

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 2-111, 3-616, 3-704, 3-808.1, 11-1301.3, 11-1301.5, 11-1301.6, and 12-401 as follows:

(625 ILCS 5/2-111) (from Ch. 95 1/2, par. 2-111)

Sec. 2-111. Seizure or confiscation of documents and plates. (a) The Secretary of State is authorized to take possession of any certificate of title, registration card, permit, license, registration plate, plates, disability person ~~with disabilities~~ license plate or parking decal or device, or registration sticker issued by him upon expiration, revocation, cancellation or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued. Police officers who have reasonable grounds to believe that any item or items listed in this section should be seized shall request the Secretary of State to take possession of such item or items.

(b) The Secretary of State is authorized to confiscate any suspected fraudulent, fictitious, or altered documents submitted by an applicant in support of an application for a driver's license or permit.

(Source: P.A. 93-895, eff. 1-1-05.)

(625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

Sec. 3-616. Disability ~~Person with disabilities~~ license plates.

(a) Upon receiving an application for a certificate of registration for a motor vehicle of the first division or for a motor vehicle of the second division weighing no more than 8,000 pounds, accompanied with payment of the registration fees

required under this Code from a person with disabilities or a person who is deaf or hard of hearing, the Secretary of State, if so requested, shall issue to such person registration plates as provided for in Section 3-611, provided that the person with disabilities or person who is deaf or hard of hearing must not be disqualified from obtaining a driver's license under subsection 8 of Section 6-103 of this Code, and further provided that any person making such a request must submit a statement, certified by a licensed physician, by a physician assistant who has been delegated the authority to make this certification by his or her supervising physician, or by an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this certification, to the effect that such person is a person with disabilities as defined by Section 1-159.1 of this Code, or alternatively provide adequate documentation that such person has a Class 1A, Class 2A or Type Four disability under the provisions of Section 4A of the Illinois Identification Card Act. For purposes of this Section, an Illinois Disabled Person Identification Card issued pursuant to the Illinois Identification Card Act indicating that the person thereon named has a disability shall be adequate documentation of such a disability.

(b) The Secretary shall issue plates under this Section to a parent or legal guardian of a person with disabilities if the person with disabilities has a Class 1A or Class 2A disability as defined in Section 4A of the Illinois Identification Card Act or is a person with disabilities as defined by Section 1-159.1 of this Code, and does not possess a vehicle registered in his or her name, provided that the person with disabilities relies frequently on the parent or legal guardian for transportation. Only one vehicle per family may be registered under this subsection, unless the applicant can justify in writing the need for one additional set of plates. Any person requesting special plates under this subsection shall submit

such documentation or such physician's, physician assistant's, or advanced practice nurse's statement as is required in subsection (a) and a statement describing the circumstances qualifying for issuance of special plates under this subsection.

(c) The Secretary may issue a ~~person with disabilities~~ parking decal or device to a person with disabilities as defined by Section 1-159.1 without regard to qualification of such person with disabilities for a driver's license or registration of a vehicle by such person with disabilities or such person's immediate family, provided such person with disabilities making such a request has been issued a Disabled Person Identification Card indicating that the person named thereon has a Class 1A or Class 2A disability, or alternatively, submits a statement certified by a licensed physician, or by a physician assistant or an advanced practice nurse as provided in subsection (a), to the effect that such person is a person with disabilities as defined by Section 1-159.1.

(d) The Secretary shall prescribe by rules and regulations procedures to certify or re-certify as necessary the eligibility of persons whose disabilities are other than permanent for special plates or ~~person with disabilities~~ parking decals or devices issued under subsections (a), (b) and (c). Except as provided under subsection (f) of this Section, no such special plates, decals or devices shall be issued by the Secretary of State to or on behalf of any person with disabilities unless such person is certified as meeting the definition of a person with disabilities pursuant to Section 1-159.1 or meeting the requirement of a Type Four disability as provided under Section 4A of the Illinois Identification Card Act for the period of time that the physician, or the physician assistant or advanced practice nurse as provided in subsection (a), determines the applicant will have the disability, but not to exceed 6 months from the date of certification or recertification.

