



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4825

Introduced 1/27/2022, by Rep. Terra Costa Howard

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-405

from Ch. 95 1/2, par. 3-405

625 ILCS 5/3-405.5 new

Amends the Illinois Vehicle Code. Provides that an application for vehicle registration must provide space where the applicant voluntarily may indicate that the applicant, or other approved driver of the registered vehicle, has a health condition or disability that may impede effective communication with a peace officer. Provides that the application shall include a checklist of common health conditions and disabilities that impede effective communication, which the applicant may select. Provides that the checklist must also include a blank space for the applicant to specify a condition that is not listed. Provides that the Secretary of State may request verification of a condition in the form of written statements by specified health professionals. Provides that the Secretary shall provide to the Illinois State Police the vehicle registration information of a person who indicated that the person, or other approved driver of the registered vehicle, has a health condition or disability that may impede effective communication. Provides that the Secretary may not provide to the Illinois State Police information that shows the person's specific health condition or disability, or that of another approved driver of the registered vehicle, without the consent of the person. Provides that the Illinois State Police shall establish a system to include the information in the statewide Law Enforcement Agencies Data System for the purpose of alerting a peace officer who makes a traffic stop that the operator of the stopped vehicle may have a health condition or disability that may impede effective communication. Provides that the Illinois State Police may not make the information available in the statewide Law Enforcement Agencies Data System to a person who has access to the system under a contract unless the contract prohibits the person from disclosing that information to a person who is not subject to the contract. Provides that information supplied to the Secretary relating to an applicant's health condition or disability, or that of another approved driver of the registered vehicle, is for the confidential use of the Secretary and the Illinois State Police, and may not be disclosed to any person.

LRB102 20908 RAM 34088 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  
5 changing Section 3-405 and by adding Section 3-405.5 as  
6 follows:

7 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

8 Sec. 3-405. Application for registration.

9 (a) Every owner of a vehicle subject to registration under  
10 this Code shall make application to the Secretary of State for  
11 the registration of such vehicle upon the appropriate form or  
12 forms furnished by the Secretary. Every such application shall  
13 bear the signature of the owner ~~written with pen and ink~~ and  
14 contain:

15 1. The name, domicile address, as defined in Section  
16 1-115.5 of this Code, (except as otherwise provided in  
17 this paragraph 1), mail address of the owner or business  
18 address of the owner if a firm, association, or  
19 corporation, and, if available, email address of the  
20 owner. If the mailing address is a post office box number,  
21 the address listed on the driver license record may be  
22 used to verify residence. A police officer, a deputy  
23 sheriff, an elected sheriff, a law enforcement officer for

1 the Illinois State Police, a fire investigator, a state's  
2 attorney, an assistant state's attorney, a state's  
3 attorney special investigator, or a judicial officer may  
4 elect to furnish the address of the headquarters of the  
5 governmental entity, police district, or business address  
6 where he or she works instead of his or her domicile  
7 address, in which case that address shall be deemed to be  
8 his or her domicile address for all purposes under this  
9 Chapter 3. The spouse and children of a person who may  
10 elect under this paragraph 1 to furnish the address of the  
11 headquarters of the government entity, police district, or  
12 business address where the person works instead of the  
13 person's domicile address may, if they reside with that  
14 person, also elect to furnish the address of the  
15 headquarters of the government entity, police district, or  
16 business address where the person works as their domicile  
17 address, in which case that address shall be deemed to be  
18 their domicile address for all purposes under this Chapter  
19 3. In this paragraph 1: (A) "police officer" has the  
20 meaning ascribed to "policeman" in Section 10-3-1 of the  
21 Illinois Municipal Code; (B) "deputy sheriff" means a  
22 deputy sheriff appointed under Section 3-6008 of the  
23 Counties Code; (C) "elected sheriff" means a sheriff  
24 commissioned pursuant to Section 3-6001 of the Counties  
25 Code; (D) "fire investigator" means a person classified as  
26 a peace officer under the Peace Officer Fire Investigation

1 Act; (E) "state's attorney", "assistant state's attorney",  
2 and "state's attorney special investigator" mean a state's  
3 attorney, assistant state's attorney, and state's attorney  
4 special investigator commissioned or appointed under  
5 Division 3-9 of the Counties Code; and (F) "judicial  
6 officer" has the meaning ascribed to it in Section 1-10 of  
7 the Judicial Privacy Act.

