

1 AN ACT concerning transportation.

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 5-401.2 and by adding Section 5-101.2 as follows:

6 (625 ILCS 5/5-101.2 new)

7 Sec. 5-101.2. Manufactured home dealers; licensing.

8 (a) For the purposes of this Section, the following words
9 shall have the meanings ascribed to them as follows:

10 "Community-based manufactured home dealer" means an
11 individual or entity that operates a tract of land or 2 or
12 more contiguous tracts of land which contain sites with the
13 necessary utilities for 5 or more independent manufactured
14 homes for permanent habitation, either free of charge or
15 for revenue purposes, and shall include any building,
16 structure, vehicle, or enclosure used or intended for use
17 as a part of the equipment of the manufactured home park
18 who may, incidental to the operation of the manufactured
19 home community, sell, trade, or buy a manufactured home or
20 park model that is located within the manufactured home
21 community or is located in a different manufactured home
22 community that is owned or managed by the community-based
23 manufactured home dealer.

1 "Established place of business" means the place owned
2 or leased and occupied by any person duly licensed or
3 required to be licensed as a manufactured home dealer or a
4 community-based manufactured home dealer for the purpose
5 of engaging in selling, buying, bartering, displaying,
6 exchanging, or dealing in, on consignment or otherwise,
7 manufactured homes or park models and for such other
8 ancillary purposes as may be permitted by the Secretary by
9 rule. An established place of business shall include a
10 single or central office in which the manufactured home
11 dealer's or community-based manufactured home dealer's
12 records shall be separate and distinct from any other
13 business or tenant which may occupy space in the same
14 building, except as provided in this Section, and the
15 office shall not be located in a tent, temporary stand,
16 temporary address, room or rooms in a hotel or rooming
17 house, nor the premises occupied by a single or multiple
18 unit residence, unless the multiple unit residence has a
19 separate and distinct office.

20 "Manufactured home" means a factory assembled
21 structure built on a permanent chassis, transportable in
22 one or more sections in the travel mode, incapable of
23 self-propulsion, and bears a label indicating the
24 manufacturer's compliance with the United States
25 Department of Housing and Urban Development standards, as
26 applicable, that is without a permanent foundation and is

1 designed for year round occupancy as a single-family
2 residence when connected to approved water, sewer, and
3 electrical utilities.

4 "Manufactured home dealer" means an individual or
5 entity that engages in the business of acquiring or
6 disposing of a manufactured home or park model, either a
7 new manufactured home or park model, pursuant to a
8 franchise agreement with a manufacturer, or used
9 manufactured homes or park models, and who has an
10 established place of business that is not in a residential
11 community-based setting.

12 "Park model" means a vehicle that is incapable of
13 self-propulsion that is less than 400 square feet of
14 habitable space that is built to American National
15 Standards Institute (ANSI) standards that prohibits
16 occupancy on a permanent basis and is built on a vehicle
17 chassis.

18 "Supplemental license" means a license that a
19 community-based manufactured home dealer receives and
20 displays at locations in which the licensee is authorized
21 to sell, buy, barter, display, exchange, or deal in, on
22 consignment or otherwise, manufactured homes or park
23 models, but is not the established place of business of the
24 licensee.

25 (b) No person shall engage in this State in the business of
26 selling or dealing in, on consignment or otherwise,

1 manufactured homes or park models of any make, or act as an
2 intermediary, agent, or broker for any manufactured home or
3 park model purchaser, other than as a salesperson or to
4 represent or advertise that he or she is so engaged, or intends
5 to so engage, in the business, unless licensed to do so by the
6 Secretary of State under the provisions of this Section.

7 (c) An application for a manufactured home dealer's license
8 or a community-based manufactured home dealer's license shall
9 be filed with the Secretary of State and duly verified by oath,
10 on such form as the Secretary of State may by rule prescribe
11 and shall contain all of the following:

12 (1) The name and type of business organization of the
13 applicant, and his or her established and additional places
14 of business, if any, in this State.

15 (2) If the applicant is a corporation, a list of its
16 officers, directors, and shareholders having a 10% or
17 greater ownership interest in the corporation. If the
18 applicant is a sole proprietorship, a partnership, a
19 limited liability company, an unincorporated association,
20 a trust, or any similar form of business organization, the
21 name and residence address of the proprietor, or the name
22 and residence address of each partner, member, officer,
23 director, trustee, or manager.

24 (3) The make or makes of new manufactured homes or park
25 models that the applicant will offer for sale at retail in
26 the State.

1 (4) The name of each manufacturer or franchised
2 distributor, if any, of new manufactured homes or park
3 models with whom the applicant has contracted for the sale
4 of new manufactured homes or park models. As evidence of
5 this fact, the application shall be accompanied by a signed
6 statement from each manufacturer or franchised
7 distributor.

