



Rep. Timothy L. Schmitz

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LRB095 06796 DRH 33513 a

1 AMENDMENT TO HOUSE BILL 3132

2 AMENDMENT NO. _____. Amend House Bill 3132 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-604, 3-609, 11-209, 11-1301.1, 11-1301.2,
6 11-1301.3, 11-1301.5, and 11-1301.6 and by adding Section
7 3-609.01 as follows:

8 (625 ILCS 5/3-604) (from Ch. 95 1/2, par. 3-604)

9 Sec. 3-604. Expiration of special plates. Every special
10 plate issued, except those issued for dealers, manufacturers
11 and transporters under Section 3-602 and persons with
12 disabilities under Sections 3-609, 3-609.01, or 3-616, or deaf
13 or hard of hearing under Section 3-616 of this Code, may be
14 issued for a 2 year period beginning January 1st of each
15 odd-numbered year and ending December 31st of the subsequent
16 even-numbered year. The special plates issued to a person with

1 disabilities or a person who is deaf or hard of hearing shall
2 expire according to the multi-year procedure as established by
3 Section 3-414 of this Code.

4 Special plates issued to members of the General Assembly
5 under Section 3-606 shall expire at midnight on the 31st day of
6 January in odd-numbered years.

7 (Source: P.A. 88-685, eff. 1-24-95; 89-245, eff. 1-1-96.)

8 (625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

9 Sec. 3-609. Disabled Veterans' Plates. Any disabled
10 veteran whose degree of disability has been declared to be 100%
11 by the United States Department of Veterans Affairs and who has
12 been or declared eligible for funds for the purchase of a motor
13 vehicle of the first division or for a motor vehicle of the
14 second division weighing not more than 8,000 pounds by the
15 United States Federal Government because of his disability, may
16 make application for the registration of one such vehicle, to
17 the Secretary of State without the payment of any registration
18 fee. Registration shall be for a multi-year period effective in
19 1980 and may be issued staggered registration.

20 Any disabled veteran of World War I, of World War II, of
21 the National Emergency between June 25, 1950 and January 31,
22 1955 or of the period beginning February 1, 1955 and ending on
23 the day before the first day thereafter in which individuals
24 (other than individuals liable for induction by reason of prior
25 deferment) are no longer liable for induction for training and

1 service into the armed forces under the Military Selective
2 Service Act of 1967, or of any armed conflict involving the
3 armed forces of the United States, who has a service-connected
4 disability of such a nature that it would, if it had been
5 incurred in World War II, have entitled him to be awarded an
6 automobile by the United States Federal Government, or who is
7 receiving compensation from the Veterans Administration for
8 total service-connected disability, may make application to
9 the Secretary of State for the registration of one motor
10 vehicle of the first division without accompanying such
11 application with the payment of any fee.

12 Renewal of such registration must be accompanied with
13 documentation for eligibility of registration without fee
14 unless the applicant has a permanent qualifying disability, and
15 such registration plates may not be issued to any person not
16 eligible therefor.

17 The Illinois Veterans Commission may assist in providing
18 the documentation of disability.

19 (Source: P.A. 86-444; 87-895.)

20 (625 ILCS 5/3-609.01 new)

21 Sec. 3-609.01. Handicapped Veterans' plates.

22 (a) Any disabled veteran whose degree of disability has
23 been declared to be less than 100% by the United States
24 Department of Veterans Affairs and who has been or declared
25 eligible for funds for the purchase of a motor vehicle of the

1 first division or for a motor vehicle of the second division
2 weighing not more than 8,000 pounds by the United States
3 Federal Government because of his or her disability, may make
4 application for the registration of one of those vehicles, to
5 the Secretary of State without the payment of any registration
6 fee. Registration shall be for a multi-year period and may be
7 issued staggered registration.

