



Rep. Maurice A. West, II

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10100HB4033ham001

LRB101 15873 HEP 70871 a

1 AMENDMENT TO HOUSE BILL 4033

2 AMENDMENT NO. _____. Amend House Bill 4033 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 12-503 as follows:

6 (625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

7 Sec. 12-503. Windshields must be unobstructed and equipped
8 with wipers.

9 (a) No person shall drive a motor vehicle with any sign,
10 poster, window application, reflective material, nonreflective
11 material or tinted film upon the front windshield, except that
12 a nonreflective tinted film may be used along the uppermost
13 portion of the windshield if such material does not extend more
14 than 6 inches down from the top of the windshield.

15 (a-3) No new or used motor vehicle dealer shall permit a
16 driver to drive a motor vehicle offered for sale or lease off

1 the premises where the motor vehicle is being offered for sale
2 or lease, including when the driver is test driving the
3 vehicle, with signs, decals, paperwork, or other material on
4 the front windshield or on the windows immediately adjacent to
5 each side of the driver that would obstruct the driver's view
6 in violation of subsection (a) of this Section. For purposes of
7 this subsection (a-3), "test driving" means when a driver, with
8 permission of the new or used vehicle dealer or employee of the
9 new or used vehicle dealer, drives a vehicle owned and held for
10 sale or lease by a new or used vehicle dealer that the driver
11 is considering to purchase or lease.

12 (a-5) No window treatment or tinting shall be applied to
13 the windows immediately adjacent to each side of the driver,
14 except:

15 (1) On vehicles where none of the windows to the rear
16 of the driver's seat are treated in a manner that allows
17 less than 30% light transmittance, a nonreflective tinted
18 film that allows at least 50% light transmittance, with a
19 5% variance observed by any law enforcement official
20 metering the light transmittance, may be used on the
21 vehicle windows immediately adjacent to each side of the
22 driver.

23 (2) On vehicles where none of the windows to the rear
24 of the driver's seat are treated in a manner that allows
25 less than 35% light transmittance, a nonreflective tinted
26 film that allows at least 35% light transmittance, with a

1 5% variance observed by any law enforcement official
2 metering the light transmittance, may be used on the
3 vehicle windows immediately adjacent to each side of the
4 driver.

5 (3) (Blank).

6 (4) On vehicles where a nonreflective smoked or tinted
7 glass that was originally installed by the manufacturer on
8 the windows to the rear of the driver's seat, a
9 nonreflective tint that allows at least 50% light
10 transmittance, with a 5% variance observed by a law
11 enforcement official metering the light transmittance, may
12 be used on the vehicle windows immediately adjacent to each
13 side of the driver.

14 (a-10) No person shall install or repair any material
15 prohibited by subsection (a) of this Section.

16 (1) Nothing in this subsection shall prohibit a person
17 from removing or altering any material prohibited by
18 subsection (a) to make a motor vehicle comply with the
19 requirements of this Section.

20 (2) Nothing in this subsection shall prohibit a person
21 from installing window treatment for a person with a
22 medical condition described in subsection (g) of this
23 Section. An installer who installs window treatment for a
24 person with a medical condition described in subsection (g)
25 must obtain a copy of the certified statement or letter
26 written by a physician described in subsection (g) from the

1 person with the medical condition prior to installing the
2 window treatment. The copy of the certified statement or
3 letter must be kept in the installer's permanent records.

4 (b) On motor vehicles where window treatment has not been
5 applied to the windows immediately adjacent to each side of the
6 driver, the use of a perforated window screen or other
7 decorative window application on windows to the rear of the
8 driver's seat shall be allowed.

9 (b-5) Any motor vehicle with a window to the rear of the
10 driver's seat treated in this manner shall be equipped with a
11 side mirror on each side of the motor vehicle which are in
12 conformance with Section 12-502.

13 (c) No person shall drive a motor vehicle with any objects
14 placed or suspended between the driver and the front
15 windshield, rear window, side wings or side windows immediately
16 adjacent to each side of the driver which materially obstructs
17 the driver's view.

18 (d) Every motor vehicle, except motorcycles, shall be
19 equipped with a device, controlled by the driver, for cleaning
20 rain, snow, moisture or other obstructions from the windshield;
21 and no person shall drive a motor vehicle with snow, ice,
22 moisture or other material on any of the windows or mirrors,
23 which materially obstructs the driver's clear view of the
24 highway.

25 (e) No person shall drive a motor vehicle when the
26 windshield, side or rear windows are in such defective

1 condition or repair as to materially impair the driver's view
2 to the front, side or rear. A vehicle equipped with a side
3 mirror on each side of the vehicle which are in conformance
4 with Section 12-502 will be deemed to be in compliance in the
5 event the rear window of the vehicle is materially obscured.

