

SB0934



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0934

Introduced 2/6/2009, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-616

from Ch. 95 1/2, par. 3-616

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning persons with disabilities license plates.

LRB096 07043 AJT 17129 b

A BILL FOR

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 3-616 as follows:

6 (625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

7 Sec. 3-616. Disability license plates.

8 (a) Upon receiving an application for a certificate of
9 registration for a motor vehicle of the ~~the~~ first division or
10 for a motor vehicle of the second division weighing no more
11 than 8,000 pounds, accompanied with payment of the registration
12 fees required under this Code from a person with disabilities
13 or a person who is deaf or hard of hearing, the Secretary of
14 State, if so requested, shall issue to such person registration
15 plates as provided for in Section 3-611, provided that the
16 person with disabilities or person who is deaf or hard of
17 hearing must not be disqualified from obtaining a driver's
18 license under subsection 8 of Section 6-103 of this Code, and
19 further provided that any person making such a request must
20 submit a statement, certified by a licensed physician, by a
21 physician assistant who has been delegated the authority to
22 make this certification by his or her supervising physician, or
23 by an advanced practice nurse who has a written collaborative

1 agreement with a collaborating physician that authorizes the
2 advanced practice nurse to make this certification, to the
3 effect that such person is a person with disabilities as
4 defined by Section 1-159.1 of this Code, or alternatively
5 provide adequate documentation that such person has a Class 1A,
6 Class 2A or Type Four disability under the provisions of
7 Section 4A of the Illinois Identification Card Act. For
8 purposes of this Section, an Illinois Disabled Person
9 Identification Card issued pursuant to the Illinois
10 Identification Card Act indicating that the person thereon
11 named has a disability shall be adequate documentation of such
12 a disability.

13 (b) The Secretary shall issue plates under this Section to
14 a parent or legal guardian of a person with disabilities if the
15 person with disabilities has a Class 1A or Class 2A disability
16 as defined in Section 4A of the Illinois Identification Card
17 Act or is a person with disabilities as defined by Section
18 1-159.1 of this Code, and does not possess a vehicle registered
19 in his or her name, provided that the person with disabilities
20 relies frequently on the parent or legal guardian for
21 transportation. Only one vehicle per family may be registered
22 under this subsection, unless the applicant can justify in
23 writing the need for one additional set of plates. Any person
24 requesting special plates under this subsection shall submit
25 such documentation or such physician's, physician assistant's,
26 or advanced practice nurse's statement as is required in

1 subsection (a) and a statement describing the circumstances
2 qualifying for issuance of special plates under this
3 subsection. An optometrist may certify a Class 2A Visual
4 Disability, as defined in Section 4A of the Illinois
5 Identification Card Act, for the purpose of qualifying a person
6 with disabilities for special plates under this subsection.

7 (c) The Secretary may issue a parking decal or device to a
8 person with disabilities as defined by Section 1-159.1 without
9 regard to qualification of such person with disabilities for a
10 driver's license or registration of a vehicle by such person
11 with disabilities or such person's immediate family, provided
12 such person with disabilities making such a request has been
13 issued a Disabled Person Identification Card indicating that
14 the person named thereon has a Class 1A or Class 2A disability,
15 or alternatively, submits a statement certified by a licensed
16 physician, or by a physician assistant or an advanced practice
17 nurse as provided in subsection (a), to the effect that such
18 person is a person with disabilities as defined by Section
19 1-159.1. An optometrist may certify a Class 2A Visual
20 Disability as defined in Section 4A of the Illinois
21 Identification Card Act for the purpose of qualifying a person
22 with disabilities for a parking decal or device under this
23 subsection.

24 (d) The Secretary shall prescribe by rules and regulations
25 procedures to certify or re-certify as necessary the
26 eligibility of persons whose disabilities are other than

1 permanent for special plates or parking decals or devices
2 issued under subsections (a), (b) and (c). Except as provided
3 under subsection (f) of this Section, no such special plates,
4 decals or devices shall be issued by the Secretary of State to
5 or on behalf of any person with disabilities unless such person
6 is certified as meeting the definition of a person with
7 disabilities pursuant to Section 1-159.1 or meeting the
8 requirement of a Type Four disability as provided under Section
9 4A of the Illinois Identification Card Act for the period of
10 time that the physician, or the physician assistant or advanced
11 practice nurse as provided in subsection (a), determines the
12 applicant will have the disability, but not to exceed 6 months
13 from the date of certification or recertification.

14 (e) Any person requesting special plates under this Section
15 may also apply to have the special plates personalized, as
16 provided under Section 3-405.1.

17 (f) The Secretary of State, upon application, shall issue
18 disability registration plates or a parking decal to
19 corporations, school districts, State or municipal agencies,
20 limited liability companies, nursing homes, convalescent
21 homes, or special education cooperatives which will transport
22 persons with disabilities. The Secretary shall prescribe by
23 rule a means to certify or re-certify the eligibility of
24 organizations to receive disability plates or decals and to
25 designate which of the 2 person with disabilities emblems shall
26 be placed on qualifying vehicles.

1 (g) The Secretary of State, or his designee, may enter into
2 agreements with other jurisdictions, including foreign
3 jurisdictions, on behalf of this State relating to the
4 extension of parking privileges by such jurisdictions to
5 permanently disabled residents of this State who display a
6 special license plate or parking device that contains the
7 International symbol of access on his or her motor vehicle, and
8 to recognize such plates or devices issued by such other
9 jurisdictions. This State shall grant the same parking
10 privileges which are granted to disabled residents of this
11 State to any non-resident whose motor vehicle is licensed in
12 another state, district, territory or foreign country if such
13 vehicle displays the international symbol of access or a
14 distinguishing insignia on license plates or parking device
15 issued in accordance with the laws of the non-resident's state,
16 district, territory or foreign country.

17 (Source: P.A. 94-619, eff. 1-1-06; 95-762, eff. 1-1-09.)