

1                                    AMENDMENT TO HOUSE BILL 4975

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4975 by replacing  
3 everything after the enacting clause:

4            "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 5-101 and 5-102 as follows:

6            (625 ILCS 5/5-101) (from Ch. 95 1/2, par. 5-101)

7            Sec. 5-101. New vehicle dealers must be licensed.

8            (a) No person shall engage in this State in the business  
9 of selling or dealing in, on consignment or otherwise, new  
10 vehicles of any make, or act as an intermediary or agent or  
11 broker for any licensed dealer or vehicle purchaser other  
12 than as a salesperson, or represent or advertise that he is  
13 so engaged or intends to so engage in such business unless  
14 licensed to do so in writing by the Secretary of State under  
15 the provisions of this Section.

16            (b) An application for a new vehicle dealer's license  
17 shall be filed with the Secretary of State, duly verified by  
18 oath, on such form as the Secretary of State may by rule or  
19 regulation prescribe and shall contain:

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

1           2. If the applicant is a corporation, a list of its  
2 officers, directors, and shareholders having a ten  
3 percent or greater ownership interest in the corporation,  
4 setting forth the residence address of each; if the  
5 applicant is a sole proprietorship, a partnership, an  
6 unincorporated association, a trust, or any similar form  
7 of business organization, the name and residence address  
8 of the proprietor or of each partner, member, officer,  
9 director, trustee, or manager.

10           3. The make or makes of new vehicles which the  
11 applicant will offer for sale at retail in this State.

12           4. The name of each manufacturer or franchised  
13 distributor, if any, of new vehicles with whom the  
14 applicant has contracted for the sale of such new  
15 vehicles. As evidence of this fact, the application shall  
16 be accompanied by a signed statement from each such  
17 manufacturer or franchised distributor. If the applicant  
18 is in the business of offering for sale new conversion  
19 vehicles, trucks or vans, except for trucks modified to  
20 serve a special purpose which includes but is not limited  
21 to the following vehicles: street sweepers, fertilizer  
22 spreaders, emergency vehicles, implements of husbandry or  
23 maintenance type vehicles, he must furnish evidence of a  
24 sales and service agreement from both the chassis  
25 manufacturer and second stage manufacturer.

26           5. A statement that the applicant has been approved  
27 for registration under the Retailers' Occupation Tax Act  
28 by the Department of Revenue: Provided that this  
29 requirement does not apply to a dealer who is already  
30 licensed hereunder with the Secretary of State, and who  
31 is merely applying for a renewal of his license. As  
32 evidence of this fact, the application shall be  
33 accompanied by a certification from the Department of  
34 Revenue showing that that Department has approved the

1 applicant for registration under the Retailers'  
2 Occupation Tax Act.

3 6. A statement that the applicant has complied with  
4 the appropriate liability insurance requirement. A  
5 Certificate of Insurance in a solvent company authorized  
6 to do business in the State of Illinois shall be included  
7 with each application covering each location at which he  
8 proposes to act as a new vehicle dealer. The policy must  
9 provide liability coverage in the minimum amounts of  
10 \$100,000 for bodily injury to, or death of, any person,  
11 \$300,000 for bodily injury to, or death of, two or more  
12 persons in any one accident, and \$50,000 for damage to  
13 property. Such policy shall expire not sooner than  
14 December 31 of the year for which the license was issued  
15 or renewed. The expiration of the insurance policy shall  
16 not terminate the liability under the policy arising  
17 during the period for which the policy was filed.  
18 Trailer and mobile home dealers are exempt from this  
19 requirement.

20 The liability insurance policy must provide  
21 automobile liability coverage in the minimum amounts of  
22 \$100,000 for bodily injury to or death of any person,  
23 \$300,000 for bodily injury to or death of 2 or more  
24 persons in any one accident, and \$50,000 for damage to  
25 property for any permitted user of the new vehicle  
26 dealer's automobile if the permitted user has no  
27 automobile liability insurance of his or her own or if  
28 the permitted user has automobile liability insurance in  
29 amounts of less than \$100,000 for bodily injury to or  
30 death of any person, \$300,000 for bodily injury to or  
31 death of 2 or more persons in any one accident, and  
32 \$50,000 for damage to property.

