

1 business address, and telephone number of the owner. The
2 report shall be routed by the originating law enforcement
3 agency through the State Police District in which such agency
4 is located.

5 (b) A registered owner or a lienholder may report the
6 theft by conversion of a vehicle, to the State Police, or any
7 other police department or Sheriff's office. Such report
8 will be accepted as a report of theft and processed only if a
9 formal complaint is on file and a warrant issued.

10 (c) An operator of a place of business for garaging,
11 repairing, parking or storing vehicles for the public, in
12 which a vehicle remains unclaimed, after being left for the
13 purpose of garaging, repairing, parking or storage, for a
14 period of 15 days, shall, within 5 days after the expiration
15 of that period, report the vehicle as unclaimed to the
16 municipal police when the vehicle is within the corporate
17 limits of any City, Village or incorporated Town, or the
18 County Sheriff, or State Police when the vehicle is outside
19 the corporate limits of a City, Village or incorporated Town.
20 This Section does not apply to any vehicle:

21 (1) removed to a place of storage by a law
22 enforcement agency having jurisdiction, in accordance
23 with Sections 4-201 and 4-203 of this Act; or

24 (2) left under a garaging, repairing, parking, or
25 storage order signed by the owner, lessor, or other
26 legally entitled person.

27 Failure to comply with this Section will result in the
28 forfeiture of storage fees for that vehicle involved.

29 (d) The State Police shall keep a complete record of all
30 reports filed under this Section of the Act. Upon receipt of
31 such report, a careful search shall be made of the records
32 of the office of the State Police, and where it is found that
33 a vehicle reported recovered was stolen in a County, City,
34 Village or Town other than the County, City, Village or Town

1 in which it is recovered, the State Police shall immediately
2 notify the Sheriff, Superintendent of police, Chief of
3 police, or other police officer in command of the Sheriff's
4 office or Police department of the County, City, Village or
5 Town in which the vehicle was originally reported stolen,
6 giving complete data as to the time and place of recovery.

7 (e) Notification of the theft or conversion of a vehicle
8 will be furnished to the Secretary of State by the State
9 Police. The Secretary of State shall place the proper
10 information in the license registration and title
11 registration files to indicate the theft or conversion of a
12 motor vehicle or other vehicle. Notification of the recovery
13 of a vehicle previously reported as a theft or a conversion
14 will be furnished to the Secretary of State by the State
15 Police. The Secretary of State shall remove the proper
16 information from the license registration and title
17 registration files that has previously indicated the theft or
18 conversion of a vehicle. The Secretary of State shall
19 suspend the registration of a vehicle upon receipt of a
20 report from the State Police that such vehicle was stolen or
21 converted.

22 (f) When the Secretary of State receives an application
23 for a certificate of title or an application for registration
24 of a vehicle and it is determined from the records of the
25 office of the Secretary of State that such vehicle has been
26 reported stolen or converted, the Secretary of State shall
27 immediately notify the State Police and shall give the State
28 Police the name and address of the person or firm titling or
29 registering the vehicle, together with all other information
30 contained in the application submitted by such person or
31 firm.

32 (g) During the usual course of business the manufacturer
33 of any vehicle shall place an original manufacturer's vehicle
34 identification number on all such vehicles manufactured and

1 on any part of such vehicles requiring an identification
2 number.

3 (h) If a manufacturer's vehicle identification number is
4 missing or has been removed, changed or mutilated on any
5 vehicle, or any part of such vehicle requiring an
6 identification number, the State Police shall restore,
7 restamp or reaffix the vehicle identification number plate,
8 or affix a new plate bearing the original manufacturer's
9 vehicle identification number on each such vehicle and on all
10 necessary parts of the vehicles. A vehicle identification
11 number so affixed, restored, restamped, reaffixed or replaced
12 is not falsified, altered or forged within the meaning of
13 this Act.

14 (i) If a vehicle or part of any vehicle is found to have
15 the manufacturer's identification number removed, altered,
16 defaced or destroyed, the vehicle or part shall be seized by
17 any law enforcement agency having jurisdiction and held for
18 the purpose of identification. In the event that the
19 manufacturer's identification number of a vehicle or part
20 cannot be identified, the vehicle or part shall be considered
21 contraband, and no right of property shall exist in any
22 person owning, leasing or possessing such property, unless
23 the person owning, leasing or possessing the vehicle or part
24 acquired such without knowledge that the manufacturer's
25 vehicle identification number has been removed, altered,
26 defaced, falsified or destroyed.

