

**SB0033**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB0033**

Introduced 1/31/2007, by Sen. John O. Jones

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/12-503

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

Amends the Illinois Vehicle Code. Provides that the prohibition against tinted windshields and tinted front side windows does not apply to vehicles owned and operated by persons afflicted with retinitis pigmentosa or used to transport those persons. Effective immediately.

LRB095 00162 DRH 20162 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 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

1 driver's seat treated in this manner shall be equipped with a  
2 side mirror on each side of the motor vehicle which are in  
3 conformance with Section 12-502.

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

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

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

23 (f) Paragraphs (a) and (b) of this Section shall not apply  
24 to:

25 (1) motor vehicles manufactured prior to January 1,  
26 1982; or

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

3           (g) Paragraph (a) of this Section shall not apply to any  
4 motor vehicle with a window treatment, including but not  
5 limited to a window application, reflective material,  
6 nonreflective material, or tinted film, applied or affixed to  
7 the motor vehicle for the purposes set forth in item (1) or (2)  
8 before the effective date of this amendatory Act of 1997 and:

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

13           (2) that is used in transporting a person when the  
14 person resides at the same address as the registered owner  
15 of the vehicle and the person is afflicted with or  
16 suffering from a medical illness, ailment or disease which  
17 would require the person to be shielded from the direct  
18 rays of the sun;

19           It must be certified by a physician licensed to  
20 practice medicine in Illinois that such person owning and  
21 operating or being transported in a motor vehicle is  
22 afflicted with or suffers from such illness, ailment, or  
23 disease and such certification must be carried in the motor  
24 vehicle at all times. The certification shall be legible  
25 and shall contain the date of issuance, the name, address  
26 and signature of the attending physician, and the name,

1 address, and medical condition of the person requiring  
2 exemption. The information on the certificate for a window  
3 treatment applied or affixed before the effective date of  
4 this amendatory Act of 1997 must remain current and shall  
5 be renewed annually by the attending physician, but in no  
6 event shall a certificate issued for purposes of this  
7 subsection be valid on or after January 1, 2008. The person  
8 shall also submit a copy of the certification to the  
9 Secretary of State. The Secretary of State may forward  
10 notice of certification to law enforcement agencies.

11 This subsection shall not be construed to authorize window  
12 treatments applied or affixed on or after the effective date of  
13 this amendatory Act of 1997.

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

16 This subsection (g) does not apply to the exemption set  
17 forth in subsection (g-5).

18 (g-5) Paragraph (a) of this Section does not apply to any  
19 motor vehicle with a window treatment, including but not  
20 limited to a window application, reflective material,  
21 nonreflective material, or tinted film, applied or affixed to a  
22 motor vehicle that:

23 (i) is owned and operated by a person afflicted with or  
24 suffering from systemic or discoid lupus erythematosus,  
25 retinitis pigmentosa, or albinism; or

26 (ii) is used in transporting a person who resides at

1 the same address as the registered owner and is afflicted  
2 with or suffers from systemic or discoid lupus  
3 erythematosus, retinitis pigmentosa, or albinism.

4 It must be certified by a physician licensed to practice  
5 medicine in Illinois that the person owning and operating or  
6 being transported in a motor vehicle is afflicted with or  
7 suffers from systemic or discoid lupus erythematosus, retinitis pigmentosa, or albinism and the certification must be  
8 carried in the motor vehicle at all times. The certification  
9 shall be legible and shall contain the date of issuance, the  
10 name, address, and signature of the attending physician, and  
11 the name, address, and medical condition of the person  
12 requiring exemption. The information on the certificate for a  
13 window treatment must remain current and shall be renewed  
14 annually by the attending physician. The owner of the vehicle  
15 shall also submit a copy of the certification to the Secretary  
16 of State. The Secretary of State may forward notice of  
17 certification to law enforcement agencies.  
18

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

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

1           (j) A person found guilty of violating paragraphs (a), (b),  
2 or (i) of this Section shall be guilty of a petty offense and  
3 fined no less than \$50 nor more than \$500. A second or  
4 subsequent violation of paragraphs (a), (b), or (i) of this  
5 Section shall be treated as a Class C misdemeanor and the  
6 violator fined no less than \$100 nor more than \$500. Any person  
7 convicted under paragraphs (a), (b), or (i) of this Section  
8 shall be ordered to alter any nonconforming windows into  
9 compliance with this Section.

10       (Source: P.A. 94-564, eff. 8-12-05.)

11           Section 99. Effective date. This Act takes effect upon  
12 becoming law.