

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Vehicle Code is amended by changing Section 5-102.1 as follows:

(625 ILCS 5/5-102.1) (from Ch. 95 1/2, par. 5-102.1)

Sec. 5-102.1. Permits for off site sales and exhibitions.

(a) A licensed new or used motor vehicle dealer licensed under Section 5-101 or 5-102 shall not engage in any off site sale without an off site sale permit issued by the Secretary under this Section.

The Secretary shall issue an off site sale permit to a dealer if:

(1) an application therefor is received by the Secretary prior to the beginning date of the proposed off site sale, accompanied by a fee of \$25;

(2) the applicant is a licensed new vehicle dealer or used vehicle dealer in good standing; and

(3) the Secretary determines that the proposed off site sale will conform with the requirements imposed by law.

However, in no event shall an off site sale permit be issued to any licensed new or used vehicle dealer for any off

site sale to be conducted outside that dealer's relevant market area, as that term is defined in this Chapter, except that this restriction shall not apply to off site sales of motor homes or recreational vehicles.

The provisions of this subsection shall not apply to self-contained motor homes, mini motor homes, van campers, and recreational trailers, including trailers designed and used to transport vessels or watercraft.

An off site sale permit does not authorize the sale of vehicles on a Sunday.

(b) Only a new or used vehicle dealer licensed under Section 5-101 or 5-102 may participate in a display exhibition and shall obtain a display exhibition permit issued by the Secretary under this Section.

The Secretary shall issue a display exhibition permit to a dealer if:

(1) an application therefor is received by the Secretary prior to the beginning date of the proposed exhibition, accompanied by a fee of \$10;

(2) the applicant is a licensed new vehicle dealer or used vehicle dealer in good standing; and

(3) the Secretary determines that the proposed exhibition will conform with the requirements imposed by law.

A display exhibition permit shall be valid for a period of no longer than 30 days.

(c) A licensed new or used motor vehicle dealer under Section 5-101 or 5-102, or any other person as defined in this Section, may participate in a trade show exhibition and must obtain a trade show exhibition permit issued by the Secretary under this Section.

The Secretary shall issue a trade show exhibition permit if:

(1) an application is received by the Secretary before the beginning date of the proposed trade show exhibition, accompanied by a fee of \$10;

(2) the applicant is a licensed new vehicle dealer or used vehicle dealer in good standing; and

(3) the Secretary determines that the proposed trade show exhibition shall conform with the requirements imposed by law.

A trade show exhibition permit shall be valid for a period of no longer than 30 days.

The provisions of this subsection shall not apply to self-contained motor homes, mini motor homes, van campers, and recreational trailers, including trailers designed and used to transport vessels or watercraft.

The term "any other person" shall mean new or used vehicle dealers licensed by other states; provided however, a trade show exhibition of new vehicles shall only be participated in by licensed new vehicle dealers, at least 2 of which must be licensed under Section 5-101.

(d) An Illinois or out-of-state licensed new or used trailer dealer, manufactured home dealer, motor home dealer, mini motor home dealer, or van camper dealer shall not engage in any off site sale or trade show exhibition without first acquiring a permit issued by the Secretary under this subsection. However, the provisions of this Section shall not apply to a licensed trailer dealer selling a mobile home or manufactured housing, as defined in the Illinois Manufactured Housing and Mobile Home Safety Act, if the manufactured housing or mobile home has utilities permanently attached. The Secretary shall issue a permit to an Illinois dealer if:

(1) an application is received by the Secretary before the beginning date of the proposed off site sale or trade show exhibition, accompanied by a fee of \$25;

(2) the applicant is a licensed new or used vehicle dealer in good standing; and

(3) the Secretary determines that the proposed off site sale or trade show exhibition will conform with the requirements imposed by law.

The Secretary shall issue a permit to an out-of-state dealer if the requirements of subdivisions (1), (2), and (3) of this subsection (d) are met and at least 2 licensed Illinois dealers will participate in the off site sale or trade show exhibition.

A permit issued pursuant to this subsection shall allow for the sale of vehicles at either an off site sale or at a

trade show exhibition. The permit shall be valid for a period not to exceed 30 days.

(e) The Secretary of State may adopt rules regulating the conduct of off site deliveries, sales, and exhibitions, and governing the issuance and enforcement of the permits authorized under this Section. An Illinois licensed new or used motor vehicle dealer is authorized to conduct sales activities, including the collection of electronic signatures, via the Internet and deliver vehicles to a customer at the address provided in the customer's application, if the sale, lease, or delivery is requested by the customer in writing and only after the identity of the customer has been verified at the time of delivery. Any documents that State or federal law require to be signed in person may be signed at the time of delivery without constituting an off site sale that is subject to this Section. If a vehicle is delivered to an address other than the licensed dealer's established place of business, the date of the sale shall be that date on which the application for title is signed by the purchaser of the vehicle.

(Source: P.A. 90-718, eff. 1-1-99; 90-774, eff. 8-14-98; 91-357, eff. 7-29-99.)