 defraud the public in the transfer or sale of vehicles or their
16 essential parts is guilty of a Class 2 felony. Each violation
17 constitutes a separate and distinct offense and a separate
18 count may be brought in the same indictment or information for
19 each vehicle or essential part of a vehicle for which a record
20 was not kept as required by this Section.

21 (l) A person may not be criminally charged with or
22 convicted of both a knowing failure to comply with this
23 Section and a knowing failure to comply with any order, if both
24 offenses involve the same record keeping violation.

25 (m) The Secretary shall adopt rules necessary for
26 implementation of this Section, which may include the

1 imposition of administrative fines.

2 (Source: P.A. 101-505, eff. 1-1-20; 102-538, eff. 8-20-21.)

3 (625 ILCS 5/5-402.1) (from Ch. 95 1/2, par. 5-402.1)

4 Sec. 5-402.1. Use of Secretary of State Uniform Invoice
5 for Essential Parts.

6 (a) Except for scrap processors, every person licensed or
7 required to be licensed under Section 5-101, 5-101.1, 5-102,
8 5-102.8, or 5-301 of this Code shall issue, in a form the
9 Secretary of State may by rule or regulation prescribe, a
10 Uniform Invoice, which may also act as a bill of sale, with
11 respect to each transaction in which he disposes of an
12 essential part other than quarter panels and transmissions of
13 vehicles of the first division. Such Invoice shall be made out
14 at the time of the disposition of the essential part. If the
15 licensee disposes of several essential parts in the same
16 transaction, the licensee may issue one Uniform Invoice
17 covering all essential parts disposed of in that transaction.

18 (b) The following information shall be contained on the
19 Uniform Invoice:

20 (1) the business name, address, and dealer license
21 number of the person disposing of the essential part;

22 (2) the name and address of the person acquiring the
23 essential part, and if that person is a dealer, the
24 Illinois or out-of-state dealer license number of that
25 dealer;

- 1 (3) the date of the disposition of the essential part;
- 2 (4) the year, make, model, color, and description of
- 3 each essential part disposed of by the person;
- 4 (5) the manufacturer's vehicle identification number,
- 5 Secretary of State identification number, or Illinois
- 6 State Police identification number for each essential part
- 7 disposed of by the person;
- 8 (6) the printed name and legible signature of the
- 9 person or agent disposing of the essential part; and
- 10 (7) if the person is a dealer the printed name and
- 11 legible signature of the dealer or his agent or employee
- 12 accepting delivery of the essential part.

13 (c) Except for scrap processors, and except as set forth

14 in subsection (d) of this Section, whenever a person licensed

15 or required to be licensed by Section 5-101, 5-101.1, 5-102,

16 or 5-301 accepts delivery of an essential part, other than

17 quarter panels and transmissions of vehicles of the first

18 division, that person shall, at the time of the acceptance or

19 delivery, comply with the following procedures:

- 20 (1) Before acquiring or accepting delivery of any
- 21 essential part, the licensee or his authorized agent or
- 22 employee shall inspect the part to determine whether the
- 23 vehicle identification number, Secretary of State
- 24 identification number, Illinois State Police
- 25 identification number, or identification plate or sticker
- 26 attached to or stamped on any part being acquired or

1 delivered has been removed, falsified, altered, defaced,
2 destroyed, or tampered with. If the licensee or his agent
3 or employee determines that the vehicle identification
4 number, Secretary of State identification number, Illinois
5 State Police identification number, identification plate
6 or identification sticker containing an identification
7 number, or Federal Certificate label of an essential part
8 has been removed, falsified, altered, defaced, destroyed,
9 or tampered with, the licensee or agent shall not accept
10 or receive that part.

11 If that part was physically acquired by or delivered
12 to a licensee or his agent or employee while that
13 licensee, agent, or employee was outside this State, that
14 licensee or agent or employee shall not bring that
15 essential part into this State or cause it to be brought
16 into this State.

17 (2) If the person disposing of or delivering the
18 essential part to the licensee is a licensed in-state or
19 out-of-state dealer, the licensee or his agent or
20 employee, after inspecting the essential part as required
21 by paragraph (1) of this subsection (c), shall examine the
22 Uniform Invoice, or bill of sale, as the case may be, to
23 ensure that it contains all the information required to be
24 provided by persons disposing of essential parts as set
25 forth in subsection (b) of this Section. If the Uniform
26 Invoice or bill of sale does not contain all the

