

AN ACT concerning business.

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

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

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

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

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

(b) Gasoline stations and service stations in this State

are subject to the federal Americans with Disabilities Act and must:

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

(2) by January 1, 2014, provide and display at least one ADA compliant motor fuel dispenser with a direct telephone number to the station that allows a disabled operator of a motor vehicle to request refueling assistance, with the telephone number posted in close proximity to the International Symbol of Accessibility required by the federal Americans with Disabilities Act, however, if the station does not have at least one ADA compliant motor fuel dispenser, the station must display on at least one motor fuel dispenser a direct telephone number to the station that allows a disabled operator of a motor vehicle to request refueling assistance ~~let patrons know, through appropriate signs, that customers with disabilities can obtain refueling assistance by either honking or otherwise signaling an employee;~~ and

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

(c) The signage required under paragraph (2) of subsection

(b) shall be designated by the station owner and shall be posted in a prominently visible place. The sign shall be clearly visible to customers.

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

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

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

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

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

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

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

(g) The Department of Transportation shall work in cooperation with appropriate representatives of gasoline and service station trade associations and the petroleum industry to increase the signage at gasoline and service stations on interstate highways in this State with regard to the availability of refueling assistance for persons with disabilities.

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

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