



Rep. Mike Bost

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09800SB1764ham002

LRB098 04205 MLW 45747 a

1 AMENDMENT TO SENATE BILL 1764

2 AMENDMENT NO. _____. Amend Senate Bill 1764 as follows:

3 on page 1, line 5, by replacing "Section 6-303" with "Sections
4 6-303 and 12-503"; and

5 on page 13, below line 16, by inserting the following:

6 "(625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

7 Sec. 12-503. Windshields must be unobstructed and equipped
8 with wipers.

9 (a) No person shall drive a motor vehicle with any sign,
10 poster, window application, reflective material, nonreflective
11 material or tinted film upon the front windshield, except that
12 a nonreflective tinted film may be used along the uppermost
13 portion of the windshield if such material does not extend more
14 than 6 inches down from the top of the windshield.

15 (a-5) No window treatment or tinting shall be applied to

1 the windows immediately adjacent to each side of the driver,
2 except:

3 (1) On vehicles where none of the windows to the rear
4 of the driver's seat are treated in a manner that allows
5 less than 30% light transmittance, a nonreflective tinted
6 film that allows at least 50% light transmittance, with a
7 5% variance observed by any law enforcement official
8 metering the light transmittance, may be used on the
9 vehicle windows immediately adjacent to each side of the
10 driver.

11 (2) On vehicles where none of the windows to the rear
12 of the driver's seat are treated in a manner that allows
13 less than 35% light transmittance, a nonreflective tinted
14 film that allows at least 35% light transmittance, with a
15 5% variance observed by any law enforcement official
16 metering the light transmittance, may be used on the
17 vehicle windows immediately adjacent to each side of the
18 driver.

19 (3) (Blank).

20 (4) On vehicles where a nonreflective smoked or tinted
21 glass that was originally installed by the manufacturer on
22 the windows to the rear of the driver's seat, a
23 nonreflective tint that allows at least 50% light
24 transmittance, with a 5% variance observed by a law
25 enforcement official metering the light transmittance, may
26 be used on the vehicle windows immediately adjacent to each

1 side of the driver.

2 (a-10) No person shall install or repair any material
3 prohibited by subsection (a) of this Section.

4 (1) Nothing in this subsection shall prohibit a person
5 from removing or altering any material prohibited by
6 subsection (a) to make a motor vehicle comply with the
7 requirements of this Section.

8 (2) Nothing in this subsection shall prohibit a person
9 from installing window treatment for a person with a
10 medical condition described in subsection (g) of this
11 Section. An installer who installs window treatment for a
12 person with a medical condition described in subsection (g)
13 must obtain a copy of the certified statement or letter
14 written by a physician described in subsection (g) from the
15 person with the medical condition prior to installing the
16 window treatment. The copy of the certified statement or
17 letter must be kept in the installer's permanent records.

18 (b) On motor vehicles where window treatment has not been
19 applied to the windows immediately adjacent to each side of the
20 driver, the use of a perforated window screen or other
21 decorative window application on windows to the rear of the
22 driver's seat shall be allowed.

23 (b-5) Any motor vehicle with a window to the rear of the
24 driver's seat treated in this manner shall be equipped with a
25 side mirror on each side of the motor vehicle which are in
26 conformance with Section 12-502.

1 (c) No person shall drive a motor vehicle with any objects
2 placed or suspended between the driver and the front
3 windshield, rear window, side wings or side windows immediately
4 adjacent to each side of the driver which materially obstructs
5 the driver's view.

6 (d) Every motor vehicle, except motorcycles, shall be
7 equipped with a device, controlled by the driver, for cleaning
8 rain, snow, moisture or other obstructions from the windshield;
9 and no person shall drive a motor vehicle with snow, ice,
10 moisture or other material on any of the windows or mirrors,
11 which materially obstructs the driver's clear view of the
12 highway.

13 (e) No person shall drive a motor vehicle when the
14 windshield, side or rear windows are in such defective
15 condition or repair as to materially impair the driver's view
16 to the front, side or rear. A vehicle equipped with a side
17 mirror on each side of the vehicle which are in conformance
18 with Section 12-502 will be deemed to be in compliance in the
19 event the rear window of the vehicle is materially obscured.

20 (f) Paragraphs (a), (a-5), (b), and (b-5) of this Section
21 shall not apply to:

22 (1) (Blank).

23 (2) those motor vehicles properly registered in
24 another jurisdiction.