8 (5) A statement that the applicant has been approved
9 for registration under the Retailers' Occupation Tax Act by
10 the Department of Revenue, provided that this requirement
11 does not apply to a manufactured home dealer who is already
12 licensed with the Secretary of State, and who is merely
13 applying for a renewal of his or her license. As evidence
14 of this fact, the application shall be accompanied by a
15 certification from the Department of Revenue showing that
16 the Department has approved the applicant for registration
17 under the Retailers' Occupation Tax Act.

18 (6) An application for:

19 (A) a manufactured home dealer's license, when the
20 applicant is selling new manufactured homes or park
21 models on behalf of a manufacturer of manufactured
22 homes or park models, or 5 or more used manufactured
23 homes or park models during the calendar year, shall be
24 accompanied by a \$1,000 license fee for the applicant's
25 established place of business, and \$100 for each
26 additional place of business, if any, to which the

1 application pertains. If the application is made after
2 June 15 in any year, the license fee shall be \$500 for
3 the applicant's established place of business, and \$50
4 for each additional place of business, if any, to which
5 the application pertains. License fees shall be
6 returnable only in the event that the application is
7 denied by the Secretary of State; or

8 (B) a community-based manufactured home dealer's
9 license, when the applicant is selling 5 or more
10 manufactured homes during the calendar year not on
11 behalf of a manufacturer of manufactured homes, but
12 within a community setting, shall be accompanied by a
13 license fee of \$500 for the applicant's established
14 place of business, and \$50 for each additional place of
15 business, if any to which the application pertains. If
16 the application is made after June 15 in any year, the
17 license fee shall be \$250 for the applicant's
18 established place of business, and \$50 for each
19 additional place of business, if any, to which the
20 application pertains. License fees shall be returnable
21 only in the event that the application is denied by the
22 Secretary of State.

23 Of the monies received by the Secretary of State as
24 license fees under this paragraph (6), 95% shall be
25 deposited into the General Revenue Fund and 5% into the
26 Motor Vehicle License Plate Fund.

1 (7) A statement that the applicant's officers,
2 directors, and shareholders having a 10% or greater
3 ownership interest therein, proprietor, a partner, member,
4 officer, director, trustee, manager, or other principals
5 in the business, have not committed in the past 3 years any
6 one violation, as determined in any civil, criminal, or
7 administrative hearing proceeding, of any one of the
8 following Acts:

9 (A) the Anti Theft Laws of the Illinois Vehicle
10 Code;

11 (B) the Certificate of Title Laws of the Illinois
12 Vehicle Code;

13 (C) the Offenses against Registration and
14 Certificates of Title Laws of the Illinois Vehicle
15 Code;

16 (D) the Dealers, Transporters, Wreckers, and
17 Rebuilders Laws of the Illinois Vehicle Code;

18 (E) Section 21-2 of the Criminal Code of 2012
19 (criminal trespass to vehicles);

20 (F) the Retailers Occupation Tax Act;

21 (G) the Consumer Finance Act;

22 (H) the Consumer Installment Loan Act;

23 (I) the Retail Installment Sales Act;

24 (J) the Motor Vehicle Retail Installment Sales
25 Act;

26 (K) the Interest Act;

1 (L) the Illinois Wage Assignment Act;

2 (M) Part 8 of Article XII of the Code of Civil
3 Procedure; or

4 (N) the Consumer Fraud Act.

5 (8) A bond or certificate of deposit in the amount of
6 \$20,000 for each license holder applicant intending to act
7 as a manufactured home dealer or community-based
8 manufactured home dealer under this Section. The bond shall
9 be for the term of the license, for which application is
10 made, and shall expire not sooner than December 31 of the
11 year for which the license was issued. The bond shall run
12 to the People of the State of Illinois, with surety by a
13 bonding or insurance company authorized to do business in
14 this State. It shall be conditioned upon the proper
15 transmittal of all title and registration fees and taxes
16 (excluding taxes under the Retailers' Occupation Tax Act)
17 accepted by the applicant as a manufactured home dealer.

18 (9) Dealers in business for over 5 years may substitute
19 a certificate of insurance in lieu of the bond or
20 certificate of deposit upon renewing their license.

21 (10) Any other information concerning the business of
22 the applicant as the Secretary of State may by rule
23 prescribe.

24 (11) A statement that the applicant has read and
25 understands Chapters 1 through 5 of this Code.

26 (d) Any change which renders no longer accurate any

1 information contained in any application for a license under
2 this Section shall be amended within 30 days after the
3 occurrence of the change on a form the Secretary of State may
4 prescribe, by rule, accompanied by an amendatory fee of \$25.