(e) Any person requesting special plates under this Section may also apply to have the special plates personalized, as provided under Section 3-405.1.

(f) The Secretary of State, upon application, shall issue disability ~~person with disabilities~~ registration plates or a ~~person with disabilities~~ parking decal to corporations, school districts, State or municipal agencies, limited liability companies, nursing homes, convalescent homes, or special education cooperatives which will transport persons with disabilities. The Secretary shall prescribe by rule a means to certify or re-certify the eligibility of organizations to receive disability ~~person with disabilities~~ plates or decals and to designate which of the 2 ~~person with disabilities~~ emblems shall be placed on qualifying vehicles.

(g) The Secretary of State, or his designee, may enter into agreements with other jurisdictions, including foreign jurisdictions, on behalf of this State relating to the extension of parking privileges by such jurisdictions to permanently disabled residents of this State who display a special license plate or parking device that contains the International symbol of access on his or her motor vehicle, and to recognize such plates or devices issued by such other jurisdictions. This State shall grant the same parking privileges which are granted to disabled residents of this State to any non-resident whose motor vehicle is licensed in another state, district, territory or foreign country if such vehicle displays the international symbol of access or a distinguishing insignia on license plates or parking device issued in accordance with the laws of the non-resident's state, district, territory or foreign country.

(Source: P.A. 92-16, eff. 6-28-01; 92-411, eff. 1-1-02; 92-651, eff. 7-11-02; 93-182, eff. 7-11-03.)

(625 ILCS 5/3-704) (from Ch. 95 1/2, par. 3-704)

Sec. 3-704. Authority of Secretary of State to suspend or revoke a registration or certificate of title; authority to

suspend or revoke the registration of a vehicle.

(a) The Secretary of State may suspend or revoke the registration of a vehicle or a certificate of title, registration card, registration sticker, registration plate, disability ~~person with disabilities~~ parking decal or device, or any nonresident or other permit in any of the following events:

1. When the Secretary of State is satisfied that such registration or that such certificate, card, plate, registration sticker or permit was fraudulently or erroneously issued;

2. When a registered vehicle has been dismantled or wrecked or is not properly equipped;

3. When the Secretary of State determines that any required fees have not been paid to either the Secretary of State or the Illinois Commerce Commission and the same are not paid upon reasonable notice and demand;

4. When a registration card, registration plate, registration sticker or permit is knowingly displayed upon a vehicle other than the one for which issued;

5. When the Secretary of State determines that the owner has committed any offense under this Chapter involving the registration or the certificate, card, plate, registration sticker or permit to be suspended or revoked;

6. When the Secretary of State determines that a vehicle registered not-for-hire is used or operated for-hire unlawfully, or used or operated for purposes other than those authorized;

7. When the Secretary of State determines that an owner of a for-hire motor vehicle has failed to give proof of financial responsibility as required by this Act;

8. When the Secretary determines that the vehicle is not subject to or eligible for a registration;

9. When the Secretary determines that the owner of a vehicle registered under the mileage weight tax option fails to maintain the records specified by law, or fails to

file the reports required by law, or that such vehicle is not equipped with an operable and operating speedometer or odometer;

10. When the Secretary of State is so authorized under any other provision of law;

11. When the Secretary of State determines that the holder of a disability ~~person with disabilities~~ parking decal or device has committed any offense under Chapter 11 of this Code involving the use of a disability ~~person with disabilities~~ parking decal or device.

(b) The Secretary of State may suspend or revoke the registration of a vehicle as follows:

1. When the Secretary of State determines that the owner of a vehicle has not paid a civil penalty or a settlement agreement arising from the violation of rules adopted under the Illinois Motor Carrier Safety Law or the Illinois Hazardous Materials Transportation Act or that a vehicle, regardless of ownership, was the subject of violations of these rules that resulted in a civil penalty or settlement agreement which remains unpaid.

2. When the Secretary of State determines that a vehicle registered for a gross weight of more than 16,000 pounds within an affected area is not in compliance with the provisions of Section 13-109.1 of the Illinois Vehicle Code.

