



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1845

Introduced 2/23/2007, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

New Act

Creates the Motorcyclist Public Accommodation Act. Prohibits any person from restricting an individual's access to, admission to, or use of a place of public accommodation solely because the individual operates a motorcycle. Provides that a violation is a petty offense and also provides for civil penalties. Provides that the Act does not prohibit a person from restricting an individual's access to, admission to, or use of a place of public accommodation because the individual's conduct poses a risk to the health, safety, or property of another.

LRB095 09899 AJ0 30110 b

1 AN ACT concerning civil law.

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

4 Section 1. Short title. This Act may be cited as the
5 Motorcyclist Public Accommodation Act.

6 Section 5. Definition. As used in this Act, "place of
7 public accommodation" means a business, accommodation,
8 refreshment, entertainment, recreation, or transportation
9 facility of any kind, whether licensed or not, whose goods,
10 services, facilities, privileges, advantages, or
11 accommodations are extended, offered, sold, or otherwise made
12 available to the public. By way of example, but not of
13 limitation, "place of public accommodation" includes
14 facilities of the following types: inns, hotels, motels,
15 restaurants, cafes, eating establishments, taverns,
16 roadhouses, barber shops, department stores, clothing stores,
17 shoe stores, bathrooms, restrooms, theaters, skating rinks,
18 parking lots and garages, golf courses and driving ranges,
19 concerts, cemeteries, railroads, buses, airplanes, street
20 cars, boats, swimming pools, and other places of public
21 accommodation and amusement.

22 Section 10. Violation.

1 (a) It is a violation of this Act for any person to
2 restrict an individual's access to, admission to, or use of a
3 place of public accommodation solely because the individual
4 operates a motorcycle.

5 (b) This Section does not prohibit a person from
6 restricting an individual's access to, admission to, or use of
7 a place of public accommodation because the individual's
8 conduct poses a risk to the health, safety, or property of
9 another.

10 Section 15. Penalty.

11 (a) A person who violates this Act commits a petty offense.

12 (b) In addition to any other penalties that may be imposed
13 for a violation of this Act, a person whose access to,
14 admission to, or use of a place of public accommodation is
15 restricted because of a violation of this Act is entitled to
16 the following relief in a civil action against the person who
17 committed the violation:

18 (1) either (i) actual damages or (ii) statutory damages
19 of \$500, whichever is greater, for each violation;

20 (2) appropriate injunctive relief to enjoin future
21 violations; and

22 (3) costs and reasonable attorney's fees.

23 (c) Each day that a violation of this Act takes place
24 constitutes a separate violation for purposes of assessing
25 penalties or damages.