

1 AN ACT in relation to vehicles.

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

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 1-159.1, 3-616, 11-1301.2, 11-1301.3,
6 11-1301.5, and 11-1301.6 as follows:

7 (625 ILCS 5/1-159.1) (from Ch. 95 1/2, par. 1-159.1)

8 Sec. 1-159.1. Person with disabilities. A natural person
9 who, as determined by a licensed physician: (1) ~~eannot-walk~~
10 ~~200-feet-without-stopping-to-rest;~~-(2) cannot walk without
11 the use of, or assistance from, a brace, cane, crutch,
12 another person, prosthetic device, wheelchair, or other
13 assistive device; (2) ~~(3)~~ is restricted by lung disease to
14 such an extent that his or her forced (respiratory)
15 expiratory volume for one second, when measured by
16 spirometry, is less than one liter, or the arterial oxygen
17 tension is less than 60 mm/hg on room air at rest; (3) ~~(4)~~
18 uses portable oxygen; (4) ~~(5)~~ has a cardiac condition to the
19 extent that the person's functional limitations are
20 classified in severity as Class III or Class IV, according to
21 standards set by the American Heart Association; (5) ~~or~~-(6)
22 is severely limited in the person's ability to walk due to an
23 arthritic, neurological, or orthopedic condition; or (6)
24 cannot walk 200 feet without stopping to rest because of one
25 of the above 5 conditions.

26 (Source: P.A. 88-685, eff. 1-24-95.)

27 (625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

28 Sec. 3-616. Person with disabilities license plates.

29 (a) Upon receiving an application for a certificate of
30 registration for a motor vehicle of the first division or for

1 a motor vehicle of the second division weighing no more than
2 8,000 pounds, accompanied with payment of the registration
3 fees required under this Code from a person with disabilities
4 or a person who is deaf or hard of hearing person, the
5 Secretary of State, if so requested, shall issue to such
6 person registration plates as provided for in Section 3-611,
7 provided that the person with disabilities or person who is
8 deaf or hard of hearing must not be disqualified from
9 obtaining a driver's license under subsection 8 of Section
10 6-103 of this Code, and further provided that any person
11 making such a request must submit a statement certified by a
12 licensed physician to the effect that such person is a person
13 with disabilities as defined by Section 1-159.1 of this Code,
14 or alternatively provide adequate documentation that such
15 person has a Class 1A, Class 2A or Type Four disability
16 under the provisions of Section 4A of the Illinois
17 Identification Card Act. For purposes of this Section, an
18 Illinois Disabled Person Identification Card issued pursuant
19 to the Illinois Identification Card Act indicating that the
20 person thereon named has a disability shall be adequate
21 documentation of such a disability.

22 (b) The Secretary shall issue plates under this Section
23 to a parent or legal guardian of a person with without
24 disabilities if the person with disabilities a-member-of-that
25 person's--immediate--family has a Class 1A or Class 2A
26 disability as defined in Section 4A of the Illinois
27 Identification Card Act or is a person with disabilities as
28 defined by Section 1-159.1 of this Code, and does not possess
29 a vehicle registered in his or her the name of--the--person
30 with--disabilities--under--Section--3-616, provided that the
31 person with disabilities relies frequently on the parent or
32 legal guardian applicant for transportation in-the-vehicle-to
33 be--registered. Only one vehicle two-vehicles per family may
34 be registered under this subsection, unless the applicant can

1 justify in writing the need for one additional set of plates.
2 Any person requesting special plates under this subsection
3 shall submit such documentation or such physician's statement
4 as is required in subsection paragraph (a) and a statement
5 describing the circumstances qualifying for issuance of
6 special plates under this subsection.

7 (c) The Secretary may issue a person with disabilities
8 parking decal or device to a person with disabilities as
9 defined by Section 1-159.1 without regard to qualification of
10 such person with disabilities for a driver's license or
11 registration of a vehicle by such person with disabilities or
12 such person's immediate family, provided such person with
13 disabilities making such a request has been issued a Disabled
14 Person Identification Card indicating that the person named
15 thereon has a Class 1A or Class 2A disability, or
16 alternatively, submits a statement certified by a licensed
17 physician to the effect that such person is a person with
18 disabilities as defined by Section 1-159.1.