8 (b) Any disabled veteran of World War I, of World War II,
9 of the National Emergency between June 25, 1950 and January 31,
10 1955 or of the period beginning February 1, 1955 and ending on
11 the day before the first day thereafter in which individuals
12 (other than individuals liable for induction by reason of prior
13 deferment) are no longer liable for induction for training and
14 service into the armed forces under the Military Selective
15 Service Act of 1967, or of any armed conflict involving the
16 armed forces of the United States, who has a service-connected
17 disability of such a nature that it would, if it had been
18 incurred in World War II, have entitled him to be awarded an
19 automobile by the United States Federal Government, or who is
20 receiving compensation from the Veterans Administration for
21 total service-connected disability, may make application to
22 the Secretary of State for the registration of one motor
23 vehicle of the first division without accompanying his or her
24 application with the payment of any fee.

25 (c) Renewal of this registration must be accompanied with
26 documentation for eligibility of registration without fee

1 unless the applicant has a permanent qualifying disability, and
2 these registration plates may not be issued to any person not
3 eligible to receive them.

4 (d) The Illinois Veterans Commission may assist in
5 providing the documentation of disability.

6 (625 ILCS 5/11-209) (from Ch. 95 1/2, par. 11-209)

7 Sec. 11-209. Powers of municipalities and counties -
8 Contract with school boards, hospitals, churches, condominium
9 complex unit owners' associations, and commercial and
10 industrial facility, shopping center, and apartment complex
11 owners for regulation of traffic.

12 (a) The corporate authorities of any municipality or the
13 county board of any county, and a school board, hospital,
14 church, condominium complex unit owners' association, or owner
15 of any commercial and industrial facility, shopping center, or
16 apartment complex which controls a parking area located within
17 the limits of the municipality, or outside the limits of the
18 municipality and within the boundaries of the county, may, by
19 contract, empower the municipality or county to regulate the
20 parking of automobiles and the traffic at such parking area.
21 Such contract shall empower the municipality or county to
22 accomplish all or any part of the following:

23 1. The erection of stop signs, flashing signals, person
24 with disabilities parking area signs or yield signs at
25 specified locations in a parking area and the adoption of

1 appropriate regulations thereto pertaining, or the
2 designation of any intersection in the parking area as a
3 stop intersection or as a yield intersection and the
4 ordering of like signs or signals at one or more entrances
5 to such intersection, subject to the provisions of this
6 Chapter.

7 2. The prohibition or regulation of the turning of
8 vehicles or specified types of vehicles at intersections or
9 other designated locations in the parking area.

10 3. The regulation of a crossing of any roadway in the
11 parking area by pedestrians.

12 4. The designation of any separate roadway in the
13 parking area for one-way traffic.

14 5. The establishment and regulation of loading zones.

15 6. The prohibition, regulation, restriction or
16 limitation of the stopping, standing or parking of vehicles
17 in specified areas of the parking area.

18 7. The designation of safety zones in the parking area
19 and fire lanes.

20 8. Providing for the removal and storage of vehicles
21 parked or abandoned in the parking area during snowstorms,
22 floods, fires, or other public emergencies, or found
23 unattended in the parking area, (a) where they constitute
24 an obstruction to traffic, or (b) where stopping, standing
25 or parking is prohibited, and for the payment of reasonable
26 charges for such removal and storage by the owner or

1 operator of any such vehicle.

2 9. Providing that the cost of planning, installation,
3 maintenance and enforcement of parking and traffic
4 regulations pursuant to any contract entered into under the
5 authority of this paragraph (a) of this Section be borne by
6 the municipality or county, or by the school board,
7 hospital, church, property owner, apartment complex owner,
8 or condominium complex unit owners' association, or that a
9 percentage of the cost be shared by the parties to the
10 contract.

11 10. Causing the installation of parking meters on the
12 parking area and establishing whether the expense of
13 installing said parking meters and maintenance thereof
14 shall be that of the municipality or county, or that of the
15 school board, hospital, church, condominium complex unit
16 owners' association, shopping center or apartment complex
17 owner. All moneys obtained from such parking meters as may
18 be installed on any parking area shall belong to the
19 municipality or county.

20 11. Causing the installation of parking signs in
21 accordance with Section 11-301 in areas of the parking lots
22 covered by this Section and where desired by the person
23 contracting with the appropriate authority listed in
24 paragraph (a) of this Section, indicating that such parking
25 spaces are reserved for persons with disabilities.

