

HB5790



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5790

by Rep. Silvana Tabares

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1301.2

from Ch. 95 1/2, par. 11-1301.2

Amends the Illinois Vehicle Code. Provides that parking-fee exempt parking placards may be issued to persons with visual disabilities as certified by an ophthalmologist or optometrist.

LRB098 18962 MLW 54110 b

A BILL FOR

1 AN ACT concerning transportation.

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 changing
5 Section 11-1301.2 as follows:

6 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

7 Sec. 11-1301.2. Special decals for parking; persons with
8 disabilities.

9 (a) The Secretary of State shall provide for, by
10 administrative rules, the design, size, color, and placement of
11 a person with disabilities motorist decal or device and shall
12 provide for, by administrative rules, the content and form of
13 an application for a person with disabilities motorist decal or
14 device, which shall be used by local authorities in the
15 issuance thereof to a person with temporary disabilities,
16 provided that the decal or device is valid for no more than 90
17 days, subject to renewal for like periods based upon continued
18 disability, and further provided that the decal or device
19 clearly sets forth the date that the decal or device expires.
20 The application shall include the requirement of an Illinois
21 Identification Card number or a State of Illinois driver's
22 license number. This decal or device may be used by the
23 authorized holder to designate and identify a vehicle not owned

1 or displaying a registration plate as provided in Sections
2 3-609 and 3-616 of this Act to designate when the vehicle is
3 being used to transport said person or persons with
4 disabilities, and thus is entitled to enjoy all the privileges
5 that would be afforded a person with disabilities licensed
6 vehicle. Person with disabilities decals or devices issued and
7 displayed pursuant to this Section shall be recognized and
8 honored by all local authorities regardless of which local
9 authority issued such decal or device.

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

14 (b) The local governing authorities shall be responsible
15 for the provision of such decal or device, its issuance and
16 designated placement within the vehicle. The cost of such decal
17 or device shall be at the discretion of such local governing
18 authority.

19 (c) The Secretary of State may, pursuant to Section
20 3-616(c), issue a person with disabilities parking decal or
21 device to a person with disabilities as defined by Section
22 1-159.1. Any person with disabilities parking decal or device
23 issued by the Secretary of State shall be registered to that
24 person with disabilities in the form to be prescribed by the
25 Secretary of State. The person with disabilities parking decal
26 or device shall not display that person's address. One

1 additional decal or device may be issued to an applicant upon
2 his or her written request and with the approval of the
3 Secretary of State. The written request must include a
4 justification of the need for the additional decal or device.

5 (c-5) Beginning January 1, 2014, the Secretary shall
6 provide by administrative rule for the issuance of a separate
7 and distinct parking decal or device for persons with
8 disabilities as defined by Section 1-159.1 of this Code and who
9 meet the qualifications under this subsection. The authorized
10 holder of a decal or device issued under this subsection (c-5)
11 shall be exempt from the payment of fees generated by parking
12 in a metered space, a parking area subject to paragraph (10) of
13 subsection (a) of Section 11-209 of this Code, or a publicly
14 owned parking area.

15 The Secretary shall issue a meter-exempt decal or device to
16 a person with disabilities who: (i) has been issued
17 registration plates under subsection (a) of Section 3-609 or
18 Section 3-616 of this Code or a special decal or device under
19 this Section, (ii) holds a valid Illinois driver's license, and
20 (iii) is unable to do one or more of the following:

21 (1) manage, manipulate, or insert coins, or obtain
22 tickets or tokens in parking meters or ticket machines in
23 parking lots, due to the lack of fine motor control of both
24 hands;

25 (2) reach above his or her head to a height of 42
26 inches from the ground, due to a lack of finger, hand, or

1 upper extremity strength or mobility;

2 (3) approach a parking meter due to his or her use of a
3 wheelchair or other device for mobility; or

4 (4) walk more than 20 feet due to an orthopedic,
5 neurological, cardiovascular, or lung condition in which
6 the degree of debilitation is so severe that it almost
7 completely impedes the ability to walk.

8 The application for a meter-exempt parking decal or device
9 shall contain a statement certified by a licensed physician,
10 physician assistant, or advanced practice nurse attesting to
11 the permanent nature of the applicant's condition and verifying
12 that the applicant meets the physical qualifications specified
13 in this subsection (c-5).

14 Notwithstanding the requirements of this subsection (c-5),
15 the Secretary shall issue a meter-exempt decal or device to:

16 (1) a person who has been issued registration plates
17 under Section 3-616 of this Code or a special decal or
18 device under this Section, if the applicant is the parent
19 or guardian of a person with disabilities who is under 18
20 years of age and incapable of driving; ~~or-~~

21 (2) a person with a Type Three visual disability as
22 defined in subsection (a) of Section 4A of the Illinois
23 Identification Card Act if the applicant submits a
24 statement from his or her ophthalmologist or optometrist
25 certifying the applicant's visual disability.

26 (d) Replacement decals or devices may be issued for lost,

1 stolen, or destroyed decals upon application and payment of a
2 \$10 fee. The replacement fee may be waived for individuals that
3 have claimed and received a grant under the Senior Citizens and
4 Disabled Persons Property Tax Relief Act.

5 (Source: P.A. 97-689, eff. 6-14-12; 97-845, eff. 1-1-13;
6 98-463, eff. 8-16-13; 98-577, eff. 1-1-14.)