

SB1238



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1238

Introduced 2/8/2011, by Sen. Mike Jacobs

SYNOPSIS AS INTRODUCED:

815 ILCS 365/2

from Ch. 121 1/2, par. 1502

Amends the Motor Fuel Sales Act. Provides that gasoline stations and service stations must provide a minimum of one fueling site with a calling device that allows the disabled operator of a motor vehicle to request refueling assistance; sets forth minimum specifications for such a calling device. Provides that gasoline stations and service stations also must let patrons know, through appropriate signs, that customers with disabilities can obtain refueling assistance by using the calling device (instead of by either honking or otherwise signaling an employee).

LRB097 07610 AEK 47721 b

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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

23 (b) Gasoline stations and service stations in this State

1 are subject to the federal Americans with Disabilities Act and
2 must:

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

8 (1.5) provide a minimum of one fueling site with a
9 calling device that allows the disabled operator of a motor
10 vehicle to request refueling assistance; the calling
11 device must meet the following minimum specifications:

12 (A) it must provide a recognizable signal inside
13 the retail establishment that a driver needs
14 assistance operating the pump;

15 (B) it must be able to be operated from the vehicle
16 by a person with limited manual dexterity using only
17 one hand without requiring tight grasping or pinching;

18 (C) it must be mounted at a height between 34 and
19 48 inches from the ground; and

20 (D) it must be operable from the vehicle in
21 accordance with all requirements of the Americans with
22 Disabilities Act Accessibility Guidelines;

23 (2) let patrons know, through appropriate signs, that
24 customers with disabilities can obtain refueling
25 assistance by using the calling device ~~either honking or~~
26 ~~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 (Source: P.A. 95-167, eff. 1-1-08; 95-193, eff. 1-1-08; 95-876,
12 eff. 8-21-08.)