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AN ACT concerning transportation.

## 2 Be it enacted by the People of the State of Illinois, 3 represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing
Sections 3-604, 3-609, 11-209, 11-1301.1, 11-1301.2,
11-1301.3, 11-1301.5, and 11-1301.6 and by adding Section
3-609.01 as follows:

8 (625 ILCS 5/3-604) (from Ch. 95 1/2, par. 3-604)

9 Sec. 3-604. Expiration of special plates. Every special plate issued, except those issued for dealers, manufacturers 10 and transporters under Section 3-602 and persons with 11 disabilities under Sections 3-609, 3-609.01, or 3-616, or deaf 12 or hard of hearing under Section 3-616 of this Code, may be 13 14 issued for a 2 year period beginning January 1st of each odd-numbered year and ending December 31st of the subsequent 15 16 even-numbered year. The special plates issued to a person with 17 disabilities or a person who is deaf or hard of hearing shall expire according to the multi-year procedure as established by 18 19 Section 3-414 of this Code.

20 Special plates issued to members of the General Assembly 21 under Section 3-606 shall expire at midnight on the 31st day of 22 January in odd-numbered years.

23 (Source: P.A. 88-685, eff. 1-24-95; 89-245, eff. 1-1-96.)

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(625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

Sec. 3-609. Disabled Veterans' Plates. Any 2 disabled 3 veteran whose degree of disability has been declared to be 100% 4 by the United States Department of Veterans Affairs and who has 5 been or declared eligible for funds for the purchase of a motor 6 vehicle of the first division or for a motor vehicle of the second division weighing not more than 8,000 pounds by the 7 8 United States Federal Government because of his disability, may 9 make application for the registration of one such vehicle, to 10 the Secretary of State without the payment of any registration 11 fee. Registration shall be for a multi-year period effective in 12 1980 and may be issued staggered registration.

Any disabled veteran of World War I, of World War II, of 13 the National Emergency between June 25, 1950 and January 31, 14 1955 or of the period beginning February 1, 1955 and ending on 15 16 the day before the first day thereafter in which individuals (other than individuals liable for induction by reason of prior 17 deferment) are no longer liable for induction for training and 18 service into the armed forces under the Military Selective 19 Service Act of 1967, or of any armed conflict involving the 20 21 armed forces of the United States, who has a service-connected 22 disability of such a nature that it would, if it had been incurred in World War II, have entitled him to be awarded an 23 24 automobile by the United States Federal Government, or who is 25 receiving compensation from the Veterans Administration for

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total service-connected disability, may make application to the Secretary of State for the registration of one motor vehicle of the first division without accompanying such application with the payment of any fee.

5 Renewal of such registration must be accompanied with 6 documentation for eligibility of registration without fee 7 unless the applicant has a permanent qualifying disability, and 8 such registration plates may not be issued to any person not 9 eligible therefor.

10 The Illinois Veterans Commission may assist in providing 11 the documentation of disability.

12 (Source: P.A. 86-444; 87-895.)

13 (625 ILCS 5/3-609.01 new)

14 <u>Sec. 3-609.01. Handicapped Veterans' plates.</u>

15 (a) Any disabled veteran whose degree of disability has 16 been declared to be less than 100% by the United States Department of Veterans Affairs and who has been or declared 17 18 eligible for funds for the purchase of a motor vehicle of the first division or for a motor vehicle of the second division 19 20 weighing not more than 8,000 pounds by the United States 21 Federal Government because of his or her disability, may make 22 application for the registration of one of those vehicles, to 23 the Secretary of State without the payment of any registration 24 fee. Registration shall be for a multi-year period and may be 25 issued staggered registration.

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1	(b) Any disabled veteran of World War I, of World War II,
2	of the National Emergency between June 25, 1950 and January 31,
3	1955 or of the period beginning February 1, 1955 and ending on
4	the day before the first day thereafter in which individuals
5	(other than individuals liable for induction by reason of prior
6	deferment) are no longer liable for induction for training and
7	service into the armed forces under the Military Selective
8	Service Act of 1967, or of any armed conflict involving the
9	armed forces of the United States, who has a service-connected
10	disability of such a nature that it would, if it had been
11	incurred in World War II, have entitled him to be awarded an
12	automobile by the United States Federal Government, or who is
13	receiving compensation from the Veterans Administration for
14	total service-connected disability, may make application to
15	the Secretary of State for the registration of one motor
16	vehicle of the first division without accompanying his or her
17	application with the payment of any fee.
18	(c) Renewal of this registration must be accompanied with
19	documentation for eligibility of registration without fee
20	unless the applicant has a permanent qualifying disability, and

21 <u>these registration plates may not be issued to any person not</u> 22 eligible to receive them.

