



Sen. Ram Villivalam

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LRB102 22605 HEP 42003 a

1 AMENDMENT TO HOUSE BILL 5049

2 AMENDMENT NO. _____. Amend House Bill 5049 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-616, 6-109, 11-1301.2, 11-1301.4, and
6 11-1301.5 and by adding Section 3-606.5 as follows:

7 (625 ILCS 5/3-606.5 new)

8 Sec. 3-606.5. Retired Executive Branch Constitutional
9 Officers. Upon receipt of a request from a retired executive
10 branch constitutional officer, accompanied by the appropriate
11 application and fee, the Secretary of State shall issue to the
12 retired executive branch constitutional officer plates bearing
13 appropriate wording or abbreviations indicating that the
14 holder is a retired executive branch constitutional officer
15 and the office held. Such plates may be issued for a 2-year
16 period beginning on January 1 of each odd-numbered year and

1 ending on December 31 of the subsequent even-numbered year.
2 Upon the death of a retired executive branch constitutional
3 officer who has been issued a retired executive branch
4 constitutional officer plate, the retired executive branch
5 constitutional officer's surviving spouse shall be entitled to
6 retain the plate so long as the surviving spouse is a resident
7 of Illinois and transfers the registration to his or her name
8 within 90 days of the death of the retired executive branch
9 constitutional officer. For purposes of this Section, "retired
10 executive branch constitutional officer" means any individual
11 who has served at least one full term of office as (i)
12 Governor; (ii) Lieutenant Governor; (iii) Attorney General;
13 (iv) Secretary of State; (v) Comptroller; or (vi) Treasurer;
14 and who was not removed from office pursuant to Section 14 of
15 Article IV of the Illinois Constitution of 1970.

16 (625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

17 Sec. 3-616. Disability license plates.

18 (a) Upon receiving an application for a certificate of
19 registration for a motor vehicle of the first division or for a
20 motor vehicle of the second division weighing no more than
21 8,000 pounds, accompanied with payment of the registration
22 fees required under this Code from a person with disabilities
23 or a person who is deaf or hard of hearing, the Secretary of
24 State, if so requested, shall issue to such person
25 registration plates as provided for in Section 3-611, provided

1 that the person with disabilities or person who is deaf or hard
2 of hearing must not be disqualified from obtaining a driver's
3 license under subsection 8 of Section 6-103 of this Code, and
4 further provided that any person making such a request must
5 submit a statement, certified by a licensed medical
6 professional physician, ~~by a licensed physician assistant, or~~
7 ~~by a licensed advanced practice registered nurse~~, to the
8 effect that such person is a person with disabilities as
9 provided under ~~defined by~~ Section 1-159.1 of this Code, or
10 alternatively provide adequate documentation that such person
11 has a Class 1A, Class 2A or Type Four disability under the
12 provisions of Section 4A of the Illinois Identification Card
13 Act. For purposes of this Section, an Illinois Person with a
14 Disability Identification Card issued pursuant to the Illinois
15 Identification Card Act indicating that the person thereon
16 named has a disability shall be adequate documentation of such
17 a disability.

18 (b) The Secretary shall issue plates under this Section to
19 a parent or legal guardian of a person with disabilities if the
20 person with disabilities has a Class 1A or Class 2A disability
21 as defined in Section 4A of the Illinois Identification Card
22 Act or is a person with disabilities as defined by Section
23 1-159.1 of this Code, and does not possess a vehicle
24 registered in his or her name, provided that the person with
25 disabilities relies frequently on the parent or legal guardian
26 for transportation. Only one vehicle per family may be

1 registered under this subsection, unless the applicant can
2 justify in writing the need for one additional set of plates.
3 Any person requesting special plates under this subsection
4 shall submit such documentation or such licensed medical
5 professional's ~~physician's, physician assistant's, or advanced~~
6 ~~practice registered nurse's~~ statement as is required in
7 subsection (a) and a statement describing the circumstances
8 qualifying for issuance of special plates under this
9 subsection. An optometrist may certify a Class 2A Visual
10 Disability, as defined in Section 4A of the Illinois
11 Identification Card Act, for the purpose of qualifying a
12 person with disabilities for special plates under this
13 subsection.