1 information required to be listed by subsection (b) of
2 this Section, the dealer disposing of or delivering such
3 part or his agent or employee shall record such additional
4 information or other needed modifications on the Uniform
5 Invoice or bill of sale or, if needed, an attachment
6 thereto. The dealer or his agent or employee delivering
7 the essential part shall initial all additions or
8 modifications to the Uniform Invoice or bill of sale and
9 legibly print his name at the bottom of each document
10 containing his initials. If the transaction involves a
11 bill of sale rather than a Uniform Invoice, the licensee
12 or his agent or employee accepting delivery of or
13 acquiring the essential part shall affix his printed name
14 and legible signature on the space on the bill of sale
15 provided for his signature or, if no space is provided, on
16 the back of the bill of sale. If the dealer or his agent or
17 employee disposing of or delivering the essential part
18 cannot or does not provide all the information required by
19 subsection (b) of this Section, the licensee or his agent
20 or employee shall not accept or receive any essential part
21 for which that required information is not provided. If
22 such essential part for which the information required is
23 not fully provided was physically acquired while the
24 licensee or his agent or employee was outside this State,
25 the licensee or his agent or employee shall not bring that
26 essential part into this State or cause it to be brought

1 into this State.

2 (3) If the person disposing of the essential part is
3 not a licensed dealer, the licensee or his agent or
4 employee shall, after inspecting the essential part as
5 required by paragraph (1) of subsection (c) of this
6 Section verify the identity of the person disposing of the
7 essential part by examining 2 sources of identification,
8 one of which shall be either a driver's license or state
9 identification card. The licensee or his agent or employee
10 shall then prepare a Uniform Invoice listing all the
11 information required to be provided by subsection (b) of
12 this Section. In the space on the Uniform Invoice provided
13 for the dealer license number of the person disposing of
14 the part, the licensee or his agent or employee shall list
15 the numbers taken from the documents of identification
16 provided by the person disposing of the part. The person
17 disposing of the part shall affix his printed name and
18 legible signature on the space on the Uniform Invoice
19 provided for the person disposing of the essential part
20 and the licensee or his agent or employee acquiring the
21 part shall affix his printed name and legible signature on
22 the space provided on the Uniform Invoice for the person
23 acquiring the essential part. If the person disposing of
24 the essential part cannot or does not provide all the
25 information required to be provided by this paragraph, or
26 does not present 2 satisfactory forms of identification,

1 the licensee or his agent or employee shall not acquire
2 that essential part.

3 (d) If an essential part other than quarter panels and
4 transmissions of vehicles of the first division was delivered
5 by a licensed commercial delivery service delivering such part
6 on behalf of a licensed dealer, the person required to comply
7 with subsection (c) of this Section may conduct the inspection
8 of that part required by paragraph (1) of subsection (c) and
9 examination of the Uniform Invoice or bill of sale required by
10 paragraph (2) of subsection (c) of this Section immediately
11 after the acceptance of the part.

12 (1) If the inspection of the essential part pursuant
13 to paragraph (1) of subsection (c) reveals that the
14 vehicle identification number, Secretary of State
15 identification number, Illinois State Police
16 identification number, identification plate or sticker
17 containing an identification number, or Federal
18 Certificate label of an essential part has been removed,
19 falsified, altered, defaced, destroyed, or tampered with,
20 the licensee or his agent shall immediately record such
21 fact on the Uniform Invoice or bill of sale, assign the
22 part an inventory or stock number, place such inventory or
23 stock number on both the essential part and the Uniform
24 Invoice or bill of sale, and record the date of the
25 inspection of the part on the Uniform Invoice or bill of
26 sale. The licensee shall, within 7 days of such

1 inspection, return such part to the dealer from whom it
2 was acquired.

3 (2) If the examination of the Uniform Invoice or bill
4 of sale pursuant to paragraph (2) of subsection (c)
5 reveals that any of the information required to be listed
6 by subsection (b) of this Section is missing, the licensee
7 or person required to be licensed shall immediately assign
8 a stock or inventory number to such part, place such stock
9 or inventory number on both the essential part and the
10 Uniform Invoice or bill of sale, and record the date of
11 examination on the Uniform Invoice or bill of sale. The
12 licensee or person required to be licensed shall acquire
13 the information missing from the Uniform Invoice or bill
14 of sale within 7 days of the examination of such Uniform
15 Invoice or bill of sale. Such information may be received
16 by telephone conversation with the dealer from whom the
17 part was acquired. If the dealer provides the missing
18 information the licensee shall record such information on
19 the Uniform Invoice or bill of sale along with the name of
20 the person providing the information. If the dealer does
21 not provide the required information within the
22 aforementioned 7-day period, the licensee shall return the
23 part to that dealer.

24 (e) Except for scrap processors, all persons licensed or
25 required to be licensed who acquire or dispose of essential
26 parts other than quarter panels and transmissions of vehicles

1 of the first division shall retain a copy of the Uniform
2 Invoice required to be made by subsections (a), (b), and (c) of
3 this Section for a period of 3 years.

