



Rep. Silvana Tabares

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LRB099 04886 AXK 46421 a

1 AMENDMENT TO HOUSE BILL 1056

2 AMENDMENT NO. _____. Amend House Bill 1056 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 5-401.2 and by adding Section 5-101.2 as
6 follows:

7 (625 ILCS 5/5-101.2 new)

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

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

11 "Community-based manufactured home dealer" means an
12 individual or entity that operates a tract of land or 2 or
13 more contiguous tracts of land which contain sites with the
14 necessary utilities for 5 or more independent manufactured
15 homes for permanent habitation, either free of charge or
16 for revenue purposes, and shall include any building,

1 structure, vehicle, or enclosure used or intended for use
2 as a part of the equipment of the manufactured home park
3 who may, incidental to the operation of the manufactured
4 home community, sell, trade, or buy a manufactured home or
5 park model that is located within the manufactured home
6 community or is located in a different manufactured home
7 community that is owned or managed by the community-based
8 manufactured home dealer.

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

1 separate and distinct office.

2 "Manufactured home" means a factory assembled
3 structure built on a permanent chassis, transportable in
4 one or more sections in the travel mode, incapable of
5 self-propulsion, and bears a label indicating the
6 manufacturer's compliance with the United States
7 Department of Housing and Urban Development standards, as
8 applicable, that is without a permanent foundation and is
9 designed for year round occupancy as a single-family
10 residence when connected to approved water, sewer, and
11 electrical utilities.

12 "Manufactured home dealer" means an individual or
13 entity that engages in the business of acquiring or
14 disposing of a manufactured home or park model, either a
15 new manufactured home or park model, pursuant to a
16 franchise agreement with a manufacturer, or used
17 manufactured homes or park models, and who has an
18 established place of business that is not in a residential
19 community-based setting.

20 "Park model" means a vehicle that is incapable of
21 self-propulsion that is less than 400 square feet of
22 habitable space that is built to American National
23 Standards Institute (ANSI) standards that prohibits
24 occupancy on a permanent basis and is built on a vehicle
25 chassis.

26 "Supplemental license" means a license that a

1 community-based manufactured home dealer receives and
2 displays at locations in which the licensee is authorized
3 to sell, buy, barter, display, exchange, or deal in, on
4 consignment or otherwise, manufactured homes or park
5 models, but is not the established place of business of the
6 licensee.

7 (b) No person shall engage in this State in the business of
8 selling or dealing in, on consignment or otherwise,
9 manufactured homes or park models of any make, or act as an
10 intermediary, agent, or broker for any manufactured home or
11 park model purchaser, other than as a salesperson or to
12 represent or advertise that he or she is so engaged, or intends
13 to so engage, in the business, unless licensed to do so by the
14 Secretary of State under the provisions of this Section.

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

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

23 (2) If the applicant is a corporation, a list of its
24 officers, directors, and shareholders having a 10% or
25 greater ownership interest in the corporation. If the
26 applicant is a sole proprietorship, a partnership, a

1 limited liability company, an unincorporated association,
2 a trust, or any similar form of business organization, the
3 name and residence address of the proprietor, or the name
4 and residence address of each partner, member, officer,
5 director, trustee, or manager.

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

9 (4) The name of each manufacturer or franchised
10 distributor, if any, of new manufactured homes or park
11 models with whom the applicant has contracted for the sale
12 of new manufactured homes or park models. As evidence of
13 this fact, the application shall be accompanied by a signed
14 statement from each manufacturer or franchised
15 distributor.

16 (5) A statement that the applicant has been approved
17 for registration under the Retailers' Occupation Tax Act by
18 the Department of Revenue, provided that this requirement
19 does not apply to a manufactured home dealer who is already
20 licensed with the Secretary of State, and who is merely
21 applying for a renewal of his or her license. As evidence
22 of this fact, the application shall be accompanied by a
23 certification from the Department of Revenue showing that
24 the Department has approved the applicant for registration
25 under the Retailers' Occupation Tax Act.

26 (6) An application for:

1 (A) a manufactured home dealer's license, when the
2 applicant is selling new manufactured homes or park
3 models on behalf of a manufacturer of manufactured
4 homes or park models, or 5 or more used manufactured
5 homes or park models during the calendar year, shall be
6 accompanied by a \$1,000 license fee for the applicant's
7 established place of business, and \$100 for each
8 additional place of business, if any, to which the
9 application pertains. If the application is made after
10 June 15 in any year, the license fee shall be \$500 for
11 the applicant's established place of business, and \$50
12 for each additional place of business, if any, to which
13 the application pertains. License fees shall be
14 returnable only in the event that the application is
15 denied by the Secretary of State; or

16 (B) a community-based manufactured home dealer's
17 license, when the applicant is selling 5 or more
18 manufactured homes during the calendar year not on
19 behalf of a manufacturer of manufactured homes, but
20 within a community setting, shall be accompanied by a
21 license fee of \$500 for the applicant's established
22 place of business, and \$50 for each additional place of
23 business, if any to which the application pertains. If
24 the application is made after June 15 in any year, the
25 license fee shall be \$250 for the applicant's
26 established place of business, and \$50 for each

1 additional place of business, if any, to which the
2 application pertains. License fees shall be returnable
3 only in the event that the application is denied by the
4 Secretary of State.