33 If the permitted user of the new vehicle dealer's  
34 automobile has automobile liability coverage in the

1 minimum amounts of \$100,000 for bodily injury to or death  
2 of any person, \$300,000 for bodily injury to or death of  
3 2 or more persons in any one accident, and \$50,000 for  
4 damage to property, the permitted user's insurance shall  
5 be primary and the new vehicle dealer's insurance shall  
6 be secondary, unless the permitted user is "test driving"  
7 the new vehicle dealer's automobile. When a permitted  
8 user is "test driving" a new vehicle dealer's automobile,  
9 the new vehicle dealer's insurance shall be primary and  
10 the permitted user's insurance shall be secondary.

11 As used in this paragraph 6, "test driving" occurs  
12 when a permitted user who, with the permission of the new  
13 vehicle dealer or an employee of the new vehicle dealer,  
14 drives a vehicle owned and held for sale or lease by a  
15 new vehicle dealer that the person is considering to  
16 purchase or lease, for the exclusive purpose of  
17 evaluating the performance, reliability, or condition of  
18 the vehicle. As used in this paragraph 6, a "permitted  
19 user" means a person who is not an officer, director, or  
20 employee or a spouse of an officer, director, or employee  
21 of the new vehicle dealer and is permitted or authorized  
22 to drive a vehicle owned by the new vehicle dealer.

23 7. (A) An application for a new motor vehicle  
24 dealer's license shall be accompanied by the  
25 following license fees:

26 \$100 for applicant's established place of  
27 business, and \$50 for each additional place of  
28 business, if any, to which the application pertains;  
29 but if the application is made after June 15 of any  
30 year, the license fee shall be \$50 for applicant's  
31 established place of business plus \$25 for each  
32 additional place of business, if any, to which the  
33 application pertains. License fees shall be  
34 returnable only in the event that the application is

1 denied by the Secretary of State. All moneys  
2 received by the Secretary of State as license fees  
3 under this Section shall be deposited into the Motor  
4 Vehicle Review Board Fund and shall be used to  
5 administer the Motor Vehicle Review Board under the  
6 Motor Vehicle Franchise Act.

7 (B) An application for a new vehicle dealer's  
8 license, other than for a new motor vehicle dealer's  
9 license, shall be accompanied by the following  
10 license fees:

11 \$50 for applicant's established place of  
12 business, and \$25 for each additional place of  
13 business, if any, to which the application pertains;  
14 but if the application is made after June 15 of any  
15 year, the license fee shall be \$25 for applicant's  
16 established place of business plus \$12.50 for each  
17 additional place of business, if any, to which the  
18 application pertains. License fees shall be  
19 returnable only in the event that the application is  
20 denied by the Secretary of State.

21 8. A statement that the applicant's officers,  
22 directors, shareholders having a 10% or greater ownership  
23 interest therein, proprietor, a partner, member, officer,  
24 director, trustee, manager or other principals in the  
25 business have not committed in the past 3 years any one  
26 violation as determined in any civil, criminal or  
27 administrative proceedings of any one of the following  
28 Acts:

29 (A) The Anti Theft Laws of the Illinois  
30 Vehicle Code;

31 (B) The Certificate of Title Laws of the  
32 Illinois Vehicle Code;

33 (C) The Offenses against Registration and  
34 Certificates of Title Laws of the Illinois Vehicle

1 Code;

2 (D) The Dealers, Transporters, Wreckers and  
3 Rebuilders Laws of the Illinois Vehicle Code;

4 (E) Section 21-2 of the Criminal Code of 1961,  
5 Criminal Trespass to Vehicles; or

6 (F) The Retailers' Occupation Tax Act.

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

15 (A) The Consumer Finance Act;

16 (B) The Consumer Installment Loan Act;

17 (C) The Retail Installment Sales Act;

18 (D) The Motor Vehicle Retail Installment Sales  
19 Act;

20 (E) The Interest Act;

21 (F) The Illinois Wage Assignment Act;

22 (G) Part 8 of Article XII of the Code of Civil  
23 Procedure; or

24 (H) The Consumer Fraud Act.

