

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 3-604, 3-609, 11-209, 11-1301.1, 11-1301.2,  
6 11-1301.3, 11-1301.5, and 11-1301.6 as follows:

7 (625 ILCS 5/3-604) (from Ch. 95 1/2, par. 3-604)

8 Sec. 3-604. Expiration of special plates. Every special  
9 plate issued, except those issued for dealers, manufacturers  
10 and transporters under Section 3-602 and persons with  
11 disabilities under Section ~~Sections~~ 3-609, ~~3-609.01~~, or 3-616,  
12 or deaf or hard of hearing under Section 3-616 of this Code,  
13 may be issued for a 2 year period beginning January 1st of each  
14 odd-numbered year and ending December 31st of the subsequent  
15 even-numbered year. The special plates issued to a person with  
16 disabilities or a person who is deaf or hard of hearing shall  
17 expire according to the multi-year procedure as established by  
18 Section 3-414 of this Code.

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

22 (Source: P.A. 95-167, eff. 1-1-08.)

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

2 Sec. 3-609. Disabled Veterans' Plates. Any ~~disabled~~  
3 veteran may make application for the registration of one whose  
4 ~~degree of disability has been declared to be 100% by the United~~  
5 ~~States Department of Veterans Affairs and who has been or~~  
6 ~~declared eligible for funds for the purchase of a motor vehicle~~  
7 of the first division or one ~~for a~~ motor vehicle of the second  
8 division weighing not more than 8,000 pounds ~~by the United~~  
9 ~~States Federal Government because of his disability, may make~~  
10 ~~application for the registration of one such vehicle,~~ to the  
11 Secretary of State without the payment of any registration fee  
12 if (i) the veteran holds proof of a service-connected  
13 disability from the United States Department of Veterans  
14 Affairs and (ii) a licensed physician, physician assistant, or  
15 advanced practice nurse has certified in accordance with  
16 Section 3-616 that because of the service-connected disability  
17 the veteran qualifies for issuance of registration plates or  
18 decals to a person with disabilities. The Secretary may, in his  
19 or her discretion, allow the plates to be issued as vanity or  
20 personalized plates in accordance with Section 3-405.1 of this  
21 Code. Registration shall be for a multi-year period ~~effective~~  
22 ~~in 1980~~ and may be issued staggered registration.

23 ~~Any disabled veteran of World War I, of World War II, of~~  
24 ~~the National Emergency between June 25, 1950 and January 31,~~  
25 ~~1955 or of the period beginning February 1, 1955 and ending on~~  
26 ~~the day before the first day thereafter in which individuals~~

1 ~~(other than individuals liable for induction by reason of prior~~  
2 ~~deferment) are no longer liable for induction for training and~~  
3 ~~service into the armed forces under the Military Selective~~  
4 ~~Service Act of 1967, or of any armed conflict involving the~~  
5 ~~armed forces of the United States, who has a service connected~~  
6 ~~disability of such a nature that it would, if it had been~~  
7 ~~incurred in World War II, have entitled him to be awarded an~~  
8 ~~automobile by the United States Federal Government, or who is~~  
9 ~~receiving compensation from the Veterans Administration for~~  
10 ~~total service connected disability, may make application to~~  
11 ~~the Secretary of State for the registration of one motor~~  
12 ~~vehicle of the first division without accompanying such~~  
13 ~~application with the payment of any fee.~~

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

19 The Illinois Department of Veterans' Affairs ~~Veterans~~  
20 ~~Commission~~ may assist in providing the documentation of  
21 disability.

22 Commencing with the 2009 registration year, any person  
23 eligible to receive license plates under this Section who has  
24 been approved for benefits under the Senior Citizens and  
25 Disabled Persons Property Tax Relief and Pharmaceutical  
26 Assistance Act, or who has claimed and received a grant under

1 that Act, shall pay a fee of \$24 instead of the fee otherwise  
2 provided in this Code for passenger cars displaying standard  
3 multi-year registration plates issued under Section 3-414.1,  
4 for motor vehicles registered at 8,000 pounds or less under  
5 Section 3-815(a), or for recreational vehicles registered at  
6 8,000 pounds or less under Section 3-815(b), for a second set  
7 of plates under this Section.