(Source: P.A. 92-437, eff. 8-17-01.)

(625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

Sec. 3-808.1. (a) Permanent vehicle registration plates shall be issued, at no charge, to the following:

1. Vehicles, other than medical transport vehicles, owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly;

2. Special disability ~~person with disabilities~~ plates issued to vehicles owned and operated by the State of

Illinois or by any State agency financed by funds appropriated by the General Assembly.

(b) Permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to the following:

1. Vehicles, other than medical transport vehicles, operated by or for any county, township or municipal corporation;

2. Vehicles owned by counties, townships or municipal corporations for persons with disabilities.

3. Beginning with the 1991 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs. These registration plates shall contain the specific county code and unit number.

4. All-terrain vehicles owned by counties, townships, or municipal corporations and used for law enforcement purposes when the Manufacturer's Statement of Origin is accompanied with a letter from the original manufacturer or a manufacturer's franchised dealer stating that this all-terrain vehicle has been converted to a street worthy vehicle that meets the equipment requirements set forth in Chapter 12 of this Code.

5. Beginning with the 2001 registration year, municipally-owned vehicles operated by or for any police department. These registration plates shall contain the designation "municipal police" and shall be numbered and distributed as prescribed by the Secretary of State.

(Source: P.A. 90-324, eff. 8-1-97; 91-383, eff. 7-30-99.)

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

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

(a) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a disabled veteran pursuant to Section 3-609 of this Act, as

evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public offstreet parking facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. It shall be prohibited to park any motor vehicle in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. ~~An individual with a vehicle properly displaying a person with disabilities license plate or parking decal or device issued to a disabled person under Sections 3-616, 11-1301.1, or 11-1301.2 is in violation of this Section if the person is not the authorized holder of a person with disabilities license plate or parking decal or device and is not transporting the authorized holder of a person with disabilities license plate or parking decal or device to or from the parking location and the person uses the person with disabilities license plate or parking decal or device to exercise any privileges granted through the person with disabilities license plates or parking decals or devices under this Code.~~ Any motor vehicle properly displaying a disability ~~person with disabilities~~ license plate or a ~~person with disabilities~~ parking decal or device containing the International symbol of access issued to persons with disabilities by any local authority, state, district, territory or foreign country shall be recognized by State and local authorities as a valid license plate or device and receive the same parking privileges as residents of this State.

(a-1) An individual with a vehicle displaying disability license plates or a parking decal or device issued to a



qualified person with a disability under Sections 3-616, 11-1301.1, or 11-1301.2 or to a disabled veteran under Section 3-609 is in violation of this Section if (i) the person using the disability license plate or parking decal or device is not the authorized holder of the disability license plate or parking decal or device or is not transporting the authorized holder of the disability license plate or parking decal or device to or from the parking location and (ii) the person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this Code.

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

(c) Any person found guilty of violating the provisions of subsection (a) ~~this Section~~ shall be fined \$250 ~~\$100~~ in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this Section; but municipalities by ordinance may impose a fine up to \$350 ~~\$200~~ and shall display signs indicating the fine imposed. If the amount of the fine is subsequently changed, the municipality shall change the sign to indicate the current amount of the fine. It shall not be a defense to a charge under this Section that either the sign posted pursuant to this Section or the intended accessible parking place does not comply with the technical requirements of Section 11-301, Department regulations, or local ordinance if a reasonable person would be made aware by the sign or notice on or near the parking place that the place is reserved for a person with disabilities.

(c-1) Any person found guilty of violating the provisions of subsection (a-1) shall be fined \$500 and may have his or her

driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of State. The circuit clerk shall distribute \$250 of the \$500 fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, the \$250 shall be shared equally.

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

(e) As used in this Section, "authorized holder" means an individual issued a disability ~~person with disabilities~~ license plate under Section 3-616 of this Code, ~~or~~ an individual issued a ~~person with disabilities~~ parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 of this Code.

(Source: P.A. 91-427, eff. 8-6-99; 92-411, eff. 1-1-02; 92-637, eff. 1-1-03.)