25 10. A bond or certificate of deposit in the amount  
26 of \$20,000 for each location at which the applicant  
27 intends to act as a new vehicle dealer. The bond shall  
28 be for the term of the license, or its renewal, for which  
29 application is made, and shall expire not sooner than  
30 December 31 of the year for which the license was issued  
31 or renewed. The bond shall run to the People of the  
32 State of Illinois, with surety by a bonding or insurance  
33 company authorized to do business in this State. It  
34 shall be conditioned upon the proper transmittal of all

1 title and registration fees and taxes (excluding taxes  
2 under the Retailers' Occupation Tax Act) accepted by the  
3 applicant as a new vehicle dealer.

4 11. Such other information concerning the business  
5 of the applicant as the Secretary of State may by rule or  
6 regulation prescribe.

7 12. A statement that the applicant understands  
8 Chapter One through Chapter Five of this Code.

9 (c) Any change which renders no longer accurate any  
10 information contained in any application for a new vehicle  
11 dealer's license shall be amended within 30 days after the  
12 occurrence of such change on such form as the Secretary of  
13 State may prescribe by rule or regulation, accompanied by an  
14 amendatory fee of \$2.

15 (d) Anything in this Chapter 5 to the contrary  
16 notwithstanding no person shall be licensed as a new vehicle  
17 dealer unless:

18 1. He is authorized by contract in writing between  
19 himself and the manufacturer or franchised distributor of  
20 such make of vehicle to so sell the same in this State,  
21 and

22 2. Such person shall maintain an established place  
23 of business as defined in this Act.

24 (e) The Secretary of State shall, within a reasonable  
25 time after receipt, examine an application submitted to him  
26 under this Section and unless he makes a determination that  
27 the application submitted to him does not conform with the  
28 requirements of this Section or that grounds exist for a  
29 denial of the application, under Section 5-501 of this  
30 Chapter, grant the applicant an original new vehicle dealer's  
31 license in writing for his established place of business and  
32 a supplemental license in writing for each additional place  
33 of business in such form as he may prescribe by rule or  
34 regulation which shall include the following:

1           1. The name of the person licensed;

2           2. If a corporation, the name and address of its  
3 officers or if a sole proprietorship, a partnership, an  
4 unincorporated association or any similar form of  
5 business organization, the name and address of the  
6 proprietor or of each partner, member, officer, director,  
7 trustee or manager;

8           3. In the case of an original license, the  
9 established 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 such supplemental  
13 license pertains;

14          5. The make or makes of new vehicles which the  
15 licensee is licensed to sell.

16          (f) The appropriate instrument evidencing the license or  
17 a certified copy thereof, provided by the Secretary of State,  
18 shall be kept posted conspicuously in the established place  
19 of business of the licensee and in each additional place of  
20 business, if any, maintained by such licensee.

21          (g) Except as provided in subsection (h) hereof, all new  
22 vehicle dealer's licenses granted under this Section shall  
23 expire by operation of law on December 31 of the calendar  
24 year for which they are granted unless sooner revoked or  
25 cancelled under the provisions of Section 5-501 of this  
26 Chapter.

27          (h) A new vehicle dealer's license may be renewed upon  
28 application and payment of the fee required herein, and  
29 submission of proof of coverage under an approved bond under  
30 the "Retailers' Occupation Tax Act" or proof that applicant  
31 is not subject to such bonding requirements, as in the case  
32 of an original license, but in case an application for the  
33 renewal of an effective license is made during the month of  
34 December, the effective license shall remain in force until



1 the application is granted or denied by the Secretary of  
2 State.

3 (i) All persons licensed as a new vehicle dealer are  
4 required to furnish each purchaser of a motor vehicle:

5 1. In the case of a new vehicle a manufacturer's  
6 statement of origin and in the case of a used motor  
7 vehicle a certificate of title, in either case properly  
8 assigned to the purchaser;

9 2. A statement verified under oath that all  
10 identifying numbers on the vehicle agree with those on  
11 the certificate of title or manufacturer's statement of  
12 origin;

13 3. A bill of sale properly executed on behalf of  
14 such person;

15 4. A copy of the Uniform Invoice-transaction  
16 reporting return referred to in Section 5-402 hereof;

17 5. In the case of a rebuilt vehicle, a copy of the  
18 Disclosure of Rebuilt Vehicle Status; and

19 6. In the case of a vehicle for which the warranty  
20 has been reinstated, a copy of the warranty.