19 (d) The Secretary shall prescribe by rules and
20 regulations procedures to certify or re-certify as necessary
21 the eligibility of persons whose disabilities are other than
22 permanent for special plates or person with disabilities
23 parking decals or devices issued under subsections (a), (b)
24 and (c). Except as provided under subsection (f) of this
25 Section, no such special plates, decals or devices shall be
26 issued by the Secretary of State to or on behalf of any
27 person with disabilities unless such person is certified as
28 meeting the definition of a person with disabilities pursuant
29 to Section 1-159.1 or meeting the requirement of a Type Four
30 disability as provided under Section 4A of the Illinois
31 Identification Card Act for the period of time that the
32 physician determines the applicant will have the disability,
33 but not to exceed 6 months from the date of certification or
34 recertification.

1 (e) Any person requesting special plates under this
2 Section may also apply to have the special plates
3 personalized, as provided under Section 3-405.1.

4 (f) The Secretary of State, upon application, shall
5 issue person with disabilities registration plates or a
6 person with disabilities parking decal to corporations,
7 school districts, State or municipal agencies, limited
8 liability companies, nursing homes, convalescent homes, or
9 special education cooperatives which will transport persons
10 with disabilities. The Secretary shall prescribe by rule a
11 means to certify or re-certify the eligibility of
12 organizations to receive person with disabilities plates or
13 decals and to designate which of the 2 ~~two~~ person with
14 disabilities emblems shall be placed on qualifying vehicles.

15 (g) The Secretary of State, or his designee, may enter
16 into agreements with other jurisdictions, including foreign
17 jurisdictions, on behalf of this State relating to the
18 extension of parking privileges by such jurisdictions to
19 permanently disabled residents of this State who display a
20 special license plate or parking device that contains the
21 International symbol of access on his or her motor vehicle,
22 and to recognize such plates or devices issued by such other
23 jurisdictions. This State shall grant the same parking
24 privileges which are granted to disabled residents of this
25 State to any non-resident whose motor vehicle is licensed in
26 another state, district, territory or foreign country if such
27 vehicle displays the international symbol of access or a
28 distinguishing insignia on license plates or parking device
29 issued in accordance with the laws of the non-resident's
30 state, district, territory or foreign country.

31 (Source: P.A. 91-769, eff. 6-9-00; revised 12-26-00.)

32 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)
33 Sec. 11-1301.2. Special decals for a person with

1 disabilities parking.

2 (a) The Secretary of State shall provide for, by
3 administrative rules, the design, size, color, and placement
4 of a person with disabilities motorist decal or device and
5 shall provide for, by administrative rules, the content and
6 form of an application for a person with disabilities
7 motorist decal or device, which shall be used by local
8 authorities in the issuance thereof to a person with
9 temporary disabilities, provided that the decal or device is
10 valid for no more than 90 days, subject to renewal for like
11 periods based upon continued disability, and further provided
12 that the decal or device clearly sets forth the date that the
13 decal or device expires. The application shall include the
14 requirement of an Illinois Identification Card number or a
15 State of Illinois driver's license number. This decal or
16 device shall be the property of such person with disabilities
17 and may be used by that person to designate and identify a
18 vehicle not owned or displaying a registration plate as
19 provided in Sections 3-609 and 3-616 of this Act to designate
20 when the vehicle is being used to transport said person or
21 persons with disabilities, and thus is entitled to enjoy all
22 the privileges that would be afforded a person with
23 disabilities licensed vehicle. Person with disabilities
24 decals or devices issued and displayed pursuant to this
25 Section shall be recognized and honored by all local
26 authorities regardless of which local authority issued such
27 decal or device.

28 The decal or device shall be issued only upon a showing
29 by adequate documentation that the person for whose benefit
30 the decal or device is to be used has a temporary disability
31 as defined in Section 1-159.1 of this Code.

32 (b) The local governing authorities shall be responsible
33 for the provision of such decal or device, its issuance and
34 designated placement within the vehicle. The cost of such

1 decal or device shall be at the discretion of such local
2 governing authority.

3 (c) The Secretary of State may, pursuant to Section
4 3-616(c), issue a person with disabilities parking decal or
5 device to a person with disabilities as defined by Section
6 1-159.1. Any person with disabilities parking decal or
7 device issued by the Secretary of State shall be registered
8 to that person with disabilities in the form to be prescribed
9 by the Secretary of State. The person with disabilities
10 parking decal or device shall not display that person's
11 address. One additional decal or device may be issued to an
12 applicant upon his or her written request and with the
13 approval of the Secretary of State. The written request must
14 include a justification of the need for the additional decal
15 or device.

