



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### SB1929

Introduced 2/15/2013, by Sen. Emil Jones, III

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1301.1  
625 ILCS 5/11-1301.2

from Ch. 95 1/2, par. 11-1301.1  
from Ch. 95 1/2, par. 11-1301.2

Amends the Illinois Vehicle Code. In Section on special decals for parking and persons with disabilities, revises cross-reference to the definition of "persons with disabilities" with respect to a temporary disability. Provides that exemptions from parking fees for disabled persons shall only apply to metered street parking and not to public parking structures or areas. Requires an application for a meter exempt decal to provide evidence of permanent disability.

LRB098 10105 MLW 40264 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 Sections 11-1301.1 and 11-1301.2 as follows:

6 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

7 Sec. 11-1301.1. Persons with disabilities - Parking  
8 privileges - Exemptions.

9 (a) A motor vehicle bearing registration plates issued to a  
10 person with disabilities, as defined by Section 1-159.1,  
11 pursuant to Section 3-616 or to a disabled veteran pursuant to  
12 subsection (a) of 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.

14 (b) Any motor vehicle bearing registration plates or a  
15 special decal or device specified in this Section or in Section  
16 3-616 of this Code or such parking device as specifically  
17 authorized in Section 11-1301.2 as evidence that the vehicle is  
18 operated by or for a person with disabilities or bearing  
19 registration plates issued to a disabled veteran under  
20 subsection (a) of Section 3-609 may park, in addition to any  
21 other lawful place, in any parking place specifically reserved  
22 for such vehicles by the posting of an official sign as  
23 provided under Section 11-301. Parking privileges granted by  
24 this Section are strictly limited to the person to whom the  
25 special registration plates, special decal or device were  
26 issued and to qualified operators acting under his or her

1 express direction while the person with disabilities is  
2 present. A person to whom privileges were granted shall, at the  
3 request of a police officer or any other person invested by law  
4 with authority to direct, control, or regulate traffic, present  
5 an identification card with a picture as verification that the  
6 person is the person to whom the special registration plates,  
7 special decal or device was issued.

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

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

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

22 (Source: P.A. 96-79, eff. 1-1-10; 97-845, eff. 1-1-13; 97-918,  
23 eff. 1-1-13; revised 8-23-12.)

24 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

25 Sec. 11-1301.2. Special decals for parking; persons with

1 disabilities.

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

26 The decal or device shall be issued only upon a showing by

1 adequate documentation that the person for whose benefit the  
2 decal or device is to be used has a ~~temporary~~ disability as  
3 defined in Section 1-159.1 of this Code and the disability is  
4 temporary.

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

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

22 (c-5) Beginning January 1, 2014, the Secretary shall  
23 provide by administrative rule for the issuance of a separate  
24 and distinct parking decal or device for persons with  
25 disabilities as defined by Section 1-159.1 of this Code and who  
26 meet the qualifications under this subsection. The authorized

1 holder of a decal or device issued under this subsection (c-5)  
2 shall be exempt from the payment of fees generated by on-street  
3 parking in a metered space, ~~a parking area subject to paragraph~~  
4 ~~(10) of subsection (a) of Section 11-209 of this Code, or a~~  
5 ~~publicly owned parking structure or area.~~

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

12 (1) manage, manipulate, or insert coins, or obtain  
13 tickets or tokens in parking meters or ticket machines in  
14 parking lots or parking structures, due to the lack of fine  
15 motor control of both hands;

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

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

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

25 The application for a meter-exempt parking decal or device  
26 shall contain a statement certified by a licensed physician,

1 physician assistant, or advanced practice nurse attesting to  
2 the permanent nature ~~and estimated duration~~ of the applicant's  
3 condition and verifying that the applicant meets the physical  
4 qualifications specified in this subsection (c-5).

5 Notwithstanding the requirements of this subsection (c-5),  
6 the Secretary shall issue a meter-exempt decal or device to a  
7 person who has been issued registration plates under Section  
8 3-616 of this Code or a special decal or device under this  
9 Section, if the applicant is the parent or guardian of a person  
10 with disabilities who is under 18 years of age and incapable of  
11 driving.

12 (d) Replacement decals or devices may be issued for lost,  
13 stolen, or destroyed decals upon application and payment of a  
14 \$10 fee. The replacement fee may be waived for individuals that  
15 have claimed and received a grant under the Senior Citizens and  
16 Disabled Persons Property Tax Relief Act.

17 (Source: P.A. 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-1000,  
18 eff. 7-2-10; 97-689, eff. 6-14-12; 97-845, eff. 1-1-13; revised  
19 8-3-12.)