

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 2-111, 3-616, 3-704, 3-808.1, 11-1301.3, 11-1301.5,  
6 11-1301.6, and 12-401 as follows:

7 (625 ILCS 5/2-111) (from Ch. 95 1/2, par. 2-111)

8 Sec. 2-111. Seizure or confiscation of documents and  
9 plates. (a) The Secretary of State is authorized to take  
10 possession of any certificate of title, registration card,  
11 permit, license, registration plate, plates, disability person  
12 ~~with disabilities~~ license plate or parking decal or device, or  
13 registration sticker issued by him upon expiration,  
14 revocation, cancellation or suspension thereof, or which is  
15 fictitious, or which has been unlawfully or erroneously issued.  
16 Police officers who have reasonable grounds to believe that any  
17 item or items listed in this section should be seized shall  
18 request the Secretary of State to take possession of such item  
19 or items.

20 (b) The Secretary of State is authorized to confiscate any  
21 suspected fraudulent, fictitious, or altered documents  
22 submitted by an applicant in support of an application for a  
23 driver's license or permit.

24 (Source: P.A. 93-895, eff. 1-1-05.)

25 (625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

26 Sec. 3-616. Disability ~~Person with disabilities~~ license  
27 plates.

28 (a) Upon receiving an application for a certificate of  
29 registration for a motor vehicle of the first division or for a  
30 motor vehicle of the second division weighing no more than  
31 8,000 pounds, accompanied with payment of the registration fees

1 required under this Code from a person with disabilities or a  
2 person who is deaf or hard of hearing, the Secretary of State,  
3 if so requested, shall issue to such person registration plates  
4 as provided for in Section 3-611, provided that the person with  
5 disabilities or person who is deaf or hard of hearing must not  
6 be disqualified from obtaining a driver's license under  
7 subsection 8 of Section 6-103 of this Code, and further  
8 provided that any person making such a request must submit a  
9 statement, certified by a licensed physician, by a physician  
10 assistant who has been delegated the authority to make this  
11 certification by his or her supervising physician, or by an  
12 advanced practice nurse who has a written collaborative  
13 agreement with a collaborating physician that authorizes the  
14 advanced practice nurse to make this certification, to the  
15 effect that such person is a person with disabilities as  
16 defined by Section 1-159.1 of this Code, or alternatively  
17 provide adequate documentation that such person has a Class 1A,  
18 Class 2A or Type Four disability under the provisions of  
19 Section 4A of the Illinois Identification Card Act. For  
20 purposes of this Section, an Illinois Disabled Person  
21 Identification Card issued pursuant to the Illinois  
22 Identification Card Act indicating that the person thereon  
23 named has a disability shall be adequate documentation of such  
24 a disability.

25 (b) The Secretary shall issue plates under this Section to  
26 a parent or legal guardian of a person with disabilities if the  
27 person with disabilities has a Class 1A or Class 2A disability  
28 as defined in Section 4A of the Illinois Identification Card  
29 Act or is a person with disabilities as defined by Section  
30 1-159.1 of this Code, and does not possess a vehicle registered  
31 in his or her name, provided that the person with disabilities  
32 relies frequently on the parent or legal guardian for  
33 transportation. Only one vehicle per family may be registered  
34 under this subsection, unless the applicant can justify in  
35 writing the need for one additional set of plates. Any person  
36 requesting special plates under this subsection shall submit

1 such documentation or such physician's, physician assistant's,  
2 or advanced practice nurse's statement as is required in  
3 subsection (a) and a statement describing the circumstances  
4 qualifying for issuance of special plates under this  
5 subsection.

6 (c) The Secretary may issue a ~~person with disabilities~~  
7 parking decal or device to a person with disabilities as  
8 defined by Section 1-159.1 without regard to qualification of  
9 such person with disabilities for a driver's license or  
10 registration of a vehicle by such person with disabilities or  
11 such person's immediate family, provided such person with  
12 disabilities making such a request has been issued a Disabled  
13 Person Identification Card indicating that the person named  
14 thereon has a Class 1A or Class 2A disability, or  
15 alternatively, submits a statement certified by a licensed  
16 physician, or by a physician assistant or an advanced practice  
17 nurse as provided in subsection (a), to the effect that such  
18 person is a person with disabilities as defined by Section  
19 1-159.1.