8 (Source: P.A. 95-157, eff. 1-1-08; 95-167, eff. 1-1-08; 95-353,  
9 eff. 1-1-08; 95-876, eff. 8-21-08.)

10 (625 ILCS 5/11-209) (from Ch. 95 1/2, par. 11-209)

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

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

1 accomplish all or any part of the following:

2 1. The erection of stop signs, flashing signals, person  
3 with disabilities parking area signs or yield signs at  
4 specified locations in a parking area and the adoption of  
5 appropriate regulations thereto pertaining, or the  
6 designation of any intersection in the parking area as a  
7 stop intersection or as a yield intersection and the  
8 ordering of like signs or signals at one or more entrances  
9 to such intersection, subject to the provisions of this  
10 Chapter.

11 2. The prohibition or regulation of the turning of  
12 vehicles or specified types of vehicles at intersections or  
13 other designated locations in the parking area.

14 3. The regulation of a crossing of any roadway in the  
15 parking area by pedestrians.

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

18 5. The establishment and regulation of loading zones.

19 6. The prohibition, regulation, restriction or  
20 limitation of the stopping, standing or parking of vehicles  
21 in specified areas of the parking area.

22 7. The designation of safety zones in the parking area  
23 and fire lanes.

24 8. Providing for the removal and storage of vehicles  
25 parked or abandoned in the parking area during snowstorms,  
26 floods, fires, or other public emergencies, or found

1 unattended in the parking area, (a) where they constitute  
2 an obstruction to traffic, or (b) where stopping, standing  
3 or parking is prohibited, and for the payment of reasonable  
4 charges for such removal and storage by the owner or  
5 operator of any such vehicle.

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

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

24 11. Causing the installation of parking signs in  
25 accordance with Section 11-301 in areas of the parking lots  
26 covered by this Section and where desired by the person

1 contracting with the appropriate authority listed in  
2 paragraph (a) of this Section, indicating that such parking  
3 spaces are reserved for persons with disabilities.

4 12. Contracting for such additional reasonable rules  
5 and regulations with respect to traffic and parking in a  
6 parking area as local conditions may require for the safety  
7 and convenience of the public or of the users of the  
8 parking area.

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

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

18 (d) At such time as parking and traffic regulations have  
19 been established at any parking area pursuant to the contract  
20 as provided for in this Section, then it shall be a petty  
21 offense for any person to do any act forbidden or to fail to  
22 perform any act required by such parking or traffic regulation.  
23 If the violation is the parking in a parking space reserved for  
24 persons with disabilities under paragraph (11) of this Section,  
25 by a person without special registration plates issued to a  
26 person with disabilities, as defined by Section 1-159.1,

1 pursuant to Section 3-616 of this Code, or to a disabled  
2 veteran pursuant to Section 3-609 ~~or 3-609.01~~ of this Code, the  
3 local police of the contracting corporate municipal  
4 authorities shall issue a parking ticket to such parking  
5 violator and issue a fine in accordance with Section 11-1301.3.

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

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

23 (g) The terms "owner", "property owner", "shopping center  
24 owner", and "apartment complex owner", as used in this Section,  
25 mean the actual legal owner of the shopping center parking area  
26 or apartment complex, the trust officer of a banking



1 institution having the right to manage and control such  
2 property, or a person having the legal right, through lease or  
3 otherwise, to manage or control the property.

4 (g-5) The term "condominium complex unit owners'  
5 association", as used in this Section, means a "unit owners'  
6 association" as defined in Section 2 of the Condominium  
7 Property Act.

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

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

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

23 (k) The term "commercial and industrial facility", as used  
24 in this Section, means a premises containing one or more  
25 commercial and industrial facility establishments in  
26 connection with which there is provided on privately-owned

1 property near or contiguous to the premises an area or areas of  
2 land used by the public as the means of access to and egress  
3 from the commercial and industrial facility establishment on  
4 the premises and for the parking of motor vehicles of  
5 customers, patrons, and employees of the commercial and  
6 industrial facility establishment on the premises.

