



Sen. Ira I. Silverstein

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09800HB3021sam001

LRB098 10961 MLW 45327 a

1 AMENDMENT TO HOUSE BILL 3021

2 AMENDMENT NO. _____. Amend House Bill 3021 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 4-103 as follows:

6 (625 ILCS 5/4-103) (from Ch. 95 1/2, par. 4-103)

7 Sec. 4-103. Offenses relating to motor vehicles and other
8 vehicles - Felonies.

9 (a) Except as provided in subsection (a-1), it is a
10 violation of this Chapter for:

11 (1) A person not entitled to the possession of a
12 vehicle or essential part of a vehicle to receive, possess,
13 conceal, sell, dispose, or transfer it, knowing it to have
14 been stolen or converted; additionally the General
15 Assembly finds that the acquisition and disposition of
16 vehicles and their essential parts are strictly controlled

1 by law and that such acquisitions and dispositions are
2 reflected by documents of title, uniform invoices, rental
3 contracts, leasing agreements and bills of sale. It may be
4 inferred, therefore that a person exercising exclusive
5 unexplained possession over a stolen or converted vehicle
6 or an essential part of a stolen or converted vehicle has
7 knowledge that such vehicle or essential part is stolen or
8 converted, regardless of whether the date on which such
9 vehicle or essential part was stolen is recent or remote;

10 (2) A person to knowingly remove, alter, deface,
11 destroy, falsify, or forge a manufacturer's identification
12 number of a vehicle or an engine number of a motor vehicle
13 or any essential part thereof having an identification
14 number;

15 (3) A person to knowingly conceal or misrepresent the
16 identity of a vehicle or any essential part thereof;

17 (4) A person to buy, receive, possess, sell or dispose
18 of a vehicle, or any essential part thereof, with knowledge
19 that the identification number of the vehicle or any
20 essential part thereof having an identification number has
21 been removed or falsified;

22 (5) A person to knowingly possess, buy, sell, exchange,
23 give away, or offer to buy, sell, exchange or give away,
24 any manufacturer's identification number plate, mylar
25 sticker, federal certificate label, State police
26 reassignment plate, Secretary of State assigned plate,

1 rosette rivet, or facsimile of such which has not yet been
2 attached to or has been removed from the original or
3 assigned vehicle. It is an affirmative defense to
4 subsection (a) of this Section that the person possessing,
5 buying, selling or exchanging a plate mylar sticker or
6 label described in this paragraph is a police officer doing
7 so as part of his official duties, or is a manufacturer's
8 authorized representative who is replacing any
9 manufacturer's identification number plate, mylar sticker
10 or Federal certificate label originally placed on the
11 vehicle by the manufacturer of the vehicle or any essential
12 part thereof;

13 (6) A person to knowingly make a false report of the
14 theft or conversion of a vehicle to any police officer of
15 this State or any employee of a law enforcement agency of
16 this State designated by the law enforcement agency to
17 take, receive, process, or record reports of vehicle theft
18 or conversion; or ~~or~~

19 (7) A person not entitled to the possession of a
20 catalytic converter to receive, possess, conceal, sell,
21 dispose, or transfer that catalytic converter, knowing it
22 to have been stolen or converted. It may be inferred that a
23 person exercising exclusive unexplained possession over a
24 catalytic converter has knowledge that the catalytic
25 converter is stolen or converted, regardless of the date
26 the catalytic converter was stolen or converted.

1 (a-1) A person engaged in the repair or servicing of
2 vehicles does not violate this Chapter by knowingly possessing
3 a manufacturer's identification number plate for the purpose of
4 reaffixing it on the same damaged vehicle from which it was
5 originally taken, if the person reaffixes or intends to reaffix
6 the original manufacturer's identification number plate in
7 place of the identification number plate affixed on a new
8 dashboard that has been or will be installed in the vehicle.
9 The person must notify the Secretary of State each time the
10 original manufacturer's identification number plate is
11 reaffixed on a vehicle. The person must keep a record
12 indicating that the identification number plate affixed on the
13 new dashboard has been removed and has been replaced by the
14 manufacturer's identification number plate originally affixed
15 on the vehicle. The person also must keep a record regarding
16 the status and location of the identification number plate
17 removed from the replacement dashboard. The Secretary shall
18 adopt rules for implementing this subsection (a-1).

19 (a-2) The owner of a vehicle repaired under subsection
20 (a-1) must, within 90 days of the date of the repairs, contact
21 an officer of the Illinois State Police Vehicle Inspection
22 Bureau and arrange for an inspection of the vehicle, by the
23 officer or the officer's designee, at a mutually agreed upon
24 date and location.

25 (b) Sentence. A person convicted of a violation of this
26 Section shall be guilty of a Class 2 felony, except that a

1 person convicted of a violation of paragraph (7) of subsection
2 (a) of this Section shall be guilty of a Class 4 felony.

3 (c) The offenses set forth in subsection (a) of this
4 Section shall not include the offense set forth in Section
5 4-103.2 of this Code.

6 (Source: P.A. 93-456, eff. 8-8-03.)".