



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB2994

Introduced 2/3/2010, by Sen. John M. Sullivan

#### 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 drive a motor vehicle with any objects placed or suspended between the driver and the front windshield, rear window, side wings, or side windows immediately adjacent to each side of the driver which obstructs (rather than materially obstructs) the driver's view. Provides that the window obstruction provision does not apply to authorized emergency vehicles. Provides that a person may not drive a motor vehicle when the windshield, side, or rear windows are in such defective condition or repair as to impair (rather than materially impair) the driver's view to the front, side, or rear. Provides that a vehicle equipped with a side mirror on each side of the vehicle will be deemed to be in compliance with the defective condition provision in the event the rear window of the vehicle is obscured (rather than materially obscured). Makes other technical changes.

LRB096 20027 AJT 35524 b

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, except that  
12 a nonreflective tinted film may be used along the uppermost  
13 portion of the windshield if such material does not extend more  
14 than 6 inches down from the top of the windshield.

15 (a-5) No window treatment or tinting shall be applied to  
16 the windows immediately adjacent to each side of the driver,  
17 except:

18 (1) on vehicles where none of the windows to the rear  
19 of the driver's seat are treated in a manner that allows  
20 less than 30% light transmittance, a nonreflective tinted  
21 film that allows at least 50% light transmittance, with a  
22 5% variance observed by any law enforcement official  
23 metering the light transmittance, may be used on the side

1 windows immediately adjacent to each side of the driver.

2 (2) on vehicles where none of the windows to the rear  
3 of the driver's seat are treated in a manner that allows  
4 less than 35% light transmittance, a nonreflective tinted  
5 film that allows at least 35% light transmittance, with a  
6 5% variance observed by any law enforcement official  
7 metering the light transmittance, may be used on the side  
8 windows immediately adjacent to each side of the driver.

9 (3) on multipurpose passenger vehicles, as defined by  
10 Section 1-148.3b of this Code, a nonreflective tinted film  
11 originally applied by the manufacturer, that allows at  
12 least 50% light transmittance, with a 5% variance observed  
13 by any law enforcement official metering the light  
14 transmittance, may be used on the side windows immediately  
15 adjacent to each side of the driver.

16 (a-10) ~~(a-5)~~ No person shall install or repair any material  
17 prohibited by subsection (a) of this Section.

18 (1) Nothing in this subsection shall prohibit a person  
19 from removing or altering any material prohibited by  
20 subsection (a) to make a motor vehicle comply with the  
21 requirements of this Section.

22 (2) Nothing in this subsection shall prohibit a person  
23 from installing window treatment for a person with a  
24 medical condition described in subsection (g) of this  
25 Section. An installer who installs window treatment for a  
26 person with a medical condition described in subsection (g)

1 must obtain a copy of the certified statement or letter  
2 written by a physician described in subsection (g) from the  
3 person with the medical condition prior to installing the  
4 window treatment. The copy of the certified statement or  
5 letter must be kept in the installer's permanent records.

6 (b) On motor vehicles where window treatment has not been  
7 applied to the windows immediately adjacent to each side of the  
8 driver, the use of a nonreflective, smoked or tinted glass,  
9 nonreflective film, perforated window screen or other  
10 decorative window application on windows to the rear of the  
11 driver's seat shall be allowed, except that any motor vehicle  
12 with a window to the rear of the driver's seat treated in this  
13 manner shall be equipped with a side mirror on each side of the  
14 motor vehicle which are in conformance with Section 12-502.

15 (c) No person shall drive a motor vehicle with any objects  
16 placed or suspended between the driver and the front  
17 windshield, rear window, side wings or side windows immediately  
18 adjacent to each side of the driver which ~~materially~~ obstructs  
19 the driver's view. This subsection does not apply to authorized  
20 emergency vehicles.

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

1 highway.

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

9 (f) Paragraphs (a), (a-5), and (b) of this Section shall  
10 not apply to:

11 (1) (Blank).

12 (2) ~~to~~ those motor vehicles properly registered in  
13 another jurisdiction.

14 (g) Paragraphs (a) and (a-5) of this Section shall not  
15 apply to window treatment, including but not limited to a  
16 window application, nonreflective material, or tinted film,  
17 applied or affixed to a motor vehicle for which distinctive  
18 license plates or license plate stickers have been issued  
19 pursuant to subsection (k) of Section 3-412 of this Code, and  
20 which:

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

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

9           The owner must obtain a certified statement or letter  
10 written by a physician licensed to practice medicine in  
11 Illinois that such person owning and operating or being  
12 transported in a motor vehicle is afflicted with or suffers  
13 from such disease, including but not limited to systemic or  
14 discoid lupus erythematosus, disseminated superficial  
15 actinic porokeratosis, or albinism. However, no exemption  
16 from the requirements of subsection (a-5) shall be granted  
17 for any condition, such as light sensitivity, for which  
18 protection from the direct rays of the sun can be  
19 adequately obtained by the use of sunglasses or other eye  
20 protective devices.

21           Such certification must be carried in the motor vehicle  
22 at all times. The certification shall be legible and shall  
23 contain the date of issuance, the name, address and  
24 signature of the attending physician, and the name,  
25 address, and medical condition of the person requiring  
26 exemption. The information on the certificate for a window

1 treatment must remain current and shall be renewed annually  
2 by the attending physician. The owner shall also submit a  
3 copy of the certification to the Secretary of State. The  
4 Secretary of State may forward notice of certification to  
5 law enforcement agencies.

6 (g-5) (Blank).

7 (g-7) Installers shall only install window treatment  
8 authorized by subsection (g) on motor vehicles for which  
9 distinctive plates or license plate stickers have been issued  
10 pursuant to subsection (k) of Section 3-412 of this Code. The  
11 distinctive license plates or plate sticker must be on the  
12 motor vehicle at the time of window treatment installation.

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

18 (i) (Blank).

19 (j) A person found guilty of violating paragraphs (a),  
20 (a-5), (a-10), (b), or (g-7) of this Section shall be guilty of  
21 a petty offense and fined no less than \$50 nor more than \$500.  
22 A second or subsequent violation of paragraphs (a), (a-5),  
23 (a-10), (b), or (g-7) of this Section shall be treated as a  
24 Class C misdemeanor and the violator fined no less than \$100  
25 nor more than \$500. Any person convicted under paragraphs (a),  
26 (a-5), or (b) of this Section shall be ordered to alter any

1 nonconforming windows 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 vehicle dealer or manufacturer  
4 who sells a motor vehicle with a window which is in violation  
5 of this Section.

6 (l) ~~(k)~~ The Secretary of State shall provide a notice of  
7 the requirements of this Section to a new resident applying for  
8 vehicle registration in this State pursuant to Section 3-801 of  
9 this Code. The Secretary of State may comply with this  
10 subsection by posting the requirements of this Section on the  
11 Secretary of State's website.

12 (Source: P.A. 95-202, eff. 8-16-07; 96-530, eff. 1-1-10;  
13 96-815, eff. 10-30-09; revised 11-9-09.)