

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 Sections 11-1301.2, 11-1301.4, and 11-1301.5 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 or, if the applicant does not have an
23 identification card or driver's license number, then the

1 applicant may use a valid identification number issued by a
2 branch of the U.S. military or a federally issued Medicare or
3 Medicaid identification number. This decal or device may be
4 used by the authorized holder to designate and identify a
5 vehicle not owned or displaying a registration plate as
6 provided in Sections 3-609 and 3-616 of this Act to designate
7 when the vehicle is being used to transport said person or
8 persons with disabilities, and thus is entitled to enjoy all
9 the privileges that would be afforded a person with
10 disabilities licensed vehicle. Person with disabilities decals
11 or devices issued and displayed pursuant to this Section shall
12 be recognized and honored by all local authorities regardless
13 of which local authority issued such decal or device.

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

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

23 (c) The Secretary of State may, pursuant to Section
24 3-616(c), issue a person with disabilities parking decal or
25 device to a person with disabilities as defined by Section
26 1-159.1. Any person with disabilities parking decal or device

1 issued by the Secretary of State shall be registered to that
2 person with disabilities in the form to be prescribed by the
3 Secretary of State. The person with disabilities parking decal
4 or device shall not display that person's address. One
5 additional decal or device may be issued to an applicant upon
6 his or her written request and with the approval of the
7 Secretary of State. The written request must include a
8 justification of the need for the additional decal or device.

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

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

25 (1) manage, manipulate, or insert coins, or obtain
26 tickets or tokens in parking meters or ticket machines in

1 parking lots, due to the lack of fine motor control of both
2 hands;

3 (2) reach above his or her head to a height of 42
4 inches from the ground, due to a lack of finger, hand, or
5 upper extremity strength or mobility;

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

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

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

18 Notwithstanding the requirements of this subsection (c-5),
19 the Secretary shall issue a meter-exempt decal or device to a
20 person who has been issued registration plates under Section
21 3-616 of this Code or a special decal or device under this
22 Section, if the applicant is the parent or guardian of a person
23 with disabilities who is under 18 years of age and incapable of
24 driving.

25 (d) Replacement decals or devices may be issued for lost,
26 stolen, or destroyed decals upon application and payment of a

1 \$10 fee. The replacement fee may be waived for individuals that
2 have claimed and received a grant under the Senior Citizens and
3 Persons with Disabilities Property Tax Relief Act.

4 (e) A person classified as a veteran under subsection (e)
5 of Section 6-106 of this Code that has been issued a decal or
6 device under this Section shall not be required to submit
7 evidence of disability in order to renew that decal or device
8 if, at the time of initial application, he or she submitted
9 evidence from his or her physician or the Department of
10 Veterans' Affairs that the disability is of a permanent nature.
11 However, the Secretary shall take reasonable steps to ensure
12 the veteran still resides in this State at the time of the
13 renewal. These steps may include requiring the veteran to
14 provide additional documentation or to appear at a Secretary of
15 State facility. To identify veterans who are eligible for this
16 exemption, the Secretary shall compare the list of the persons
17 who have been issued a decal or device to the list of persons
18 who have been issued a vehicle registration plate for veterans
19 with disabilities under Section 3-609 of this Code, or who are
20 identified as a veteran on their driver's license under Section
21 6-110 of this Code or on their identification card under
22 Section 4 of the Illinois Identification Card Act.

23 (Source: P.A. 99-143, eff. 7-27-15; 100-513, eff. 1-1-18.)

24 (625 ILCS 5/11-1301.4) (from Ch. 95 1/2, par. 11-1301.4)

25 Sec. 11-1301.4. Reciprocal agreements with other

1 jurisdictions; temporary decal.

2 (a) The Secretary of State, or his designee, may enter into
3 agreements with other jurisdictions, including foreign
4 jurisdictions, on behalf of this State relating to the
5 extension of parking privileges by such jurisdictions to
6 residents of this State with disabilities who display a special
7 license plate or parking device that contains the International
8 symbol of access on his or her motor vehicle, and to recognize
9 such plates or devices issued by such other jurisdictions. This
10 State shall grant the same parking privileges which are granted
11 to residents of this State with disabilities to any
12 non-resident whose motor vehicle is licensed in another state,
13 district, territory or foreign country if such vehicle displays
14 the International symbol of access or a distinguishing insignia
15 on license plates or parking device issued in accordance with
16 the laws of the non-resident's state, district, territory or
17 foreign country.

18 (b) The Secretary may issue a one-time decal or device to
19 any non-resident of this State who is a person with
20 disabilities and who is displaced from another jurisdiction due
21 to a national disaster as declared by the federal government.
22 The person shall provide the Secretary proof that he or she is
23 residing at an Illinois residence for the duration of his or
24 her time in this State and proof of disability, including, but
25 not limited to, a device or decal issued by another
26 jurisdiction, a designation on a driver's license or

1 identification card issued by another jurisdiction, or a
2 medical certification by an Illinois licensed physician,
3 physician assistant, or advanced practice registered nurse. A
4 device or decal issued under this subsection (b) shall be valid
5 for a period not to exceed 6 months.