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

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

20 (Source: P.A. 95-167, eff. 1-1-08.)

21 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

22 Sec. 11-1301.1. Persons with disabilities - Parking  
23 privileges - Exemptions. A motor vehicle bearing registration  
24 plates issued to a person with disabilities, as defined by  
25 Section 1-159.1, pursuant to Section 3-616 or to a disabled

1 veteran pursuant to Section 3-609 ~~or 3-609.01~~ or a special  
2 decal or device issued pursuant to Section 3-616 or pursuant to  
3 Section 11-1301.2 of this Code or a motor vehicle registered in  
4 another jurisdiction, state, district, territory or foreign  
5 country upon which is displayed a registration plate, special  
6 decal or device issued by the other jurisdiction designating  
7 the vehicle is operated by or for a person with disabilities  
8 shall be exempt from the payment of parking meter fees and  
9 exempt from any statute or ordinance imposing time limitations  
10 on parking, except limitations of one-half hour or less, on any  
11 street or highway zone, or any parking lot or parking place  
12 which are owned, leased or owned and leased by a municipality  
13 or a municipal parking utility; and shall be recognized by  
14 state and local authorities as a valid license plate or parking  
15 device and shall receive the same parking privileges as  
16 residents of this State; but, such vehicle shall be subject to  
17 the laws which prohibit parking in "no stopping" and "no  
18 standing" zones in front of or near fire hydrants, driveways,  
19 public building entrances and exits, bus stops and loading  
20 areas, and is prohibited from parking where the motor vehicle  
21 constitutes a traffic hazard, whereby such motor vehicle shall  
22 be moved at the instruction and request of a law enforcement  
23 officer to a location designated by the officer. Any motor  
24 vehicle bearing registration plates or a special decal or  
25 device specified in this Section or in Section 3-616 of this  
26 Code or such parking device as specifically authorized in

1 Section 11-1301.2 as evidence that the vehicle is operated by  
2 or for a person with disabilities or disabled veteran may park,  
3 in addition to any other lawful place, in any parking place  
4 specifically reserved for such vehicles by the posting of an  
5 official sign as provided under Section 11-301. Parking  
6 privileges granted by this Section are strictly limited to the  
7 person to whom the special registration plates, special decal  
8 or device were issued and to qualified operators acting under  
9 his express direction while the person with disabilities is  
10 present. A person to whom privileges were granted shall, at the  
11 request of a police officer or any other person invested by law  
12 with authority to direct, control, or regulate traffic, present  
13 an identification card with a picture as verification that the  
14 person is the person to whom the special registration plates,  
15 special decal or device was issued.

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

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

25 (Source: P.A. 95-167, eff. 1-1-08.)

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

2 Sec. 11-1301.2. Special decals for a person with  
3 disabilities parking.

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

1 authorities regardless of which local authority issued such  
2 decal or device.

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

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

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

24 (d) Replacement decals or devices may be issued for lost,  
25 stolen, or destroyed decals upon application and payment of a  
26 \$10 fee. The replacement fee may be waived for individuals that

1 have claimed and received a grant under the Senior Citizens and  
2 Disabled Persons Property Tax Relief and Pharmaceutical  
3 Assistance Act.

4 (Source: P.A. 95-167, eff. 1-1-08.)

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

6 Sec. 11-1301.3. Unauthorized use of parking places  
7 reserved for persons with disabilities.

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

1 to law enforcement personnel, either hanging from the rearview  
2 mirror or placed on the dashboard of the vehicle in clear view.  
3 Disability license plates and parking decals and devices are  
4 not transferable from person to person. Proper usage of the  
5 disability license plate or parking decal or device requires  
6 the authorized holder to be present and enter or exit the  
7 vehicle at the time the parking privileges are being used. It  
8 is a violation of this Section to park in a space reserved for  
9 a person with disabilities if the authorized holder of the  
10 disability license plate or parking decal or device does not  
11 enter or exit the vehicle at the time the parking privileges  
12 are being used. Any motor vehicle properly displaying a  
13 disability license plate or a parking decal or device  
14 containing the International symbol of access issued to persons  
15 with disabilities by any local authority, state, district,  
16 territory or foreign country shall be recognized by State and  
17 local authorities as a valid license plate or device and  
18 receive the same parking privileges as residents of this State.