14 (c) The Secretary may issue a parking decal or device to a
15 person with disabilities as defined by Section 1-159.1 without
16 regard to qualification of such person with disabilities for a
17 driver's license or registration of a vehicle by such person
18 with disabilities or such person's immediate family, provided
19 such person with disabilities making such a request has been
20 issued an Illinois Person with a Disability Identification
21 Card indicating that the person named thereon has a Class 1A or
22 Class 2A disability, or alternatively, submits a statement
23 certified by a licensed medical professional ~~physician, or by~~
24 ~~a licensed physician assistant or a licensed advanced practice~~
25 ~~registered nurse~~ as provided in subsection (a), to the effect
26 that such person is a person with disabilities as provided

1 ~~under defined by~~ Section 1-159.1. An optometrist may certify a
2 Class 2A Visual Disability as defined in Section 4A of the
3 Illinois Identification Card Act for the purpose of qualifying
4 a person with disabilities for a parking decal or device under
5 this subsection.

6 (d) The Secretary shall prescribe by rules and regulations
7 procedures to certify or re-certify as necessary the
8 eligibility of persons whose disabilities are other than
9 permanent for special plates or parking decals or devices
10 issued under subsections (a), (b) and (c). Except as provided
11 under subsection (f) of this Section, no such special plates,
12 decals or devices shall be issued by the Secretary of State to
13 or on behalf of any person with disabilities unless such
14 person is certified as meeting the definition of a person with
15 disabilities pursuant to Section 1-159.1 or meeting the
16 requirement of a Type Four disability as provided under
17 Section 4A of the Illinois Identification Card Act for the
18 period of time that the licensed medical professional,
19 ~~physician, or the physician assistant or advanced practice~~
20 ~~registered nurse~~ as provided in subsection (a), determines the
21 applicant will have the disability, but not to exceed 6 months
22 from the date of certification or recertification.

23 (e) Any person requesting special plates under this
24 Section may also apply to have the special plates
25 personalized, as provided under Section 3-405.1.

26 (f) The Secretary of State, upon application, shall issue

1 disability registration plates or a parking decal to
2 corporations, school districts, State or municipal agencies,
3 limited liability companies, nursing homes, convalescent
4 homes, or special education cooperatives which will transport
5 persons with disabilities. The Secretary shall prescribe by
6 rule a means to certify or re-certify the eligibility of
7 organizations to receive disability plates or decals and to
8 designate which of the 2 person with disabilities emblems
9 shall be placed on qualifying vehicles.

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

26 (h) For purposes of this Section, "licensed medical

1 professional" means any licensed professional specified under
2 Section 1-159.1 of this Code for purposes of determining or
3 certifying whether a person is a person with disabilities.

4 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
5 99-642, eff. 7-28-16; 100-513, eff. 1-1-18.)

6 (625 ILCS 5/6-109)

7 Sec. 6-109. Examination of applicants.

8 (a) The Secretary of State shall examine every applicant
9 for a driver's license or permit who has not been previously
10 licensed as a driver under the laws of this State or any other
11 state or country, or any applicant for renewal of such
12 driver's license or permit when such license or permit has
13 been expired for more than one year. The Secretary of State
14 shall, subject to the provisions of paragraph (c), examine
15 every licensed driver at least every 8 years, and may examine
16 or re-examine any other applicant or licensed driver, provided
17 that during the years 1984 through 1991 those drivers issued a
18 license for 3 years may be re-examined not less than every 7
19 years or more than every 10 years.

20 The Secretary of State shall require the testing of the
21 eyesight of any driver's license or permit applicant who has
22 not been previously licensed as a driver under the laws of this
23 State and shall promulgate rules and regulations to provide
24 for the orderly administration of all the provisions of this
25 Section.

1 The Secretary of State shall include at least one test
2 question that concerns the provisions of the Pedestrians with
3 Disabilities Safety Act in the question pool used for the
4 written portion of the driver's license examination within one
5 year after July 22, 2010 (the effective date of Public Act
6 96-1167).

7 The Secretary of State shall include, in the question pool
8 used for the written portion of the driver's license
9 examination, test questions concerning safe driving in the
10 presence of bicycles, of which one may be concerning the Dutch
11 Reach method as described in Section 2-112.

