**Section 1100.5 Definitions**

"Affirmation by an authorized agent" means the agent for a corporation, school district or special education cooperative attests that the individuals being transported are qualified under IVC Section 1-159.1 and are permanently disabled (i.e., indefinitely subject to a physical disability or a developmental disability as defined in Section 4A(a) of the Illinois Identification Card Act [15 ILCS 335/4A(a)]).

"Authorized holder" means an individual issued a person with disabilities license plate under IVC Section 3-616 or 3-609(a), or an individual issued a person-with-disabilities parking decal or device under IVC Section 11-1301.2.

"Competent medical specialist" means a person affirming that the applicant for a person-with-disabilities license plate or decal or device is a disabled person in accordance with IVC Section 1-159.1. This person shall be licensed under the Medical Practice Act [225 ILCS 60], or similar law of another jurisdiction, or a person specified in the Illinois Identification Card Act and the Illinois Vehicle Code, including *a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination* [625 ILCS 5/3-616(a)].

"Decal or device" means a placard described in Section 1100.10(a) that, when displayed in a vehicle, authorizes the parking of the vehicle in parking spaces reserved for the disabled, and authorizes other parking privileges as outlined in IVC Sections 11-1301.1 and 11-1301.2. "Decal or device" does not mean a sticker with adhesive backing which is permanently affixed to the vehicle.

"DFPR" means the Illinois Department of Financial and Professional Regulation.

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

"Fictitious person with disabilities license plate or parking decal or device" means any person with disabilities license plate or parking decal or device that has been issued by the Secretary or authorized unit of local government that was issued based upon false information contained on the required application.

"Fraudulent person with disabilities license plate or parking decal or device" means any person with disabilities license plate or parking decal or device that purports to be an official person with disabilities license plate or parking decal or device and has not been issued by the Secretary or an authorized unit of local government.

"IVC" means the Illinois Vehicle Code [625 ILCS 5].

"Metered-exempt decal or device", as that term is used in IVC Section 11-1301.2, means a decal or device that is issued by the Secretary to a natural person who, as determined by a licensed physician, physician assistant or advanced practice nurse, meets the criteria established under IVC Section 11-1301.2(c-5).

"Permanent disability" means a disability that affects an individual indefinitely as defined in the Illinois Identification Card Act [15 ILCS 335/4A].

"Person with disabilities" means a natural person who, as determined by a licensed physician: cannot walk 200 feet without stopping to rest; cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; is restricted by lung disease to such an extent that his or her forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mmhg on room air at rest; uses portable oxygen; has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV, according to standards set by the American Heart Association (Classification of Functional Capacity and Objective Assessment of Patients with Diseases of the Heart, 7272 Greenville Avenue, Dallas, Texas, effective March 4, 1994, no subsequent dates and editions); or is severely limited in the person's ability to walk due to an arthritic, neurological, oncological or orthopedic condition.

"Secretary" means the Illinois Secretary of State.

"Temporary disability" means a disability that lasts up to six months and is not permanent in nature.

"Unlawfully altered person with disabilities license plate or parking decal or device" means any person with disabilities license plate or parking decal or device issued by the Secretary or authorized unit of local government that has been physically altered or changed in such a manner that false information, which may include but shall not be limited to incorrect expiration date or incorrect decal or device number, appears on the license plate or parking decal or device.

"While the person with disabilities is present", as that term is used in IVC Section 11-1301.1, means that the person with disabilities must either exit or enter the vehicle while the vehicle is parked in a designated person with disabilities parking area or in an area where parking meter time restrictions are waived. In other words, an able-bodied driver cannot drop off the person with disabilities at the entrance to a facility, park in a person with disabilities parking space, and then return to pick up the person with disabilities.

(Source: Amended at 37 Ill. Reg. 19866, effective November 27, 2013)