(625 ILCS 5/11-1301.5)

Sec. 11-1301.5. Fictitious or unlawfully altered disability ~~person with disabilities~~ license plate or parking decal or device.

(a) As used in this Section:

"Fictitious disability ~~person with disabilities~~ license plate or parking decal or device" means any issued disability ~~person with disabilities~~ license plate or parking decal or device, or any license plate issued to a disabled veteran under Section 3-609 of this Code, that has been issued by the Secretary of State or an authorized unit of local government

that was issued based upon false information contained on the required application.

"False information" means any incorrect or inaccurate information concerning the name, date of birth, social security number, driver's license number, physician certification, or any other information required on the Persons with Disabilities Certification for Plate or Parking Placard, on the Application for Replacement Disability Parking Placard, or on the application for license plates issued to disabled veterans under Section 3-609 of this Code, ~~a person with disabilities license plate or parking permit or device~~ that falsifies the content of the application.

"Unlawfully altered disability ~~person with disabilities~~ license plate or parking permit or device" means any disability ~~person with disabilities~~ license plate or parking permit or device, or any license plate issued to a disabled veteran under Section 3-609 of this Code, issued by the Secretary of State or an authorized unit of local government that has been physically altered or changed in such manner that false information appears on the license plate or parking decal or device.

"Authorized holder" means an individual issued a disability ~~person with disabilities~~ license plate under Section 3-616 of this Code or an individual issued a ~~person with disabilities~~ parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 of this Code.

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

(1) to knowingly possess any fictitious or unlawfully altered disability ~~person with disabilities~~ license plate or parking decal or device;

(2) to knowingly issue or assist in the issuance of, by the Secretary of State or unit of local government, any fictitious disability ~~person with disabilities~~ license plate or parking decal or device;

(3) to knowingly alter any disability ~~person with disabilities~~ license plate or parking decal or device;

(4) to knowingly manufacture, possess, transfer, or provide any documentation used in the application process whether real or fictitious, for the purpose of obtaining a fictitious disability ~~person with disabilities~~ license plate or parking decal or device;

(5) to knowingly provide any false information to the Secretary of State or a unit of local government in order to obtain a disability ~~person with disabilities~~ license plate or parking decal or device; or

(6) to knowingly transfer a disability ~~person with disabilities~~ license plate or parking decal or device for the purpose of exercising the privileges granted to an authorized holder of a disability ~~person with disabilities~~ license plate or parking decal or device under this Code in the absence of the authorized holder.

(c) Sentence.

(1) Any person convicted of a violation of paragraph (1), (2), (3), (4), or (5) of subsection (b) of this Section shall be guilty of a Class A misdemeanor and fined not less than \$500 for a first offense and shall be guilty of a Class 4 felony and fined not less than \$1,000 for a second or subsequent offense. Any person convicted of a violation of subdivision (b)(6) of this Section is guilty of a Class A misdemeanor and shall be fined not less than \$500 for a first offense and not less than \$1,000 for a second or subsequent offense. The circuit clerk shall distribute one-half of any fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, one-half of the fine imposed shall be shared equally.

(2) Any person who commits a violation of this Section may have his or her driving privileges suspended or revoked

by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may suspend or revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(3) Any police officer may seize the parking decal or device from any person who commits a violation of this Section. Any police officer may seize the disability ~~person with disabilities~~ license plate upon authorization from the Secretary of State. Any police officer may request that the Secretary of State revoke the parking decal or device or the disability ~~person with disabilities~~ license plate of any person who commits a violation of this Section.

(Source: P.A. 92-411, eff. 1-1-02.)

(625 ILCS 5/11-1301.6)

Sec. 11-1301.6. Fraudulent disability ~~person with disabilities~~ license plate or parking decal or device.

(a) As used in this Section:

"Fraudulent disability ~~person with disabilities~~ license plate or parking decal or device" means any disability ~~person with disabilities~~ license plate or parking decal or device that purports to be an official disability ~~person with disabilities~~ license plate or parking decal or device and that has not been issued by the Secretary of State or an authorized unit of local government.

