



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB0109

Introduced 1/12/2011, by Rep. Karen May

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-616

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

Amends provisions of the Illinois Vehicle Code authorizing the Secretary of State to issue parking decals or devices to persons with certain disabilities. Provides that the Secretary of State may issue a parking decal or device to a person who submits a statement certified by a licensed physician, an authorized physician assistant, or an authorized advanced practice nurse that the person is severely limited in his or her ability to walk due to a disease. Effective immediately.

LRB097 05562 HEP 45624 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 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 first division or for a  
10 motor vehicle of the second division weighing no more than  
11 8,000 pounds, accompanied with payment of the registration fees  
12 required under this Code from a person with disabilities or a  
13 person who is deaf or hard of hearing, the Secretary of State,  
14 if so requested, shall issue to such person registration plates  
15 as provided for in Section 3-611, provided that the person with  
16 disabilities or person who is deaf or hard of hearing must not  
17 be disqualified from obtaining a driver's license under  
18 subsection 8 of Section 6-103 of this Code, and further  
19 provided that any person making such a request must submit a  
20 statement, certified by a licensed physician, by a physician  
21 assistant who has been delegated the authority to make this  
22 certification by his or her supervising physician, or by an  
23 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 or to a  
9 person who is severely limited in his or her ability to walk  
10 due to a disease without regard to qualification of such person  
11 ~~with disabilities~~ for a driver's license or registration of a  
12 vehicle by such person ~~with disabilities~~ or such person's  
13 immediate family, provided such person ~~with disabilities~~  
14 making such a request has been issued a Disabled Person  
15 Identification Card indicating that the person named thereon  
16 has a Class 1A or Class 2A disability, or alternatively,  
17 submits a statement certified by a licensed physician, or by a  
18 physician assistant or an advanced practice nurse as provided  
19 in subsection (a), to the effect that such person is a person  
20 with disabilities as defined by Section 1-159.1 or is a person  
21 who is severely limited in his or her ability to walk due to a  
22 disease. An optometrist may certify a Class 2A Visual  
23 Disability as defined in Section 4A of the Illinois  
24 Identification Card Act for the purpose of qualifying a person  
25 with disabilities for a parking decal or device under this  
26 subsection.

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

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

20           (f) The Secretary of State, upon application, shall issue  
21 disability registration plates or a parking decal to  
22 corporations, school districts, State or municipal agencies,  
23 limited liability companies, nursing homes, convalescent  
24 homes, or special education cooperatives which will transport  
25 persons with disabilities. The Secretary shall prescribe by  
26 rule a means to certify or re-certify the eligibility of

1 organizations to receive disability plates or decals and to  
2 designate which of the 2 person with disabilities emblems shall  
3 be placed on qualifying vehicles.

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

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

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.