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

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

17 (A) the Anti Theft Laws of the Illinois Vehicle
18 Code;

19 (B) the Certificate of Title Laws of the Illinois
20 Vehicle Code;

21 (C) the Offenses against Registration and
22 Certificates of Title Laws of the Illinois Vehicle
23 Code;

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

26 (E) Section 21-2 of the Criminal Code of 2012

1 (criminal trespass to vehicles);

2 (F) the Retailers Occupation Tax Act;

3 (G) the Consumer Finance Act;

4 (H) the Consumer Installment Loan Act;

5 (I) the Retail Installment Sales Act;

6 (J) the Motor Vehicle Retail Installment Sales
7 Act;

8 (K) the Interest Act;

9 (L) the Illinois Wage Assignment Act;

10 (M) Part 8 of Article XII of the Code of Civil
11 Procedure; or

12 (N) the Consumer Fraud Act.

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

26 (9) Dealers in business for over 5 years may substitute

1 a certificate of insurance in lieu of the bond or
2 certificate of deposit upon renewing their license.

3 (10) Any other information concerning the business of
4 the applicant as the Secretary of State may by rule
5 prescribe.

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

8 (d) Any change which renders no longer accurate any
9 information contained in any application for a license under
10 this Section shall be amended within 30 days after the
11 occurrence of the change on a form the Secretary of State may
12 prescribe, by rule, accompanied by an amendatory fee of \$25.

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

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

26 (2) if a corporation, the name and address of its

1 officers; if a sole proprietorship, a partnership, an
2 unincorporated association, or any similar form of
3 business organization, the name and address of the
4 proprietor, or the name and address of each partner,
5 member, officer, director, trustee or manager; or if a
6 limited liability company, the name and address of the
7 general partner or partners, or managing member or members;

8 (3) in the case of an original license, the established
9 place of business of the licensee;

10 (4) in the case of a supplemental license, the
11 established place of business of the licensee and the
12 additional place of business to which the supplemental
13 license pertains; and

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

17 (f) The appropriate instrument evidencing the license or a
18 certified copy of the instrument, provided by the Secretary of
19 State, shall be kept posted conspicuously in the established
20 place of business of the licensee and in each additional place
21 of business, if any, maintained by the licensee, unless the
22 licensee is a community-based manufactured home dealer, then
23 the license shall be posted in the community-based manufactured
24 home dealer's central office and it shall include a list of the
25 other locations that the community-based manufactured home
26 dealer may oversee.

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

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

9 (1) in the case of a new manufactured home or park
10 model, a manufacturer's statement of origin, and in the
11 case of a previously owned manufactured home or park model,
12 a certificate of title, in either case properly assigned to
13 the purchaser;

14 (2) a statement verified under oath that all
15 identifying numbers on the vehicle match the identifying
16 numbers on the certificate of title or manufacturer's
17 statement of origin;

18 (3) a bill of sale properly executed on behalf of the
19 purchaser;

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

22 (5) for a new manufactured home or park model, a
23 warranty, and in the case of a manufactured home or park
24 model for which the warranty has been reinstated, a copy of
25 the warranty; if no warranty is provided, a disclosure or
26 statement that the manufactured home or park model is being

1 sold "AS IS".

2 (i) This Section shall not apply to a (i) seller who
3 privately owns his or her manufactured home or park model as
4 his or her main residence and is selling the manufactured home
5 or park model to another individual or to a licensee; (ii) a
6 retailer or entity licensed under either Section 5-101 or 5-102
7 of this Code; or (iii) an individual or entity licensed to sell
8 truck campers, travel trailers, motor homes, or mini motor
9 homes as defined by this Code. Any vehicle not covered by this
10 Section that requires an individual or entity to obtain a
11 license to sell 5 or more vehicles must obtain a license under
12 the relevant provisions of this Code.

