



Rep. Patricia R. Bellock

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09800HB1741ham001

LRB098 06694 JLS 43828 a

1 AMENDMENT TO HOUSE BILL 1741

2 AMENDMENT NO. _____. Amend House Bill 1741 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Motor Fuel Sales Act is amended by changing
5 Section 2 as follows:

6 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

7 (Text of Section before amendment by P.A. 97-1152)

8 Sec. 2. Assistance at stations with self-service and
9 full-service islands.

10 (a) Any attendant on duty at a gasoline station or service
11 station offering to the public retail sales of motor fuel at
12 both self-service and full-service islands shall, upon
13 request, dispense motor fuel for the driver of a car which is
14 parked at a self-service island and displays: (1) registration
15 plates issued to a physically disabled person pursuant to
16 Section 3-616 of the Illinois Vehicle Code; (2) registration

1 plates issued to a disabled veteran pursuant to Section 3-609
2 or 3-609.01 of such Code; or (3) a special decal or device
3 issued pursuant to Section 11-1301.2 of such Code; and shall
4 only charge such driver prices as offered to the general public
5 for motor fuel dispensed at the self-service island. However,
6 such attendant shall not be required to perform other services
7 which are offered at the full-service island.

8 (b) Gasoline stations and service stations in this State
9 are subject to the federal Americans with Disabilities Act and
10 must:

11 (1) provide refueling assistance upon the request of an
12 individual with a disability (A gasoline station or service
13 station is not required to provide such service at any time
14 that it is operating on a remote control basis with a
15 single employee, but is encouraged to do so, if feasible.);

16 (2) let patrons know, through appropriate signs, that
17 customers with disabilities can obtain refueling
18 assistance by either honking or otherwise signaling an
19 employee; and

20 (3) provide the refueling assistance without any
21 charge beyond the self-serve price.

22 (c) The signage required under paragraph (2) of subsection
23 (b) shall be designated by the station owner and shall be
24 posted in a prominently visible place. The sign shall be
25 clearly visible to customers.

26 (d) The Secretary of State shall provide to persons with

1 disabilities information regarding the availability of
2 refueling assistance under this Section by the following
3 methods:

4 (1) by posting information about that availability on
5 the Secretary of State's Internet website, along with a
6 link to the Department of Human Services website; and

7 (2) by publishing a brochure containing information
8 about that availability, which shall be made available at
9 all Secretary of State offices throughout the State.

10 (e) The Department of Human Services shall post on its
11 Internet website information regarding the availability of
12 refueling assistance for persons with disabilities and the
13 addresses and telephone numbers of all gasoline and service
14 stations in Illinois.

15 (f) A person commits a Class C misdemeanor if he or she
16 telephones a gasoline station or service station to request
17 refueling assistance and he or she:

18 (1) is not actually physically present at the gasoline
19 or service station; or

20 (2) is physically present at the gasoline or service
21 station but does not actually require refueling
22 assistance.

23 (g) The Department of Transportation shall work in
24 cooperation with appropriate representatives of gasoline and
25 service station trade associations and the petroleum industry
26 to increase the signage at gasoline and service stations on

1 interstate highways in this State with regard to the
2 availability of refueling assistance for persons with
3 disabilities.

4 (Source: P.A. 95-167, eff. 1-1-08; 95-193, eff. 1-1-08; 95-876,
5 eff. 8-21-08.)

6 (Text of Section after amendment by P.A. 97-1152)

7 Sec. 2. Assistance at stations with self-service and
8 full-service islands.

9 (a) Any attendant on duty at a gasoline station or service
10 station offering to the public retail sales of motor fuel at
11 both self-service and full-service islands shall, upon
12 request, dispense motor fuel for the driver of a car which is
13 parked at a self-service island and displays: (1) registration
14 plates issued to a physically disabled person pursuant to
15 Section 3-616 of the Illinois Vehicle Code; (2) registration
16 plates issued to a disabled veteran pursuant to Section 3-609
17 or 3-609.01 of such Code; or (3) a special decal or device
18 issued pursuant to Section 11-1301.2 of such Code; and shall
19 only charge such driver prices as offered to the general public
20 for motor fuel dispensed at the self-service island. However,
21 such attendant shall not be required to perform other services
22 which are offered at the full-service island.

23 (b) Gasoline stations and service stations in this State
24 are subject to the federal Americans with Disabilities Act and
25 must:

1 (1) provide refueling assistance upon the request of an
2 individual with a disability (A gasoline station or service
3 station is not required to provide such service at any time
4 that it is operating on a remote control basis with a
5 single employee on duty at the motor fuel site, but is
6 encouraged to do so, if feasible.);

7 (2) by January 1, 2014, provide and display at least
8 one ADA compliant motor fuel dispenser with a direct
9 telephone number to the station that allows a disabled
10 operator of a motor vehicle to request refueling
11 assistance, with the telephone number posted in close
12 proximity to the International Symbol of Accessibility
13 required by the federal Americans with Disabilities Act,
14 however, if the station does not have at least one ADA
15 compliant motor fuel dispenser, the station must display on
16 at least one motor fuel dispenser a direct telephone number
17 to the station that allows a disabled operator of a motor
18 vehicle to request refueling assistance; ~~and~~

19 (2.5) by January 1, 2016, display on each motor fuel
20 dispenser a direct telephone number to the station that
21 allows a disabled operator of a motor vehicle to request
22 refueling assistance; and

23 (3) provide the refueling assistance without any
24 charge beyond the self-serve price.

25 (c) The signage required under paragraph (2) of subsection
26 (b) shall be designated by the station owner and shall be

1 posted in a prominently visible place. The sign shall be
2 clearly visible to customers.

3 (d) The Secretary of State shall provide to persons with
4 disabilities information regarding the availability of
5 refueling assistance under this Section by the following
6 methods:

7 (1) by posting information about that availability on
8 the Secretary of State's Internet website, along with a
9 link to the Department of Human Services website; and

10 (2) by publishing a brochure containing information
11 about that availability, which shall be made available at
12 all Secretary of State offices throughout the State.

13 (e) The Department of Human Services shall post on its
14 Internet website information regarding the availability of
15 refueling assistance for persons with disabilities and the
16 addresses and telephone numbers of all gasoline and service
17 stations in Illinois.

18 (f) A person commits a Class C misdemeanor if he or she
19 telephones a gasoline station or service station to request
20 refueling assistance and he or she:

21 (1) is not actually physically present at the gasoline
22 or service station; or

23 (2) is physically present at the gasoline or service
24 station but does not actually require refueling
25 assistance.

26 (g) The Department of Transportation shall work in

1 cooperation with appropriate representatives of gasoline and
2 service station trade associations and the petroleum industry
3 to increase the signage at gasoline and service stations on
4 interstate highways in this State with regard to the
5 availability of refueling assistance for persons with
6 disabilities.

7 (h) If an owner of a gas station or service station is
8 found by the Illinois Department of Agriculture, Bureau of
9 Weights and Measures, to be in violation of this Act, the owner
10 shall pay an administrative fine of \$250. Any moneys collected
11 by the Department shall be deposited into the Motor Fuel and
12 Petroleum Standards Fund. The Department of Agriculture shall
13 have the same authority and powers as provided for in the Motor
14 Fuel and Petroleum Standards Act in enforcing this Act.

15 (Source: P.A. 97-1152, eff. 6-1-13.)

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act."