4 (f) Except for scrap processors, any person licensed or
5 required to be licensed under Section 5-101, 5-102, or 5-301
6 who knowingly fails to record on a Uniform Invoice any of the
7 information or entries required to be recorded by subsections
8 (a), (b), and (c) of this Section, or who knowingly places
9 false entries or other misleading information on such Uniform
10 Invoice, or who knowingly fails to retain for 3 years a copy of
11 a Uniform Invoice reflecting transactions required to be
12 recorded by subsections (a), (b), and (c) of this Section, or
13 who knowingly acquires or disposes of essential parts without
14 receiving, issuing, or executing a Uniform Invoice reflecting
15 that transaction as required by subsections (a), (b), and (c)
16 of this Section, or who brings or causes to be brought into
17 this State essential parts for which the information required
18 to be recorded on a Uniform Invoice is not recorded as
19 prohibited by subsection (c) of this Section, or who knowingly
20 fails to comply with the provisions of this Section in any
21 other manner shall be guilty of a Class 2 felony. Each
22 violation shall constitute a separate and distinct offense and
23 a separate count may be brought in the same indictment or
24 information for each essential part for which a record was not
25 kept as required by this Section or for which the person failed
26 to comply with other provisions of this Section.

1 (g) The records required to be kept by this Section may be
2 examined by a person or persons making a lawful inspection of
3 the licensee's premises pursuant to Section 5-403.

4 (h) The records required to be kept by this Section shall
5 be retained by the licensee at his principal place of business
6 for a period of 3 years.

7 (i) The requirements of this Section shall not apply to
8 the disposition of an essential part, other than a cowl or a
9 catalytic converter, which has been damaged or altered to a
10 state in which it can no longer be returned to a usable
11 condition and which is being sold or transferred to a scrap
12 processor or for delivery to a scrap processor.

13 (Source: P.A. 101-505, eff. 1-1-20; 102-318, eff. 1-1-22;
14 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

15 Section 15. The Recyclable Metal Purchase Registration Law
16 is amended by changing Sections 2, 3, 4.1, and 4.4 as follows:

17 (815 ILCS 325/2) (from Ch. 121 1/2, par. 322)

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

19 "Catalytic converter" means a post-combustion device that
20 oxidizes hydrocarbons and carbon monoxide gases or reduces
21 oxides of nitrogen and that is designed or intended for use as
22 part of an emission control system. As used in this Section,
23 "catalytic converter" includes nonferrous parts, including
24 rhodium, platinum, and palladium.

1 "Detached catalytic converter" means a catalytic converter
2 that was previously installed on a motor vehicle and
3 subsequently removed.

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

15 "Recyclable metal dealer" means any individual, firm,
16 corporation or partnership conducting activity within the
17 boundaries of the State of Illinois and engaged in the
18 business of purchasing and reselling recyclable metal either
19 at a permanently established place of business or in
20 connection with a business of an itinerant nature, including
21 junk shops, junk yards, or junk stores, except that
22 "recyclable metal dealer" does not include automotive parts
23 recyclers, scrap processors, repairers and rebuilders licensed
24 pursuant to Section 5-301 of the Illinois Vehicle Code.
25 Recyclable metal dealers shall not be engaged in the business
26 of purchasing or reselling vehicles, junk vehicles, vehicle

1 cowls, or essential vehicle parts except catalytic converters.

2 (Source: P.A. 102-906, eff. 5-27-22.)

3 (815 ILCS 325/3) (from Ch. 121 1/2, par. 323)

4 Sec. 3. Records of purchases. Except as provided in
5 Section 5 of this Act every recyclable metal dealer in this
6 State shall enter into an electronic record-keeping system for
7 each purchase of recyclable metal, a catalytic converter or
8 its contents, or recyclable metal containing copper the
9 following information:

10 1. The name and address of the recyclable metal
11 dealer;

12 2. The date and place of each purchase;

13 3. The name, address, and copy of the license as an
14 automotive parts recycler or scrap processor issued by the
15 Secretary of State of the person or persons from whom the
16 recyclable metal was purchased, which shall be verified
17 from a valid driver's license or other government-issued
18 photo identification. The recyclable metal dealer shall
19 make and record a photocopy or electronic scan of the
20 license as an automotive parts recycler or scrap processor
21 issued by the Secretary of State and driver's license or
22 other government-issued photo identification. If the
23 person delivering the recyclable metal does not have a
24 valid driver's license or other government-issued photo
25 identification, the recyclable metal dealer shall not

1 complete the transaction;

2 4. The motor vehicle license number and state of
3 issuance of the motor vehicle license number of the
4 vehicle or conveyance on which the recyclable metal was
5 delivered to the recyclable metal dealer;