12 The Secretary of State shall include, in the question pool
13 used for the written portion of the driver's license
14 examination, at least one test question concerning driver
15 responsibilities when approaching a stationary emergency
16 vehicle as described in Section 11-907.

17 (b) Except as provided for those applicants in paragraph
18 (c), such examination shall include a test of the applicant's
19 eyesight, his or her ability to read and understand official
20 traffic control devices, his or her knowledge of safe driving
21 practices and the traffic laws of this State, and may include
22 an actual demonstration of the applicant's ability to exercise
23 ordinary and reasonable control of the operation of a motor
24 vehicle, and such further physical and mental examination as
25 the Secretary of State finds necessary to determine the
26 applicant's fitness to operate a motor vehicle safely on the

1 highways, except the examination of an applicant 79 ~~75~~ years
2 of age or older shall include an actual demonstration of the
3 applicant's ability to exercise ordinary and reasonable
4 control of the operation of a motor vehicle. All portions of
5 written and verbal examinations under this Section, excepting
6 where the English language appears on facsimiles of road
7 signs, may be given in the Spanish language and, at the
8 discretion of the Secretary of State, in any other language as
9 well as in English upon request of the examinee. Deaf persons
10 who are otherwise qualified are not prohibited from being
11 issued a license, other than a commercial driver's license,
12 under this Code.

13 (c) Re-examination for those applicants who at the time of
14 renewing their driver's license possess a driving record
15 devoid of any convictions of traffic violations or evidence of
16 committing an offense for which mandatory revocation would be
17 required upon conviction pursuant to Section 6-205 at the time
18 of renewal shall be in a manner prescribed by the Secretary in
19 order to determine an applicant's ability to safely operate a
20 motor vehicle, except that every applicant for the renewal of
21 a driver's license who is 79 ~~75~~ years of age or older must
22 prove, by an actual demonstration, the applicant's ability to
23 exercise reasonable care in the safe operation of a motor
24 vehicle.

25 (d) In the event the applicant is not ineligible under the
26 provisions of Section 6-103 to receive a driver's license, the

1 Secretary of State shall make provision for giving an
2 examination, either in the county where the applicant resides
3 or at a place adjacent thereto reasonably convenient to the
4 applicant, within not more than 30 days from the date said
5 application is received.

6 (e) The Secretary of State may adopt rules regarding the
7 use of foreign language interpreters during the application
8 and examination process.

9 (Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19;
10 101-81, eff. 7-12-19; 101-174, eff. 1-1-20.)

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

12 Sec. 11-1301.2. Special decals for parking; persons with
13 disabilities.

14 (a) The Secretary of State shall provide for, by
15 administrative rules, the design, size, color, and placement
16 of a person with disabilities motorist decal or device and
17 shall provide for, by administrative rules, the content and
18 form of an application for a person with disabilities motorist
19 decal or device, which shall be used by local authorities in
20 the issuance thereof to a person with temporary disabilities,
21 provided that the decal or device is valid for no more than 90
22 days, subject to renewal for like periods based upon continued
23 disability, and further provided that the decal or device
24 clearly sets forth the date that the decal or device expires.
25 The application shall include the requirement of an Illinois

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

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

22 (a-5) The Secretary may provide a disabilities motorist
23 decal or device to an expectant mother during her third
24 trimester. An application under this subsection is subject to
25 application requirements under subsection (a). The decal or
26 device shall be valid for no more than 90 days, and shall

1 clearly set forth the date that the decal or device expires.
2 The decal or device shall be issued only upon a showing by
3 adequate documentation that the expectant mother has entered
4 her third trimester.

5 (b) The local governing authorities shall be responsible
6 for the provision of such decal or device, its issuance and
7 designated placement within the vehicle. The cost of such
8 decal or device shall be at the discretion of such local
9 governing authority.

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

22 (c-5) Beginning January 1, 2014, the Secretary shall
23 provide by administrative rule for the issuance of a separate
24 and distinct parking decal or device for persons with
25 disabilities as defined by Section 1-159.1 of this Code and
26 who meet the qualifications under this subsection. The

1 authorized holder of a decal or device issued under this
2 subsection (c-5) shall be exempt from the payment of fees
3 generated by parking in a metered space, a parking area
4 subject to paragraph (10) of subsection (a) of Section 11-209
5 of this Code, or a publicly owned parking area.