19 (a-1) An individual with a vehicle displaying disability  
20 license plates or a parking decal or device issued to a  
21 qualified person with a disability under Sections 3-616,  
22 11-1301.1, or 11-1301.2 or to a disabled veteran under Section  
23 3-609 ~~or 3-609.01~~ is in violation of this Section if (i) the  
24 person using the disability license plate or parking decal or  
25 device is not the authorized holder of the disability license  
26 plate or parking decal or device or is not transporting the



1 authorized holder of the disability license plate or parking  
2 decal or device to or from the parking location and (ii) the  
3 person uses the disability license plate or parking decal or  
4 device to exercise any privileges granted through the  
5 disability license plate or parking decals or devices under  
6 this Code.

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

15 (c) Any person found guilty of violating the provisions of  
16 subsection (a) shall be fined \$250 in addition to any costs or  
17 charges connected with the removal or storage of any motor  
18 vehicle authorized under this Section; but municipalities by  
19 ordinance may impose a fine up to \$350 and shall display signs  
20 indicating the fine imposed. If the amount of the fine is  
21 subsequently changed, the municipality shall change the sign to  
22 indicate the current amount of the fine. It shall not be a  
23 defense to a charge under this Section that either the sign  
24 posted pursuant to this Section or the intended accessible  
25 parking place does not comply with the technical requirements  
26 of Section 11-301, Department regulations, or local ordinance

1 if a reasonable person would be made aware by the sign or  
2 notice on or near the parking place that the place is reserved  
3 for a person with disabilities.

4 (c-1) Any person found guilty of violating the provisions  
5 of subsection (a-1) a first time shall be fined \$500. Any  
6 person found guilty of violating subsection (a-1) a second time  
7 shall be fined \$750, and the Secretary of State may revoke the  
8 person's driving privileges or suspend those privileges for a  
9 period of time to be determined by the Secretary. Any person  
10 found guilty of violating subsection (a-1) a third or  
11 subsequent time shall be fined \$1,000, and the Secretary of  
12 State may revoke the person's driving privileges or suspend  
13 those privileges for a period of time to be determined by the  
14 Secretary. The Secretary of State may also revoke the  
15 disability license plates or parking decal or device of a  
16 person violating subsection (a-1) a third or subsequent time or  
17 may suspend the person's disability license plates or parking  
18 decal or device for a period of time to be determined by the  
19 Secretary of State. The circuit clerk shall distribute 50% of  
20 the fine imposed on any person who is found guilty of or pleads  
21 guilty to violating this Section, including any person placed  
22 on court supervision for violating this Section, to the law  
23 enforcement agency that issued the citation or made the arrest.  
24 If more than one law enforcement agency is responsible for  
25 issuing the citation or making the arrest, the 50% of the fine  
26 imposed shall be shared equally. If an officer of the Secretary

1 of State Department of Police arrested a person for a violation  
2 of this Section, 50% of the fine imposed shall be deposited  
3 into the Secretary of State Police Services Fund.

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

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

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

18 (Source: P.A. 94-619, eff. 1-1-06; 94-930, eff. 6-26-06;  
19 95-167, eff. 1-1-08; 95-430, eff. 6-1-08; 95-876, eff.  
20 8-21-08.)

21 (625 ILCS 5/11-1301.5)

22 Sec. 11-1301.5. Fictitious or unlawfully altered  
23 disability license plate or parking decal or device.

24 (a) As used in this Section:

25 "Fictitious disability license plate or parking decal or

1 device" means any issued disability license plate or parking  
2 decal or device, or any license plate issued to a disabled  
3 veteran under Section 3-609 ~~or 3-609.01~~ of this Code, that has  
4 been issued by the Secretary of State or an authorized unit of  
5 local government that was issued based upon false information  
6 contained on the required application.