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

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

17 (625 ILCS 5/5-401.2) (from Ch. 95 1/2, par. 5-401.2)

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

20 (a) Every person licensed or required to be licensed under
21 Section 5-101, 5-101.1, 5-101.2, 5-102, 5-301 or 5-302 of this
22 Code, shall, with the exception of scrap processors, maintain
23 for 3 years, in a form as the Secretary of State may by rule or
24 regulation prescribe, at his established place of business,
25 additional place of business, or principal place of business if

1 licensed under Section 5-302, the following records relating to
2 the acquisition or disposition of vehicles and their essential
3 parts possessed in this State, brought into this State from
4 another state, territory or country, or sold or transferred to
5 another person in this State or in another state, territory, or
6 country.

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

9 (A) the year, make, model, style and color of the
10 vehicle;

11 (B) the vehicle's manufacturer's identification
12 number or, if applicable, the Secretary of State or
13 Illinois Department of State Police identification
14 number;

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

16 (D) the name and address of the person from whom
17 the vehicle was acquired and, if that person is a
18 dealer, the Illinois or out-of-state dealer license
19 number of such person;

20 (E) the signature of the person making the
21 inspection of a used vehicle as required under
22 subsection (d) of this Section, if applicable;

23 (F) the purchase price of the vehicle, if
24 applicable;

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

26 (H) the name and address of the person to whom any

1 vehicle was disposed, and if that person is a dealer,
2 the Illinois or out-of-State dealer's license number
3 of that dealer;

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

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

7 (2) (A) The following records pertaining to used
8 essential parts other than quarter panels and
9 transmissions of vehicles of the first division shall be
10 kept:

11 (i) the year, make, model, color and type of such
12 part;

13 (ii) the vehicle's manufacturer's identification
14 number, derivative number, or, if applicable, the
15 Secretary of State or Illinois Department of State
16 Police identification number of such part;

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

18 (iv) the name and address of the person from whom
19 the part was acquired and, if that person is a dealer,
20 the Illinois or out-of-state dealer license number of
21 such person; if the essential part being acquired is
22 from a person other than a dealer, the licensee shall
23 verify and record that person's identity by recording
24 the identification numbers from at least two sources of
25 identification, one of which shall be a drivers license
26 or State identification card;

1 (v) the uniform invoice number or out-of-state
2 bill of sale number reflecting the acquisition of such
3 part;

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

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

7 (viii) the name and address of the person to whom
8 such part was disposed of and, if that person is a
9 dealer, the Illinois or out-of-state dealer license
10 number of that person;

11 (ix) the uniform invoice number reflecting the
12 disposition of such part.

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

15 (C) A separate entry containing all of the information
16 required to be recorded in subparagraph (A) of paragraph
17 (2) of subsection (a) of this Section shall be made for
18 each separate essential part. Separate entries shall be
19 made regardless of whether the part was a large purchase
20 acquisition. In addition, a separate entry shall be made
21 for each part acquired for immediate sale or transfer, or
22 for placement into the overall inventory or stock to be
23 disposed of at a later time, or for use on a vehicle to be
24 materially altered by the licensee, or acquired for any
25 other purpose or reason. Failure to make a separate entry
26 for each essential part acquired or disposed of, or a

1 failure to record any of the specific information required
2 to be recorded concerning the acquisition or disposition of
3 each essential part as set forth in subparagraph (A) of
4 paragraph (2) of subsection (a) shall constitute a failure
5 to keep records.

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

1 by the licensee or his agent or employee of such part or
2 parts shall constitute a failure to keep records.

3 (E) The records of essential parts required to be kept
4 by this Section shall apply to all hulks, chassis, frames
5 or cowls, regardless of the age of those essential parts.
6 The records required to be kept by this Section for
7 essential parts other than hulks, chassis, frames or cowls,
8 shall apply only to those essential parts which are 6 model
9 years of age or newer. In determining the model year of
10 such an essential part it may be presumed that the
11 identification number of the vehicle from which the
12 essential part came or the identification number affixed to
13 the essential part itself acquired by the licensee denotes
14 the model year of that essential part. This presumption,
15 however, shall not apply if the gross appearance of the
16 essential part does not correspond to the year, make or
17 model of either the identification number of the vehicle
18 from which the essential part is alleged to have come or
19 the identification number which is affixed to the essential
20 part itself. To determine whether an essential part is 6
21 years of age or newer within this paragraph, the model year
22 of the essential part shall be subtracted from the calendar
23 year in which the essential part is acquired or disposed of
24 by the licensee. If the remainder is 6 or less, the record
25 of the acquisition or disposition of that essential part
26 shall be kept as required by this Section.