6 The Secretary shall issue a meter-exempt decal or device
7 to a person with disabilities who: (i) has been issued
8 registration plates or digital registration plates under
9 subsection (a) of Section 3-609 or Section 3-616 of this Code
10 or a special decal or device under this Section, (ii) holds a
11 valid Illinois driver's license, and (iii) is unable to do one
12 or more of the following:

13 (1) manage, manipulate, or insert coins, or obtain
14 tickets or tokens in parking meters or ticket machines in
15 parking lots, due to the lack of fine motor control of both
16 hands;

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

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

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

26 The application for a meter-exempt parking decal or device

1 shall contain a statement certified by a licensed medical
2 professional, as specified under Section 1-159.1 of this Code,
3 ~~physician, physician assistant, or advanced practice~~
4 ~~registered nurse~~ attesting to the permanent nature of the
5 applicant's condition and verifying that the applicant meets
6 the physical qualifications specified in this subsection
7 (c-5).

8 Notwithstanding the requirements of this subsection (c-5),
9 the Secretary shall issue a meter-exempt decal or device to a
10 person who has been issued registration plates or digital
11 registration plates under Section 3-616 of this Code or a
12 special decal or device under this Section, if the applicant
13 is the parent or guardian of a person with disabilities who is
14 under 18 years of age and incapable of driving.

15 (d) Replacement decals or devices may be issued for lost,
16 stolen, or destroyed decals upon application and payment of a
17 \$10 fee. The replacement fee may be waived for individuals
18 that have claimed and received a grant under the Senior
19 Citizens and Persons with Disabilities Property Tax Relief
20 Act.

21 (e) A person classified as a veteran under subsection (e)
22 of Section 6-106 of this Code that has been issued a decal or
23 device under this Section shall not be required to submit
24 evidence of disability in order to renew that decal or device
25 if, at the time of initial application, he or she submitted
26 evidence from his or her physician or the Department of

1 Veterans' Affairs that the disability is of a permanent
2 nature. However, the Secretary shall take reasonable steps to
3 ensure the veteran still resides in this State at the time of
4 the renewal. These steps may include requiring the veteran to
5 provide additional documentation or to appear at a Secretary
6 of State facility. To identify veterans who are eligible for
7 this exemption, the Secretary shall compare the list of the
8 persons who have been issued a decal or device to the list of
9 persons who have been issued a vehicle registration plate or
10 digital registration plate for veterans with disabilities
11 under Section 3-609 of this Code, or who are identified as a
12 veteran on their driver's license under Section 6-110 of this
13 Code or on their identification card under Section 4 of the
14 Illinois Identification Card Act.

15 (Source: P.A. 101-395, eff. 8-16-19; 102-453, eff. 1-1-22.)

16 (625 ILCS 5/11-1301.4) (from Ch. 95 1/2, par. 11-1301.4)

17 Sec. 11-1301.4. Reciprocal agreements with other
18 jurisdictions; temporary decal.

19 (a) The Secretary of State, or his designee, may enter
20 into agreements with other jurisdictions, including foreign
21 jurisdictions, on behalf of this State relating to the
22 extension of parking privileges by such jurisdictions to
23 residents of this State with disabilities who display a
24 special license plate or parking device that contains the
25 International symbol of access on his or her motor vehicle,

1 and to recognize such plates or devices issued by such other
2 jurisdictions. This State shall grant the same parking
3 privileges which are granted to residents of this State with
4 disabilities to any non-resident whose motor vehicle is
5 licensed in another state, district, territory or foreign
6 country if such vehicle displays the International symbol of
7 access or a distinguishing insignia on license plates or
8 parking device issued in accordance with the laws of the
9 non-resident's state, district, territory or foreign country.

10 (b) The Secretary may issue a one-time decal or device to
11 any non-resident of this State who is a person with
12 disabilities and who is displaced from another jurisdiction
13 due to a national disaster as declared by the federal
14 government. The person shall provide the Secretary proof that
15 he or she is residing at an Illinois residence for the duration
16 of his or her time in this State and proof of disability,
17 including, but not limited to, a device or decal issued by
18 another jurisdiction, a designation on a driver's license or
19 identification card issued by another jurisdiction, or a
20 medical certification by an Illinois licensed medical
21 professional, as specified under Section 1-159.1 of this Code
22 ~~physician, physician assistant, or advanced practice~~
23 ~~registered nurse~~. A device or decal issued under this
24 subsection (b) shall be valid for a period not to exceed 6
25 months.