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

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

24 "Authorized holder" means an individual issued a  
25 disability license plate under Section 3-616 of this Code or an  
26 individual issued a parking decal or device under Section

1 11-1301.2 of this Code, or an individual issued a disabled  
2 veteran's license plate under Section 3-609 ~~or 3-609.01~~ of this  
3 Code.

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

5 (1) to knowingly possess any fictitious or unlawfully  
6 altered disability license plate or parking decal or  
7 device;

8 (2) to knowingly issue or assist in the issuance of, by  
9 the Secretary of State or unit of local government, any  
10 fictitious disability license plate or parking decal or  
11 device;

12 (3) to knowingly alter any disability license plate or  
13 parking decal or device;

14 (4) to knowingly manufacture, possess, transfer, or  
15 provide any documentation used in the application process  
16 whether real or fictitious, for the purpose of obtaining a  
17 fictitious disability license plate or parking decal or  
18 device;

19 (5) to knowingly provide any false information to the  
20 Secretary of State or a unit of local government in order  
21 to obtain a disability license plate or parking decal or  
22 device; or

23 (6) to knowingly transfer a disability license plate or  
24 parking decal or device for the purpose of exercising the  
25 privileges granted to an authorized holder of a disability  
26 license plate or parking decal or device under this Code in

1 the absence of the authorized holder.

2 (c) Sentence.

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

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

1 violation of this Section.

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

10 (Source: P.A. 94-619, eff. 1-1-06; 95-167, eff. 1-1-08.)

11 (625 ILCS 5/11-1301.6)

12 Sec. 11-1301.6. Fraudulent disability license plate or  
13 parking decal or device.

14 (a) As used in this Section:

15 "Fraudulent disability license plate or parking decal  
16 or device" means any disability license plate or parking  
17 decal or device that purports to be an official disability  
18 license plate or parking decal or device and that has not  
19 been issued by the Secretary of State or an authorized unit  
20 of local government.

21 "Disability license plate or parking decal or  
22 device-making implement" means any implement specially  
23 designed or primarily used in the manufacture, assembly, or  
24 authentication of a disability license plate or parking  
25 decal or device, or a license plate issued to a disabled

1           veteran under Section 3-609 ~~or 3-609.01~~ of this Code,  
2           issued by the Secretary of State or a unit of local  
3           government.

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

5                 (1) to knowingly possess any fraudulent disability  
6                 license plate or parking decal;

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

10                (3) to knowingly duplicate, manufacture, sell, or  
11                transfer any fraudulent or stolen disability license plate  
12                or parking decal or device;

13                (4) to knowingly assist in the duplication,  
14                manufacturing, selling, or transferring of any fraudulent,  
15                stolen, or reported lost or damaged disability license  
16                plate or parking decal or device; or

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

19           (c) Sentence.

20                (1) Any person convicted of a violation of this Section  
21                shall be guilty of a Class A misdemeanor and fined not less  
22                than \$1,000 for a first offense and shall be guilty of a  
23                Class 4 felony and fined not less than \$2,000 for a second  
24                or subsequent offense. The circuit clerk shall distribute  
25                half of any fine imposed on any person who is found guilty  
26                of or pleads guilty to violating this Section, including



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

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

11 (3) Any police officer may seize the parking decal or  
12 device from any person who commits a violation of this  
13 Section. Any police officer may seize the disability  
14 license plate upon authorization from the Secretary of  
15 State. Any police officer may request that the Secretary of  
16 State revoke the parking decal or device or the disability  
17 license plate of any person who commits a violation of this  
18 Section.

19 (Source: P.A. 94-619, eff. 1-1-06; 95-167, eff. 1-1-08.)

20 (625 ILCS 5/3-609.01 rep.)

21 Section 10. The Illinois Vehicle Code is amended by  
22 repealing Section 3-609.01.