27 Either the seizing law enforcement agency or the State's
28 Attorney of the county where the seizure occurred may make an
29 application for an order of forfeiture to the circuit court
30 in the county of seizure. The application for forfeiture
31 shall be independent from any prosecution arising out of the
32 seizure and is not subject to any final determination of such
33 prosecution. The circuit court shall issue an order
34 forfeiting the property to the seizing law enforcement agency

1 if the court finds that the property did not at the time of
2 seizure possess a valid manufacturer's identification number
3 and that the original manufacturer's identification number
4 cannot be ascertained. The seizing law enforcement agency
5 may:

6 (1) retain the forfeited property for official use;
7 or

8 (2) sell the forfeited property and distribute the
9 proceeds in accordance with Section 4-211 of this Code,
10 or dispose of the forfeited property in such manner as
11 the law enforcement agency deems appropriate.

12 (i-1) If a motorcycle is seized under subsection (i),
13 the motorcycle must be returned within 45 days of the date of
14 seizure to the person from whom it was seized, unless (i)
15 criminal charges are pending against that person or (ii) an
16 application for an order of forfeiture has been submitted to
17 the circuit in the county of seizure or (iii) the circuit
18 court in the county of seizure has received from the seizing
19 law enforcement agency and has granted a petition to extend,
20 for a single 30 day period, the 45 days allowed for return of
21 the motorcycle. Except as provided in subsection (i-2), a
22 motorcycle returned to the person from whom it was seized
23 must be returned in essentially the same condition it was in
24 at the time of seizure.

25 (i-2) If any part or parts of a motorcycle seized under
26 subsection (i) are found to be stolen and are removed, the
27 seizing law enforcement agency is not required to replace the
28 part or parts before returning the motorcycle to the person
29 from whom it was seized.

30 (j) The State Police shall notify the Secretary of State
31 each time a manufacturer's vehicle identification number is
32 affixed, reaffixed, restored or restamped on any vehicle.
33 The Secretary of State shall make the necessary changes or
34 corrections in his records, after the proper applications and

1 fees have been submitted, if applicable.

2 (k) Any vessel, vehicle or aircraft used with knowledge
3 and consent of the owner in the commission of, or in the
4 attempt to commit as defined in Section 8-4 of the Criminal
5 Code of 1961, an offense prohibited by Section 4-103 of this
6 Chapter, including transporting of a stolen vehicle or stolen
7 vehicle parts, shall be seized by any law enforcement agency.
8 The seizing law enforcement agency may:

9 (1) return the vehicle to its owner if such vehicle
10 is stolen; or

11 (2) confiscate the vehicle and retain it for any
12 purpose which the law enforcement agency deems
13 appropriate; or

14 (3) sell the vehicle at a public sale or dispose of
15 the vehicle in such other manner as the law enforcement
16 agency deems appropriate.

17 If the vehicle is sold at public sale, the proceeds of
18 the sale shall be paid to the law enforcement agency.

19 The law enforcement agency shall not retain, sell or
20 dispose of a vehicle under paragraphs (2) or (3) of this
21 subsection (k) except upon an order of forfeiture issued by
22 the circuit court. The circuit court may issue such order of
23 forfeiture upon application of the law enforcement agency or
24 State's Attorney of the county where the law enforcement
25 agency has jurisdiction, or in the case of the Department of
26 State Police or the Secretary of State, upon application of
27 the Attorney General.

28 The court shall issue the order if the owner of the
29 vehicle has been convicted of transporting stolen vehicles or
30 stolen vehicle parts and the evidence establishes that the
31 owner's vehicle has been used in the commission of such
32 offense.

33 The provisions of subsection (k) of this Section shall
34 not apply to any vessel, vehicle or aircraft, which has been

1 leased, rented or loaned by its owner, if the owner did not
2 have knowledge of and consent to the use of the vessel,
3 vehicle or aircraft in the commission of, or in an attempt to
4 commit, an offense prohibited by Section 4-103 of this
5 Chapter.

6 (Source: P.A. 89-433, eff. 12-15-95.)".