26 (Source: P.A. 99-143, eff. 7-27-15; 100-702, eff. 1-1-19.)

1 (625 ILCS 5/11-1301.5)

2 Sec. 11-1301.5. Fictitious or unlawfully altered
3 disability license plate or parking decal or device.

4 (a) As used in this Section:

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

12 "False information" means any incorrect or inaccurate
13 information concerning the name, date of birth, social
14 security number, driver's license number, military
15 identification number, Medicaid or Medicare identification
16 number, medical professional ~~physician~~ certification, or any
17 other information required on the Persons with Disabilities
18 Certification for Plate or Parking Placard, on the Application
19 for Replacement Disability Parking Placard, or on the
20 application for license plates issued to veterans with
21 disabilities under Section 3-609 of this Code, that falsifies
22 the content of the application.

23 "Unlawfully altered disability license plate or parking
24 permit or device" means any disability license plate or
25 parking permit or device, or any license plate issued to a

1 veteran with a disability under Section 3-609 of this Code,
2 issued by the Secretary of State or an authorized unit of local
3 government that has been physically altered or changed in such
4 manner that false information appears on the license plate or
5 parking decal or device.

6 "Authorized holder" means an individual issued a
7 disability license plate under Section 3-616 of this Code or
8 an individual issued a parking decal or device under Section
9 11-1301.2 of this Code, or an individual issued a license
10 plate for veterans with disabilities under Section 3-609 of
11 this Code.

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

13 (1) to knowingly possess any fictitious or unlawfully
14 altered disability license plate or parking decal or
15 device;

16 (2) to knowingly issue or assist in the issuance of,
17 by the Secretary of State or unit of local government, any
18 fictitious disability license plate or parking decal or
19 device;

20 (3) to knowingly alter any disability license plate or
21 parking decal or device;

22 (4) to knowingly manufacture, possess, transfer, or
23 provide any documentation used in the application process
24 whether real or fictitious, for the purpose of obtaining a
25 fictitious disability license plate or parking decal or
26 device;

1 (5) to knowingly provide any false information to the
2 Secretary of State or a unit of local government in order
3 to obtain a disability license plate or parking decal or
4 device;

5 (6) to knowingly transfer a disability license plate
6 or parking decal or device for the purpose of exercising
7 the privileges granted to an authorized holder of a
8 disability license plate or parking decal or device under
9 this Code in the absence of the authorized holder; or

10 (7) who is a licensed medical professional, as
11 specified under Section 1-159.1 of this Code, ~~physician,~~
12 ~~physician assistant, or advanced practice registered nurse~~
13 to knowingly falsify a certification that a person is a
14 person with disabilities as defined by Section 1-159.1 of
15 this Code.

16 (c) Sentence.

17 (1) Any person convicted of a violation of paragraph
18 (1), (2), (3), (4), (5), or (7) of subsection (b) of this
19 Section shall be guilty of a Class A misdemeanor and fined
20 not less than \$1,000 for a first offense and shall be
21 guilty of a Class 4 felony and fined not less than \$2,000
22 for a second or subsequent offense. Any person convicted
23 of a violation of subdivision (b)(6) of this Section is
24 guilty of a Class A misdemeanor and shall be fined not less
25 than \$1,000 for a first offense and not less than \$2,000
26 for a second or subsequent offense. The circuit clerk

1 shall distribute one-half of any fine imposed on any
2 person who is found guilty of or pleads guilty to
3 violating this Section, including any person placed on
4 court supervision for violating this Section, to the law
5 enforcement agency that issued the citation or made the
6 arrest. If more than one law enforcement agency is
7 responsible for issuing the citation or making the arrest,
8 one-half of the fine imposed shall be shared equally.

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

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

25 (Source: P.A. 99-143, eff. 7-27-15; 100-513, eff. 1-1-18;
26 100-702, eff. 1-1-19.)".