6 (Source: P.A. 99-143, eff. 7-27-15.)

7 (625 ILCS 5/11-1301.5)

8 Sec. 11-1301.5. Fictitious or unlawfully altered
9 disability license plate or parking decal or device.

10 (a) As used in this Section:

11 "Fictitious disability license plate or parking decal or
12 device" means any issued disability license plate or parking
13 decal or device, or any license plate issued to a veteran with
14 a disability under Section 3-609 of this Code, that has been
15 issued by the Secretary of State or an authorized unit of local
16 government that was issued based upon false information
17 contained on the required application.

18 "False information" means any incorrect or inaccurate
19 information concerning the name, date of birth, social security
20 number, driver's license number, military identification
21 number, Medicaid or Medicare identification number, physician
22 certification, or any other information required on the Persons
23 with Disabilities Certification for Plate or Parking Placard,
24 on the Application for Replacement Disability Parking Placard,
25 or on the application for license plates issued to veterans

1 with disabilities under Section 3-609 of this Code, that
2 falsifies the content of the application.

3 "Unlawfully altered disability license plate or parking
4 permit or device" means any disability license plate or parking
5 permit or device, or any license plate issued to a veteran with
6 a disability under Section 3-609 of this Code, issued by the
7 Secretary of State or an authorized unit of local government
8 that has been physically altered or changed in such manner that
9 false information appears on the license plate or parking decal
10 or device.

11 "Authorized holder" means an individual issued a
12 disability license plate under Section 3-616 of this Code or an
13 individual issued a parking decal or device under Section
14 11-1301.2 of this Code, or an individual issued a license plate
15 for veterans with disabilities under Section 3-609 of this
16 Code.

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

18 (1) to knowingly possess any fictitious or unlawfully
19 altered disability license plate or parking decal or
20 device;

21 (2) to knowingly issue or assist in the issuance of, by
22 the Secretary of State or unit of local government, any
23 fictitious disability license plate or parking decal or
24 device;

25 (3) to knowingly alter any disability license plate or
26 parking decal or device;

1 (4) to knowingly manufacture, possess, transfer, or
2 provide any documentation used in the application process
3 whether real or fictitious, for the purpose of obtaining a
4 fictitious disability license plate or parking decal or
5 device;

6 (5) to knowingly provide any false information to the
7 Secretary of State or a unit of local government in order
8 to obtain a disability license plate or parking decal or
9 device;

10 (6) to knowingly transfer a disability license plate or
11 parking decal or device for the purpose of exercising the
12 privileges granted to an authorized holder of a disability
13 license plate or parking decal or device under this Code in
14 the absence of the authorized holder; or

15 (7) who is a physician, physician assistant, or
16 advanced practice registered nurse to knowingly falsify a
17 certification that a person is a person with disabilities
18 as defined by Section 1-159.1 of this Code.

19 (c) Sentence.

20 (1) Any person convicted of a violation of paragraph
21 (1), (2), (3), (4), (5), or (7) of subsection (b) of this
22 Section shall be guilty of a Class A misdemeanor and fined
23 not less than \$1,000 for a first offense and shall be
24 guilty of a Class 4 felony and fined not less than \$2,000
25 for a second or subsequent offense. Any person convicted of
26 a violation of subdivision (b) (6) of this Section is guilty

1 of a Class A misdemeanor and shall be fined not less than
2 \$1,000 for a first offense and not less than \$2,000 for a
3 second or subsequent offense. The circuit clerk shall
4 distribute one-half of any fine imposed on any person who
5 is found guilty of or pleads guilty to violating this
6 Section, including any person placed on court supervision
7 for violating this Section, to the law enforcement agency
8 that issued the citation or made the arrest. If more than
9 one law enforcement agency is responsible for issuing the
10 citation or making the arrest, one-half of the fine imposed
11 shall be shared equally.

12 (2) Any person who commits a violation of this Section
13 or a similar provision of a local ordinance may have his or
14 her driving privileges suspended or revoked by the
15 Secretary of State for a period of time determined by the
16 Secretary of State. The Secretary of State may suspend or
17 revoke the parking decal or device or the disability
18 license plate of any person who commits a violation of this
19 Section.

20 (3) Any police officer may seize the parking decal or
21 device from any person who commits a violation of this
22 Section. Any police officer may seize the disability
23 license plate upon authorization from the Secretary of
24 State. Any police officer may request that the Secretary of
25 State revoke the parking decal or device or the disability
26 license plate of any person who commits a violation of this

1 Section.

2 (Source: P.A. 99-143, eff. 7-27-15; 100-513, eff. 1-1-18.)

3 Section 99. Effective date. This Act takes effect January
4 1, 2019.