"Disability ~~Person with disabilities~~ license plate or parking decal or device-making implement" means any implement specially designed or primarily used in the manufacture, assembly, or authentication of a disability ~~person with disabilities~~ license plate or parking decal or device, or a license plate issued to a disabled veteran under Section 3-609 of this Code, issued by the Secretary of State or a unit of local government.

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

(1) to knowingly possess any fraudulent disability ~~person with disabilities~~ license plate or parking decal;

(2) to knowingly possess without authority any disability ~~person with disabilities~~ license plate or parking decal or device-making implement;

(3) to knowingly duplicate, manufacture, sell, or transfer any fraudulent or stolen disability ~~person with disabilities~~ license plate or parking decal or device;

(4) to knowingly assist in the duplication, manufacturing, selling, or transferring of any fraudulent, ~~or~~ stolen, or reported lost or damaged disability ~~person with disabilities~~ license plate or parking decal or device;  
or

(5) to advertise or distribute a fraudulent disability ~~person with disabilities~~ license plate or parking decal or device.

(c) Sentence.

(1) Any person convicted of a violation of this Section shall be guilty of a Class A misdemeanor and fined not less than \$1,000 for a first offense and shall be guilty of a Class 4 felony and fined not less than \$2,000 for a second or subsequent offense. The circuit clerk shall distribute half of any fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, one-half of the fine imposed shall be shared equally.

(2) Any person who commits a violation of this Section may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State.

(3) Any police officer may seize the parking decal or device from any person who commits a violation of this

Section. Any police officer may seize the disability person ~~with disabilities~~ license plate upon authorization from the Secretary of State. Any police officer may request that the Secretary of State revoke the parking decal or device or the disability person ~~with disabilities~~ license plate of any person who commits a violation of this Section.

(Source: P.A. 92-411, eff. 1-1-02.)

(625 ILCS 5/12-401) (from Ch. 95 1/2, par. 12-401)

Sec. 12-401. Restriction as to tire equipment. No metal tired vehicle, including tractors, motor vehicles of the second division, traction engines and other similar vehicles, shall be operated over any improved highway of this State, if such vehicle has on the periphery of any of the road wheels any block, stud, flange, cleat, ridge, lug or any projection of metal or wood which projects radially beyond the tread or traffic surface of the tire. This prohibition does not apply to pneumatic tires with metal studs used on vehicles operated by rural letter carriers who are employed or enjoy a contract with the United States Postal Service for the purpose of delivering mail if such vehicle is actually used for such purpose during operations between November 15 of any year and April 1 of the following year, or to motor vehicles displaying a disability person ~~with disabilities~~ or disabled veteran license plate whose owner resides in an unincorporated area located upon a county or township highway or road and possesses a valid driver's license and operates the vehicle with such tires only during the period heretofore described, or to tracked type motor vehicles when that part of the vehicle coming in contact with the road surface does not contain any projections of any kind likely to injure the surface of the road; however, tractors, traction engines, and similar vehicles may be operated which have upon their road wheels V-shaped, diagonal or other cleats arranged in such a manner as to be continuously in contact with the road surface, provided that the gross weight upon such wheels per inch of width of such cleats in

contact with the road surface, when measured in the direction of the axle of the vehicle, does not exceed 800 pounds.

All motor vehicles and all other vehicles in tow thereof, or thereunto attached, operating upon any roadway, shall have tires of rubber or some material of equal resiliency. Solid tires shall be considered defective and shall not be permitted to be used if the rubber or other material has been worn or otherwise reduced to a thickness of less than three-fourths of an undue vibration when the vehicle is in motion or to cause undue concentration of the wheel load on the surface of the road. The requirements of this Section do not apply to agricultural tractors or traction engines or to agricultural machinery, including wagons being used for agricultural purposes in tow thereof, or to road rollers or road building machinery operated at a speed not in excess of 10 miles per hour. All motor vehicles of the second division, operating upon any roadway shall have pneumatic tires, unless exempted herein.

Nothing in this Section shall be deemed to prohibit the use of tire chains of reasonable proportion upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid.

(Source: P.A. 88-685, eff. 1-24-95.)