26 12. Contracting for such additional reasonable rules

1 and regulations with respect to traffic and parking in a
2 parking area as local conditions may require for the safety
3 and convenience of the public or of the users of the
4 parking area.

5 (b) No contract entered into pursuant to this Section shall
6 exceed a period of 20 years. No lessee of a shopping center or
7 apartment complex shall enter into such a contract for a longer
8 period of time than the length of his lease.

9 (c) Any contract entered into pursuant to this Section
10 shall be recorded in the office of the recorder in the county
11 in which the parking area is located, and no regulation made
12 pursuant to the contract shall be effective or enforceable
13 until 3 days after the contract is so recorded.

14 (d) At such time as parking and traffic regulations have
15 been established at any parking area pursuant to the contract
16 as provided for in this Section, then it shall be a petty
17 offense for any person to do any act forbidden or to fail to
18 perform any act required by such parking or traffic regulation.
19 If the violation is the parking in a parking space reserved for
20 persons with disabilities under paragraph (11) of this Section,
21 by a person without special registration plates issued to a
22 person with disabilities, as defined by Section 1-159.1,
23 pursuant to Section 3-616 of this Code, or to a disabled
24 veteran pursuant to Section 3-609 or 3-609.01 of this Code, the
25 local police of the contracting corporate municipal
26 authorities shall issue a parking ticket to such parking

1 violator and issue a fine in accordance with Section 11-1301.3.

2 (e) The term "shopping center", as used in this Section,
3 means premises having one or more stores or business
4 establishments in connection with which there is provided on
5 privately-owned property near or contiguous thereto an area, or
6 areas, of land used by the public as the means of access to and
7 egress from the stores and business establishments on such
8 premises and for the parking of motor vehicles of customers and
9 patrons of such stores and business establishments on such
10 premises.

11 (f) The term "parking area", as used in this Section, means
12 an area, or areas, of land near or contiguous to a school,
13 church, or hospital building, shopping center, apartment
14 complex, or condominium complex, but not the public highways or
15 alleys, and used by the public as the means of access to and
16 egress from such buildings and the stores and business
17 establishments at a shopping center and for the parking of
18 motor vehicles.

19 (g) The terms "owner", "property owner", "shopping center
20 owner", and "apartment complex owner", as used in this Section,
21 mean the actual legal owner of the shopping center parking area
22 or apartment complex, the trust officer of a banking
23 institution having the right to manage and control such
24 property, or a person having the legal right, through lease or
25 otherwise, to manage or control the property.

26 (g-5) The term "condominium complex unit owners'

1 association", as used in this Section, means a "unit owners'
2 association" as defined in Section 2 of the Condominium
3 Property Act.

4 (h) The term "fire lane", as used in this Section, means
5 travel lanes for the fire fighting equipment upon which there
6 shall be no standing or parking of any motor vehicle at any
7 time so that fire fighting equipment can move freely thereon.

8 (i) The term "apartment complex", as used in this Section,
9 means premises having one or more apartments in connection with
10 which there is provided on privately-owned property near or
11 contiguous thereto an area, or areas, of land used by occupants
12 of such apartments or their guests as a means of access to and
13 egress from such apartments or for the parking of motor
14 vehicles of such occupants or their guests.

15 (j) The term "condominium complex", as used in this
16 Section, means the units, common elements, and limited common
17 elements that are located on the parcels, as those terms are
18 defined in Section 2 of the Condominium Property Act.

19 (k) The term "commercial and industrial facility", as used
20 in this Section, means a premises containing one or more
21 commercial and industrial facility establishments in
22 connection with which there is provided on privately-owned
23 property near or contiguous to the premises an area or areas of
24 land used by the public as the means of access to and egress
25 from the commercial and industrial facility establishment on
26 the premises and for the parking of motor vehicles of

1 customers, patrons, and employees of the commercial and
2 industrial facility establishment on the premises.