## 23 (d) The Illinois Veterans Commission may assist in 24 providing the documentation of disability.

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(625 ILCS 5/11-209) (from Ch. 95 1/2, par. 11-209)

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Sec. 11-209. Powers of municipalities and counties – Contract with school boards, hospitals, churches, condominium complex unit owners' associations, and commercial and industrial facility, shopping center, and apartment complex owners for regulation of traffic.

6 (a) The corporate authorities of any municipality or the 7 county board of any county, and a school board, hospital, 8 church, condominium complex unit owners' association, or owner 9 of any commercial and industrial facility, shopping center, or 10 apartment complex which controls a parking area located within 11 the limits of the municipality, or outside the limits of the 12 municipality and within the boundaries of the county, may, by 13 contract, empower the municipality or county to regulate the 14 parking of automobiles and the traffic at such parking area. 15 Such contract shall empower the municipality or county to 16 accomplish all or any part of the following:

17 1. The erection of stop signs, flashing signals, person with disabilities parking area signs or yield signs at 18 specified locations in a parking area and the adoption of 19 20 appropriate regulations thereto pertaining, or the 21 designation of any intersection in the parking area as a 22 stop intersection or as a yield intersection and the 23 ordering of like signs or signals at one or more entrances to such intersection, subject to the provisions of this 24 25 Chapter.

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2. The prohibition or regulation of the turning of

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vehicles or specified types of vehicles at intersections or other designated locations in the parking area.

3 3. The regulation of a crossing of any roadway in the4 parking area by pedestrians.

5 4. The designation of any separate roadway in the
6 parking area for one-way traffic.

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5. The establishment and regulation of loading zones.

8 6. The prohibition, regulation, restriction or
9 limitation of the stopping, standing or parking of vehicles
10 in specified areas of the parking area.

11 7. The designation of safety zones in the parking area12 and fire lanes.

13 8. Providing for the removal and storage of vehicles 14 parked or abandoned in the parking area during snowstorms, 15 floods, fires, or other public emergencies, or found 16 unattended in the parking area, (a) where they constitute an obstruction to traffic, or (b) where stopping, standing 17 or parking is prohibited, and for the payment of reasonable 18 19 charges for such removal and storage by the owner or 20 operator of any such vehicle.

9. Providing that the cost of planning, installation, maintenance and enforcement of parking and traffic regulations pursuant to any contract entered into under the authority of this paragraph (a) of this Section be borne by the municipality or county, or by the school board, hospital, church, property owner, apartment complex owner, HB3132 Enrolled

1 or condominium complex unit owners' association, or that a 2 percentage of the cost be shared by the parties to the 3 contract.

10. Causing the installation of parking meters on the 4 5 parking area and establishing whether the expense of installing said parking meters and maintenance thereof 6 7 shall be that of the municipality or county, or that of the 8 school board, hospital, church, condominium complex unit 9 owners' association, shopping center or apartment complex 10 owner. All moneys obtained from such parking meters as may 11 be installed on any parking area shall belong to the 12 municipality or county.

13 11. Causing the installation of parking signs in 14 accordance with Section 11-301 in areas of the parking lots 15 covered by this Section and where desired by the person 16 contracting with the appropriate authority listed in 17 paragraph (a) of this Section, indicating that such parking 18 spaces are reserved for persons with disabilities.

19 12. Contracting for such additional reasonable rules 20 and regulations with respect to traffic and parking in a 21 parking area as local conditions may require for the safety 22 and convenience of the public or of the users of the 23 parking area.

(b) No contract entered into pursuant to this Section shall
 exceed a period of 20 years. No lessee of a shopping center or
 apartment complex shall enter into such a contract for a longer

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1 period of time than the length of his lease.

2 (c) Any contract entered into pursuant to this Section 3 shall be recorded in the office of the recorder in the county 4 in which the parking area is located, and no regulation made 5 pursuant to the contract shall be effective or enforceable 6 until 3 days after the contract is so recorded.

