

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 Sections 11-1301.1, 11-1301.2, 11-1301.3, and 11-1301.5 as
6 follows:

7 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

8 Sec. 11-1301.1. Persons with disabilities - Parking
9 privileges - Exemptions. A motor vehicle bearing registration
10 plates issued to a person with disabilities, as defined by
11 Section 1-159.1, pursuant to Section 3-616 or to a disabled
12 veteran pursuant to Section 3-609 or a special decal or device
13 issued pursuant to Section 3-616 or pursuant to Section
14 11-1301.2 of this Code or a motor vehicle registered in another
15 jurisdiction, state, district, territory or foreign country
16 upon which is displayed a registration plate, special decal or
17 device issued by the other jurisdiction designating the vehicle
18 is operated by or for a person with disabilities shall be
19 exempt from the payment of parking meter fees until January 1,
20 2014, and exempt from any statute or ordinance imposing time
21 limitations on parking, except limitations of one-half hour or
22 less, on any street or highway zone, a parking area subject to
23 regulation under subsection (a) of Section 11-209 of this Code,

1 or any parking lot or parking place which are owned, leased or
2 owned and leased by a municipality or a municipal parking
3 utility; and shall be recognized by state and local authorities
4 as a valid license plate or parking device and shall receive
5 the same parking privileges as residents of this State; but,
6 such vehicle shall be subject to the laws which prohibit
7 parking in "no stopping" and "no standing" zones in front of or
8 near fire hydrants, driveways, public building entrances and
9 exits, bus stops and loading areas, and is prohibited from
10 parking where the motor vehicle constitutes a traffic hazard,
11 whereby such motor vehicle shall be moved at the instruction
12 and request of a law enforcement officer to a location
13 designated by the officer. Any motor vehicle bearing
14 registration plates or a special decal or device specified in
15 this Section or in Section 3-616 of this Code or such parking
16 device as specifically authorized in Section 11-1301.2 as
17 evidence that the vehicle is operated by or for a person with
18 disabilities or disabled veteran may park, in addition to any
19 other lawful place, in any parking place specifically reserved
20 for such vehicles by the posting of an official sign as
21 provided under Section 11-301. Parking privileges granted by
22 this Section are strictly limited to the person to whom the
23 special registration plates, special decal or device were
24 issued and to qualified operators acting under his express
25 direction while the person with disabilities is present. A
26 person to whom privileges were granted shall, at the request of

1 a police officer or any other person invested by law with
2 authority to direct, control, or regulate traffic, present an
3 identification card with a picture as verification that the
4 person is the person to whom the special registration plates,
5 special decal or device was issued.

6 Such parking privileges granted by this Section are also
7 extended to motor vehicles of not-for-profit organizations
8 used for the transportation of persons with disabilities when
9 such motor vehicles display the decal or device issued pursuant
10 to Section 11-1301.2 of this Code.

11 No person shall use any area for the parking of any motor
12 vehicle pursuant to Section 11-1303 of this Code or where an
13 official sign controlling such area expressly prohibits
14 parking at any time or during certain hours.

15 Beginning January 1, 2014, a vehicle displaying a decal or
16 device issued under subsection (c-5) of Section 11-1301.2 of
17 this Code shall be exempt from the payment of fees generated by
18 parking in a metered space or in a publicly owned parking
19 structure or area.

20 (Source: P.A. 95-167, eff. 1-1-08; 96-79, eff. 1-1-10.)

21 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

22 Sec. 11-1301.2. Special decals for parking; persons with
23 disabilities.

24 (a) The Secretary of State shall provide for, by
25 administrative rules, the design, size, color, and placement of

1 a person with disabilities motorist decal or device and shall
2 provide for, by administrative rules, the content and form of
3 an application for a person with disabilities motorist decal or
4 device, which shall be used by local authorities in the
5 issuance thereof to a person with temporary disabilities,
6 provided that the decal or device is valid for no more than 90
7 days, subject to renewal for like periods based upon continued
8 disability, and further provided that the decal or device
9 clearly sets forth the date that the decal or device expires.
10 The application shall include the requirement of an Illinois
11 Identification Card number or a State of Illinois driver's
12 license number. This decal or device may be used by the
13 authorized holder to designate and identify a vehicle not owned
14 or displaying a registration plate as provided in Sections
15 3-609 and 3-616 of this Act to designate when the vehicle is
16 being used to transport said person or persons with
17 disabilities, and thus is entitled to enjoy all the privileges
18 that would be afforded a person with disabilities licensed
19 vehicle. Person with disabilities decals or devices issued and
20 displayed pursuant to this Section shall be recognized and
21 honored by all local authorities regardless of which local
22 authority issued such decal or device.