5 (e) The Secretary of State shall, within a reasonable time
6 after receipt, examine an application submitted to him or her
7 under this Section, and unless he or she makes a determination
8 that the application submitted to him or her does not conform
9 with the requirements of this Section or that grounds exist for
10 a denial of the application under Section 5-501 of this
11 Chapter, grant the applicant an initial manufactured home
12 dealer's license or a community-based manufactured home
13 dealer's license in writing for his or her established place of
14 business and a supplemental license in writing for each
15 additional place of business in a form the Secretary may
16 prescribe by rule, which shall include the following:

17 (1) the name of the person or entity licensed;

18 (2) if a corporation, the name and address of its
19 officers; if a sole proprietorship, a partnership, an
20 unincorporated association, or any similar form of
21 business organization, the name and address of the
22 proprietor, or the name and address of each partner,
23 member, officer, director, trustee or manager; or if a
24 limited liability company, the name and address of the
25 general partner or partners, or managing member or members;

26 (3) in the case of an original license, the established

1 place of business of the licensee;

2 (4) in the case of a supplemental license, the
3 established place of business of the licensee and the
4 additional place of business to which the supplemental
5 license pertains; and

6 (5) if applicable, the make or makes of new
7 manufactured homes or park models to which a manufactured
8 home dealer is licensed to sell.

9 (f) The appropriate instrument evidencing the license or a
10 certified copy of the instrument, provided by the Secretary of
11 State, shall be kept posted conspicuously in the established
12 place of business of the licensee and in each additional place
13 of business, if any, maintained by the licensee, unless the
14 licensee is a community-based manufactured home dealer, then
15 the license shall be posted in the community-based manufactured
16 home dealer's central office and it shall include a list of the
17 other locations that the community-based manufactured home
18 dealer may oversee.

19 (g) Except as provided in subsection (i) of this Section,
20 all licenses granted under this Section shall expire by
21 operation of law on December 31 of the calendar year for which
22 the licenses were granted, unless sooner revoked or cancelled
23 under the provisions of Section 5-501 of this Chapter.

24 (h) All persons licensed as a manufactured home dealer or a
25 community-based manufactured home dealer are required to
26 furnish each purchaser of a manufactured home or park model:

1 (1) in the case of a new manufactured home or park
2 model, a manufacturer's statement of origin, and in the
3 case of a previously owned manufactured home or park model,
4 a certificate of title, in either case properly assigned to
5 the purchaser;

6 (2) a statement verified under oath that all
7 identifying numbers on the vehicle match the identifying
8 numbers on the certificate of title or manufacturer's
9 statement of origin;

10 (3) a bill of sale properly executed on behalf of the
11 purchaser;

12 (4) a copy of the Uniform Invoice-transaction
13 reporting return form referred to in Section 5-402; and

14 (5) for a new manufactured home or park model, a
15 warranty, and in the case of a manufactured home or park
16 model for which the warranty has been reinstated, a copy of
17 the warranty; if no warranty is provided, a disclosure or
18 statement that the manufactured home or park model is being
19 sold "AS IS".

20 (i) This Section shall not apply to a (i) seller who
21 privately owns his or her manufactured home or park model as
22 his or her main residence and is selling the manufactured home
23 or park model to another individual or to a licensee; (ii) a
24 retailer or entity licensed under either Section 5-101 or 5-102
25 of this Code; or (iii) an individual or entity licensed to sell
26 truck campers, travel trailers, motor homes, or mini motor

1 homes as defined by this Code. Any vehicle not covered by this
2 Section that requires an individual or entity to obtain a
3 license to sell 5 or more vehicles must obtain a license under
4 the relevant provisions of this Code.

5 (j) This Section shall not apply to any person licensed
6 under the Real Estate License Act of 2000.

7 (k) The Secretary of State may adopt any rules necessary to
8 implement this Section.

9 (625 ILCS 5/5-401.2) (from Ch. 95 1/2, par. 5-401.2)

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

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

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

1 (A) the year, make, model, style and color of the
2 vehicle;

3 (B) the vehicle's manufacturer's identification
4 number or, if applicable, the Secretary of State or
5 Illinois Department of State Police identification
6 number;

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

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

12 (E) the signature of the person making the
13 inspection of a used vehicle as required under
14 subsection (d) of this Section, if applicable;

15 (F) the purchase price of the vehicle, if
16 applicable;

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

18 (H) the name and address of the person to whom any
19 vehicle was disposed, and if that person is a dealer,
20 the Illinois or out-of-State dealer's license number
21 of that dealer;