25 (g) Paragraphs (a) and (a-5) of this Section shall not
26 apply to window treatment, including but not limited to a

1 window application, nonreflective material, or tinted film,
2 applied or affixed to a motor vehicle for which distinctive
3 license plates or license plate stickers have been issued
4 pursuant to subsection (k) of Section 3-412 of this Code, and
5 which:

6 (1) is owned and operated by a person afflicted with or
7 suffering from a medical disease, including but not limited
8 to systemic or discoid lupus erythematosus, disseminated
9 superficial actinic porokeratosis, or albinism, which
10 would require that person to be shielded from the direct
11 rays of the sun; or

12 (2) is used in transporting a person when the person
13 resides at the same address as the registered owner of the
14 vehicle and the person is afflicted with or suffering from
15 a medical disease which would require the person to be
16 shielded from the direct rays of the sun, including but not
17 limited to systemic or discoid lupus erythematosus,
18 disseminated superficial actinic porokeratosis, or
19 albinism.

20 The owner must obtain a certified statement or letter
21 written by a physician licensed to practice medicine in
22 Illinois that such person owning and operating or being
23 transported in a motor vehicle is afflicted with or suffers
24 from such disease, including but not limited to systemic or
25 discoid lupus erythematosus, disseminated superficial
26 actinic porokeratosis, or albinism. However, no exemption

1 from the requirements of subsection (a-5) shall be granted
2 for any condition, such as light sensitivity, for which
3 protection from the direct rays of the sun can be
4 adequately obtained by the use of sunglasses or other eye
5 protective devices.

6 Such certification must be carried in the motor vehicle
7 at all times. The certification shall be legible and shall
8 contain the date of issuance, the name, address and
9 signature of the attending physician, and the name,
10 address, and medical condition of the person requiring
11 exemption. The information on the certificate for a window
12 treatment must remain current and shall be renewed annually
13 by the attending physician. The owner shall also submit a
14 copy of the certification to the Secretary of State. The
15 Secretary of State may forward notice of certification to
16 law enforcement agencies.

17 (g-3) Paragraph (a-5) of this Section shall not apply to
18 window treatment, including but not limited to a window
19 application, nonreflective material, or tinted film applied or
20 affixed to a motor vehicle which bears medical carrier license
21 plates if the owner of the motor vehicle has obtained a
22 certificate from the Department of Human Services stating that
23 the vehicle is authorized to be equipped with window treatment.
24 This certificate must be carried in the motor vehicle at all
25 times and the operator of the motor vehicle shall display this
26 certificate to a law enforcement officer upon request. The

1 Department of Human Services shall adopt rules to implement
2 this subsection.

3 (g-5) (Blank).

4 (g-7) Installers shall only install window treatment
5 authorized by subsection (g) on motor vehicles for which
6 distinctive plates or license plate stickers have been issued
7 pursuant to subsection (k) of Section 3-412 of this Code. The
8 distinctive license plates or plate sticker must be on the
9 motor vehicle at the time of window treatment installation.

10 (h) Paragraph (a) of this Section shall not apply to motor
11 vehicle stickers or other certificates issued by State or local
12 authorities which are required to be displayed upon motor
13 vehicle windows to evidence compliance with requirements
14 concerning motor vehicles.

15 (i) (Blank).

16 (j) A person found guilty of violating paragraphs (a),
17 (a-5), (a-10), (b), (b-5), or (g-7) of this Section shall be
18 guilty of a petty offense and fined no less than \$50 nor more
19 than \$500. A second or subsequent violation of paragraphs (a),
20 (a-5), (a-10), (b), (b-5), or (g-7) of this Section shall be
21 treated as a Class C misdemeanor and the violator fined no less
22 than \$100 nor more than \$500. Any person convicted under
23 paragraphs (a), (a-5), (b), or (b-5) of this Section shall be
24 ordered to alter any nonconforming windows into compliance with
25 this Section.

26 (k) Nothing in this Section shall create a cause of action

1 on behalf of a buyer against a vehicle dealer or manufacturer
2 who sells a motor vehicle with a window which is in violation
3 of this Section.

4 (1) The Secretary of State shall provide a notice of the
5 requirements of this Section to a new resident applying for
6 vehicle registration in this State pursuant to Section 3-801 of
7 this Code. The Secretary of State may comply with this
8 subsection by posting the requirements of this Section on the
9 Secretary of State's website.

10 (Source: P.A. 95-202, eff. 8-16-07; 96-530, eff. 1-1-10;
11 96-815, eff. 10-30-09; 96-1000, eff. 7-2-10; 96-1056, eff.
12 7-14-10.)".