



Illinois Compiled Statutes

Criminal Offenses

Criminal Code of 1961

720 ILCS 5/

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(720 ILCS 5/)

ARTICLE 16E.
DELIVERY CONTAINER CRIME

(720 ILCS 5/16E-1)

Sec. 16E-1. Short title. This Article may be cited as the Delivery Container Crime Law.
(Source: P.A. 87-613.)

(720 ILCS 5/16E-2)

Sec. 16E-2. Definitions. "Container" means any bakery basket of wire or plastic used to transport or store bread or bakery products, any dairy case of wire or plastic used to transport or store dairy products, and any dolly or cart of 2 or 4 wheels used to transport or store any bakery or dairy product. Any person who is the owner of any container upon which a trade mark has been placed or affixed, stamped, impressed, labeled, blown-in or otherwise marked on it, may file with the Secretary of State a written statement or description of the trade mark used on any container in a manner provided in Section 3 of the Registered Container Trade Mark Act.
(Source: P.A. 87-613.)

(720 ILCS 5/16E-3)

Sec. 16E-3. Offense.

(a) A person commits the offense of delivery container theft when he knowingly does any of the following:

(1) Uses for any purpose, when not on the premises of the owner or an adjacent parking area, a container of another person which is marked by a name or mark unless the use is authorized by the owner.

(2) Sells, or offers for sale, a container of another person which is marked by a name or mark unless the sale is authorized by the owner.

(3) Defaces, obliterates, destroys, covers up or otherwise removes or conceals a name or mark on a container of another person without the written consent of the owner.

(4) Removes the container of another person from the premises, parking area or any other area under the control of any processor, distributor or retail establishment, or from any delivery vehicle, without the consent of the owner of the container. Any person who possesses any marked or named container without the consent of the owner and while not on the premises, parking area or other area under control of a processor, distributor or retail establishment doing business with the owner shall be presumed to have removed the container in violation of this paragraph.

(b) Any common carrier or private carrier for hire, except those engaged in transporting bakery or dairy products to and from the places where they are produced, that receives or transports any container marked with a name or mark without having in its possession a bill of lading or invoice for that container commits the offense of delivery container theft.

(Source: P.A. 87-613.)

(720 ILCS 5/16E-4)

Sec. 16E-4. Sentence.

(a) Delivery container theft is a Class B misdemeanor.

(b) An offender may be sentenced to pay a fine of \$150 for the first offense and \$500 for a second or subsequent offense.

(Source: P.A. 87-613.)

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