21 (j) Except at the time of sale or repossession of the  
22 vehicle, no person licensed as a new vehicle dealer may issue  
23 any other person a newly created key to a vehicle unless the  
24 new vehicle dealer makes a copy of the driver's license or  
25 State identification card of the person requesting or  
26 obtaining the newly created key. The new vehicle dealer must  
27 retain the copy for 30 days.

28 A new vehicle dealer who violates this subsection (j) is  
29 guilty of a petty offense. Violation of this subsection (j)  
30 is not cause to suspend, revoke, cancel, or deny renewal of  
31 the new vehicle dealer's license.

32 This amendatory Act of 1983 shall be applicable to the  
33 1984 registration year and thereafter.

34 (Source: P.A. 92-391, eff. 8-16-01.)

1 (625 ILCS 5/5-102) (from Ch. 95 1/2, par. 5-102)

2 Sec. 5-102. Used vehicle dealers must be licensed.

3 (a) No person, other than a licensed new vehicle dealer,  
4 shall engage in the business of selling or dealing in, on  
5 consignment or otherwise, 5 or more used vehicles of any make  
6 during the year (except house trailers as authorized by  
7 paragraph (j) of this Section and rebuilt salvage vehicles  
8 sold by their rebuilders to persons licensed under this  
9 Chapter), or act as an intermediary, agent or broker for any  
10 licensed dealer or vehicle purchaser (other than as a  
11 salesperson) or represent or advertise that he is so engaged  
12 or intends to so engage in such business unless licensed to  
13 do so by the Secretary of State under the provisions of this  
14 Section.

15 (b) An application for a used vehicle dealer's license  
16 shall be filed with the Secretary of State, duly verified by  
17 oath, in such form as the Secretary of State may by rule or  
18 regulation prescribe and shall contain:

19 1. The name and type of business organization  
20 established and additional places of business, if any, in  
21 this State.

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

31 3. A statement that the applicant has been approved  
32 for registration under the Retailers' Occupation Tax Act  
33 by the Department of Revenue. However, this requirement  
34 does not apply to a dealer who is already licensed

1 hereunder with the Secretary of State, and who is merely  
2 applying for a renewal of his license. As evidence of  
3 this fact, the application shall be accompanied by a  
4 certification from the Department of Revenue showing that  
5 the Department has approved the applicant for  
6 registration under the Retailers' Occupation Tax Act.

7 4. A statement that the applicant has complied with  
8 the appropriate liability insurance requirement. A  
9 Certificate of Insurance in a solvent company authorized  
10 to do business in the State of Illinois shall be included  
11 with each application covering each location at which he  
12 proposes to act as a used vehicle dealer. The policy  
13 must provide liability coverage in the minimum amounts of  
14 \$100,000 for bodily injury to, or death of, any person,  
15 \$300,000 for bodily injury to, or death of, two or more  
16 persons in any one accident, and \$50,000 for damage to  
17 property. Such policy shall expire not sooner than  
18 December 31 of the year for which the license was issued  
19 or renewed. The expiration of the insurance policy shall  
20 not terminate the liability under the policy arising  
21 during the period for which the policy was filed.  
22 Trailer and mobile home dealers are exempt from this  
23 requirement.

24 The liability insurance policy must provide  
25 automobile liability coverage in the minimum amounts of  
26 \$100,000 for bodily injury to or death of any person,  
27 \$300,000 for bodily injury to or death of 2 or more  
28 persons in any one accident, and \$50,000 for damage to  
29 property for any permitted user of the used vehicle  
30 dealer's automobile if the permitted user has no  
31 automobile liability insurance of his or her own or if  
32 the permitted user has automobile liability insurance in  
33 amounts of less than \$100,000 for bodily injury to or  
34 death of any person, \$300,000 for bodily injury to or

1 death of 2 or more persons in any one accident, and  
2 \$50,000 for damage to property.

3 If the permitted user of the used vehicle dealer's  
4 automobile has automobile liability coverage in the  
5 minimum amounts of \$100,000 for bodily injury to or death  
6 of any person, \$300,000 for bodily injury to or death of  
7 2 or more persons in any one accident, and \$50,000 for  
8 damage to property, the permitted user's insurance shall  
9 be primary and the used vehicle dealer's insurance shall  
10 be secondary, unless the permitted user is "test driving"  
11 the used vehicle dealer's automobile. When a permitted  
12 user is "test driving" a used vehicle dealer's  
13 automobile, the used vehicle dealer's insurance shall be  
14 primary and the permitted user's insurance shall be  
15 secondary.