20 (d) The Secretary shall prescribe by rules and regulations  
21 procedures to certify or re-certify as necessary the  
22 eligibility of persons whose disabilities are other than  
23 permanent for special plates or ~~person with disabilities~~  
24 parking decals or devices issued under subsections (a), (b) and  
25 (c). Except as provided under subsection (f) of this Section,  
26 no such special plates, decals or devices shall be issued by  
27 the Secretary of State to or on behalf of any person with  
28 disabilities unless such person is certified as meeting the  
29 definition of a person with disabilities pursuant to Section  
30 1-159.1 or meeting the requirement of a Type Four disability as  
31 provided under Section 4A of the Illinois Identification Card  
32 Act for the period of time that the physician, or the physician  
33 assistant or advanced practice nurse as provided in subsection  
34 (a), determines the applicant will have the disability, but not  
35 to exceed 6 months from the date of certification or  
36 recertification.

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

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

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

31 (Source: P.A. 92-16, eff. 6-28-01; 92-411, eff. 1-1-02; 92-651,  
32 eff. 7-11-02; 93-182, eff. 7-11-03.)

33 (625 ILCS 5/3-704) (from Ch. 95 1/2, par. 3-704)

34 Sec. 3-704. Authority of Secretary of State to suspend or  
35 revoke a registration or certificate of title; authority to

1 suspend or revoke the registration of a vehicle.

2 (a) The Secretary of State may suspend or revoke the  
3 registration of a vehicle or a certificate of title,  
4 registration card, registration sticker, registration plate,  
5 disability ~~person with disabilities~~ parking decal or device, or  
6 any nonresident or other permit in any of the following events:

7 1. When the Secretary of State is satisfied that such  
8 registration or that such certificate, card, plate,  
9 registration sticker or permit was fraudulently or  
10 erroneously issued;

11 2. When a registered vehicle has been dismantled or  
12 wrecked or is not properly equipped;

13 3. When the Secretary of State determines that any  
14 required fees have not been paid to either the Secretary of  
15 State or the Illinois Commerce Commission and the same are  
16 not paid upon reasonable notice and demand;

17 4. When a registration card, registration plate,  
18 registration sticker or permit is knowingly displayed upon  
19 a vehicle other than the one for which issued;

20 5. When the Secretary of State determines that the  
21 owner has committed any offense under this Chapter  
22 involving the registration or the certificate, card,  
23 plate, registration sticker or permit to be suspended or  
24 revoked;

25 6. When the Secretary of State determines that a  
26 vehicle registered not-for-hire is used or operated  
27 for-hire unlawfully, or used or operated for purposes other  
28 than those authorized;

29 7. When the Secretary of State determines that an owner  
30 of a for-hire motor vehicle has failed to give proof of  
31 financial responsibility as required by this Act;

32 8. When the Secretary determines that the vehicle is  
33 not subject to or eligible for a registration;

34 9. When the Secretary determines that the owner of a  
35 vehicle registered under the mileage weight tax option  
36 fails to maintain the records specified by law, or fails to

1 file the reports required by law, or that such vehicle is  
2 not equipped with an operable and operating speedometer or  
3 odometer;

4 10. When the Secretary of State is so authorized under  
5 any other provision of law;

6 11. When the Secretary of State determines that the  
7 holder of a disability ~~person with disabilities~~ parking  
8 decal or device has committed any offense under Chapter 11  
9 of this Code involving the use of a disability ~~person with~~  
10 ~~disabilities~~ parking decal or device.

11 (b) The Secretary of State may suspend or revoke the  
12 registration of a vehicle as follows:

13 1. When the Secretary of State determines that the  
14 owner of a vehicle has not paid a civil penalty or a  
15 settlement agreement arising from the violation of rules  
16 adopted under the Illinois Motor Carrier Safety Law or the  
17 Illinois Hazardous Materials Transportation Act or that a  
18 vehicle, regardless of ownership, was the subject of  
19 violations of these rules that resulted in a civil penalty  
20 or settlement agreement which remains unpaid.

21 2. When the Secretary of State determines that a  
22 vehicle registered for a gross weight of more than 16,000  
23 pounds within an affected area is not in compliance with  
24 the provisions of Section 13-109.1 of the Illinois Vehicle  
25 Code.

26 (Source: P.A. 92-437, eff. 8-17-01.)

