



Sen. Omar Aquino

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1 AMENDMENT TO SENATE BILL 2285

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2285 on page 1, by  
3 replacing line 5 with the following:

4 "Sections 1301.2, 1301.4, and 1301.5 as follows:

5 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

6 Sec. 11-1301.2. Special decals for parking; persons with  
7 disabilities.

8 (a) The Secretary of State shall provide for, by  
9 administrative rules, the design, size, color, and placement of  
10 a person with disabilities motorist decal or device and shall  
11 provide for, by administrative rules, the content and form of  
12 an application for a person with disabilities motorist decal or  
13 device, which shall be used by local authorities in the  
14 issuance thereof to a person with temporary disabilities,  
15 provided that the decal or device is valid for no more than 90  
16 days, subject to renewal for like periods based upon continued  
17 disability, and further provided that the decal or device

1 clearly sets forth the date that the decal or device expires.  
2 The application shall include the requirement of an Illinois  
3 Identification Card number or a State of Illinois driver's  
4 license number or, if the applicant does not have an  
5 identification card or driver's license number, then the  
6 applicant may use a valid identification number issued by a  
7 branch of the U.S. military or a federally issued Medicare or  
8 Medicaid identification number. This decal or device may be  
9 used by the authorized holder to designate and identify a  
10 vehicle not owned or displaying a registration plate as  
11 provided in Sections 3-609 and 3-616 of this Act to designate  
12 when the vehicle is being used to transport said person or  
13 persons with disabilities, and thus is entitled to enjoy all  
14 the privileges that would be afforded a person with  
15 disabilities licensed vehicle. Person with disabilities decals  
16 or devices issued and displayed pursuant to this Section shall  
17 be recognized and honored by all local authorities regardless  
18 of which local authority issued such decal or device.

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

23 (b) The local governing authorities shall be responsible  
24 for the provision of such decal or device, its issuance and  
25 designated placement within the vehicle. The cost of such decal  
26 or device shall be at the discretion of such local governing

1 authority.

2 (c) The Secretary of State may, pursuant to Section  
3 3-616(c), issue a person with disabilities parking decal or  
4 device to a person with disabilities as defined by Section  
5 1-159.1. Any person with disabilities parking decal or device  
6 issued by the Secretary of State shall be registered to that  
7 person with disabilities in the form to be prescribed by the  
8 Secretary of State. The person with disabilities parking decal  
9 or device shall not display that person's address. One  
10 additional decal or device may be issued to an applicant upon  
11 his or her written request and with the approval of the  
12 Secretary of State. The written request must include a  
13 justification of the need for the additional decal or device.

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

24 The Secretary shall issue a meter-exempt decal or device to  
25 a person with disabilities who: (i) has been issued  
26 registration plates under subsection (a) of Section 3-609 or

1 Section 3-616 of this Code or a special decal or device under  
2 this Section, (ii) holds a valid Illinois driver's license, and  
3 (iii) is unable to do one or more of the following:

4 (1) manage, manipulate, or insert coins, or obtain  
5 tickets or tokens in parking meters or ticket machines in  
6 parking lots, due to the lack of fine motor control of both  
7 hands;

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

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

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

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

23 Notwithstanding the requirements of this subsection (c-5),  
24 the Secretary shall issue a meter-exempt decal or device to a  
25 person who has been issued registration plates under Section  
26 3-616 of this Code or a special decal or device under this

1 Section, if the applicant is the parent or guardian of a person  
2 with disabilities who is under 18 years of age and incapable of  
3 driving.

4 (d) Replacement decals or devices may be issued for lost,  
5 stolen, or destroyed decals upon application and payment of a  
6 \$10 fee. The replacement fee may be waived for individuals that  
7 have claimed and received a grant under the Senior Citizens and  
8 Persons with Disabilities Property Tax Relief Act.

9 (e) A person classified as a veteran under subsection (e)  
10 of Section 6-106 of this Code that has been issued a decal or  
11 device under this Section shall not be required to submit  
12 evidence of disability in order to renew that decal or device  
13 if, at the time of initial application, he or she submitted  
14 evidence from his or her physician or the Department of  
15 Veterans' Affairs that the disability is of a permanent nature.  
16 However, the Secretary shall take reasonable steps to ensure  
17 the veteran still resides in this State at the time of the  
18 renewal. These steps may include requiring the veteran to  
19 provide additional documentation or to appear at a Secretary of  
20 State facility. To identify veterans who are eligible for this  
21 exemption, the Secretary shall compare the list of the persons  
22 who have been issued a decal or device to the list of persons  
23 who have been issued a vehicle registration plate for veterans  
24 with disabilities under Section 3-609 of this Code, or who are  
25 identified as a veteran on their driver's license under Section  
26 6-110 of this Code or on their identification card under

1 Section 4 of the Illinois Identification Card Act.

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

3 and

4 on page 2, immediately below line 16, by inserting the  
5 following:

6 "(625 ILCS 5/11-1301.5)

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

9 (a) As used in this Section:

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

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