



Rep. Sidney H. Mathias

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09700HB4866ham002

LRB097 17218 JLS 68806 a

1 AMENDMENT TO HOUSE BILL 4866

2 AMENDMENT NO. _____. Amend House Bill 4866 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Motor Fuel Sales Act is amended by changing
5 Section 2 as follows:

6 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

7 Sec. 2. Assistance at stations with self-service and
8 full-service islands.

9 (a) Any attendant on duty at a gasoline station or service
10 station offering to the public retail sales of motor fuel at
11 both self-service and full-service islands shall, upon
12 request, dispense motor fuel for the driver of a car which is
13 parked at a self-service island and displays: (1) registration
14 plates issued to a physically disabled person pursuant to
15 Section 3-616 of the Illinois Vehicle Code; (2) registration
16 plates issued to a disabled veteran pursuant to Section 3-609

1 or 3-609.01 of such Code; or (3) a special decal or device
2 issued pursuant to Section 11-1301.2 of such Code; and shall
3 only charge such driver prices as offered to the general public
4 for motor fuel dispensed at the self-service island. However,
5 such attendant shall not be required to perform other services
6 which are offered at the full-service island.

7 (b) Gasoline stations and service stations in this State
8 are subject to the federal Americans with Disabilities Act and
9 must:

10 (1) provide refueling assistance upon the request of an
11 individual with a disability (A gasoline station or service
12 station is not required to provide such service at any time
13 that it is operating on a remote control basis with a
14 single employee, but is encouraged to do so, if feasible.);

15 (2) provide and display, by June 1, 2013, on each side
16 of a fueling site, a direct telephone number to the
17 gasoline station or service station that will allow a
18 disabled operator of a motor vehicle to request refueling
19 assistance accompanied by the universal wheelchair symbol
20 and the following statement: "If you are a person with a
21 disability, display a disability placard or license plate,
22 and need assistance refueling your vehicle, you may contact
23 a station attendant by phone directly at XXX-XXX-XXXX." ~~let~~
24 ~~patrons know, through appropriate signs, that customers~~
25 ~~with disabilities can obtain refueling assistance by~~
26 ~~either honking or otherwise signaling an employee; and~~

1 (3) provide the refueling assistance without any
2 charge beyond the self-serve price.

3 (c) The signage required under paragraph (2) of subsection
4 (b) shall be designated by the station owner and shall be
5 posted in a prominently visible place. The sign shall be
6 clearly visible to customers.

7 (d) The Secretary of State shall provide to persons with
8 disabilities information regarding the availability of
9 refueling assistance under this Section by the following
10 methods:

11 (1) by posting information about that availability on
12 the Secretary of State's Internet website, along with a
13 link to the Department of Human Services website; and

14 (2) by publishing a brochure containing information
15 about that availability, which shall be made available at
16 all Secretary of State offices throughout the State.

17 (e) The Department of Human Services shall post on its
18 Internet website information regarding the availability of
19 refueling assistance for persons with disabilities and the
20 addresses and telephone numbers of all gasoline and service
21 stations in Illinois.

22 (f) A person commits a Class C misdemeanor if he or she
23 telephones a gasoline station or service station to request
24 refueling assistance and he or she:

25 (1) is not actually physically present at the gasoline
26 or service station; or

1 (2) is physically present at the gasoline or service
2 station but does not actually require refueling
3 assistance.

4 (g) The Department of Transportation shall work in
5 cooperation with appropriate representatives of gasoline and
6 service station trade associations and the petroleum industry
7 to increase the signage at gasoline and service stations on
8 interstate highways in this State with regard to the
9 availability of refueling assistance for persons with
10 disabilities.

11 (h) An owner who owns a gas station or service station, a
12 landlord who owns the land or facility that houses a gas
13 station or service station, a tenant who owns or operates the
14 gas station or service station (collectively "owner or
15 operator"), and a franchisor or other parent entity
16 ("franchisor") are all jointly and severally subject to the
17 requirements of this Act. An owner or operator who fails to
18 comply with this Act is guilty of a Class C misdemeanor and
19 shall pay a fine of not less than \$300 nor more than \$600 per
20 violation per location. A franchisor who fails to comply with
21 this Act is guilty of a Class C misdemeanor and shall pay a
22 fine of not less than \$200 nor more than \$400 per violation per
23 location.

24 (Source: P.A. 95-167, eff. 1-1-08; 95-193, eff. 1-1-08; 95-876,
25 eff. 8-21-08.)".