(d) At such time as parking and traffic regulations have 7 8 been established at any parking area pursuant to the contract 9 as provided for in this Section, then it shall be a petty 10 offense for any person to do any act forbidden or to fail to 11 perform any act required by such parking or traffic regulation. 12 If the violation is the parking in a parking space reserved for persons with disabilities under paragraph (11) of this Section, 13 by a person without special registration plates issued to a 14 person with disabilities, as defined by Section 1-159.1, 15 16 pursuant to Section 3-616 of this Code, or to a disabled 17 veteran pursuant to Section 3-609 or 3-609.01 of this Code, the contracting corporate municipal 18 local police of the 19 authorities shall issue a parking ticket to such parking 20 violator and issue a fine in accordance with Section 11-1301.3.

(e) The term "shopping center", as used in this Section, means premises having one or more stores or business establishments in connection with which there is provided on privately-owned property near or contiguous thereto an area, or areas, of land used by the public as the means of access to and egress from the stores and business establishments on such HB3132 Enrolled - 9 - LRB095 06796 DRH 26912 b

premises and for the parking of motor vehicles of customers and patrons of such stores and business establishments on such premises.

(f) The term "parking area", as used in this Section, means 4 an area, or areas, of land near or contiguous to a school, 5 church, or hospital building, shopping center, apartment 6 7 complex, or condominium complex, but not the public highways or 8 alleys, and used by the public as the means of access to and 9 egress from such buildings and the stores and business 10 establishments at a shopping center and for the parking of 11 motor vehicles.

(g) The terms "owner", "property owner", "shopping center owner", and "apartment complex owner", as used in this Section, mean the actual legal owner of the shopping center parking area or apartment complex, the trust officer of a banking institution having the right to manage and control such property, or a person having the legal right, through lease or otherwise, to manage or control the property.

19 (g-5) The term "condominium complex unit owners" 20 association", as used in this Section, means a "unit owners" 21 association" as defined in Section 2 of the Condominium 22 Property Act.

(h) The term "fire lane", as used in this Section, means travel lanes for the fire fighting equipment upon which there shall be no standing or parking of any motor vehicle at any time so that fire fighting equipment can move freely thereon. HB3132 Enrolled - 10 - LRB095 06796 DRH 26912 b

1 (i) The term "apartment complex", as used in this Section, 2 means premises having one or more apartments in connection with 3 which there is provided on privately-owned property near or 4 contiguous thereto an area, or areas, of land used by occupants 5 of such apartments or their guests as a means of access to and 6 egress from such apartments or for the parking of motor 7 vehicles of such occupants or their guests.

8 (j) The term "condominium complex", as used in this 9 Section, means the units, common elements, and limited common 10 elements that are located on the parcels, as those terms are 11 defined in Section 2 of the Condominium Property Act.

12 (k) The term "commercial and industrial facility", as used 13 in this Section, means a premises containing one or more 14 commercial and industrial facility establishments in 15 connection with which there is provided on privately-owned 16 property near or contiguous to the premises an area or areas of 17 land used by the public as the means of access to and egress from the commercial and industrial facility establishment on 18 19 the premises and for the parking of motor vehicles of 20 customers, patrons, and employees of the commercial and 21 industrial facility establishment on the premises.

(1) The provisions of this Section shall not be deemed to prevent local authorities from enforcing, on private property, local ordinances imposing fines, in accordance with Section 11-1301.3, as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, HB3132 Enrolled - 11 - LRB095 06796 DRH 26912 b

or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran.

6 This amendatory Act of 1972 is not a prohibition upon the 7 contractual and associational powers granted by Article VII, 8 Section 10 of the Illinois Constitution.

9 (Source: P.A. 89-551, eff. 1-1-97; 90-106, eff. 1-1-98; 90-145,
10 eff. 1-1-98; 90-481, eff. 8-17-97; 90-655, eff. 7-30-98.)

11 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

11-1301.1. Persons with disabilities - Parking 12 Sec. privileges - Exemptions. A motor vehicle bearing registration 13 14 plates issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Section 3-616 or to a disabled 15 veteran pursuant to Section 3-609 or 3-609.01 or a special 16 decal or device issued pursuant to Section 3-616 or pursuant to 17 Section 11-1301.2 of this Code or a motor vehicle registered in 18 another jurisdiction, state, district, territory or foreign 19 20 country upon which is displayed a registration plate, special 21 decal or device issued by the other jurisdiction designating 22 the vehicle is operated by or for a person with disabilities shall be exempt from the payment of parking meter fees and 23 24 exempt from any statute or ordinance imposing time limitations 25 on parking, except limitations of one-half hour or less, on any