16 As used in this paragraph 4, "test driving" occurs  
17 when a permitted user who, with the permission of the  
18 used vehicle dealer or an employee of the used vehicle  
19 dealer, drives a vehicle owned and held for sale or lease  
20 by a used vehicle dealer that the person is considering  
21 to purchase or lease, for the exclusive purpose of  
22 evaluating the performance, reliability, or condition of  
23 the vehicle. As used in this paragraph 4, a "permitted  
24 user" means a person who is not an officer, director, or  
25 employee or a spouse of an officer, director, or employee  
26 of the used vehicle dealer and is permitted or authorized  
27 to drive a vehicle owned by the used vehicle dealer.

28 5. An application for a used vehicle dealer's  
29 license shall be accompanied by the following license  
30 fees:

31 \$50 for applicant's established place of business,  
32 and \$25 for each additional place of business, if any, to  
33 which the application pertains; however, if the  
34 application is made after June 15 of any year, the

1 license fee shall be \$25 for applicant's established  
2 place of business plus \$12.50 for each additional place  
3 of business, if any, to which the application pertains.  
4 License fees shall be returnable only in the event that  
5 the application is denied by the Secretary of State.

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

14 (A) The Anti Theft Laws of the Illinois  
15 Vehicle Code;

16 (B) The Certificate of Title Laws of the  
17 Illinois Vehicle Code;

18 (C) The Offenses against Registration and  
19 Certificates of Title Laws of the Illinois Vehicle  
20 Code;

21 (D) The Dealers, Transporters, Wreckers and  
22 Rebuilders Laws of the Illinois Vehicle Code;

23 (E) Section 21-2 of the Illinois Criminal Code  
24 of 1961, Criminal Trespass to Vehicles; or

25 (F) The Retailers' Occupation Tax Act.

26 7. A statement that the applicant's officers,  
27 directors, shareholders having a 10% or greater ownership  
28 interest therein, proprietor, partner, member, officer,  
29 director, trustee, manager or other principals in the  
30 business have not committed in any calendar year 3 or  
31 more violations, as determined in any civil or criminal  
32 or administrative proceedings, of any one or more of the  
33 following Acts:

34 (A) The Consumer Finance Act;

- 1 (B) The Consumer Installment Loan Act;
- 2 (C) The Retail Installment Sales Act;
- 3 (D) The Motor Vehicle Retail Installment Sales
- 4 Act;
- 5 (E) The Interest Act;
- 6 (F) The Illinois Wage Assignment Act;
- 7 (G) Part 8 of Article XII of the Code of Civil
- 8 Procedure; or
- 9 (H) The Consumer Fraud Act.

10 8. A bond or Certificate of Deposit in the amount  
11 of \$20,000 for each location at which the applicant  
12 intends to act as a used vehicle dealer. The bond shall  
13 be for the term of the license, or its renewal, for which  
14 application is made, and shall expire not sooner than  
15 December 31 of the year for which the license was issued  
16 or renewed. The bond shall run to the People of the  
17 State of Illinois, with surety by a bonding or insurance  
18 company authorized to do business in this State. It  
19 shall be conditioned upon the proper transmittal of all  
20 title and registration fees and taxes (excluding taxes  
21 under the Retailers' Occupation Tax Act) accepted by the  
22 applicant as a used vehicle dealer.

23 9. Such other information concerning the business  
24 of the applicant as the Secretary of State may by rule or  
25 regulation prescribe.

26 10. A statement that the applicant understands  
27 Chapter 1 through Chapter 5 of this Code.

28 (c) Any change which renders no longer accurate any  
29 information contained in any application for a used vehicle  
30 dealer's license shall be amended within 30 days after the  
31 occurrence of each change on such form as the Secretary of  
32 State may prescribe by rule or regulation, accompanied by an  
33 amendatory fee of \$2.

34 (d) Anything in this Chapter to the contrary

1 notwithstanding, no person shall be licensed as a used  
2 vehicle dealer unless such person maintains an established  
3 place of business as defined in this Chapter.

