

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 or  
33 access aisle, including any private or public offstreet

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

23 (b) Any person or local authority owning or operating  
24 any public or private offstreet parking facility may, after  
25 notifying the police or sheriff's department, remove or cause  
26 to be removed to the nearest garage or other place of safety  
27 any vehicle parked within a stall or space reserved for use  
28 by a person with disabilities which does not display person  
29 with disabilities registration plates or a special decal or  
30 device as required under this Section.

31 (c) Any person found guilty of violating the provisions  
32 of this Section shall be fined \$100 in addition to any costs  
33 or charges connected with the removal or storage of any motor  
34 vehicle authorized under this Section; but municipalities by

1 ordinance may impose a fine up to \$200 and shall display  
2 signs indicating the fine imposed. If the amount of the fine  
3 is subsequently changed, the municipality shall change the  
4 sign to indicate the current amount of the fine. It shall not  
5 be a defense to a charge under this Section that the sign  
6 posted pursuant to this Section does not comply with the  
7 technical requirements of Section 11-301, Department  
8 regulations, or local ordinance if a reasonable person would  
9 be made aware by the sign or notice on or near the parking  
10 place that the place is reserved for a person with  
11 disabilities.

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

14 (e) As used in this Section, "authorized holder" means  
15 an individual issued a person with disabilities license plate  
16 under Section 3-616 of this Code or an individual issued a  
17 person with disabilities parking decal or device under  
18 Section 11-1301.2 of this Code.

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

20 (625 ILCS 5/11-1301.5)

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

23 (a) As used in this Section:

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

30 "False information" means any incorrect or inaccurate  
31 information concerning the name, date of birth, social  
32 security number, driver's license number, physician  
33 certification, or any other information required on the



1 application for a person with disabilities license plate or  
2 parking permit or device that falsifies the content of the  
3 application.

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

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

- 15 (b) It is a violation of this Section for any person:
  - 16 (1) to knowingly possess any fictitious or  
17 unlawfully altered person with disabilities license plate  
18 or parking decal or device;
  - 19 (2) to knowingly issue or assist in the issuance  
20 of, by the Secretary of State or unit of local  
21 government, any fictitious person with disabilities  
22 license plate or parking decal or device;
  - 23 (3) to knowingly alter any person with disabilities  
24 license plate or parking decal or device;
  - 25 (4) to knowingly manufacture, possess, transfer, or  
26 provide any documentation used in the application process  
27 whether real or fictitious, for the purpose of obtaining  
28 a fictitious person with disabilities license plate or  
29 parking decal or device;
  - 30 (5) to knowingly provide any false information to  
31 the Secretary of State or a unit of local government in  
32 order to obtain a person with disabilities license plate  
33 or parking decal or device; or
  - 34 (6) to knowingly transfer a person with

1 disabilities license plate or parking decal or device for  
2 the purpose of exercising the privileges granted to an  
3 authorized holder of a person with disabilities license  
4 plate or parking decal or device under this Code in the  
5 absence of the authorized holder.

6 (c) Sentence.

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

9 (2) Any person who commits a violation of this  
10 Section may have his or her driving privileges suspended  
11 or revoked by the Secretary of State for a period of time  
12 determined by the Secretary of State.

13 (3) Any police officer may seize the parking decal  
14 or device from any person who commits a violation of this  
15 Section. Any police officer may seize the person with  
16 disabilities license plate upon authorization from the  
17 Secretary of State. Any police officer may request that  
18 the Secretary of State revoke the parking decal or device  
19 or the person with disabilities license plates of any  
20 person who commits a violation of this Section.

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

22 (625 ILCS 5/11-1301.6)

23 Sec. 11-1301.6. Fraudulent person with disabilities  
24 license plate or parking decal or device.

25 (a) As used in this Section:

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

33 "Person with disabilities license plate or parking

1        decal or device-making implement" means any implement  
 2        specially designed or primarily used in the manufacture,  
 3        assembly, or authentication of a person with disabilities  
 4        license plate or parking decal or device issued by the  
 5        Secretary of State or a unit of local government.

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

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

9            (2) to knowingly possess without authority any  
 10       person with disabilities license plate or parking decal  
 11       or device-making implement;

12           (3) to knowingly duplicate, manufacture, sell, or  
 13       transfer any fraudulent or stolen person with  
 14       disabilities license plate or parking decal or device;

15           (4) to knowingly assist in the duplication,  
 16       manufacturing, selling, or transferring of any fraudulent  
 17       or stolen person with disabilities license plate or  
 18       parking decal or device; or

19           (5) to advertise or distribute a fraudulent person  
 20       with disabilities license plate or parking decal or  
 21       device.

22        (c) Sentence.

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

25           (2) Any person who commits a violation of this  
 26       Section may have his or her driving privileges suspended  
 27       or revoked by the Secretary of State for a period of time  
 28       determined by the Secretary of State.

29           (3) Any police officer may seize the parking decal  
 30       or device from any person who commits a violation of this  
 31       Section. Any police officer may seize the person with  
 32       disabilities license plate upon authorization from the  
 33       Secretary of State. Any police officer may request that  
 34       the Secretary of State revoke the parking decal or device

1           or the person with disabilities license plates of any  
2           person who commits a violation of this Section.

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