street or highway zone, or any parking lot or parking place 1 2 which are owned, leased or owned and leased by a municipality or a municipal parking utility; and shall be recognized by 3 state and local authorities as a valid license plate or parking 4 5 device and shall receive the same parking privileges as residents of this State; but, such vehicle shall be subject to 6 7 the laws which prohibit parking in "no stopping" and "no 8 standing" zones in front of or near fire hydrants, driveways, 9 public building entrances and exits, bus stops and loading 10 areas, and is prohibited from parking where the motor vehicle 11 constitutes a traffic hazard, whereby such motor vehicle shall 12 be moved at the instruction and request of a law enforcement 13 officer to a location designated by the officer. Any motor 14 vehicle bearing registration plates or a special decal or 15 device specified in this Section or in Section 3-616 of this 16 Code or such parking device as specifically authorized in 17 Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran may park, 18 19 in addition to any other lawful place, in any parking place 20 specifically reserved for such vehicles by the posting of an official sign as provided under Section 11-301. Parking 21 22 privileges granted by this Section are strictly limited to the 23 person to whom the special registration plates, special decal or device were issued and to qualified operators acting under 24 25 his express direction while the person with disabilities is 26 present. A person to whom privileges were granted shall, at the

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request of a police officer or any other person invested by law with authority to direct, control, or regulate traffic, present an identification card with a picture as verification that the person is the person to whom the special registration plates, special decal or device was issued.

6 Such parking privileges granted by this Section are also 7 extended to motor vehicles of not-for-profit organizations 8 used for the transportation of persons with disabilities when 9 such motor vehicles display the decal or device issued pursuant 10 to Section 11-1301.2 of this Code.

11 No person shall use any area for the parking of any motor 12 vehicle pursuant to Section 11-1303 of this Code or where an 13 official sign controlling such area expressly prohibits 14 parking at any time or during certain hours.

15 (Source: P.A. 90-106, eff. 1-1-98.)

16 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)
17 Sec. 11-1301.2. Special decals for a person with
18 disabilities parking.

19 (a) The Secretary of State shall provide for, bv 20 administrative rules, the design, size, color, and placement of 21 a person with disabilities motorist decal or device and shall 22 provide for, by administrative rules, the content and form of 23 an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the 24 25 issuance thereof to a person with temporary disabilities,

provided that the decal or device is valid for no more than 90 1 2 days, subject to renewal for like periods based upon continued 3 disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. 4 5 The application shall include the requirement of an Illinois 6 Identification Card number or a State of Illinois driver's 7 license number. This decal or device shall be the property of 8 such person with disabilities and may be used by that person to 9 designate and identify a vehicle not owned or displaying a 10 registration plate as provided in Sections 3-609, 3-609.01, and 11 3-616 of this Act to designate when the vehicle is being used 12 to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded 13 14 a person with disabilities licensed vehicle. Person with 15 disabilities decals or devices issued and displayed pursuant to 16 this Section shall be recognized and honored by all local 17 authorities regardless of which local authority issued such decal or device. 18

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

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing HB3132 Enrolled - 15 - LRB095 06796 DRH 26912 b

1 authority.

2 (c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or 3 device to a person with disabilities as defined by Section 4 5 1-159.1. Any person with disabilities parking decal or device 6 issued by the Secretary of State shall be registered to that 7 person with disabilities in the form to be prescribed by the 8 Secretary of State. The person with disabilities parking decal 9 or device shall not display that person's address. One 10 additional decal or device may be issued to an applicant upon 11 his or her written request and with the approval of the 12 Secretary of State. The written request must include a 13 justification of the need for the additional decal or device.

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

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

(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 whichis not properly displaying registration plates or decals issued

to a person with disabilities, as defined by Section 1-159.1, 1 pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a 2 disabled veteran pursuant to Section 3-609 or 3-609.01 of this 3 Act, as evidence that the vehicle is operated by or for a 4 5 person with disabilities or disabled veteran, in any parking 6 place, including any private or public offstreet parking 7 facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles 8 9 displaying such registration plates. It shall be prohibited to 10 park any motor vehicle in a designated access aisle adjacent to 11 any parking place specifically reserved for persons with 12 disabilities, by the posting of an official sign as designated 13 under Section 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for 14 persons with disabilities, the parking decal or device must be 15 16 displayed properly in the vehicle where it is clearly visible 17 to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. 18 Any motor vehicle properly displaying a disability license 19 20 plate or a parking decal or device containing the International symbol of access issued to persons with disabilities by any 21 22 local authority, state, district, territory or foreign country 23 shall be recognized by State and local authorities as a valid license plate or device and receive the same parking privileges 24 25 as residents of this State.

