



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4327

Introduced 2/27/2009, by Rep. LaShawn K. Ford

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-503

from Ch. 95 1/2, par. 12-503

Amends the Illinois Vehicle Code. Provides that a person may not install or repair any sign, poster, window application, reflective material, nonreflective material, or tinted film upon the front windshield, sidewings or side windows immediately adjacent to each side of the driver. Provides that a first violation is a petty offense with a fine between \$50 and \$500, and a second or subsequent offense is a Class C misdemeanor with a fine between \$100 and \$500. Provides that an installer may install window treatment for who is legally permitted, due to medical reasons, to drive with window treatment that would otherwise be illegal and provides that the installer must obtain and store a copy of a doctor's certificate or letter from the person with medical condition in the installer's permanent records. Provides that the Secretary of State shall provide a notice of the requirements of a provision prohibiting driving a motor vehicle with any sign, poster, window application, reflective material, nonreflective material, or tinted film upon the front windshield, sidewings or side windows immediately adjacent to each side of the driver, unless an exception applies, to a new resident applying for vehicle registration.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 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 (a-5) No person shall install or repair any material
20 prohibited by subsection (a) of this Section.

21 (1) Nothing in this subsection shall prohibit a person
22 from removing or altering any material prohibited by
23 subsection (a) to make a motor vehicle comply with the

1 requirements of this Section.

2 (2) Nothing in this subsection shall prohibit a person
3 from installing window treatment for a person with a
4 medical condition described in subsection (g) of this
5 Section. An installer who installs window treatment for a
6 person with a medical condition described in subsection (g)
7 must obtain a copy of the certified statement or letter
8 written by a physician described in subsection (g) from the
9 person with the medical condition prior to installing the
10 window treatment. The copy of the certified statement or
11 letter must be kept in the installer's permanent records.

12 (b) Nothing contained in this Section shall prohibit the
13 use of nonreflective, smoked or tinted glass, nonreflective
14 film, perforated window screen or other decorative window
15 application on windows to the rear of the driver's seat, except
16 that any motor vehicle with a window to the rear of the
17 driver's seat treated in this manner shall be equipped with a
18 side mirror on each side of the motor vehicle which are in
19 conformance with Section 12-502.

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

25 (d) Every motor vehicle, except motorcycles, shall be
26 equipped with a device, controlled by the driver, for cleaning

1 rain, snow, moisture or other obstructions from the windshield;
2 and no person shall drive a motor vehicle with snow, ice,
3 moisture or other material on any of the windows or mirrors,
4 which materially obstructs the driver's clear view of the
5 highway.

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

13 (f) Paragraphs (a) and (b) of this Section shall not apply
14 to:

15 (1) motor vehicles manufactured prior to January 1,
16 1982; or

17 (2) to those motor vehicles properly registered in
18 another jurisdiction.

19 (g) Paragraph (a) of this Section shall not apply to any
20 motor vehicle with a window treatment, including but not
21 limited to a window application, reflective material,
22 nonreflective material, or tinted film, applied or affixed to a
23 motor vehicle that:

24 (1) is owned and operated by a person afflicted with or
25 suffering from a medical illness, ailment, or disease,
26 including but not limited to systemic or discoid lupus

1 erythematosus, disseminated superficial actinic
2 porokeratosis, or albinism, which would require that
3 person to be shielded from the direct rays of the sun; or

4 (2) is used in transporting a person when the person
5 resides at the same address as the registered owner of the
6 vehicle and the person is afflicted with or suffering from
7 a medical illness, ailment or disease which would require
8 the person to be shielded from the direct rays of the sun,
9 including but not limited to systemic or discoid lupus
10 erythematosus, disseminated superficial actinic
11 porokeratosis, or albinism.

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

1 shall also submit a copy of the certification to the
2 Secretary of State. The Secretary of State may forward
3 notice of certification to law enforcement agencies.

4 (g-5) (Blank).

5 (h) Paragraph (a) of this Section shall not apply to motor
6 vehicle stickers or other certificates issued by State or local
7 authorities which are required to be displayed upon motor
8 vehicle windows to evidence compliance with requirements
9 concerning motor vehicles.

10 (i) Those motor vehicles exempted under paragraph (f) (1) of
11 this Section shall not cause their windows to be treated as
12 described in paragraph (a) after January 1, 1993.

13 (j) A person found guilty of violating paragraphs (a),
14 (a-5), (b), or (i) of this Section shall be guilty of a petty
15 offense and fined no less than \$50 nor more than \$500. A second
16 or subsequent violation of paragraphs (a), (a-5), (b), or (i)
17 of this Section shall be treated as a Class C misdemeanor and
18 the violator fined no less than \$100 nor more than \$500. Any
19 person convicted under paragraphs (a), (b), or (i) of this
20 Section shall be ordered to alter any nonconforming windows
21 into compliance with this Section.

22 (h) The Secretary of State shall provide a notice of the
23 requirements of this Section to a new resident applying for
24 vehicle registration in this State pursuant to Section 3-801 of
25 this Code.

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