8 2. A description of the vehicle, including such  
9 information as is required in an application for a  
10 certificate of title, determined under such standard  
11 rating as may be prescribed by the Secretary.

12 3. (Blank).

13 3.5. A space for a voluntary disclosure of a condition  
14 that impedes effective communication under Section  
15 3-405.5.

16 4. Such further information as may reasonably be  
17 required by the Secretary to enable him to determine  
18 whether the vehicle is lawfully entitled to registration  
19 and the owner entitled to a certificate of title.

20 5. An affirmation by the applicant that all  
21 information set forth is true and correct. If the  
22 application is for the registration of a motor vehicle,  
23 the applicant also shall affirm that the motor vehicle is  
24 insured as required by this Code, that such insurance will  
25 be maintained throughout the period for which the motor  
26 vehicle shall be registered, and that neither the owner,

1 nor any person operating the motor vehicle with the  
2 owner's permission, shall operate the motor vehicle unless  
3 the required insurance is in effect. If the person signing  
4 the affirmation is not the sole owner of the vehicle, such  
5 person shall be deemed to have affirmed on behalf of all  
6 the owners of the vehicle. If the person signing the  
7 affirmation is not an owner of the vehicle, such person  
8 shall be deemed to have affirmed on behalf of the owner or  
9 owners of the vehicle. The lack of signature on the  
10 application shall not in any manner exempt the owner or  
11 owners from any provisions, requirements or penalties of  
12 this Code.

13 (b) When such application refers to a new vehicle  
14 purchased from a dealer the application shall be accompanied  
15 by a Manufacturer's Statement of Origin from the dealer, and a  
16 statement showing any lien retained by the dealer.

17 (Source: P.A. 102-538, eff. 8-20-21.)

18 (625 ILCS 5/3-405.5 new)

19 Sec. 3-405.5. Registration by an owner with a condition  
20 that impedes effective communication.

21 (a) An application for registration must provide space  
22 where the applicant voluntarily may indicate that the  
23 applicant, or other approved driver of the registered vehicle,  
24 has a health condition or disability that may impede effective  
25 communication with a peace officer. The application shall

1 include a checklist of common health conditions and  
2 disabilities that impede effective communication from which  
3 the applicant may select. The checklist shall also include a  
4 blank space for the applicant to specify a condition that is  
5 not listed. The Secretary of State may request from a person  
6 who makes an indication under this subsection verification of  
7 a condition in the form of:

8 (1) for a physical health condition, a written  
9 statement from a licensed physician; or

10 (2) for a mental health condition, a written statement  
11 from a licensed physician, a licensed psychologist, or a  
12 nonphysician mental health professional.

13 (b) The Secretary shall provide to the Illinois State  
14 Police the vehicle registration information of a person who  
15 indicated on an application under subsection (a) that the  
16 person, or other approved driver of the registered vehicle,  
17 has a health condition or disability that may impede effective  
18 communication. The Secretary may not provide to the Illinois  
19 State Police information that shows the person's specific  
20 health condition or disability, or that of another approved  
21 driver of the registered vehicle, unless the person authorizes  
22 the disclosure of the specific health condition or disability.

23 (c) The Illinois State Police shall establish a system to  
24 include information received under subsection (b) in the  
25 statewide Law Enforcement Agencies Data System for the purpose  
26 of alerting a peace officer who makes a traffic stop that the

1 operator of the stopped vehicle may have a health condition or  
2 disability that may impede effective communication.

3 (d) The Illinois State Police may not make information  
4 received under subsection (b) available in the statewide Law  
5 Enforcement Agencies Data System to a person who has access to  
6 the system under a contract unless the contract prohibits the  
7 person from disclosing that information to a person who is not  
8 subject to the contract.

9 (e) Except as otherwise provided by this Section,  
10 information supplied to the Secretary relating to an  
11 applicant's health condition or disability, or that of another  
12 approved driver of the registered vehicle, may not be  
13 disclosed to any person. Such information is for the  
14 confidential use of the Secretary and the Illinois State  
15 Police.