23 The decal or device shall be issued only upon a showing by
24 adequate documentation that the person for whose benefit the
25 decal or device is to be used has a temporary disability as
26 defined in Section 1-159.1 of this Code.

1 (b) The local governing authorities shall be responsible
2 for the provision of such decal or device, its issuance and
3 designated placement within the vehicle. The cost of such decal
4 or device shall be at the discretion of such local governing
5 authority.

6 (c) The Secretary of State may, pursuant to Section
7 3-616(c), issue a person with disabilities parking decal or
8 device to a person with disabilities as defined by Section
9 1-159.1. Any person with disabilities parking decal or device
10 issued by the Secretary of State shall be registered to that
11 person with disabilities in the form to be prescribed by the
12 Secretary of State. The person with disabilities parking decal
13 or device shall not display that person's address. One
14 additional decal or device may be issued to an applicant upon
15 his or her written request and with the approval of the
16 Secretary of State. The written request must include a
17 justification of the need for the additional decal or device.

18 (c-5) Beginning January 1, 2014, the Secretary shall
19 provide by administrative rule for the issuance of a separate
20 and distinct parking decal or device for persons with
21 disabilities as defined by Section 1-159.1 of this Code. The
22 authorized holder of a decal or device issued under this
23 subsection (c-5) shall be exempt from the payment of fees
24 generated by parking in a metered space, a parking area subject
25 to paragraph (10) of subsection (a) of Section 11-209 of this
26 Code, or a publicly owned parking structure or area.

1 The Secretary shall issue a meter-exempt decal or device to
2 a person with disabilities who: (i) has been issued
3 registration plates under Section 3-609 or 3-616 of this Code
4 or a special decal or device under this Section, (ii) holds a
5 valid Illinois driver's license; and (iii) is unable to do one
6 or more of the following:

7 (1) manage, manipulate, or insert coins, or obtain
8 tickets or tokens in parking meters or ticket machines in
9 parking lots or parking structures, due to the lack of fine
10 motor control of both hands;

11 (2) reach above his or her head to a height of 42
12 inches from the ground, due to a lack of finger, hand, or
13 upper extremity strength or mobility;

14 (3) approach a parking meter due to his or her use of a
15 wheelchair or other device for mobility; or

16 (4) walk more than 20 feet due to an orthopedic,
17 neurological, cardiovascular, or lung condition in which
18 the degree of debilitation is so severe that it almost
19 completely impedes the ability to walk.

20 The application for a meter-exempt parking decal or device
21 shall contain a statement certified by a licensed physician,
22 physician assistant, or advanced practice nurse attesting to
23 the nature and estimated duration of the applicant's condition
24 and verifying that the applicant meets the physical
25 qualifications specified in this subsection (c-5).

26 Notwithstanding the requirements of this subsection (c-5),

1 the Secretary shall issue a meter-exempt decal or device to a
2 person who has been issued registration plates under Section
3 3-616 of this Code or a special decal or device under this
4 Section, if the applicant is the parent or guardian of a person
5 with disabilities who is under 18 years of age and incapable of
6 driving.

7 (d) Replacement decals or devices may be issued for lost,
8 stolen, or destroyed decals upon application and payment of a
9 \$10 fee. The replacement fee may be waived for individuals that
10 have claimed and received a grant under the Senior Citizens and
11 Disabled Persons Property Tax Relief and Pharmaceutical
12 Assistance Act.

13 (Source: P.A. 95-167, eff. 1-1-08; 96-72, eff. 1-1-10; 96-79,
14 eff. 1-1-10; 96-1000, eff. 7-2-10.)

15 (625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)

16 Sec. 11-1301.3. Unauthorized use of parking places
17 reserved for persons with disabilities.

18 (a) It shall be prohibited to park any motor vehicle which
19 is not properly displaying registration plates or decals issued
20 to a person with disabilities, as defined by Section 1-159.1,
21 pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a
22 disabled veteran pursuant to Section 3-609 of this Act, as
23 evidence that the vehicle is operated by or for a person with
24 disabilities or disabled veteran, in any parking place,
25 including any private or public offstreet parking facility,