4 (e) The Secretary of State shall, within a reasonable  
5 time after receipt, examine an application submitted to him  
6 under this Section. Unless the Secretary makes a  
7 determination that the application submitted to him does not  
8 conform to this Section or that grounds exist for a denial of  
9 the application under Section 5-501 of this Chapter, he must  
10 grant the applicant an original used vehicle dealer's license  
11 in writing for his established place of business and a  
12 supplemental license in writing for each additional place of  
13 business in such form as he may prescribe by rule or  
14 regulation which shall include the following:

- 15 1. The name of the person licensed;
- 16 2. If a corporation, the name and address of its  
17 officers or if a sole proprietorship, a partnership, an  
18 unincorporated association or any similar form of  
19 business organization, the name and address of the  
20 proprietor or of each partner, member, officer, director,  
21 trustee or manager;
- 22 3. In case of an original license, the established  
23 place of business of the licensee;
- 24 4. In the case of a supplemental license, the  
25 established place of business of the licensee and the  
26 additional place of business to which such supplemental  
27 license pertains.

28 (f) The appropriate instrument evidencing the license or  
29 a certified copy thereof, provided by the Secretary of State  
30 shall be kept posted, conspicuously, in the established place  
31 of business of the licensee and in each additional place of  
32 business, if any, maintained by such licensee.

33 (g) Except as provided in subsection (h) of this  
34 Section, all used vehicle dealer's licenses granted under

1 this Section expire by operation of law on December 31 of the  
2 calendar year for which they are granted unless sooner  
3 revoked or cancelled under Section 5-501 of this Chapter.

4 (h) A used vehicle dealer's license may be renewed upon  
5 application and payment of the fee required herein, and  
6 submission of proof of coverage by an approved bond under the  
7 "Retailers' Occupation Tax Act" or proof that applicant is  
8 not subject to such bonding requirements, as in the case of  
9 an original license, but in case an application for the  
10 renewal of an effective license is made during the month of  
11 December, the effective license shall remain in force until  
12 the application for renewal is granted or denied by the  
13 Secretary of State.

14 (i) All persons licensed as a used vehicle dealer are  
15 required to furnish each purchaser of a motor vehicle:

16 1. A certificate of title properly assigned to the  
17 purchaser;

18 2. A statement verified under oath that all  
19 identifying numbers on the vehicle agree with those on  
20 the certificate of title;

21 3. A bill of sale properly executed on behalf of  
22 such person;

23 4. A copy of the Uniform Invoice-transaction  
24 reporting return referred to in Section 5-402 of this  
25 Chapter;

26 5. In the case of a rebuilt vehicle, a copy of the  
27 Disclosure of Rebuilt Vehicle Status; and

28 6. In the case of a vehicle for which the warranty  
29 has been reinstated, a copy of the warranty.

30 (j) A real estate broker holding a valid certificate of  
31 registration issued pursuant to "The Real Estate Brokers and  
32 Salesmen License Act" may engage in the business of selling  
33 or dealing in house trailers not his own without being  
34 licensed as a used vehicle dealer under this Section; however



1 such broker shall maintain a record of the transaction  
2 including the following:

- 3 (1) the name and address of the buyer and seller,
- 4 (2) the date of sale,
- 5 (3) a description of the mobile home, including the  
6 vehicle identification number, make, model, and year, and
- 7 (4) the Illinois certificate of title number.

8 The foregoing records shall be available for inspection  
9 by any officer of the Secretary of State's Office at any  
10 reasonable hour.

11 (k) Except at the time of sale or repossession of the  
12 vehicle, no person licensed as a used vehicle dealer may  
13 issue any other person a newly created key to a vehicle  
14 unless the used vehicle dealer makes a copy of the driver's  
15 license or State identification card of the person requesting  
16 or obtaining the newly created key. The used vehicle dealer  
17 must retain the copy for 30 days.

18 A used vehicle dealer who violates this subsection (k) is  
19 guilty of a petty offense. Violation of this subsection (k)  
20 is not cause to suspend, revoke, cancel, or deny renewal of  
21 the used vehicle dealer's license.

22 (Source: P.A. 92-391, eff. 8-16-01.)".