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(a-1) An individual with a vehicle displaying disability

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license plates or a parking decal or device issued to a 1 2 qualified person with a disability under Sections 3-616, 11-1301.1, or 11-1301.2 or to a disabled veteran under Section 3 3-609 or 3-609.01 is in violation of this Section if (i) the 4 5 person using the disability license plate or parking decal or 6 device is not the authorized holder of the disability license 7 plate or parking decal or device or is not transporting the 8 authorized holder of the disability license plate or parking 9 decal or device to or from the parking location and (ii) the 10 person uses the disability license plate or parking decal or 11 device to exercise any privileges granted through the 12 disability license plate or parking decals or devices under 13 this Code.

(b) Any person or local authority owning or operating any 14 15 public or private offstreet parking facility may, after 16 notifying the police or sheriff's department, remove or cause 17 to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by 18 19 a person with disabilities which does not display person with 20 disabilities registration plates or a special decal or device as required under this Section. 21

(c) Any person found guilty of violating the provisions of subsection (a) shall be fined \$250 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 and shall display signs HB3132 Enrolled - 18 - LRB095 06796 DRH 26912 b

indicating the fine imposed. If the amount of the fine is 1 2 subsequently changed, the municipality shall change the sign to indicate the current amount of the fine. It shall not be a 3 defense to a charge under this Section that either the sign 4 5 posted pursuant to this Section or the intended accessible parking place does not comply with the technical requirements 6 7 of Section 11-301, Department regulations, or local ordinance 8 if a reasonable person would be made aware by the sign or 9 notice on or near the parking place that the place is reserved 10 for a person with disabilities.

11 (c-1) Any person found quilty of violating the provisions 12 of subsection (a-1) shall be fined \$500. The circuit clerk shall distribute \$250 of the \$500 fine imposed on any person 13 who is found guilty of or pleads guilty to violating this 14 15 Section, including any person placed on court supervision for 16 violating this Section, to the law enforcement agency that 17 issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or 18 19 making the arrest, the \$250 shall be shared equally.

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

(e) As used in this Section, "authorized holder" means an individual issued a disability license plate under Section 3-616 of this Code, an individual issued a 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 HB3132 Enrolled - 19 - LRB095 06796 DRH 26912 b

1 or 3-609.01 of this Code.

(f) Any person who commits a violation of subsection (a-1)
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.
(Source: P.A. 94-619, eff. 1-1-06; 94-930, eff. 6-26-06.)

9

(625 ILCS 5/11-1301.5)

Sec. 11-1301.5. Fictitious or unlawfully altered
 disability license plate or parking decal or device.

12

(a) As used in this Section:

"Fictitious disability license plate or parking decal or device" means any issued disability license plate or parking decal or device, or any license plate issued to a disabled veteran under Section 3-609 <u>or 3-609.01</u> 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 HB3132 Enrolled - 20 - LRB095 06796 DRH 26912 b

1 application for license plates issued to disabled veterans 2 under Section 3-609 or 3-609.01 of this Code, that falsifies 3 the content of the application.

"Unlawfully altered disability license plate or parking 4 5 permit or device" means any disability license plate or parking permit or device, or any license plate issued to a disabled 6 veteran under Section 3-609 or 3-609.01 of this Code, issued by 7 8 the Secretary of State or an authorized unit of local 9 government that has been physically altered or changed in such 10 manner that false information appears on the license plate or 11 parking decal or device.

12 "Authorized holder" means an individual issued а 13 disability license plate under Section 3-616 of this Code or an 14 individual issued a parking decal or device under Section 15 11-1301.2 of this Code, or an individual issued a disabled 16 veteran's license plate under Section 3-609 or 3-609.01 of this 17 Code.

18

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

19 (1) to knowingly possess any fictitious or unlawfully 20 altered disability license plate or parking decal or 21 device;

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

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(3) to knowingly alter any disability license plate or

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1 parking decal or device;

2 (4) to knowingly manufacture, possess, transfer, or 3 provide any documentation used in the application process 4 whether real or fictitious, for the purpose of obtaining a 5 fictitious disability license plate or parking decal or 6 device;

7 (5) to knowingly provide any false information to the 8 Secretary of State or a unit of local government in order 9 to obtain a disability license plate or parking decal or 10 device; or

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

16 (c) Sentence.