1 specifically reserved, by the posting of an official sign as
2 designated under Section 11-301, for motor vehicles displaying
3 such registration plates. It shall be prohibited to park any
4 motor vehicle in a designated access aisle adjacent to any
5 parking place specifically reserved for persons with
6 disabilities, by the posting of an official sign as designated
7 under Section 11-301, for motor vehicles displaying such
8 registration plates. When using the parking privileges for
9 persons with disabilities, the parking decal or device must be
10 displayed properly in the vehicle where it is clearly visible
11 to law enforcement personnel, either hanging from the rearview
12 mirror or placed on the dashboard of the vehicle in clear view.
13 Disability license plates and parking decals and devices are
14 not transferable from person to person. Proper usage of the
15 disability license plate or parking decal or device requires
16 the authorized holder to be present and enter or exit the
17 vehicle at the time the parking privileges are being used. It
18 is a violation of this Section to park in a space reserved for
19 a person with disabilities if the authorized holder of the
20 disability license plate or parking decal or device does not
21 enter or exit the vehicle at the time the parking privileges
22 are being used. Any motor vehicle properly displaying a
23 disability license plate or a parking decal or device
24 containing the International symbol of access issued to persons
25 with disabilities by any local authority, state, district,
26 territory or foreign country shall be recognized by State and

1 local authorities as a valid license plate or device and
2 receive the same parking privileges as residents of this State.

3 (a-1) An individual with a vehicle displaying disability
4 license plates or a parking decal or device issued to a
5 qualified person with a disability under Sections 3-616,
6 11-1301.1, or 11-1301.2 or to a disabled veteran under Section
7 3-609 is in violation of this Section if (i) the person using
8 the disability license plate or parking decal or device is not
9 the authorized holder of the disability license plate or
10 parking decal or device or is not transporting the authorized
11 holder of the disability license plate or parking decal or
12 device to or from the parking location and (ii) the person uses
13 the disability license plate or parking decal or device to
14 exercise any privileges granted through the disability license
15 plate or parking decals or devices under this Code.

16 (b) Any person or local authority owning or operating any
17 public or private offstreet parking facility may, after
18 notifying the police or sheriff's department, remove or cause
19 to be removed to the nearest garage or other place of safety
20 any vehicle parked within a stall or space reserved for use by
21 a person with disabilities which does not display person with
22 disabilities registration plates or a special decal or device
23 as required under this Section.

24 (c) Any person found guilty of violating the provisions of
25 subsection (a) shall be fined \$250 in addition to any costs or
26 charges connected with the removal or storage of any motor

1 vehicle authorized under this Section; but municipalities by
2 ordinance may impose a fine up to \$350 and shall display signs
3 indicating the fine imposed. If the amount of the fine is
4 subsequently changed, the municipality shall change the sign to
5 indicate the current amount of the fine. It shall not be a
6 defense to a charge under this Section that either the sign
7 posted pursuant to this Section or the intended accessible
8 parking place does not comply with the technical requirements
9 of Section 11-301, Department regulations, or local ordinance
10 if a reasonable person would be made aware by the sign or
11 notice on or near the parking place that the place is reserved
12 for a person with disabilities.

13 (c-1) Any person found guilty of violating the provisions
14 of subsection (a-1) a first time shall be fined \$600 ~~\$500~~. Any
15 person found guilty of violating subsection (a-1) a second time
16 shall be fined \$750. Any person found guilty of violating
17 subsection (a-1) a third or subsequent time shall be fined
18 \$1,000. The circuit clerk shall distribute 50% of the fine
19 imposed on any person who is found guilty of or pleads guilty
20 to violating this Section, including any person placed on court
21 supervision for violating this Section, to the law enforcement
22 agency that issued the citation or made the arrest. If more
23 than one law enforcement agency is responsible for issuing the
24 citation or making the arrest, the 50% of the fine imposed
25 shall be shared equally. If an officer of the Secretary of
26 State Department of Police arrested a person for a violation of

1 this Section, 50% of the fine imposed shall be deposited into
2 the Secretary of State Police Services Fund.

3 (d) Local authorities shall impose fines as established in
4 subsections (c) and (c-1) for violations of this Section.

5 (e) As used in this Section, "authorized holder" means an
6 individual issued a disability license plate under Section
7 3-616 of this Code, an individual issued a parking decal or
8 device under Section 11-1301.2 of this Code, or an individual
9 issued a disabled veteran's license plate under Section 3-609
10 of this Code.

11 (f) Any person who commits a violation of subsection (a-1)
12 may have his or her driving privileges suspended or revoked by
13 the Secretary of State for a period of time determined by the
14 Secretary of State. The Secretary of State may also suspend or
15 revoke the disability license plates or parking decal or device
16 for a period of time determined by the Secretary of State.

17 (g) Any police officer may seize the parking decal or
18 device from any person who commits a violation of this Section.
19 Any police officer may seize the disability license plate upon
20 authorization from the Secretary of State. Any police officer
21 may request that the Secretary of State revoke the parking
22 decal or device or the disability license plate of any person
23 who commits a violation of this Section.

24 (Source: P.A. 95-167, eff. 1-1-08; 95-430, eff. 6-1-08; 95-876,
25 eff. 8-21-08; 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-962,
26 eff. 7-2-10; 96-1000, eff. 7-2-10.)