6 (f) Subsections (a), (a-5), (b), and (b-5) of this Section
7 shall not apply to:

8 (1) (Blank).

9 (2) those motor vehicles properly registered in
10 another jurisdiction.

11 (g) Subsections (a) and (a-5) of this Section shall not
12 apply to window treatment, including, but not limited to, a
13 window application, nonreflective material, or tinted film,
14 applied or affixed to a motor vehicle for which distinctive
15 license plates or license plate stickers have been issued
16 pursuant to subsection (k) of Section 3-412 of this Code, and
17 which:

18 (1) is owned and operated by a person afflicted with or
19 suffering from a medical disease, including, but not
20 limited to, systemic or discoid lupus erythematosus,
21 disseminated superficial actinic porokeratosis, light
22 sensitivity as a result of a traumatic brain injury, or
23 albinism, which would require that person to be shielded
24 from the direct rays of the sun; or

25 (2) is used in transporting a person when the person
26 resides at the same address as the registered owner of the

1 vehicle and the person is afflicted with or suffering from
2 a medical disease which would require the person to be
3 shielded from the direct rays of the sun, including, but
4 not limited to, systemic or discoid lupus erythematosus,
5 disseminated superficial actinic porokeratosis, light
6 sensitivity as a result of a traumatic brain injury, or
7 albinism.

8 The owner must obtain a certified statement or letter
9 written by a physician licensed to practice medicine in
10 Illinois that such person owning and operating or being
11 transported in a motor vehicle is afflicted with or suffers
12 from such disease, including, but not limited to, systemic
13 or discoid lupus erythematosus, disseminated superficial
14 actinic porokeratosis, light sensitivity as a result of a
15 traumatic brain injury, or albinism. ~~However, no exemption~~
16 ~~from the requirements of subsection (a 5) shall be granted~~
17 ~~for any condition, such as light sensitivity, for which~~
18 ~~protection from the direct rays of the sun can be~~
19 ~~adequately obtained by the use of sunglasses or other eye~~
20 ~~protective devices.~~

21 Such certification must be carried in the motor vehicle
22 at all times. The certification shall be legible and shall
23 contain the date of issuance, the name, address and
24 signature of the attending physician, and the name,
25 address, and medical condition of the person requiring
26 exemption. The information on the certificate for a window

1 treatment must remain current and shall be renewed every 4
2 years by the attending physician. The owner shall also
3 submit a copy of the certification to the Secretary of
4 State. The Secretary of State may forward notice of
5 certification to law enforcement agencies.

6 (g-5) (Blank).

7 (g-7) Installers shall only install window treatment
8 authorized by subsection (g) on motor vehicles for which
9 distinctive plates or license plate stickers have been issued
10 pursuant to subsection (k) of Section 3-412 of this Code. The
11 distinctive license plates or plate sticker must be on the
12 motor vehicle at the time of window treatment installation.

13 (h) Subsection (a) of this Section shall not apply to motor
14 vehicle stickers or other certificates issued by State or local
15 authorities which are required to be displayed upon motor
16 vehicle windows to evidence compliance with requirements
17 concerning motor vehicles.

18 (i) (Blank).

19 (j) A person found guilty of violating subsection (a),
20 (a-3), (a-5), (a-10), (b), (b-5), or (g-7) of this Section
21 shall be guilty of a petty offense and fined no less than \$50
22 nor more than \$500. A second or subsequent violation of
23 subsection (a), (a-3), (a-5), (a-10), (b), (b-5), or (g-7) of
24 this Section shall be treated as a Class C misdemeanor and the
25 violator fined no less than \$100 nor more than \$500. Any person
26 convicted under subsection (a), (a-5), (b), or (b-5) of this

1 Section shall be ordered to alter any nonconforming windows
2 into compliance with this Section.

3 (k) Except as provided in subsection (a-3) of this Section,
4 nothing in this Section shall create a cause of action on
5 behalf of a buyer against a vehicle dealer or manufacturer who
6 sells a motor vehicle with a window which is in violation of
7 this Section.

8 (l) The Secretary of State shall provide a notice of the
9 requirements of this Section to a new resident applying for
10 vehicle registration in this State pursuant to Section 3-801 of
11 this Code. The Secretary of State may comply with this
12 subsection by posting the requirements of this Section on the
13 Secretary of State's website.

14 (m) A home rule unit may not regulate motor vehicles in a
15 manner inconsistent with this Section. This Section is a
16 limitation under subsection (i) of Section 6 of Article VII of
17 the Illinois Constitution on the concurrent exercise by home
18 rule units of powers and functions exercised by the State.

19 (Source: P.A. 100-346, eff. 1-1-18; 100-863, eff. 8-14-18.)".