



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0099

Introduced 1/26/2005, by Sen. Larry K. Bomke

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-503

from Ch. 95 1/2, par. 12-503

Amends provisions of the Illinois Vehicle Code setting forth circumstances under which the windshield and side windows of a vehicle may be tinted to protect a vehicle owner or household member who is afflicted with a medical condition that requires shielding from the direct rays of the sun as follows: eliminates a prohibition against applying tinting on or after January 1, 1998; eliminates a prohibition against tinting for medical purposes on or after January 1, 2008; and makes other conforming changes. Provides that the Secretary of State shall (rather than may) notify law enforcement agencies if a physician's certification has been issued.

LRB094 06767 DRH 36869 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 Section 12-503 as follows:

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, sidewings or
12 side windows immediately adjacent to each side of the driver. A
13 nonreflective tinted film may be used along the uppermost
14 portion of the windshield if such material does not extend more
15 than 6 inches down from the top of the windshield. Nothing in
16 this Section shall create a cause of action on behalf of a
17 buyer against a dealer or manufacturer who sells a motor
18 vehicle with a window which is in violation of this Section.

19 (b) Nothing contained in this Section shall prohibit the
20 use of nonreflective, smoked or tinted glass, nonreflective
21 film, perforated window screen or other decorative window
22 application on windows to the rear of the driver's seat, except
23 that 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.

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

32 (d) Every motor vehicle, except motorcycles, shall be

1 equipped with a device, controlled by the driver, for cleaning
2 rain, snow, moisture or other obstructions from the windshield;
3 and no person shall drive a motor vehicle with snow, ice,
4 moisture or other material on any of the windows or mirrors,
5 which materially obstructs the driver's clear view of the
6 highway.

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

14 (f) Paragraphs (a) and (b) of this Section shall not apply
15 to:

16 (1) motor vehicles manufactured prior to January 1,
17 1982; or

18 (2) to those motor vehicles properly registered in
19 another jurisdiction.

20 (g) Paragraph (a) of this Section shall not apply to any
21 motor vehicle with a window treatment, including but not
22 limited to a window application, reflective material,
23 nonreflective material, or tinted film, applied or affixed to
24 the motor vehicle ~~for the purposes set forth in item (1) or (2)~~
25 ~~before the effective date of this amendatory Act of 1997 and:~~

26 (1) that is owned and operated by a person afflicted
27 with or suffering from a medical illness, ailment, or
28 disease which would require that person to be shielded from
29 the direct rays of the sun; or

30 (2) that is used in transporting a person when the
31 person resides at the same address as the registered owner
32 of the vehicle and the person is afflicted with or
33 suffering from a medical illness, ailment or disease which
34 would require the person to be shielded from the direct
35 rays of the sun. ‡

36 It must be certified by a physician licensed to practice

1 medicine in Illinois that such person owning and operating or
2 being transported in a motor vehicle is afflicted with or
3 suffers from such illness, ailment, or disease and such
4 certification must be carried in the motor vehicle at all
5 times. The certification shall be legible and shall contain the
6 date of issuance, the name, address and signature of the
7 attending physician, and the name, address, and medical
8 condition of the person requiring exemption. The information on
9 the certificate for a window treatment ~~applied or affixed~~
10 ~~before the effective date of this amendatory Act of 1997~~ must
11 remain current and shall be renewed annually by the attending
12 physician, ~~but in no event shall a certificate issued for~~
13 ~~purposes of this subsection be valid on or after January 1,~~
14 ~~2008~~. The person shall also submit a copy of the certification
15 to the Secretary of State. The Secretary of State shall ~~may~~
16 forward notice of certification to law enforcement agencies.

17 ~~This subsection shall not be construed to authorize window~~
18 ~~treatments applied or affixed on or after the effective date of~~
19 ~~this amendatory Act of 1997.~~

20 ~~The exemption provided by this subsection (g) shall not~~
21 ~~apply to any motor vehicle on and after January 1, 2008.~~

22 (h) Paragraph (a) of this Section shall not apply to motor
23 vehicle stickers or other certificates issued by State or local
24 authorities which are required to be displayed upon motor
25 vehicle windows to evidence compliance with requirements
26 concerning motor vehicles.

27 (i) Those motor vehicles exempted under paragraph (f) (1) of
28 this Section shall not cause their windows to be treated as
29 described in paragraph (a) after January 1, 1993.

30 (j) A person found guilty of violating paragraphs (a), (b),
31 or (i) of this Section shall be guilty of a petty offense and
32 fined no less than \$50 nor more than \$500. A second or
33 subsequent violation of paragraphs (a), (b), or (i) of this
34 Section shall be treated as a Class C misdemeanor and the
35 violator fined no less than \$100 nor more than \$500. Any person
36 convicted under paragraphs (a), (b), or (i) of this Section

1 shall be ordered to alter any nonconforming windows into
2 compliance with this Section.

3 (Source: P.A. 90-389, eff. 1-1-98.)