1 (625 ILCS 5/11-1301.5)

2 Sec. 11-1301.5. Fictitious or unlawfully altered
3 disability license plate or parking decal or device.

4 (a) As used in this Section:

5 "Fictitious disability license plate or parking decal or
6 device" means any issued disability license plate or parking
7 decal or device, or any license plate issued to a disabled
8 veteran under Section 3-609 of this Code, that has been issued
9 by the Secretary of State or an authorized unit of local
10 government that was issued based upon false information
11 contained on the required application.

12 "False information" means any incorrect or inaccurate
13 information concerning the name, date of birth, social security
14 number, driver's license number, physician certification, or
15 any other information required on the Persons with Disabilities
16 Certification for Plate or Parking Placard, on the Application
17 for Replacement Disability Parking Placard, or on the
18 application for license plates issued to disabled veterans
19 under Section 3-609 of this Code, that falsifies the content of
20 the application.

21 "Unlawfully altered disability license plate or parking
22 permit or device" means any disability license plate or parking
23 permit or device, or any license plate issued to a disabled
24 veteran under Section 3-609 of this Code, issued by the
25 Secretary of State or an authorized unit of local government

1 that has been physically altered or changed in such manner that
2 false information appears on the license plate or parking decal
3 or device.

4 "Authorized holder" means an individual issued a
5 disability license plate under Section 3-616 of this Code or an
6 individual issued a parking decal or device under Section
7 11-1301.2 of this Code, or an individual issued a disabled
8 veteran's license plate under Section 3-609 of this Code.

9 (b) It is a violation of this Section for any person:

10 (1) to knowingly possess any fictitious or unlawfully
11 altered disability license plate or parking decal or
12 device;

13 (2) to knowingly issue or assist in the issuance of, by
14 the Secretary of State or unit of local government, any
15 fictitious disability license plate or parking decal or
16 device;

17 (3) to knowingly alter any disability license plate or
18 parking decal or device;

19 (4) to knowingly manufacture, possess, transfer, or
20 provide any documentation used in the application process
21 whether real or fictitious, for the purpose of obtaining a
22 fictitious disability license plate or parking decal or
23 device;

24 (5) to knowingly provide any false information to the
25 Secretary of State or a unit of local government in order
26 to obtain a disability license plate or parking decal or

1 device; ~~or~~

2 (6) to knowingly transfer a disability license plate or
3 parking decal or device for the purpose of exercising the
4 privileges granted to an authorized holder of a disability
5 license plate or parking decal or device under this Code in
6 the absence of the authorized holder; or

7 (7) for a physician, physician assistant, or advanced
8 practice nurse to knowingly falsify a certification that a
9 person is a person with disabilities as defined by Section
10 1-159.1 of this Code.

11 (c) Sentence.

12 (1) Any person convicted of a violation of paragraph
13 (1), (2), (3), (4), ~~or~~ (5), or (7) of subsection (b) of
14 this Section shall be guilty of a Class A misdemeanor and
15 fined not less than \$1,000 ~~\$500~~ for a first offense and
16 shall be guilty of a Class 4 felony and fined not less than
17 \$2,000 ~~\$1,000~~ for a second or subsequent offense. Any
18 person convicted of a violation of subdivision (b)(6) of
19 this Section is guilty of a Class A misdemeanor and shall
20 be fined not less than \$1,000 ~~\$500~~ for a first offense and
21 not less than \$2,000 ~~\$1,000~~ for a second or subsequent
22 offense. The circuit clerk shall distribute one-half of any
23 fine imposed on any person who is found guilty of or pleads
24 guilty to violating this Section, including any person
25 placed on court supervision for violating this Section, to
26 the law enforcement agency that issued the citation or made

1 the arrest. If more than one law enforcement agency is
2 responsible for issuing the citation or making the arrest,
3 one-half of the fine imposed shall be shared equally.

4 (2) Any person who commits a violation of this Section
5 may have his or her driving privileges suspended or revoked
6 by the Secretary of State for a period of time determined
7 by the Secretary of State. The Secretary of State may
8 suspend or revoke the parking decal or device or the
9 disability license plate of any person who commits a
10 violation of this Section.

11 (3) Any police officer may seize the parking decal or
12 device from any person who commits a violation of this
13 Section. Any police officer may seize the disability
14 license plate upon authorization from the Secretary of
15 State. Any police officer may request that the Secretary of
16 State revoke the parking decal or device or the disability
17 license plate of any person who commits a violation of this
18 Section.

19 (Source: P.A. 95-167, eff. 1-1-08; 96-79, eff. 1-1-10.)