

HB3689



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3689

by Rep. Katherine Cloonen

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1301.2

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

Amends the Illinois Vehicle Code. Removes the requirements that a person applying for a parking-fee exempt person with disabilities decal be issued person with disability registration plates and have a valid Illinois driver's license. Removes the requirement that the person with disabilities be under the age of 18 for a parent or guardian to apply for and be issued a meter-exempt decal or device, or a special decal or device, on that person's behalf.

LRB099 06145 RJF 26202 b

A BILL FOR

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 Section 11-1301.2 as follows:

6 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

7 Sec. 11-1301.2. Special decals for parking; persons with
8 disabilities.

9 (a) The Secretary of State shall provide for, by
10 administrative rules, the design, size, color, and placement of
11 a person with disabilities motorist decal or device and shall
12 provide for, by administrative rules, the content and form of
13 an application for a person with disabilities motorist decal or
14 device, which shall be used by local authorities in the
15 issuance thereof to a person with temporary disabilities,
16 provided that the decal or device is valid for no more than 90
17 days, subject to renewal for like periods based upon continued
18 disability, and further provided that the decal or device
19 clearly sets forth the date that the decal or device expires.
20 The application shall include the requirement of an Illinois
21 Identification Card number or a State of Illinois driver's
22 license number. This decal or device may be used by the
23 authorized holder to designate and identify a vehicle not owned

1 or displaying a registration plate as provided in Sections
2 3-609 and 3-616 of this Act to designate when the vehicle is
3 being used to transport said person or persons with
4 disabilities, and thus is entitled to enjoy all the privileges
5 that would be afforded a person with disabilities licensed
6 vehicle. Person with disabilities decals or devices issued and
7 displayed pursuant to this Section shall be recognized and
8 honored by all local authorities regardless of which local
9 authority issued such decal or device.

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

14 (b) The local governing authorities shall be responsible
15 for the provision of such decal or device, its issuance and
16 designated placement within the vehicle. The cost of such decal
17 or device shall be at the discretion of such local governing
18 authority.

19 (c) The Secretary of State may, pursuant to Section
20 3-616(c), issue a person with disabilities parking decal or
21 device to a person with disabilities as defined by Section
22 1-159.1. Any person with disabilities parking decal or device
23 issued by the Secretary of State shall be registered to that
24 person with disabilities in the form to be prescribed by the
25 Secretary of State. The person with disabilities parking decal
26 or device shall not display that person's address. One

1 additional decal or device may be issued to an applicant upon
2 his or her written request and with the approval of the
3 Secretary of State. The written request must include a
4 justification of the need for the additional decal or device.

5 (c-5) Beginning January 1, 2014, the Secretary shall
6 provide by administrative rule for the issuance of a separate
7 and distinct parking decal or device for persons with
8 disabilities as defined by Section 1-159.1 of this Code and who
9 meet the qualifications under this subsection. The authorized
10 holder of a decal or device issued under this subsection (c-5)
11 shall be exempt from the payment of fees generated by parking
12 in a metered space, a parking area subject to paragraph (10) of
13 subsection (a) of Section 11-209 of this Code, or a publicly
14 owned parking area.

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

21 (1) manage, manipulate, or insert coins, or obtain
22 tickets or tokens in parking meters or ticket machines in
23 parking lots, due to the lack of fine motor control of both
24 hands;

25 (2) reach above his or her head to a height of 42
26 inches from the ground, due to a lack of finger, hand, or

1 upper extremity strength or mobility;

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

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

8 The application for a meter-exempt parking decal or device
9 shall contain a statement certified by a licensed physician,
10 physician assistant, or advanced practice nurse attesting to
11 the permanent nature of the applicant's condition and verifying
12 that the applicant meets the physical qualifications specified
13 in this subsection (c-5).

14 Notwithstanding the requirements of this subsection (c-5),
15 the Secretary shall issue a meter-exempt decal or device to a
16 person who has been issued registration plates under Section
17 3-616 of this Code or a special decal or device under this
18 Section, if the applicant is the parent or guardian of a person
19 with disabilities who is ~~under 18 years of age and~~ incapable of
20 driving.

21 (d) Replacement decals or devices may be issued for lost,
22 stolen, or destroyed decals upon application and payment of a
23 \$10 fee. The replacement fee may be waived for individuals that
24 have claimed and received a grant under the Senior Citizens and
25 Disabled Persons Property Tax Relief Act.

26 (e) A person classified as a veteran under subsection (e)

1 of Section 6-106 of this Code that has been issued a decal or
2 device under this Section shall not be required to submit
3 evidence of disability in order to renew that decal or device
4 if, at the time of initial application, he or she submitted
5 evidence from his or her physician or the Department of
6 Veterans' Affairs that the disability is of a permanent nature.
7 However, the Secretary shall take reasonable steps to ensure
8 the veteran still resides in this State at the time of the
9 renewal. These steps may include requiring the veteran to
10 provide additional documentation or to appear at a Secretary of
11 State facility. To identify veterans who are eligible for this
12 exemption, the Secretary shall compare the list of the persons
13 who have been issued a decal or device to the list of persons
14 who have been issued a disabled veteran vehicle registration
15 plate under Section 3-609 of this Code, or who are identified
16 as a veteran on their driver's license under Section 6-110 of
17 this Code or on their identification card under Section 4 of
18 the Illinois Identification Card Act.

19 (Source: P.A. 97-689, eff. 6-14-12; 97-845, eff. 1-1-13;
20 98-463, eff. 8-16-13; 98-577, eff. 1-1-14; 98-879, eff.
21 1-1-15.)