3 (1) The provisions of this Section shall not be deemed to
4 prevent local authorities from enforcing, on private property,
5 local ordinances imposing fines, in accordance with Section
6 11-1301.3, as penalties for use of any parking place reserved
7 for persons with disabilities, as defined by Section 1-159.1,
8 or disabled veterans by any person using a motor vehicle not
9 bearing registration plates specified in Section 11-1301.1 or a
10 special decal or device as defined in Section 11-1301.2 as
11 evidence that the vehicle is operated by or for a person with
12 disabilities or disabled veteran.

13 This amendatory Act of 1972 is not a prohibition upon the
14 contractual and associational powers granted by Article VII,
15 Section 10 of the Illinois Constitution.

16 (Source: P.A. 89-551, eff. 1-1-97; 90-106, eff. 1-1-98; 90-145,
17 eff. 1-1-98; 90-481, eff. 8-17-97; 90-655, eff. 7-30-98.)

18 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

19 Sec. 11-1301.1. Persons with disabilities - Parking
20 privileges - Exemptions. A motor vehicle bearing registration
21 plates issued to a person with disabilities, as defined by
22 Section 1-159.1, pursuant to Section 3-616 or to a disabled
23 veteran pursuant to Section 3-609 or 3-609.01 or a special
24 decal or device issued pursuant to Section 3-616 or pursuant to
25 Section 11-1301.2 of this Code or a motor vehicle registered in

1 another jurisdiction, state, district, territory or foreign
2 country upon which is displayed a registration plate, special
3 decal or device issued by the other jurisdiction designating
4 the vehicle is operated by or for a person with disabilities
5 shall be exempt from the payment of parking meter fees and
6 exempt from any statute or ordinance imposing time limitations
7 on parking, except limitations of one-half hour or less, on any
8 street or highway zone, or any parking lot or parking place
9 which are owned, leased or owned and leased by a municipality
10 or a municipal parking utility; and shall be recognized by
11 state and local authorities as a valid license plate or parking
12 device and shall receive the same parking privileges as
13 residents of this State; but, such vehicle shall be subject to
14 the laws which prohibit parking in "no stopping" and "no
15 standing" zones in front of or near fire hydrants, driveways,
16 public building entrances and exits, bus stops and loading
17 areas, and is prohibited from parking where the motor vehicle
18 constitutes a traffic hazard, whereby such motor vehicle shall
19 be moved at the instruction and request of a law enforcement
20 officer to a location designated by the officer. Any motor
21 vehicle bearing registration plates or a special decal or
22 device specified in this Section or in Section 3-616 of this
23 Code or such parking device as specifically authorized in
24 Section 11-1301.2 as evidence that the vehicle is operated by
25 or for a person with disabilities or disabled veteran may park,
26 in addition to any other lawful place, in any parking place

1 specifically reserved for such vehicles by the posting of an
2 official sign as provided under Section 11-301. Parking
3 privileges granted by this Section are strictly limited to the
4 person to whom the special registration plates, special decal
5 or device were issued and to qualified operators acting under
6 his express direction while the person with disabilities is
7 present. A person to whom privileges were granted shall, at the
8 request of a police officer or any other person invested by law
9 with authority to direct, control, or regulate traffic, present
10 an identification card with a picture as verification that the
11 person is the person to whom the special registration plates,
12 special decal or device was issued.

13 Such parking privileges granted by this Section are also
14 extended to motor vehicles of not-for-profit organizations
15 used for the transportation of persons with disabilities when
16 such motor vehicles display the decal or device issued pursuant
17 to Section 11-1301.2 of this Code.

18 No person shall use any area for the parking of any motor
19 vehicle pursuant to Section 11-1303 of this Code or where an
20 official sign controlling such area expressly prohibits
21 parking at any time or during certain hours.

22 (Source: P.A. 90-106, eff. 1-1-98.)