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

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

25 (2) (A) The following records pertaining to used
26 essential parts other than quarter panels and

1 transmissions of vehicles of the first division shall be
2 kept:

3 (i) the year, make, model, color and type of such
4 part;

5 (ii) the vehicle's manufacturer's identification
6 number, derivative number, or, if applicable, the
7 Secretary of State or Illinois Department of State
8 Police identification number of such part;

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

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

19 (v) the uniform invoice number or out-of-state
20 bill of sale number reflecting the acquisition of such
21 part;

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

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

25 (viii) the name and address of the person to whom
26 such part was disposed of and, if that person is a

1 dealer, the Illinois or out-of-state dealer license
2 number of that person;

3 (ix) the uniform invoice number reflecting the
4 disposition of such part.

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

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

24 (D) The vehicle's manufacturer's identification number
25 or Secretary of State or Illinois Department of State
26 Police identification number for the essential part shall

1 be ascertained and recorded even if such part is acquired
2 from a person or dealer located in a State, territory, or
3 country which does not require that such information be
4 recorded. If the vehicle's manufacturer's identification
5 number or Secretary of State or Illinois Department of
6 State Police identification number for an essential part
7 cannot be obtained, that part shall not be acquired by the
8 licensee or any of his agents or employees. If such part or
9 parts were physically acquired by the licensee or any of
10 his agents or employees while the licensee or agent or
11 employee was outside this State, that licensee or agent or
12 employee was outside the State, that licensee, agent or
13 employee shall not bring such essential part into this
14 State or cause it to be brought into this State. The
15 acquisition or disposition of an essential part by a
16 licensee without the recording of the vehicle
17 identification number or Secretary of State identification
18 number for such part or the transportation into the State
19 by the licensee or his agent or employee of such part or
20 parts shall constitute a failure to keep records.

21 (E) The records of essential parts required to be kept
22 by this Section shall apply to all hulks, chassis, frames
23 or cowls, regardless of the age of those essential parts.
24 The records required to be kept by this Section for
25 essential parts other than hulks, chassis, frames or cowls,
26 shall apply only to those essential parts which are 6 model

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

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

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

1 (A) the year, make, model, style and color of the
2 vehicle;

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

6 (C) the date the vehicle was acquired;

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

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

13 (F) the junking certificate number obtained by the
14 licensee; this entry shall be recorded at the close of
15 business of the fifth business day after receiving the
16 junking certificate;

17 (G) the name and address of the person to whom the
18 junking certificate has been assigned, if applicable, and
19 if that person is a dealer, the Illinois or out-of-state
20 dealer license number of that dealer;

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

1 (4) The following records for rebuilt vehicles shall be
2 kept:

3 (A) the year, make, model, style and color of the
4 vehicle;

5 (B) the vehicle's manufacturer's identification number
6 of the vehicle or, if applicable, the Secretary of State or
7 Illinois Department of State Police identification number;

8 (C) the date the vehicle was acquired;

9 (D) the name and address of the person from whom the
10 vehicle was acquired, and if that person is a dealer, the
11 Illinois or out-of-state dealer license number of that
12 person;

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

14 (F) the newly issued certificate of title number for
15 the vehicle;

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

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

20 (I) The sale price of the vehicle.

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

1 (b) A failure to make separate entries for each vehicle
2 acquired, disposed of, or assigned, or a failure to record any
3 of the specific information required to be recorded concerning
4 the acquisition or disposition of each vehicle as set forth in
5 paragraphs (1), (3) and (4) of subsection (a) shall constitute
6 a failure to keep records.

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

21 (d) Every person licensed or required to be licensed shall,
22 before accepting delivery of a used vehicle, inspect the
23 vehicle to determine whether the manufacturer's public vehicle
24 identification number has been defaced, destroyed, falsified,
25 removed, altered, or tampered with in any way. If the person
26 making the inspection determines that the manufacturer's

1 public vehicle identification number has been altered,
2 removed, defaced, destroyed, falsified or tampered with he
3 shall not acquire that vehicle but instead shall promptly
4 notify law enforcement authorities of his finding.

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

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

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

22 (h) No later than 15 days prior to going out of business,
23 selling the business, or transferring the ownership of the
24 business, the licensee shall notify the Secretary of State that
25 he is going out of business or that he is transferring the
26 ownership of the business. Failure to notify under this

1 paragraph shall constitute a failure to keep records.

2 (i) (Blank).

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

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

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

1 (m) The Secretary shall adopt rules necessary for
2 implementation of this Section, which may include the
3 imposition of administrative fines.

4 (Source: P.A. 91-415, eff. 1-1-00; 92-773, eff. 8-6-02.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.