



Rep. Sidney H. Mathias

Filed: 5/1/2012

09700HB4866ham003

LRB097 17218 JLS 69003 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 on duty at the motor fuel site, but is
15 encouraged to do so, if feasible.);

16 (2) provide and display at least one ADA compliant
17 motor fuel dispenser with a direct telephone number to the
18 station that allows a disabled operator of a motor vehicle
19 to request refueling assistance, with the telephone number
20 posted in close proximity to the International Symbol of
21 Accessibility required by the federal Americans with
22 Disabilities Act ~~let patrons know, through appropriate~~
23 ~~signs, that customers with disabilities can obtain~~
24 ~~refueling assistance by either honking or otherwise~~
25 ~~signaling an employee; and~~

26 (3) provide the refueling assistance without any

1 charge beyond the self-serve price.

2 In conformity with the federal Americans with Disabilities
3 Act, the actions required under paragraph (2) of this
4 subsection by this amendatory Act of the 97th General Assembly
5 must be taken when any construction or alterations are made to
6 the facility in question.

7 (c) The signage required under paragraph (2) of subsection
8 (b) shall be designated by the station owner and shall be
9 posted in a prominently visible place. The sign shall be
10 clearly visible to customers.

11 (d) The Secretary of State shall provide to persons with
12 disabilities information regarding the availability of
13 refueling assistance under this Section by the following
14 methods:

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

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

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

26 (f) A person commits a Class C misdemeanor if he or she

1 telephones a gasoline station or service station to request
2 refueling assistance and he or she:

3 (1) is not actually physically present at the gasoline
4 or service station; or

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

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

15 (h) If an owner or operator of a gas station or service
16 station is found by the Illinois Department of Agriculture,
17 Bureau of Weights and Measures, to be in violation of this Act,
18 the owner or operator shall pay an administrative fine of \$250.
19 Any moneys collected by the Department shall be deposited into
20 the Weights and Measures Fund.

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