17 (1) Any person convicted of a violation of paragraph 18 (1), (2), (3), (4), or (5) of subsection (b) of this 19 Section shall be guilty of a Class A misdemeanor and fined 20 not less than \$500 for a first offense and shall be quilty 21 of a Class 4 felony and fined not less than \$1,000 for a 22 second or subsequent offense. Any person convicted of a 23 violation of subdivision (b) (6) of this Section is quilty of a Class A misdemeanor and shall be fined not less than 24 25 \$500 for a first offense and not less than \$1,000 for a 26 second or subsequent offense. The circuit clerk shall HB3132 Enrolled - 22 - LRB095 06796 DRH 26912 b

distribute one-half of any fine imposed on any person who 1 2 is found guilty of or pleads guilty to violating this 3 Section, including any person placed on court supervision for violating this Section, to the law enforcement agency 4 5 that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the 6 citation or making the arrest, one-half of the fine imposed 7 8 shall be shared equally.

9 (2) Any person who commits a violation of this Section 10 may have his or her driving privileges suspended or revoked 11 by the Secretary of State for a period of time determined 12 by the Secretary of State. The Secretary of State may 13 suspend or revoke the parking decal or device or the 14 disability license plate of any person who commits a 15 violation of this Section.

16 (3) Any police officer may seize the parking decal or 17 device from any person who commits a violation of this Section. Any police officer may seize the disability 18 19 license plate upon authorization from the Secretary of 20 State. Any police officer may request that the Secretary of 21 State revoke the parking decal or device or the disability 22 license plate of any person who commits a violation of this Section. 23

24 (Source: P.A. 94-619, eff. 1-1-06.)

25

(625 ILCS 5/11-1301.6)

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Sec. 11-1301.6. Fraudulent disability license plate or
 parking decal or device.

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(a) As used in this Section:

4 "Fraudulent disability license plate or parking decal
5 or device" means any disability license plate or parking
6 decal or device that purports to be an official disability
7 license plate or parking decal or device and that has not
8 been issued by the Secretary of State or an authorized unit
9 of local government.

10 "Disability license plate or parking decal or 11 device-making implement" means any implement specially 12 designed or primarily used in the manufacture, assembly, or authentication of a disability license plate or parking 13 14 decal or device, or a license plate issued to a disabled 15 veteran under Section 3-609 or 3-609.01 of this Code, 16 issued by the Secretary of State or a unit of local 17 government.

18

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

19 (1) to knowingly possess any fraudulent disability20 license plate or parking decal;

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

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

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1 (4) to knowingly assist in the duplication, 2 manufacturing, selling, or transferring of any fraudulent, 3 stolen, or reported lost or damaged disability license 4 plate or parking decal or device; or

5 (5) to advertise or distribute a fraudulent disability 6 license plate or parking decal or device.

(c) Sentence.

7

8 (1) Any person convicted of a violation of this Section 9 shall be quilty of a Class A misdemeanor and fined not less 10 than \$1,000 for a first offense and shall be quilty of a 11 Class 4 felony and fined not less than \$2,000 for a second 12 or subsequent offense. The circuit clerk shall distribute 13 half of any fine imposed on any person who is found quilty 14 of or pleads guilty to violating this Section, including 15 any person placed on court supervision for violating this 16 Section, to the law enforcement agency that issued the 17 citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation 18 19 or making the arrest, one-half of the fine imposed shall be 20 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

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Section. Any police officer may seize the disability 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 license plate of any person who commits a violation of this Section.

7 (Source: P.A. 94-619, eff. 1-1-06.)

8 Section 10. The Motor Fuel Sales Act is amended by changing
9 Section 2 as follows:

10 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

11 Sec. 2. Any attendant on duty at a service station 12 described in Section 1 shall, upon request, dispense motor fuel for the driver of a car which is parked at a self-service 13 14 island and displays: (a) registration plates issued to a 15 physically disabled person pursuant to Section 3-616 of the Illinois Vehicle Code; or (b) registration plates issued to a 16 disabled veteran pursuant to Section 3-609 or 3-609.01 of such 17 Code; or (c) a special decal or device issued pursuant to 18 Section 11-1301.2 of such Code; and shall only charge such 19 20 driver prices as offered to the general public for motor fuel 21 dispensed at the self-service island. However, such attendant shall not be required to perform other services which are 22 23 offered at the full-service island.

24 (Source: P.A. 84-877.)