6 5. A description of the recyclable metal purchased,
7 including the weight and whether it consists of bars,
8 cable, ingots, rods, tubing, wire, wire scraps, clamps,
9 connectors, other appurtenances, or some combination
10 thereof, and, in a transaction involving a catalytic
11 converter, the vehicle identification number of the
12 vehicle from which the catalytic converter was removed and
13 the part number or other identifying number of the
14 catalytic converter that was removed;

15 6. Photographs or video, or both, of the seller and of
16 the materials as presented on the scale; ~~and~~

17 7. A declaration signed and dated by the person or
18 persons from whom the recyclable metal was purchased which
19 states the following:

20 "I, the undersigned, affirm under penalty of law
21 that the property that is subject to this transaction
22 is not to the best of my knowledge stolen property."i
23 and-

24 8. A copy of the certificate of title or registration
25 showing the seller's ownership in the vehicle in the case
26 of a transaction involving a catalytic converter.

1 A copy of the recorded information shall be kept in an
2 electronic record-keeping system by the recyclable metal
3 dealer. Purchase records shall be retained for a period of 3
4 years. Photographs shall be retained for a period of 3 months
5 and video recordings shall be retained for a period of one
6 month. The electronic record-keeping system shall be made
7 available for inspection by any law enforcement official or
8 the representatives of common carriers and persons, firms,
9 corporations or municipal corporations engaged in either the
10 generation, transmission or distribution of electric energy or
11 engaged in telephone, telegraph or other communications, at
12 any time. A recyclable metal dealer must complete and file a
13 1099-MISC on behalf of the seller, unless the seller has a
14 current license as an automotive parts recycler or scrap
15 processor issued by the Secretary of State.

16 (Source: P.A. 102-906, eff. 5-27-22.)

17 (815 ILCS 325/4.1)

18 Sec. 4.1. Restricted purchases.

19 (a) It is a violation of this Act for any person to
20 possess, purchase, attempt to purchase, sell or attempt to
21 sell, or for any recyclable metal dealer to purchase or
22 attempt to purchase, any of the following:

23 (1) materials that are clearly marked as property
24 belonging to a business or someone else other than the
25 seller;

1 (2) property associated with use by governments,
2 utilities, or railroads including, but not limited to,
3 guardrails, manhole covers, electric transmission and
4 distribution equipment, including transformers, grounding
5 straps, wires or poles, historical markers, street signs,
6 traffic signs, sewer grates, or any rail, switch
7 component, spike, angle bar, tie plate, or bolt of the
8 type used in constructing railroad track;

9 (3) cemetery plaques or ornaments; or

10 (4) any catalytic converter or its contents not
11 attached to a motor vehicle at the time of the transaction
12 unless the seller is licensed as an automotive parts
13 recycler or scrap processor and is in compliance with
14 Section 4.4 of the Recyclable Metal Purchase Registration
15 Law.

16 (b) This Section shall not apply when the seller produces
17 written documentation reasonably demonstrating that the seller
18 is the owner of the recyclable metal material or is authorized
19 to sell the material on behalf of the owner. The recyclable
20 metal dealer shall copy any such documentation and maintain it
21 along with the purchase record required by Section 3 of this
22 Act.

23 (Source: P.A. 102-906, eff. 5-27-22.)

24 (815 ILCS 325/4.4)

25 Sec. 4.4. Purchase of a catalytic converter or its

1 contents.

2 (a) It is unlawful for any person to purchase or otherwise
3 acquire a used, detached catalytic converter or any nonferrous
4 part thereof unless all of the following apply:

5 (1) the person is a licensed recyclable metal dealer;

6 (2) the sale or purchase occurs at the fixed business
7 address of a licensed recyclable metal dealer that is a
8 party to the transaction; and

9 (3) the purchaser has maintained the information
10 required under Section 3 of the Recyclable Metal Purchase
11 Registration Law.

12 (b) A recyclable metal dealer shall not pay cash in
13 payment for any catalytic converter or its contents having a
14 value of \$100 or more.

15 (c) As used in this Section:

16 "Fixed business address of the licensed recyclable metal
17 dealer" means the address of the business that is on the
18 licensee issued by the Secretary of State. "Fixed business
19 address of the licensed recyclable metal dealer" also includes
20 the licensed address of a recyclable metal dealer, new or used
21 motor vehicle dealer, automotive repair service, motor vehicle
22 manufacturer, licensed automotive dismantler and parts
23 recycler, or distributor of catalytic converters who sells or
24 purchases the used, detached catalytic converter.

25 "Used, detached catalytic converter" does not include a
26 catalytic converter that has been tested, certified, and

1 labeled for reuse in accordance with applicable United States

2 Environmental Protection Agency Clean Air Act regulations.

3 (Source: P.A. 102-906, eff. 5-27-22.)