

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 1. The purpose of this Act is to allow drivers or  
5 passengers of motor vehicles to protect themselves from skin  
6 cancer, while at the same time to protect the environment from  
7 the harmful emissions created by the excessive and unnecessary  
8 use of vehicle air-conditioning systems.

9 Section 5. The Illinois Vehicle Code is amended by changing  
10 Section 12-503 as follows:

11 (625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

12 Sec. 12-503. Windshields must be unobstructed and equipped  
13 with wipers.

14 (a) No person shall drive a motor vehicle with any sign,  
15 poster, window application, reflective material, nonreflective  
16 material or tinted film upon the front windshield, sidewings or  
17 side windows immediately adjacent to each side of the driver,  
18 except as provided in this subsection and subsections (a-5),  
19 (a-7), and (a-9) of this Section. A nonreflective tinted film  
20 may be used along the uppermost portion of the windshield if  
21 such material does not extend more than 6 inches down from the  
22 top of the windshield. ~~Nothing in this Section shall create a~~

1 ~~cause of action on behalf of a buyer against a dealer or~~  
2 ~~manufacturer who sells a motor vehicle with a window which is~~  
3 ~~in violation of this Section.~~

4 (a-5) A nonreflective tinted film that does not allow less  
5 than 50% light transmittance, with a 5% variance observed by  
6 any law enforcement official metering the light transmittance,  
7 may be used on the side windows immediately adjacent to each  
8 side of the driver. This subsection does not apply to the front  
9 windshield. This subsection does not apply to any motor  
10 vehicle, except as provided for in subsection (a-9) of this  
11 Section, that has one or more windows to the rear of the  
12 driver's seat treated in a manner described by subsection (b)  
13 of this Section that allows less than 30% light transmittance.

14 (a-7) A nonreflective tinted film that does not allow less  
15 than 35% light transmittance, with a 5% variance observed by  
16 any law enforcement official metering the light transmittance,  
17 may be used on the side windows immediately adjacent to each  
18 side of the driver. This subsection does not apply to the front  
19 windshield. This subsection does not apply to any motor vehicle  
20 that has one or more windows to the rear of the driver's seat  
21 treated in a manner described by subsection (b) of this Section  
22 that allows less than 35% light transmittance.

23 (a-9) A nonreflective tinted film that does not allow less  
24 than 50% light transmittance, with a 5% variance observed by  
25 any law enforcement official metering the light transmittance,  
26 may be used on the side windows immediately adjacent to each

1 side of the driver in any multipurpose passenger vehicle, as  
2 defined by Section 1-148.3b of this Code. This Section does not  
3 apply to any multipurpose passenger vehicle which has tinting  
4 other than the tinting originally applied by the manufacturer.

5 (b) Nothing contained in this Section shall prohibit the  
6 use of nonreflective, smoked or tinted glass, nonreflective  
7 film, perforated window screen or other decorative window  
8 application on windows to the rear of the driver's seat, except  
9 that any motor vehicle with a window to the rear of the  
10 driver's seat treated in this manner shall be equipped with a  
11 side mirror on each side of the motor vehicle which are in  
12 conformance with Section 12-502.

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

18 (d) Every motor vehicle, except motorcycles, shall be  
19 equipped with a device, controlled by the driver, for cleaning  
20 rain, snow, moisture or other obstructions from the windshield;  
21 and no person shall drive a motor vehicle with snow, ice,  
22 moisture or other material on any of the windows or mirrors,  
23 which materially obstructs the driver's clear view of the  
24 highway.

25 (e) No person shall drive a motor vehicle when the  
26 windshield, side or rear windows are in such defective

1 condition or repair as to materially impair the driver's view  
2 to the front, side or rear. A vehicle equipped with a side  
3 mirror on each side of the vehicle which are in conformance  
4 with Section 12-502 will be deemed to be in compliance in the  
5 event the rear window of the vehicle is materially obscured.

6 (f) Paragraphs (a) and (b) of this Section shall not apply  
7 to:

8 (1) (Blank). ~~motor vehicles manufactured prior to~~  
9 ~~January 1, 1982; or~~

10 (2) to those motor vehicles properly registered in  
11 another jurisdiction.