27 (625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

28 Sec. 3-808.1. (a) Permanent vehicle registration plates  
29 shall be issued, at no charge, to the following:

30 1. Vehicles, other than medical transport vehicles,  
31 owned and operated by the State of Illinois or by any State  
32 agency financed by funds appropriated by the General  
33 Assembly;

34 2. Special disability ~~person with disabilities~~ plates  
35 issued to vehicles owned and operated by the State of

1 Illinois or by any State agency financed by funds  
2 appropriated by the General Assembly.

3 (b) Permanent vehicle registration plates shall be issued,  
4 for a one time fee of \$8.00, to the following:

5 1. Vehicles, other than medical transport vehicles,  
6 operated by or for any county, township or municipal  
7 corporation;

8 2. Vehicles owned by counties, townships or municipal  
9 corporations for persons with disabilities.

10 3. Beginning with the 1991 registration year,  
11 county-owned vehicles operated by or for any county sheriff  
12 and designated deputy sheriffs. These registration plates  
13 shall contain the specific county code and unit number.

14 4. All-terrain vehicles owned by counties, townships,  
15 or municipal corporations and used for law enforcement  
16 purposes when the Manufacturer's Statement of Origin is  
17 accompanied with a letter from the original manufacturer or  
18 a manufacturer's franchised dealer stating that this  
19 all-terrain vehicle has been converted to a street worthy  
20 vehicle that meets the equipment requirements set forth in  
21 Chapter 12 of this Code.

22 5. Beginning with the 2001 registration year,  
23 municipally-owned vehicles operated by or for any police  
24 department. These registration plates shall contain the  
25 designation "municipal police" and shall be numbered and  
26 distributed as prescribed by the Secretary of State.

27 (Source: P.A. 90-324, eff. 8-1-97; 91-383, eff. 7-30-99.)

28 (625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)

29 Sec. 11-1301.3. Unauthorized use of parking places  
30 reserved for persons with disabilities.

31 (a) It shall be prohibited to park any motor vehicle which  
32 is not properly displaying registration plates or decals issued  
33 to a person with disabilities, as defined by Section 1-159.1,  
34 pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a  
35 disabled veteran pursuant to Section 3-609 of this Act, as

1 evidence that the vehicle is operated by or for a person with  
2 disabilities or disabled veteran, in any parking place,  
3 including any private or public offstreet parking facility,  
4 specifically reserved, by the posting of an official sign as  
5 designated under Section 11-301, for motor vehicles displaying  
6 such registration plates. It shall be prohibited to park any  
7 motor vehicle in a designated access aisle adjacent to any  
8 parking place specifically reserved for persons with  
9 disabilities, by the posting of an official sign as designated  
10 under Section 11-301, for motor vehicles displaying such  
11 registration plates. When using the parking privileges for  
12 persons with disabilities, the parking decal or device must be  
13 displayed properly in the vehicle where it is clearly visible  
14 to law enforcement personnel, either hanging from the rearview  
15 mirror or placed on the dashboard of the vehicle in clear view.  
16 ~~An individual with a vehicle properly displaying a person with~~  
17 ~~disabilities license plate or parking decal or device issued to~~  
18 ~~a disabled person under Sections 3-616, 11-1301.1, or 11-1301.2~~  
19 ~~is in violation of this Section if the person is not the~~  
20 ~~authorized holder of a person with disabilities license plate~~  
21 ~~or parking decal or device and is not transporting the~~  
22 ~~authorized holder of a person with disabilities license plate~~  
23 ~~or parking decal or device to or from the parking location and~~  
24 ~~the person uses the person with disabilities license plate or~~  
25 ~~parking decal or device to exercise any privileges granted~~  
26 ~~through the person with disabilities license plates or parking~~  
27 ~~decal or devices under this Code.~~ Any motor vehicle properly  
28 displaying a disability ~~person with disabilities~~ license plate  
29 or a ~~person with disabilities~~ parking decal or device  
30 containing the International symbol of access issued to persons  
31 with disabilities by any local authority, state, district,  
32 territory or foreign country shall be recognized by State and  
33 local authorities as a valid license plate or device and  
34 receive the same parking privileges as residents of this State.

35 (a-1) An individual with a vehicle displaying disability  
36 license plates or a parking decal or device issued to a



1 qualified person with a disability under Sections 3-616,  
2 11-1301.1, or 11-1301.2 or to a disabled veteran under Section  
3 3-609 is in violation of this Section if (i) the person using  
4 the disability license plate or parking decal or device is not  
5 the authorized holder of the disability license plate or  
6 parking decal or device or is not transporting the authorized  
7 holder of the disability license plate or parking decal or  
8 device to or from the parking location and (ii) the person uses  
9 the disability license plate or parking decal or device to  
10 exercise any privileges granted through the disability license  
11 plate or parking decals or devices under this Code.