16 (d) Replacement decals or devices may be issued for
17 lost, stolen, or destroyed decals upon application and
18 payment of a \$10 fee. The replacement fee may be waived for
19 individuals that have claimed and received a grant under the
20 Senior Citizens and Disabled Persons Property Tax Relief and
21 Pharmaceutical Assistance Act.

22 (Source: P.A. 90-106, eff. 1-1-98.)

23 (625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)
24 Sec. 11-1301.3. Unauthorized use of parking places
25 reserved for persons with disabilities.

26 (a) It shall be prohibited to park any motor vehicle
27 which is not bearing registration plates or decals issued to
28 a person with disabilities, as defined by Section 1-159.1,
29 pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a
30 disabled veteran pursuant to Section 3-609 of this Act, as
31 evidence that the vehicle is operated by or for a person with
32 disabilities or disabled veteran, in any parking place,
33 including any private or public offstreet parking facility,

1 specifically reserved, by the posting of an official sign as
2 designated under Section 11-301, for motor vehicles bearing
3 such registration plates. It shall be prohibited to park any
4 motor vehicle in a designated access aisle adjacent to any
5 parking place specifically reserved for persons with
6 disabilities, by the posting of an official sign as
7 designated under Section 11-301, for motor vehicles bearing
8 such registration plates. An individual with a vehicle
9 bearing a person with disabilities license plate or parking
10 decal or device issued to a disabled person under Sections
11 3-616, 11-1301.1, or 11-1301.2 is in violation of this
12 Section if the person is not the authorized holder of a
13 person with disabilities license plate or parking decal or
14 device and is not transporting the authorized holder of a
15 person with disabilities license plate or parking decal or
16 device to or from the parking location and the person uses
17 the person with disabilities license plate or parking decal
18 or device to exercise any privileges granted through the
19 person with disabilities license plates or parking decals or
20 devices under this Code. Any motor vehicle bearing a person
21 with disabilities license plate or a person with disabilities
22 parking decal or device containing the International symbol
23 of access issued to persons with disabilities by any local
24 authority, state, district, territory or foreign country
25 shall be recognized by state and local authorities as a valid
26 license plate or device and receive the same parking
27 privileges as residents of this State.

28 (b) Any person or local authority owning or operating
29 any public or private offstreet parking facility may, after
30 notifying the police or sheriff's department, remove or cause
31 to be removed to the nearest garage or other place of safety
32 any vehicle parked within a stall or space reserved for use
33 by a person with disabilities which does not display person
34 with disabilities registration plates or a special decal or

1 device as required under this Section.

2 (c) Any person found guilty of violating the provisions
3 of this Section shall be fined \$100 in addition to any costs
4 or charges connected with the removal or storage of any motor
5 vehicle authorized under this Section; but municipalities by
6 ordinance may impose a fine up to \$200 and shall display
7 signs indicating the fine imposed. If the amount of the fine
8 is subsequently changed, the municipality shall change the
9 sign to indicate the current amount of the fine. It shall not
10 be a defense to a charge under this Section that the sign
11 posted pursuant to this Section does not comply with the
12 technical requirements of Section 11-301, Department
13 regulations, or local ordinance if a reasonable person would
14 be made aware by the sign or notice on or near the parking
15 place that the place is reserved for a person with
16 disabilities.

17 (d) Local authorities shall impose fines as established
18 in subsection (c) for violations of this Section.

19 (e) As used in this Section, "authorized holder" means
20 an individual issued a person with disabilities license plate
21 under Section 3-616 of this Code or an individual issued a
22 person with disabilities parking decal or device under
23 Section 11-1301.2 of this Code.

24 (Source: P.A. 90-106, eff. 1-1-98; 91-427, eff. 8-6-99.)

25 (625 ILCS 5/11-1301.5)

26 Sec. 11-1301.5. Fictitious or unlawfully altered person
27 with disabilities license plate or parking decal or device.

28 (a) As used in this Section:

29 "Fictitious person with disabilities license plate or
30 parking decal or device" means any issued person with
31 disabilities license plate or parking decal or device that
32 has been issued by the Secretary of State or an authorized
33 unit of local government that was issued based upon false

1 information contained on the required application.

2 "False information" means any incorrect or inaccurate
3 information concerning the name, date of birth, social
4 security number, driver's license number, physician
5 certification, or any other information required on the
6 application for a person with disabilities license plate or
7 parking permit or device that falsifies the content of the
8 application.