23 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

24 Sec. 11-1301.2. Special decals for a person with
25 disabilities parking.

1 (a) The Secretary of State shall provide for, by
2 administrative rules, the design, size, color, and placement of
3 a person with disabilities motorist decal or device and shall
4 provide for, by administrative rules, the content and form of
5 an application for a person with disabilities motorist decal or
6 device, which shall be used by local authorities in the
7 issuance thereof to a person with temporary disabilities,
8 provided that the decal or device is valid for no more than 90
9 days, subject to renewal for like periods based upon continued
10 disability, and further provided that the decal or device
11 clearly sets forth the date that the decal or device expires.
12 The application shall include the requirement of an Illinois
13 Identification Card number or a State of Illinois driver's
14 license number. This decal or device shall be the property of
15 such person with disabilities and may be used by that person to
16 designate and identify a vehicle not owned or displaying a
17 registration plate as provided in Sections 3-609, 3-609.01, and
18 3-616 of this Act to designate when the vehicle is being used
19 to transport said person or persons with disabilities, and thus
20 is entitled to enjoy all the privileges that would be afforded
21 a person with disabilities licensed vehicle. Person with
22 disabilities decals or devices issued and displayed pursuant to
23 this Section shall be recognized and honored by all local
24 authorities regardless of which local authority issued such
25 decal or device.

26 The decal or device shall be issued only upon a showing by

1 adequate documentation that the person for whose benefit the
2 decal or device is to be used has a temporary disability as
3 defined in Section 1-159.1 of this Code.

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

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

21 (d) Replacement decals or devices may be issued for lost,
22 stolen, or destroyed decals upon application and payment of a
23 \$10 fee. The replacement fee may be waived for individuals that
24 have claimed and received a grant under the Senior Citizens and
25 Disabled Persons Property Tax Relief and Pharmaceutical
26 Assistance Act.

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

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

3 Sec. 11-1301.3. Unauthorized use of parking places
4 reserved for persons with disabilities.

5 (a) It shall be prohibited to park any motor vehicle which
6 is not properly displaying registration plates or decals issued
7 to a person with disabilities, as defined by Section 1-159.1,
8 pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a
9 disabled veteran pursuant to Section 3-609 or 3-609.01 of this
10 Act, as evidence that the vehicle is operated by or for a
11 person with disabilities or disabled veteran, in any parking
12 place, including any private or public offstreet parking
13 facility, specifically reserved, by the posting of an official
14 sign as designated under Section 11-301, for motor vehicles
15 displaying such registration plates. It shall be prohibited to
16 park any motor vehicle in a designated access aisle adjacent to
17 any parking place specifically reserved for persons with
18 disabilities, by the posting of an official sign as designated
19 under Section 11-301, for motor vehicles displaying such
20 registration plates. When using the parking privileges for
21 persons with disabilities, the parking decal or 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 Any motor vehicle properly displaying a disability license

1 plate or a parking decal or device containing the International
2 symbol of access issued to persons with disabilities by any
3 local authority, state, district, territory or foreign country
4 shall be recognized by State and local authorities as a valid
5 license plate or device and receive the same parking privileges
6 as residents of this State.

7 (a-1) An individual with a vehicle displaying disability
8 license plates or a parking decal or device issued to a
9 qualified person with a disability under Sections 3-616,
10 11-1301.1, or 11-1301.2 or to a disabled veteran under Section
11 3-609 or 3-609.01 is in violation of this Section if (i) the
12 person using the disability license plate or parking decal or
13 device is not the authorized holder of the disability license
14 plate or parking decal or device or is not transporting the
15 authorized holder of the disability license plate or parking
16 decal or device to or from the parking location and (ii) the
17 person uses the disability license plate or parking decal or
18 device to exercise any privileges granted through the
19 disability license plate or parking decals or devices under
20 this Code.

21 (b) Any person or local authority owning or operating any
22 public or private offstreet parking facility may, after
23 notifying the police or sheriff's department, remove or cause
24 to be removed to the nearest garage or other place of safety
25 any vehicle parked within a stall or space reserved for use by
26 a person with disabilities which does not display person with

1 disabilities registration plates or a special decal or device
2 as required under this Section.

3 (c) Any person found guilty of violating the provisions of
4 subsection (a) shall be fined \$250 in addition to any costs or
5 charges connected with the removal or storage of any motor
6 vehicle authorized under this Section; but municipalities by
7 ordinance may impose a fine up to \$350 and shall display signs
8 indicating the fine imposed. If the amount of the fine is
9 subsequently changed, the municipality shall change the sign to
10 indicate the current amount of the fine. It shall not be a
11 defense to a charge under this Section that either the sign
12 posted pursuant to this Section or the intended accessible
13 parking place does not comply with the technical requirements
14 of Section 11-301, Department regulations, or local ordinance
15 if a reasonable person would be made aware by the sign or
16 notice on or near the parking place that the place is reserved
17 for a person with disabilities.