12 (b) Any person or local authority owning or operating any  
13 public or private offstreet parking facility may, after  
14 notifying the police or sheriff's department, remove or cause  
15 to be removed to the nearest garage or other place of safety  
16 any vehicle parked within a stall or space reserved for use by  
17 a person with disabilities which does not display person with  
18 disabilities registration plates or a special decal or device  
19 as required under this Section.

20 (c) Any person found guilty of violating the provisions of  
21 subsection (a) ~~this Section~~ shall be fined \$250 ~~\$100~~ in  
22 addition to any costs or charges connected with the removal or  
23 storage of any motor vehicle authorized under this Section; but  
24 municipalities by ordinance may impose a fine up to \$350 ~~\$200~~  
25 and shall display signs indicating the fine imposed. If the  
26 amount of the fine is subsequently changed, the municipality  
27 shall change the sign to indicate the current amount of the  
28 fine. It shall not be a defense to a charge under this Section  
29 that either the sign posted pursuant to this Section or the  
30 intended accessible parking place does not comply with the  
31 technical requirements of Section 11-301, Department  
32 regulations, or local ordinance if a reasonable person would be  
33 made aware by the sign or notice on or near the parking place  
34 that the place is reserved for a person with disabilities.

35 (c-1) Any person found guilty of violating the provisions  
36 of subsection (a-1) shall be fined \$500 and may have his or her

1 driving privileges suspended or revoked by the Secretary of  
2 State for a period of time determined by the Secretary of  
3 State. The Secretary of State may also suspend or revoke the  
4 disability license plates or parking decal or device for a  
5 period of time determined by the Secretary of State. The  
6 circuit clerk shall distribute \$250 of the \$500 fine imposed on  
7 any person who is found guilty of or pleads guilty to violating  
8 this Section, including any person placed on court supervision  
9 for violating this Section, to the law enforcement agency that  
10 issued the citation or made the arrest. If more than one law  
11 enforcement agency is responsible for issuing the citation or  
12 making the arrest, the \$250 shall be shared equally.

13 (d) Local authorities shall impose fines as established in  
14 subsections ~~subsection~~ (c) and (c-1) for violations of this  
15 Section.

16 (e) As used in this Section, "authorized holder" means an  
17 individual issued a disability ~~person with disabilities~~  
18 license plate under Section 3-616 of this Code, ~~or~~ an  
19 individual issued a ~~person with disabilities~~ parking decal or  
20 device under Section 11-1301.2 of this Code, or an individual  
21 issued a disabled veteran's license plate under Section 3-609  
22 of this Code.

23 (Source: P.A. 91-427, eff. 8-6-99; 92-411, eff. 1-1-02; 92-637,  
24 eff. 1-1-03.)

25 (625 ILCS 5/11-1301.5)

26 Sec. 11-1301.5. Fictitious or unlawfully altered  
27 disability ~~person with disabilities~~ license plate or parking  
28 decal or device.

29 (a) As used in this Section:

30 "Fictitious disability ~~person with disabilities~~ license  
31 plate or parking decal or device" means any issued disability  
32 ~~person with disabilities~~ license plate or parking decal or  
33 device, or any license plate issued to a disabled veteran under  
34 Section 3-609 of this Code, that has been issued by the  
35 Secretary of State or an authorized unit of local government

1 that was issued based upon false information contained on the  
2 required application.

3 "False information" means any incorrect or inaccurate  
4 information concerning the name, date of birth, social security  
5 number, driver's license number, physician certification, or  
6 any other information required on the Persons with Disabilities  
7 Certification for Plate or Parking Placard, on the Application  
8 for Replacement Disability Parking Placard, or on the  
9 application for license plates issued to disabled veterans  
10 under Section 3-609 of this Code, a person with disabilities  
11 license plate or parking permit or device that falsifies the  
12 content of the application.

13 "Unlawfully altered disability person with disabilities  
14 license plate or parking permit or device" means any disability  
15 person with disabilities license plate or parking permit or  
16 device, or any license plate issued to a disabled veteran under  
17 Section 3-609 of this Code, issued by the Secretary of State or  
18 an authorized unit of local government that has been physically  
19 altered or changed in such manner that false information  
20 appears on the license plate or parking decal or device.