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

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

9 (A) the year, make, model, style and color of the
10 vehicle;

11 (B) the vehicle's manufacturer's identification number
12 or, if applicable, the Secretary of State or Illinois
13 Department of State Police identification number;

14 (C) the date the vehicle was acquired;

15 (D) the name and address of the person from whom the
16 vehicle was acquired and, if that person is a dealer, the
17 Illinois or out-of-state dealer license number of that
18 person;

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

21 (F) the junking certificate number obtained by the
22 licensee; this entry shall be recorded at the close of
23 business of the fifth business day after receiving the
24 junking certificate;

25 (G) the name and address of the person to whom the
26 junking certificate has been assigned, if applicable, and

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

3 (H) if the vehicle or any part of the vehicle is
4 dismantled for its parts to be disposed of in any way, or
5 if such parts are to be used by the licensee to materially
6 alter a vehicle, those essential parts shall be recorded
7 and the entries required by paragraph (2) of subsection (a)
8 shall be made.

9 (4) The following records for rebuilt vehicles shall be
10 kept:

11 (A) the year, make, model, style and color of the
12 vehicle;

13 (B) the vehicle's manufacturer's identification number
14 of the vehicle or, if applicable, the Secretary of State or
15 Illinois Department of State Police identification number;

16 (C) the date the vehicle was acquired;

17 (D) the name and address of the person from whom the
18 vehicle was acquired, and if that person is a dealer, the
19 Illinois or out-of-state dealer license number of that
20 person;

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

22 (F) the newly issued certificate of title number for
23 the vehicle;

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

25 (H) the name and address of the person to whom the
26 vehicle was disposed, and if a dealer, the Illinois or

1 out-of-state dealer license number of that dealer;

2 (I) The sale price of the vehicle.

3 (a-1) A person licensed or required to be licensed under
4 Section 5-101 or Section 5-102 of this Code who issues
5 temporary registration permits as permitted by this Code and by
6 rule must electronically file the registration with the
7 Secretary and must maintain records of the registration in the
8 manner prescribed by the Secretary.

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

15 (c) All entries relating to the acquisition of a vehicle or
16 essential part required by subsection (a) of this Section shall
17 be recorded no later than the close of business on the seventh
18 calendar day following such acquisition. All entries relating
19 to the disposition of a vehicle or an essential part shall be
20 made at the time of such disposition. If the vehicle or
21 essential part was disposed of on the same day as its
22 acquisition or the day thereafter, the entries relating to the
23 acquisition of the vehicle or essential part shall be made at
24 the time of the disposition of the vehicle or essential part.
25 Failure to make the entries required in or at the times
26 prescribed by this subsection following the acquisition or

1 disposition of such vehicle or essential part shall constitute
2 a failure to keep records.

3 (d) Every person licensed or required to be licensed shall,
4 before accepting delivery of a used vehicle, inspect the
5 vehicle to determine whether the manufacturer's public vehicle
6 identification number has been defaced, destroyed, falsified,
7 removed, altered, or tampered with in any way. If the person
8 making the inspection determines that the manufacturer's
9 public vehicle identification number has been altered,
10 removed, defaced, destroyed, falsified or tampered with he
11 shall not acquire that vehicle but instead shall promptly
12 notify law enforcement authorities of his finding.

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

16 (f) Every person licensed or required to be licensed shall
17 have in his possession a separate certificate of title, salvage
18 certificate, junking certificate, certificate of purchase,
19 uniform invoice, out-of-state bill of sale or other acceptable
20 documentary evidence of his right to the possession of every
21 vehicle or essential part.

22 (g) Every person licensed or required to be licensed as a
23 transporter under Section 5-201 shall maintain for 3 years, in
24 such form as the Secretary of State may by rule or regulation
25 prescribe, at his principal place of business a record of every
26 vehicle transported by him, including numbers of or other marks

1 of identification thereof, the names and addresses of persons
2 from whom and to whom the vehicle was delivered and the dates
3 of delivery.

4 (h) No later than 15 days prior to going out of business,
5 selling the business, or transferring the ownership of the
6 business, the licensee shall notify the Secretary of State that
7 he is going out of business or that he is transferring the
8 ownership of the business. Failure to notify under this
9 paragraph shall constitute a failure to keep records.

10 (i) (Blank).

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

22 (k) Any person convicted of failing to keep the records
23 required by this Section with intent to conceal the identity or
24 origin of a vehicle or its essential parts or with intent to
25 defraud the public in the transfer or sale of vehicles or their
26 essential parts is guilty of a Class 2 felony. Each violation

1 constitutes a separate and distinct offense and a separate
2 count may be brought in the same indictment or information for
3 each vehicle or essential part of a vehicle for which a record
4 was not kept as required by this Section.

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

9 (m) The Secretary shall adopt rules necessary for
10 implementation of this Section, which may include the
11 imposition of administrative fines.

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."