

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 adding
9 Sections 1-110.05 and 1-115.01 as follows:

10 (625 ILCS 5/1-110.05 new)

11 Sec. 1-110.05. Catalytic converter.

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

18 (625 ILCS 5/1-115.01 new)

19 Sec. 1-115.01. Detached catalytic converter.

20 "Detached catalytic converter" means a catalytic
21 converter, as defined in Section 1-110.05 of the Code, that

1 was previously installed on a motor vehicle and subsequently
2 removed.

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

5 (815 ILCS 325/2) (from Ch. 121 1/2, par. 322)

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

7 "Catalytic converter" means a post-combustion device that
8 oxidizes hydrocarbons and carbon monoxide gases or reduces
9 oxides of nitrogen and that is designed or intended for use as
10 part of an emission control system. As used in this Section,
11 "catalytic converter" includes nonferrous parts, including
12 rhodium, platinum, and palladium.

13 "Detached catalytic converter" means a catalytic converter
14 that was previously installed on a motor vehicle and
15 subsequently removed.

16 "Recyclable metal" means any copper, brass, or aluminum,
17 or any combination of those metals, or any catalytic converter
18 or its contents purchased by a recyclable metal dealer,
19 irrespective of form or quantity, except that "recyclable
20 metal" does not include: (i) items designed to contain, or to
21 be used in the preparation of, beverages or food for human
22 consumption; (ii) discarded items of non-commercial or
23 household waste; (iii) gold, silver, platinum, and other
24 precious metals used in jewelry; or (iv) vehicles, junk

1 vehicles, vehicle cowl, or essential vehicle parts.

2 "Recyclable metal dealer" means any individual, firm,
3 corporation or partnership conducting activity within the
4 boundaries of the State of Illinois and engaged in the
5 business of purchasing and reselling recyclable metal either
6 at a permanently established place of business or in
7 connection with a business of an itinerant nature, including
8 junk shops, junk yards, or junk stores, except that
9 "recyclable metal dealer" does not include automotive parts
10 recyclers, scrap processors, repairers and rebuilders licensed
11 pursuant to Section 5-301 of the Illinois Vehicle Code.
12 Recyclable metal dealers shall not be engaged in the business
13 of purchasing or reselling vehicles, junk vehicles, vehicle
14 cowl, or essential vehicle parts.

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

16 (815 ILCS 325/3) (from Ch. 121 1/2, par. 323)

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

23 1. The name and address of the recyclable metal
24 dealer;

25 2. The date and place of each purchase;

1 3. The name, address, and copy of the license as an
2 automotive parts recycler or scrap processor issued by the
3 Secretary of State of the person or persons from whom the
4 recyclable metal was purchased, which shall be verified
5 from a valid driver's license or other government-issued
6 photo identification. The recyclable metal dealer shall
7 make and record a photocopy or electronic scan of the
8 license as an automotive parts recycler or scrap processor
9 issued by the Secretary of State and driver's license or
10 other government-issued photo identification. If the
11 person delivering the recyclable metal does not have a
12 valid driver's license or other government-issued photo
13 identification, the recyclable metal dealer shall not
14 complete the transaction;

15 4. The motor vehicle license number and state of
16 issuance of the motor vehicle license number of the
17 vehicle or conveyance on which the recyclable metal was
18 delivered to the recyclable metal dealer;

19 5. A description of the recyclable metal purchased,
20 including the weight and whether it consists of bars,
21 cable, ingots, rods, tubing, wire, wire scraps, clamps,
22 connectors, other appurtenances, or some combination
23 thereof, and, in a transaction involving a catalytic
24 converter, the vehicle identification number of the
25 vehicle from which the catalytic converter was removed and
26 any numbers, bar codes, stickers, or other unique markings

1 of the catalytic converter that was removed;

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

4 7. A declaration signed and dated by the person or
5 persons from whom the recyclable metal was purchased which
6 states the following:

7 "I, the undersigned, affirm under penalty of law
8 that the property that is subject to this transaction
9 is not to the best of my knowledge stolen property.";

10 and-

11 8. A copy of the certificate of title or uniform
12 invoice showing the seller's ownership in the vehicle in
13 the case of a transaction involving a catalytic converter.

14 A copy of the recorded information shall be kept in an
15 electronic record-keeping system by the recyclable metal
16 dealer. Purchase records shall be retained for a period of 3
17 years. Photographs shall be retained for a period of 3 months
18 and video recordings shall be retained for a period of one
19 month. The electronic record-keeping system shall be made
20 available for inspection by any law enforcement official or
21 the representatives of common carriers and persons, firms,
22 corporations or municipal corporations engaged in either the
23 generation, transmission or distribution of electric energy or
24 engaged in telephone, telegraph or other communications, at
25 any time. A recyclable metal dealer must complete and file a
26 1099-MISC on behalf of the seller, unless the seller has a

1 current license as an automotive parts recycler or scrap
2 processor issued by the Secretary of State.

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

4 (815 ILCS 325/4.1)

5 Sec. 4.1. Restricted purchases.

6 (a) It is a violation of this Act for any person to
7 possess, purchase, attempt to purchase, sell or attempt to
8 sell, or for any recyclable metal dealer to purchase or
9 attempt to purchase, any of the following:

10 (1) materials that are clearly marked as property
11 belonging to a business or someone else other than the
12 seller;

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

21 (3) cemetery plaques or ornaments; or

22 (4) any catalytic converter or its contents not
23 attached to a motor vehicle at the time of the transaction
24 unless the seller is licensed as an automotive parts
25 recycler or scrap processor.

1 (b) (Blank). ~~This Section shall not apply when the seller~~
2 ~~produces written documentation reasonably demonstrating that~~
3 ~~the seller is the owner of the recyclable metal material or is~~
4 ~~authorized to sell the material on behalf of the owner. The~~
5 ~~recyclable metal dealer shall copy any such documentation and~~
6 ~~maintain it along with the purchase record required by Section~~
7 ~~3 of this Act.~~

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

9 (815 ILCS 325/4.4)

10 Sec. 4.4. Purchase of a catalytic converter or its
11 contents.

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

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

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

19 (3) the purchaser has maintained the information
20 required under Section 3 of the Recyclable Metal Purchase
21 Registration Law.

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

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