21 "Authorized holder" means an individual issued a  
22 disability person with disabilities license plate under  
23 Section 3-616 of this Code or an individual issued a ~~person~~  
24 ~~with disabilities~~ parking decal or device under Section  
25 11-1301.2 of this Code, or an individual issued a disabled  
26 veteran's license plate under Section 3-609 of this Code.

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

28 (1) to knowingly possess any fictitious or unlawfully  
29 altered disability person with disabilities license plate  
30 or parking decal or device;

31 (2) to knowingly issue or assist in the issuance of, by  
32 the Secretary of State or unit of local government, any  
33 fictitious disability person with disabilities license  
34 plate or parking decal or device;

35 (3) to knowingly alter any disability person with  
36 disabilities license plate or 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 ~~person with disabilities~~ license  
5 plate or parking decal or 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 ~~person with disabilities~~ license  
9 plate or parking decal or device; or

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

16 (c) Sentence.

17 (1) Any person convicted of a violation of paragraph  
18 (1), (2), (3), (4), or (5) of subsection (b) of this  
19 Section shall be guilty of a Class A misdemeanor and fined  
20 not less than \$500 for a first offense and shall be guilty  
21 of a Class 4 felony and fined not less than \$1,000 for a  
22 second or subsequent offense. Any person convicted of a  
23 violation of subdivision (b)(6) of this Section is guilty  
24 of a Class A misdemeanor and shall be fined not less than  
25 \$500 for a first offense and not less than \$1,000 for a  
26 second or subsequent offense. The circuit clerk shall  
27 distribute one-half of any fine imposed on any person who  
28 is found guilty of or pleads guilty to violating this  
29 Section, including any person placed on court supervision  
30 for violating this Section, to the law enforcement agency  
31 that issued the citation or made the arrest. If more than  
32 one law enforcement agency is responsible for issuing the  
33 citation or making the arrest, one-half of the fine imposed  
34 shall be shared equally.

35 (2) Any person who commits a violation of this Section  
36 may have his or her driving privileges suspended or revoked

1 by the Secretary of State for a period of time determined  
2 by the Secretary of State. The Secretary of State may  
3 suspend or revoke the parking decal or device or the  
4 disability license plate of any person who commits a  
5 violation of this Section.

6 (3) Any police officer may seize the parking decal or  
7 device from any person who commits a violation of this  
8 Section. Any police officer may seize the disability ~~person~~  
9 ~~with disabilities~~ license plate upon authorization from  
10 the Secretary of State. Any police officer may request that  
11 the Secretary of State revoke the parking decal or device  
12 or the disability ~~person with disabilities~~ license plate of  
13 any person who commits a violation of this Section.

14 (Source: P.A. 92-411, eff. 1-1-02.)

15 (625 ILCS 5/11-1301.6)

16 Sec. 11-1301.6. Fraudulent disability ~~person with~~  
17 ~~disabilities~~ license plate or parking decal or device.

18 (a) As used in this Section:

19 "Fraudulent disability ~~person with disabilities~~  
20 license plate or parking decal or device" means any  
21 disability ~~person with disabilities~~ license plate or  
22 parking decal or device that purports to be an official  
23 disability ~~person with disabilities~~ license plate or  
24 parking decal or device and that has not been issued by the  
25 Secretary of State or an authorized unit of local  
26 government.

27 "Disability ~~Person with disabilities~~ license plate or  
28 parking decal or device-making implement" means any  
29 implement specially designed or primarily used in the  
30 manufacture, assembly, or authentication of a disability  
31 ~~person with disabilities~~ license plate or parking decal or  
32 device, or a license plate issued to a disabled veteran  
33 under Section 3-609 of this Code, issued by the Secretary  
34 of State or a unit of local government.

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

1 (1) to knowingly possess any fraudulent disability  
2 ~~person with disabilities~~ license plate or parking decal;

3 (2) to knowingly possess without authority any  
4 disability ~~person with disabilities~~ license plate or  
5 parking decal or device-making implement;

6 (3) to knowingly duplicate, manufacture, sell, or  
7 transfer any fraudulent or stolen disability ~~person with~~  
8 ~~disabilities~~ license plate or parking decal or device;

9 (4) to knowingly assist in the duplication,  
10 manufacturing, selling, or transferring of any fraudulent,  
11 ~~or~~ stolen, or reported lost or damaged disability ~~person~~  
12 ~~with disabilities~~ license plate or parking decal or device;  
13 or

14 (5) to advertise or distribute a fraudulent disability  
15 ~~person with disabilities~~ license plate or parking decal or  
16 device.

