



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB1377**

Introduced 2/9/2005, by Rep. Michael P. McAuliffe

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/11-301 from Ch. 95 1/2, par. 11-301  
625 ILCS 5/11-1301.10 new  
625 ILCS 5/11-1301.11 new

Amends the Illinois Vehicle Code. Provides for the issuance of an expectant mother parking device to a pregnant woman whose mobility has been limited by her condition, subject to administrative rules to be adopted by the Secretary of State. Provides that the provision does not require any parking lot to reserve any spaces for expectant mothers. Prohibits use of a space reserved for a person with an expectant mother parking device by a person not having the device. Establishes penalties for violation of the prohibition. Provides that the Department of Transportation's sign manual shall include the sign adopted by the Secretary of State to designate the reservation of parking facilities for an expectant mother.

LRB094 08362 DRH 38555 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT in relation to vehicles.

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 Section 11-301 and adding Sections 11-1301.10 and 11-1301.11 as  
6 follows:

7 (625 ILCS 5/11-301) (from Ch. 95 1/2, par. 11-301)

8 Sec. 11-301. Department to adopt sign manual.

9 (a) The Department shall adopt a State manual and  
10 specifications for a uniform system of traffic-control devices  
11 consistent with this Chapter for use upon highways within this  
12 State. Such manual shall include the adoption of the R 7-8 sign  
13 adopted by the United States Department of Transportation to  
14 designate the reservation of parking facilities for a person  
15 with disabilities and the sign adopted by the Secretary of  
16 State to designate the reservation of parking facilities for an  
17 expectant mother. Non-conforming signs in use prior to January  
18 1, 1985 shall not constitute a violation during their useful  
19 lives, which shall not be extended by other means than normal  
20 maintenance. The manual shall also specify insofar as  
21 practicable the minimum warrants justifying the use of the  
22 various traffic control devices. Such uniform system shall  
23 correlate with and, where not inconsistent with Illinois  
24 highway conditions, conform to the system set forth in the most  
25 recent edition of the national manual on Uniform Traffic  
26 Control Devices for Streets and Highways.

27 (b) Signs adopted by the Department to designate the  
28 reservation of parking facilities for a person with  
29 disabilities or an expectant mother shall also exhibit, in a  
30 manner determined by the Department, the words "\$100 Fine".

31 (c) If the amount of a fine is changed, the Department  
32 shall change the design of the signs to indicate the current

1 amount of the fine.

2 (Source: P.A. 88-685, eff. 1-24-95; 89-533, eff. 1-1-97.)

3 (625 ILCS 5/11-1301.10 new)

4 Sec. 11-1301.10. Special device for expectant mother  
5 parking.

6 (a) The Secretary of State shall provide for, by  
7 administrative rules, the design, size, color, and placement of  
8 an expectant mother motorist device and shall provide for, by  
9 administrative rules, the content and form of an application  
10 for an expectant mother motorist device, which must be used by  
11 local authorities in the issuance of the device to an expectant  
12 mother, provided that the device is valid for no more than 90  
13 days, subject to renewal for like periods based upon continued  
14 pregnancy, and further provided that the device clearly sets  
15 forth the date that the device expires. The application must  
16 include the requirement of an Illinois Identification Card  
17 number or a State of Illinois driver's license number. This  
18 device is the property of the expectant mother and may be used  
19 by her to designate and identify a vehicle not owned by her to  
20 designate when the vehicle is being used to transport the  
21 expectant mother. Expectant mother devices issued and  
22 displayed under this Section must be recognized and honored by  
23 all local authorities, regardless of which local authority  
24 issued the device.

25 The device may be issued only upon a showing by adequate  
26 documentation that the person for whose benefit the device is  
27 to be used is an expectant mother whose mobility has been  
28 limited by her condition.

29 (b) The local governing authorities are responsible for the  
30 provision of the device, its issuance, and its designated  
31 placement within the vehicle. The cost of the device is at the  
32 discretion of the local governing authority.

33 (c) The Secretary of State may issue an expectant mother  
34 parking device to an expectant mother whose mobility has been  
35 limited by her condition. Any expectant mother parking device

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

8 (d) Replacement devices may be issued for lost, stolen, or  
9 destroyed devices, upon application and payment of a \$10 fee.

10 (e) This Section does not require any parking lot to  
11 provide parking spaces reserved for expectant mothers.

12 (625 ILCS 5/11-1301.11 new)

13 Sec. 11-1301.11. Unauthorized use of parking places  
14 reserved for expectant mothers.

15 (a) A person may not park any motor vehicle not properly  
16 displaying an expectant mother parking device, in any parking  
17 place, including any private or public offstreet parking  
18 facility, specifically reserved, by the posting of an official  
19 sign as designated under Section 11-301, for motor vehicles  
20 displaying the parking device. When using the parking  
21 privileges for an expectant mother, the parking device must be  
22 displayed properly in the vehicle where it is clearly visible  
23 to law enforcement personnel, either hanging from the rearview  
24 mirror or placed on the dashboard of the vehicle in clear view.  
25 An individual with a vehicle properly displaying an expectant  
26 mother parking device issued to an expectant mother under  
27 Section 11-1301.10 is in violation of this Section if the  
28 person is not the authorized holder of an expectant mother  
29 parking device and is not transporting the authorized holder of  
30 an expectant mother parking device to or from the parking  
31 location and the person uses the expectant mother parking  
32 device to exercise any privileges granted through expectant  
33 mother parking devices under this Code. Any motor vehicle  
34 properly displaying an expectant mother parking device issued  
35 to expectant mothers by any local authority, state, district,

1 territory, or foreign country shall be recognized by State and  
2 local authorities as a device and receive the same parking  
3 privileges as residents of this State.

4 (b) Any person or local authority owning or operating any  
5 public or private offstreet parking facility may, after  
6 notifying the police or sheriff's department, remove or cause  
7 to be removed to the nearest garage or other place of safety  
8 any vehicle parked within a stall or space reserved for use by  
9 an expectant mother which does not display an expectant mother  
10 parking device as required under this Section.

11 (c) Any person found guilty of violating this Section shall  
12 be fined \$100 in addition to any costs or charges connected  
13 with the removal or storage of any motor vehicle authorized  
14 under this Section; but municipalities by ordinance may impose  
15 a fine up to \$200 and shall display signs indicating the fine  
16 imposed. If the amount of the fine is subsequently changed, the  
17 municipality shall change the sign to indicate the current  
18 amount of the fine. It shall not be a defense to a charge under  
19 this Section that the sign posted pursuant to this Section does  
20 not comply with the technical requirements of Section 11-301,  
21 Department regulations, or local ordinance if a reasonable  
22 person would be made aware by the sign or notice on or near the  
23 parking place that the place is reserved for an expectant  
24 mother.

25 (d) Local authorities shall impose fines as established in  
26 subsection (c) for violations of this Section.

27 (e) As used in this Section, "authorized holder" means an  
28 individual issued an expectant mother parking device under  
29 Section 11-1301.10 of this Code.