18 (c-1) Any person found guilty of violating the provisions
19 of subsection (a-1) shall be fined \$500. The circuit clerk
20 shall distribute \$250 of the \$500 fine imposed on any person
21 who is found guilty of or pleads guilty to violating this
22 Section, including any person placed on court supervision for
23 violating this Section, to the law enforcement agency that
24 issued the citation or made the arrest. If more than one law
25 enforcement agency is responsible for issuing the citation or
26 making the arrest, the \$250 shall be shared equally.

1 (d) Local authorities shall impose fines as established in
2 subsections (c) and (c-1) for violations of this Section.

3 (e) As used in this Section, "authorized holder" means an
4 individual issued a disability license plate under Section
5 3-616 of this Code, an individual issued a parking decal or
6 device under Section 11-1301.2 of this Code, or an individual
7 issued a disabled veteran's license plate under Section 3-609
8 or 3-609.01 of this Code.

9 (f) Any person who commits a violation of subsection (a-1)
10 may have his or her driving privileges suspended or revoked by
11 the Secretary of State for a period of time determined by the
12 Secretary of State. The Secretary of State may also suspend or
13 revoke the disability license plates or parking decal or device
14 for a period of time determined by the Secretary of State.

15 (Source: P.A. 94-619, eff. 1-1-06; 94-930, eff. 6-26-06.)

16 (625 ILCS 5/11-1301.5)

17 Sec. 11-1301.5. Fictitious or unlawfully altered
18 disability license plate or parking decal or device.

19 (a) As used in this Section:

20 "Fictitious disability license plate or parking decal or
21 device" means any issued disability license plate or parking
22 decal or device, or any license plate issued to a disabled
23 veteran under Section 3-609 or 3-609.01 of this Code, that has
24 been issued by the Secretary of State or an authorized unit of
25 local government that was issued based upon false information

1 contained on the required application.

2 "False information" means any incorrect or inaccurate
3 information concerning the name, date of birth, social security
4 number, driver's license number, physician certification, or
5 any other information required on the Persons with Disabilities
6 Certification for Plate or Parking Placard, on the Application
7 for Replacement Disability Parking Placard, or on the
8 application for license plates issued to disabled veterans
9 under Section 3-609 or 3-609.01 of this Code, that falsifies
10 the content of the application.

11 "Unlawfully altered disability license plate or parking
12 permit or device" means any disability license plate or parking
13 permit or device, or any license plate issued to a disabled
14 veteran under Section 3-609 or 3-609.01 of this Code, issued by
15 the Secretary of State or an authorized unit of local
16 government that has been physically altered or changed in such
17 manner that false information appears on the license plate or
18 parking decal or device.

19 "Authorized holder" means an individual issued a
20 disability license plate under Section 3-616 of this Code or an
21 individual issued a parking decal or device under Section
22 11-1301.2 of this Code, or an individual issued a disabled
23 veteran's license plate under Section 3-609 or 3-609.01 of this
24 Code.

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

26 (1) to knowingly possess any fictitious or unlawfully

1 altered disability license plate or parking decal or
2 device;

3 (2) to knowingly issue or assist in the issuance of, by
4 the Secretary of State or unit of local government, any
5 fictitious disability license plate or parking decal or
6 device;

7 (3) to knowingly alter any disability license plate or
8 parking decal or device;

9 (4) to knowingly manufacture, possess, transfer, or
10 provide any documentation used in the application process
11 whether real or fictitious, for the purpose of obtaining a
12 fictitious disability license plate or parking decal or
13 device;

14 (5) to knowingly provide any false information to the
15 Secretary of State or a unit of local government in order
16 to obtain a disability license plate or parking decal or
17 device; or

18 (6) to knowingly transfer a disability license plate or
19 parking decal or device for the purpose of exercising the
20 privileges granted to an authorized holder of a disability
21 license plate or parking decal or device under this Code in
22 the absence of the authorized holder.