17 (c) Sentence.

18 (1) Any person convicted of a violation of this Section  
19 shall be guilty of a Class A misdemeanor and fined not less  
20 than \$1,000 for a first offense and shall be guilty of a  
21 Class 4 felony and fined not less than \$2,000 for a second  
22 or subsequent offense. The circuit clerk shall distribute  
23 half of any fine imposed on any person who is found guilty  
24 of or pleads guilty to violating this Section, including  
25 any person placed on court supervision for violating this  
26 Section, to the law enforcement agency that issued the  
27 citation or made the arrest. If more than one law  
28 enforcement agency is responsible for issuing the citation  
29 or making the arrest, one-half of the fine imposed shall be  
30 shared equally.

31 (2) Any person who commits a violation of this Section  
32 may have his or her driving privileges suspended or revoked  
33 by the Secretary of State for a period of time determined  
34 by the Secretary of State.

35 (3) Any police officer may seize the parking decal or  
36 device from any person who commits a violation of this

1 Section. Any police officer may seize the disability person  
2 ~~with disabilities~~ license plate upon authorization from  
3 the Secretary of State. Any police officer may request that  
4 the Secretary of State revoke the parking decal or device  
5 or the disability person ~~with disabilities~~ license plate of  
6 any person who commits a violation of this Section.

7 (Source: P.A. 92-411, eff. 1-1-02.)

8 (625 ILCS 5/12-401) (from Ch. 95 1/2, par. 12-401)

9 Sec. 12-401. Restriction as to tire equipment. No metal  
10 tired vehicle, including tractors, motor vehicles of the second  
11 division, traction engines and other similar vehicles, shall be  
12 operated over any improved highway of this State, if such  
13 vehicle has on the periphery of any of the road wheels any  
14 block, stud, flange, cleat, ridge, lug or any projection of  
15 metal or wood which projects radially beyond the tread or  
16 traffic surface of the tire. This prohibition does not apply to  
17 pneumatic tires with metal studs used on vehicles operated by  
18 rural letter carriers who are employed or enjoy a contract with  
19 the United States Postal Service for the purpose of delivering  
20 mail if such vehicle is actually used for such purpose during  
21 operations between November 15 of any year and April 1 of the  
22 following year, or to motor vehicles displaying a disability  
23 ~~person with disabilities~~ or disabled veteran license plate  
24 whose owner resides in an unincorporated area located upon a  
25 county or township highway or road and possesses a valid  
26 driver's license and operates the vehicle with such tires only  
27 during the period heretofore described, or to tracked type  
28 motor vehicles when that part of the vehicle coming in contact  
29 with the road surface does not contain any projections of any  
30 kind likely to injure the surface of the road; however,  
31 tractors, traction engines, and similar vehicles may be  
32 operated which have upon their road wheels V-shaped, diagonal  
33 or other cleats arranged in such a manner as to be continuously  
34 in contact with the road surface, provided that the gross  
35 weight upon such wheels per inch of width of such cleats in

1 contact with the road surface, when measured in the direction  
2 of the axle of the vehicle, does not exceed 800 pounds.

3 All motor vehicles and all other vehicles in tow thereof,  
4 or thereunto attached, operating upon any roadway, shall have  
5 tires of rubber or some material of equal resiliency. Solid  
6 tires shall be considered defective and shall not be permitted  
7 to be used if the rubber or other material has been worn or  
8 otherwise reduced to a thickness of less than three-fourths of  
9 an undue vibration when the vehicle is in motion or to cause  
10 undue concentration of the wheel load on the surface of the  
11 road. The requirements of this Section do not apply to  
12 agricultural tractors or traction engines or to agricultural  
13 machinery, including wagons being used for agricultural  
14 purposes in tow thereof, or to road rollers or road building  
15 machinery operated at a speed not in excess of 10 miles per  
16 hour. All motor vehicles of the second division, operating upon  
17 any roadway shall have pneumatic tires, unless exempted herein.

18 Nothing in this Section shall be deemed to prohibit the use  
19 of tire chains of reasonable proportion upon any vehicle when  
20 required for safety because of snow, ice or other conditions  
21 tending to cause a vehicle to skid.

22 (Source: P.A. 88-685, eff. 1-24-95.)