



Sen. Larry K. Bomke

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09400SB0099sam001

LRB094 06767 DRH 42171 a

1 AMENDMENT TO SENATE BILL 99

2 AMENDMENT NO. _____. Amend Senate Bill 99 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, sidewings or
12 side windows immediately adjacent to each side of the driver. A
13 nonreflective tinted film may be used along the uppermost
14 portion of the windshield if such material does not extend more
15 than 6 inches down from the top of the windshield. Nothing in
16 this Section shall create a cause of action on behalf of a
17 buyer against a dealer or manufacturer who sells a motor
18 vehicle with a window which is in violation of this Section.

19 (b) Nothing contained in this Section shall prohibit the
20 use of nonreflective, smoked or tinted glass, nonreflective
21 film, perforated window screen or other decorative window
22 application on windows to the rear of the driver's seat, except
23 that any motor vehicle with a window to the rear of the
24 driver's seat treated in this manner shall be equipped with a

1 side mirror on each side of the motor vehicle which are in
2 conformance with Section 12-502.

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

8 (d) Every motor vehicle, except motorcycles, shall be
9 equipped with a device, controlled by the driver, for cleaning
10 rain, snow, moisture or other obstructions from the windshield;
11 and no person shall drive a motor vehicle with snow, ice,
12 moisture or other material on any of the windows or mirrors,
13 which materially obstructs the driver's clear view of the
14 highway.

15 (e) No person shall drive a motor vehicle when the
16 windshield, side or rear windows are in such defective
17 condition or repair as to materially impair the driver's view
18 to the front, side or rear. A vehicle equipped with a side
19 mirror on each side of the vehicle which are in conformance
20 with Section 12-502 will be deemed to be in compliance in the
21 event the rear window of the vehicle is materially obscured.

22 (f) Paragraphs (a) and (b) of this Section shall not apply
23 to:

24 (1) motor vehicles manufactured prior to January 1,
25 1982; or

26 (2) to those motor vehicles properly registered in
27 another jurisdiction.

28 (g) Paragraph (a) of this Section shall not apply to any
29 motor vehicle with a window treatment, including but not
30 limited to a window application, reflective material,
31 nonreflective material, or tinted film, applied or affixed to
32 the motor vehicle for the purposes set forth in item (1) or (2)
33 before the effective date of this amendatory Act of 1997 and:

34 (1) that is owned and operated by a person afflicted

1 with or suffering from a medical illness, ailment, or
2 disease which would require that person to be shielded from
3 the direct rays of the sun; or

4 (2) that is used in transporting a person when the
5 person resides at the same address as the registered owner
6 of the vehicle and the person is afflicted with or
7 suffering from a medical illness, ailment or disease which
8 would require the person to be shielded from the direct
9 rays of the sun;

10 It must be certified by a physician licensed to
11 practice medicine in Illinois that such person owning and
12 operating or being transported in a motor vehicle is
13 afflicted with or suffers from such illness, ailment, or
14 disease and such certification must be carried in the motor
15 vehicle at all times. The certification shall be legible
16 and shall contain the date of issuance, the name, address
17 and signature of the attending physician, and the name,
18 address, and medical condition of the person requiring
19 exemption. The information on the certificate for a window
20 treatment applied or affixed before the effective date of
21 this amendatory Act of 1997 must remain current and shall
22 be renewed annually by the attending physician, but in no
23 event shall a certificate issued for purposes of this
24 subsection be valid on or after January 1, 2008. The person
25 shall also submit a copy of the certification to the
26 Secretary of State. The Secretary of State may forward
27 notice of certification to law enforcement agencies.

28 This subsection shall not be construed to authorize window
29 treatments applied or affixed on or after the effective date of
30 this amendatory Act of 1997.

31 The exemption provided by this subsection (g) shall not
32 apply to any motor vehicle on and after January 1, 2008.

33 (g-5) Paragraph (a) of this Section does not apply to any
34 motor vehicle with a window treatment, including but not

1 limited to a window application, reflective material,
2 nonreflective material, or tinted film, applied or affixed to a
3 motor vehicle that is:

4 (1) owned and operated by a person who is afflicted
5 with or suffers from lupus or albinism and must be shielded
6 from the direct rays of the sun; or

7 (2) used in transporting a person if the person resides
8 at the same address as the registered owner of the vehicle
9 and the person is afflicted with or suffers from lupus or
10 albinism and must be shielded from the direct rays of the
11 sun.

12 It must be certified by a physician licensed to practice
13 medicine in Illinois that the person who owns, operates, or is
14 transported in the motor vehicle is afflicted with or suffers
15 from lupus or albinism, and the certification must be carried
16 in the motor vehicle at all times. The certification must be
17 legible and must contain (i) the date of issuance, (ii) the
18 name, address, and signature of the attending physician, and
19 (iii) the name, address, and medical condition of the person
20 requiring exemption. The information on the certificate for a
21 window treatment must remain current and must be renewed
22 annually by the attending physician. The person must also
23 submit a copy of the certification to the Secretary of State.
24 The Secretary of State shall make a notation on the vehicle
25 registration file that is accessible to any law enforcement
26 agency through the Law Enforcement Agencies Data System
27 (LEADS).

28 (h) Paragraph (a) of this Section shall not apply to motor
29 vehicle stickers or other certificates issued by State or local
30 authorities which are required to be displayed upon motor
31 vehicle windows to evidence compliance with requirements
32 concerning motor vehicles.

33 (i) Those motor vehicles exempted under paragraph (f) (1) of
34 this Section shall not cause their windows to be treated as

1 described in paragraph (a) after January 1, 1993.

2 (j) A person found guilty of violating paragraphs (a), (b),
3 or (i) of this Section shall be guilty of a petty offense and
4 fined no less than \$50 nor more than \$500. A second or
5 subsequent violation of paragraphs (a), (b), or (i) of this
6 Section shall be treated as a Class C misdemeanor and the
7 violator fined no less than \$100 nor more than \$500. Any person
8 convicted under paragraphs (a), (b), or (i) of this Section
9 shall be ordered to alter any nonconforming windows into
10 compliance with this Section.

11 (Source: P.A. 90-389, eff. 1-1-98.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."