

1 AN ACT concerning human rights.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Pedestrians with Disabilities Safety Act.

6 Section 5. Definitions. For purposes of this Act:

7 "Mobility device" means a support cane, walker, crutches,
8 wheelchair, scooter, or other device, which may be necessary
9 for use by a pedestrian with a disability when traveling.

10 "Pedestrian with a disability" means a person with a
11 disability, as defined by the Americans with Disabilities Act,
12 who may require the use of a mobility device, service animal,
13 or white cane to travel on the streets, sidewalks, highways,
14 and walkways of this State.

15 "Service animal" means a service animal as defined by the
16 Code of Federal Regulations (28 CFR 36.104).

17 "White cane" means a cane that is predominantly white or
18 metallic in color, with or without a red tip, that is held in
19 an extended or raised position.

20 Section 10. Rights of pedestrians with disabilities.

21 (a) A pedestrian with a disability has the same rights as
22 any other pedestrian to equal access and use of the streets,

1 sidewalks, highways, and walkways of this State.

2 (b) These rights are subject only to the conditions and
3 limitations established by law and applicable alike to all
4 persons.

5 (c) Any person who denies or interferes with the rights of
6 a pedestrian with a disability under this Act, shall be guilty
7 of a Class A misdemeanor with a mandatory minimum fine of \$500
8 for each violation.

9 Section 15. Mobility device; service animal; white cane.

10 (a) An operator of a vehicle shall stop the vehicle before
11 approaching closer than 10 feet to a pedestrian with a
12 disability who is using a mobility device, accompanied by a
13 visibly identifiable service animal, or carrying or using a
14 white cane, and shall take all precautions that may be
15 necessary to avoid an accident or injury to the pedestrian with
16 a disability. Any vehicle operator who fails to take such
17 precautions shall be liable for damages for any injury caused
18 to the pedestrian with a disability.

19 (b) Nothing in this Act shall be construed to deprive any
20 person with a disability who is not using a mobility device,
21 not accompanied by a visibly identifiable service animal, or
22 not carrying or using a white cane of the rights of other
23 pedestrians, nor shall such an occurrence be conclusively held
24 to constitute evidence of contributory negligence.

25 (c) Qualified professionals involved in the training of

1 visibly identifiable service animals including training a
2 person with a disability in the use of an animal, orientation
3 and mobility instructors who are providing instruction to
4 persons with disabilities or receiving training to enable them
5 to provide that instruction, or any otherwise qualified person
6 providing instruction to a person with a disability in the
7 proper use of a mobility device or white cane shall be covered
8 by the provisions of this Section.

9 Section 20. Proclamation. Each year, the Governor is
10 authorized and requested to designate and take suitable public
11 notice of Pedestrians with Disabilities Safety Day (October 15)
12 and to issue a proclamation which:

13 (1) comments upon the necessity for and significance of
14 the Pedestrians with Disabilities Safety Act;

15 (2) calls upon the citizens of the State to observe the
16 provisions of the Pedestrians with Disabilities Safety Act
17 and to take precautions necessary for the safety of
18 pedestrians with disabilities;

19 (3) reminds the citizens of the State of the policies
20 with respect to persons with disabilities and urges all
21 citizens to ensure that the policies are upheld; and

22 (4) emphasizes the need of all citizens to be aware of
23 the presence of persons with disabilities in the community
24 and to keep safe and functional for persons with
25 disabilities the streets, sidewalks, highways, and

1 walkways of this State.

2 Section 80. The Illinois Vehicle Code is amended by
3 changing Sections 2-112 and 6-109 as follows:

4 (625 ILCS 5/2-112) (from Ch. 95 1/2, par. 2-112)

5 Sec. 2-112. Distribution of synopsis laws.

6 (a) The Secretary of State may publish a synopsis or
7 summary of the laws of this State regulating the operation of
8 vehicles and may deliver a copy thereof without charge with
9 each original vehicle registration and with each original
10 driver's license.

11 (b) The Secretary of State shall make any necessary
12 revisions in its publications including, but not limited to,
13 the Illinois Rules of the Road, to accurately conform its
14 publications to the provisions of the Pedestrians with
15 Disabilities Safety Act.

16 (Source: P.A. 76-1586.)

17 (625 ILCS 5/6-109) (from Ch. 95 1/2, par. 6-109)

18 Sec. 6-109. Examination of Applicants.

19 (a) The Secretary of State shall examine every applicant
20 for a driver's license or permit who has not been previously
21 licensed as a driver under the laws of this State or any other
22 state or country, or any applicant for renewal of such driver's
23 license or permit when such license or permit has been expired

1 for more than one year. The Secretary of State shall, subject
2 to the provisions of paragraph (c), examine every licensed
3 driver at least every 8 years, and may examine or re-examine
4 any other applicant or licensed driver, provided that during
5 the years 1984 through 1991 those drivers issued a license for
6 3 years may be re-examined not less than every 7 years or more
7 than every 10 years.

8 The Secretary of State shall require the testing of the
9 eyesight of any driver's license or permit applicant who has
10 not been previously licensed as a driver under the laws of this
11 State and shall promulgate rules and regulations to provide for
12 the orderly administration of all the provisions of this
13 Section.

14 The Secretary of State shall include at least one test
15 question that concerns the provisions of the Pedestrians with
16 Disabilities Safety Act in the question pool used for the
17 written portion of the drivers license examination within one
18 year after the effective date of this amendatory Act of the
19 96th General Assembly.

20 (b) Except as provided for those applicants in paragraph
21 (c), such examination shall include a test of the applicant's
22 eyesight, his ability to read and understand official traffic
23 control devices, his knowledge of safe driving practices and
24 the traffic laws of this State, and may include an actual
25 demonstration of the applicant's ability to exercise ordinary
26 and reasonable control of the operation of a motor vehicle, and

1 such further physical and mental examination as the Secretary
2 of State finds necessary to determine the applicant's fitness
3 to operate a motor vehicle safely on the highways, except the
4 examination of an applicant 75 years of age or older shall
5 include an actual demonstration of the applicant's ability to
6 exercise ordinary and reasonable control of the operation of a
7 motor vehicle. All portions of written and verbal examinations
8 under this Section, excepting where the English language
9 appears on facsimiles of road signs, may be given in the
10 Spanish language and, at the discretion of the Secretary of
11 State, in any other language as well as in English upon request
12 of the examinee. Deaf persons who are otherwise qualified are
13 not prohibited from being issued a license, other than a
14 commercial driver's license, under this Code.

15 (c) Re-examination for those applicants who at the time of
16 renewing their driver's license possess a driving record devoid
17 of any convictions of traffic violations or evidence of
18 committing an offense for which mandatory revocation would be
19 required upon conviction pursuant to Section 6-205 at the time
20 of renewal shall be in a manner prescribed by the Secretary in
21 order to determine an applicant's ability to safely operate a
22 motor vehicle, except that every applicant for the renewal of a
23 driver's license who is 75 years of age or older must prove, by
24 an actual demonstration, the applicant's ability to exercise
25 reasonable care in the safe operation of a motor vehicle.

26 (d) In the event the applicant is not ineligible under the

1 provisions of Section 6-103 to receive a driver's license, the
2 Secretary of State shall make provision for giving an
3 examination, either in the county where the applicant resides
4 or at a place adjacent thereto reasonably convenient to the
5 applicant, within not more than 30 days from the date said
6 application is received.

7 (Source: P.A. 91-350, eff. 7-29-99.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2010.