12 (g) Paragraph (a) of this Section shall not apply to any  
13 motor vehicle with a window treatment, including but not  
14 limited to a window application, ~~reflective material,~~  
15 nonreflective material, or tinted film, applied or affixed to a  
16 motor vehicle that:

17 (1) is owned and operated by a person afflicted with or  
18 suffering from a medical illness, ailment, or disease,  
19 including but not limited to systemic or discoid lupus  
20 erythematosus, disseminated superficial actinic  
21 porokeratosis, or albinism, which would require that  
22 person to be shielded from the direct rays of the sun; or

23 (2) is used in transporting a person when the person  
24 resides at the same address as the registered owner of the  
25 vehicle and the person is afflicted with or suffering from  
26 a medical illness, ailment or disease which would require

1 the person to be shielded from the direct rays of the sun,  
2 including but not limited to systemic or discoid lupus  
3 erythematosus, disseminated superficial actinic  
4 porokeratosis, or albinism.

5 The owner must obtain a certified statement or letter  
6 written by a physician licensed to practice medicine in  
7 Illinois that such person owning and operating or being  
8 transported in a motor vehicle is afflicted with or suffers  
9 from such illness, ailment, or disease, including but not  
10 limited to systemic or discoid lupus erythematosus,  
11 disseminated superficial actinic porokeratosis, or  
12 albinism, and such certification must be carried in the  
13 motor vehicle at all times. The certification shall be  
14 legible and shall contain the date of issuance, the name,  
15 address and signature of the attending physician, and the  
16 name, address, and medical condition of the person  
17 requiring exemption. The information on the certificate  
18 for a window treatment must remain current and shall be  
19 renewed annually by the attending physician. The owner  
20 shall also submit a copy of the certification to the  
21 Secretary of State. The Secretary of State may forward  
22 notice of certification to law enforcement agencies.

23 (g-3) Paragraph (a) of this Section shall not apply to any  
24 motor vehicle with a window treatment, including but not  
25 limited to a window application, nonreflective material, or  
26 tinted film, applied or affixed to a motor vehicle displaying a

1 distinctive license plates or license plate stickers  
2 authorized under subsection (k) of Section 3-412 of this Code.

3 (g-5) (Blank).

4 (g-7) An installer who installs window treatment for a  
5 person with a medical condition described in subsection (g)  
6 must obtain a copy of the certified statement or letter written  
7 by a physician described in subsection (g) from the person with  
8 the medical condition prior to installing the window treatment.  
9 The copy of the certified statement or letter must be kept in  
10 the installer's permanent records.

11 (h) Paragraph (a) of this Section shall not apply to motor  
12 vehicle stickers or other certificates issued by State or local  
13 authorities which are required to be displayed upon motor  
14 vehicle windows to evidence compliance with requirements  
15 concerning motor vehicles.

16 (i) (Blank). ~~Those motor vehicles exempted under paragraph~~  
17 ~~(f)(1) of this Section shall not cause their windows to be~~  
18 ~~treated as described in paragraph (a) after January 1, 1993.~~

19 (j) A person found guilty of violating paragraphs (a), (b),  
20 or (g-7) ~~(i)~~ of this Section shall be guilty of a petty offense  
21 and fined no less than \$50 nor more than \$500. A second or  
22 subsequent violation of paragraphs (a), (b), or (g-7) ~~(i)~~ of  
23 this Section shall be treated as a Class C misdemeanor and the  
24 violator fined no less than \$100 nor more than \$500. Any person  
25 convicted under paragraphs (a), (b), or (g-7) ~~(i)~~ of this  
26 Section shall be ordered to alter any nonconforming windows

1 into compliance with this Section.

2 (k) Nothing in this Section shall create a cause of action  
3 on behalf of a buyer against a dealer or manufacturer who sells  
4 a motor vehicle with a window which is in violation of this  
5 Section.

6 (Source: P.A. 94-564, eff. 8-12-05; 95-202, eff. 8-16-07.)