9 "Unlawfully altered person with disabilities license
10 plate or parking permit or device" means any person with
11 disabilities license plate or parking permit or device issued
12 by the Secretary of State or an authorized unit of local
13 government that has been physically altered or changed in
14 such manner that false information appears on the license
15 plate or parking decal or device.

16 "Authorized holder" means an individual issued a person
17 with disabilities license plate under Section 3-616 of this
18 Code or an individual issued a person with disabilities
19 parking decal or device under Section 11-1301.2 of this Code.

20 (b) It is a violation of this Section for any person:

21 (1) to knowingly possess any fictitious or
22 unlawfully altered person with disabilities license plate
23 or parking decal or device;

24 (2) to knowingly issue or assist in the issuance
25 of, by the Secretary of State or unit of local
26 government, any fictitious person with disabilities
27 license plate or parking decal or device;

28 (3) to knowingly alter any person with disabilities
29 license plate or parking decal or device;

30 (4) to knowingly manufacture, possess, transfer, or
31 provide any documentation used in the application process
32 whether real or fictitious, for the purpose of obtaining
33 a fictitious person with disabilities license plate or
34 parking decal or device;

1 (5) to knowingly provide any false information to
2 the Secretary of State or a unit of local government in
3 order to obtain a person with disabilities license plate
4 or parking decal or device; or

5 (6) to knowingly transfer a person with
6 disabilities license plate or parking decal or device for
7 the purpose of exercising the privileges granted to an
8 authorized holder of a person with disabilities license
9 plate or parking decal or device under this Code in the
10 absence of the authorized holder.

11 (c) Sentence.

12 (1) Any person convicted of a violation of this
13 Section shall be guilty of a Class A misdemeanor.

14 (2) Any person who commits a violation of this
15 Section may have his or her driving privileges suspended
16 or revoked by the Secretary of State for a period of time
17 determined by the Secretary of State.

18 (3) Any police officer may seize the parking decal
19 or device from any person who commits a violation of this
20 Section. Any police officer may seize the person with
21 disabilities license plate upon authorization from the
22 Secretary of State. Any police officer may request that
23 the Secretary of State revoke the parking decal or device
24 or the person with disabilities license plate of any
25 person who commits a violation of this Section.

26 (Source: P.A. 90-106, eff. 1-1-98; 90-655, eff. 7-30-98.)

27 (625 ILCS 5/11-1301.6)

28 Sec. 11-1301.6. Fraudulent person with disabilities
29 license plate or parking decal or device.

30 (a) As used in this Section:

31 "Fraudulent person with disabilities license plate
32 or parking decal or device" means any person with
33 disabilities license plate or parking decal or device

1 that purports to be an official person with disabilities
2 license plate or parking decal or device and that has not
3 been issued by the Secretary of State or an authorized
4 unit of local government.

5 "Person with disabilities license plate or parking
6 decal or device-making implement" means any implement
7 specially designed or primarily used in the manufacture,
8 assembly, or authentication of a person with disabilities
9 license plate or parking decal or device issued by the
10 Secretary of State or a unit of local government.

11 (b) It is a violation of this Section for any person:

12 (1) to knowingly possess any fraudulent person with
13 disabilities license plate or parking decal;

14 (2) to knowingly possess without authority any
15 person with disabilities license plate or parking decal
16 or device-making implement;

17 (3) to knowingly duplicate, manufacture, sell, or
18 transfer any fraudulent or stolen person with
19 disabilities license plate or parking decal or device;

20 (4) to knowingly assist in the duplication,
21 manufacturing, selling, or transferring of any fraudulent
22 or stolen person with disabilities license plate or
23 parking decal or device; or

24 (5) to advertise or distribute a fraudulent person
25 with disabilities license plate or parking decal or
26 device.

27 (c) Sentence.

28 (1) Any person convicted of a violation of this
29 Section shall be guilty of a Class 4 felony.

30 (2) Any person who commits a violation of this
31 Section may have his or her driving privileges suspended
32 or revoked by the Secretary of State for a period of time
33 determined by the Secretary of State.

34 (3) Any police officer may seize the parking decal

1 or device from any person who commits a violation of this
2 Section. Any police officer may seize the person with
3 disabilities license plate upon authorization from the
4 Secretary of State. Any police officer may request that
5 the Secretary of State revoke the parking decal or device
6 or the person with disabilities license plate of any
7 person who commits a violation of this Section.

8 (Source: P.A. 90-106, eff. 1-1-98.)