23 (c) Sentence.

24 (1) Any person convicted of a violation of paragraph
25 (1), (2), (3), (4), or (5) of subsection (b) of this
26 Section shall be guilty of a Class A misdemeanor and fined

1 not less than \$500 for a first offense and shall be guilty
2 of a Class 4 felony and fined not less than \$1,000 for a
3 second or subsequent offense. Any person convicted of a
4 violation of subdivision (b)(6) of this Section is guilty
5 of a Class A misdemeanor and shall be fined not less than
6 \$500 for a first offense and not less than \$1,000 for a
7 second or subsequent offense. The circuit clerk shall
8 distribute one-half of any fine imposed on any person who
9 is found guilty of or pleads guilty to violating this
10 Section, including any person placed on court supervision
11 for violating this Section, to the law enforcement agency
12 that issued the citation or made the arrest. If more than
13 one law enforcement agency is responsible for issuing the
14 citation or making the arrest, one-half of the fine imposed
15 shall be shared equally.

16 (2) Any person who commits a violation of this Section
17 may have his or her driving privileges suspended or revoked
18 by the Secretary of State for a period of time determined
19 by the Secretary of State. The Secretary of State may
20 suspend or revoke the parking decal or device or the
21 disability license plate of any person who commits a
22 violation of this Section.

23 (3) Any police officer may seize the parking decal or
24 device from any person who commits a violation of this
25 Section. Any police officer may seize the disability
26 license plate upon authorization from the Secretary of

1 State. Any police officer may request that the Secretary of
2 State revoke the parking decal or device or the disability
3 license plate of any person who commits a violation of this
4 Section.

5 (Source: P.A. 94-619, eff. 1-1-06.)

6 (625 ILCS 5/11-1301.6)

7 Sec. 11-1301.6. Fraudulent disability license plate or
8 parking decal or device.

9 (a) As used in this Section:

10 "Fraudulent disability license plate or parking decal
11 or device" means any disability license plate or parking
12 decal or device that purports to be an official disability
13 license plate or parking decal or device and that has not
14 been issued by the Secretary of State or an authorized unit
15 of local government.

16 "Disability license plate or parking decal or
17 device-making implement" means any implement specially
18 designed or primarily used in the manufacture, assembly, or
19 authentication of a disability license plate or parking
20 decal or device, or a license plate issued to a disabled
21 veteran under Section 3-609 or 3-609.01 of this Code,
22 issued by the Secretary of State or a unit of local
23 government.

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

25 (1) to knowingly possess any fraudulent disability

1 license plate or parking decal;

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

5 (3) to knowingly duplicate, manufacture, sell, or
6 transfer any fraudulent or stolen disability license plate
7 or parking decal or device;

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

12 (5) to advertise or distribute a fraudulent disability
13 license plate or parking decal or device.

14 (c) Sentence.

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

1 shared equally.

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

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
9 license plate upon authorization from the Secretary of
10 State. Any police officer may request that the Secretary of
11 State revoke the parking decal or device or the disability
12 license plate of any person who commits a violation of this
13 Section.

14 (Source: P.A. 94-619, eff. 1-1-06.)

15 Section 10. The Motor Fuel Sales Act is amended by changing
16 Section 2 as follows:

17 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

18 Sec. 2. Any attendant on duty at a service station
19 described in Section 1 shall, upon request, dispense motor fuel
20 for the driver of a car which is parked at a self-service
21 island and displays: (a) registration plates issued to a
22 physically disabled person pursuant to Section 3-616 of the
23 Illinois Vehicle Code; or (b) registration plates issued to a
24 disabled veteran pursuant to Section 3-609 or 3-609.01 of such

1 Code; or (c) a special decal or device issued pursuant to
2 Section 11-1301.2 of such Code; and shall only charge such
3 driver prices as offered to the general public for motor fuel
4 dispensed at the self-service island. However, such attendant
5 shall not be required to perform other services which are
6 offered at the full-service island.
7 (Source: P.A. 84-877.)".