



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/05/04, by Jay C. Hoffman

SYNOPSIS AS INTRODUCED:

625 ILCS 5/5-302

from Ch. 95 1/2, par. 5-302

Amends the Illinois Vehicle Code. Increases from \$100 to \$1,000 the fee for an identification card for an out-of-state salvage vehicle buyer. Increases from \$50 to \$500 the fee for the card if application is made after June 15 of any year. (The card expires on December 31, of the calendar year for which it is issued.)

LRB093 14801 DRH 40361 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning vehicles.

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 changing
5 Section 5-302 as follows:

6 (625 ILCS 5/5-302) (from Ch. 95 1/2, par. 5-302)

7 Sec. 5-302. Out-of-state salvage vehicle buyer must be
8 licensed. (a) No person in this State shall sell or offer at
9 auction salvage vehicles to a nonresident who has not been
10 issued an out-of-state salvage vehicle buyer's ID card from the
11 Secretary of State under this Section. To qualify for this ID
12 card, the applicant shall submit with the application an
13 out-of-state dealer license which is issued by the applicant's
14 state and is substantially equivalent to that of a rebuilder,
15 automotive parts recycler or scrap processor, as licensed under
16 this Code.

17 (b) Any application filed with the Secretary of State,
18 shall be duly verified by oath, in such form as the Secretary
19 of State may by rule or regulation prescribe.

20 (c) An application for an out-of-state ID card shall be
21 accompanied by a fee of \$1,000 ~~\$100~~; provided however, that if
22 an application is made after June 15 of any year, the ID card
23 fee shall be \$500 ~~\$50~~. Any fees shall be returnable only in the
24 event that such application is denied by the Secretary of
25 State.

26 (d) The Secretary of State shall within a reasonable time
27 after receipt thereof, examine an application submitted to him
28 under this Section and unless he makes a determination that the
29 application submitted to him does not conform with the
30 requirements of this Section or that grounds exist for a denial
31 of the application, as prescribed in Section 5-501 of this
32 Chapter, grant the applicant an out-of-state salvage vehicle

1 buyer's ID card.

2 (e) Except as provided in subsection (f) of this Section,
3 licenses granted under this Section shall expire by operation
4 of law on December 31 of the calendar year for which they are
5 granted unless revoked or cancelled under the provisions of
6 Section 5-501 of this Chapter.

7 (f) Any license granted under this Section may be renewed
8 upon application and payment of the fee required for an
9 original license, provided however, that where an application
10 for the renewal of a license is made during the month of
11 December, the license in effect at the time of application for
12 renewal shall remain in force until such application is granted
13 or denied by the Secretary of State.

14 (g) An out-of-state salvage vehicle buyer shall be subject
15 to the inspection of records pertaining to the acquisition of
16 salvage vehicles in this State in accordance with this Code and
17 such rules as the Secretary of State may promulgate.

18 (h) Beginning July 1, 1988, the application filed with the
19 Secretary of State shall also contain:

20 1. The name and type of business organization of the
21 applicant and his principal or other places of business;

22 2. If the applicant is a corporation, a list of its
23 officers, directors, and shareholders having a 10% or greater
24 ownership interest in the corporation, setting forth the
25 residence address of each; if the applicant is a sole
26 proprietorship, a partnership, an unincorporated association,
27 a trust, or any similar form of business organization, the
28 names and residence address of the proprietor, or of each
29 partner, member, officer, director, trustee or manager;

30 3. A statement that the applicant's officers, directors,
31 shareholders having a 10% or greater ownership interest
32 therein, proprietor, partner, member, officer, director,
33 trustee, manager, or other principals in the business have not
34 committed in the past 3 years any one violation as determined
35 in any civil or criminal or administrative proceedings of any
36 one of the following Acts:

- 1 (A) The "Anti Theft Laws" of the Illinois Vehicle Code;
- 2 (B) The "Certificate of Title Laws" of the Illinois Vehicle
3 Code;
- 4 (C) The "Offenses against Registration and Certificates of
5 Title Laws" of the Illinois Vehicle Code;
- 6 (D) The "Dealers, Transporters, Wreckers and Rebuilders
7 Laws" of the Illinois Vehicle Code;
- 8 (E) Section 21-2 of the Criminal Code of 1961, Criminal
9 Trespass to Vehicles; or
- 10 (F) The "Retailers Occupation Tax Act";

11 4. A statement that the applicant's officers, directors,
12 shareholders having a 10% or greater ownership interest
13 therein, proprietor, partner, member, officer, director,
14 trustee, manager or other principals in the business have not
15 committed in any calendar year 3 or more violations, as
16 determined in any civil or criminal or administrative
17 proceedings, of any one or more of the following Acts:

- 18 (A) The "Consumer Finance Act";
- 19 (B) The "Consumer Installment Loan Act";
- 20 (C) The "Retail Installment Sales Act";
- 21 (D) The "Motor Vehicle Retail Installment Sales Act";
- 22 (E) "An Act in relation to the rate of interest and other
23 charges in connection with sales on credit and the lending of
24 money", approved May 24, 1879, as amended;
- 25 (F) "An Act to promote the welfare of wage earners by
26 regulating the assignment of wages, and prescribing a penalty
27 for the violation thereof", approved July 1, 1935, as amended;
- 28 (G) Part 8 of Article XII of the Code of Civil Procedure;
29 or
- 30 (H) The "Consumer Fraud Act"; and

31 5. A statement that the applicant understands Chapters 1
32 through 5 of this Code.

- 33 (i) Any change which renders no longer accurate any
34 information contained in any application for a license filed
35 with the Secretary of State shall be amended within 30 days
36 after the occurrence of such change on such form as the

1 Secretary of State may prescribe by rule or regulation,
2 accompanied by an amendatory fee of \$2.
3 (Source: P.A. 86-444.)