

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 3. The Illinois Procurement Code is amended by
5 changing Section 53-30 as follows:

6 (30 ILCS 500/53-30)

7 Sec. 53-30. Illinois State Toll Highway Authority. The
8 Illinois State Toll Highway Authority may enter into contracts,
9 leases, licenses, or agreements under subsection (e) of Section
10 11 of the Toll Highway Act for a term not to exceed 50 ~~25~~ years
11 ~~that relate to the grant of concessions or the leasing of any~~
12 ~~part of a toll highway for motor fuel service stations and~~
13 ~~facilities, garages, stores, or restaurants.~~ Nothing in this
14 Section shall be construed to apply to properties in which the
15 Illinois State Toll Highway Authority is the lessee. Nothing in
16 this Section shall be construed as giving the Authority the
17 power to enter into a sale or lease of the Authority or of all
18 or substantially all of its assets.

19 (Source: P.A. 91-684, eff. 1-26-00.)

20 Section 5. The Toll Highway Act is amended by changing
21 Sections 10 and 11 as follows:

1 (605 ILCS 10/10) (from Ch. 121, par. 100-10)

2 Sec. 10. The Authority shall have power:

3 (a) To pass resolutions, make by-laws, rules and
4 regulations for the management, regulation and control of its
5 affairs, and to fix tolls, and to make, enact and enforce all
6 needful rules and regulations in connection with the
7 construction, operation, management, care, regulation or
8 protection of its property or any toll highways, constructed or
9 reconstructed hereunder.

10 (a-5) To fix, assess, and collect civil fines for a
11 vehicle's operation on a toll highway without the required toll
12 having been paid. The Authority may establish by rule a system
13 of civil administrative adjudication to adjudicate only
14 alleged instances of a vehicle's operation on a toll highway
15 without the required toll having been paid, as detected by the
16 Authority's video or photo surveillance system or through the
17 alleged failure to remit payment within the allotted time
18 period after being recorded as a non-paying vehicle by a duly
19 authorized toll collector. In cases in which the operator of
20 the vehicle is not the registered vehicle owner, the
21 establishment of ownership of the vehicle creates a rebuttable
22 presumption that the vehicle was being operated by an agent of
23 the registered vehicle owner. If the registered vehicle owner
24 liable for a violation under this Section was not the operator
25 of the vehicle at the time of the violation, the owner may
26 maintain an action for indemnification against the operator in

1 the circuit court. Rules establishing a system of civil
2 administrative adjudication must provide for written notice,
3 by first class mail or other means provided by law, to the
4 address of the registered owner of the cited vehicle as
5 recorded with the Secretary of State's vehicle registration
6 records or out of state governmental entity ~~State~~ or to the
7 lessee of the cited vehicle at the last address known to the
8 lessor of the cited vehicle at the time of the lease, of the
9 alleged violation and an opportunity to be heard on the
10 question of the violation and must provide for the
11 establishment of a toll-free telephone number to receive
12 inquiries concerning alleged violations. The notice shall also
13 inform the registered vehicle owner that failure to contest in
14 the manner and time provided shall be deemed an admission of
15 liability and that a final order of liability may be entered on
16 that admission. A duly authorized agent of the Authority may
17 perform or execute the preparation, certification,
18 affirmation, or mailing of the notice. A notice of violation,
19 sworn or affirmed to or certified by a duly authorized agent of
20 the Authority, or a facsimile of the notice, based upon an
21 inspection of photographs, microphotographs, videotape, or
22 other recorded images produced by a video or photo surveillance
23 system, shall be admitted as prima facie evidence of the
24 correctness of the facts contained in the notice or facsimile.
25 Only civil fines, along with the corresponding outstanding
26 toll, and costs may be imposed by administrative adjudication.

1 A fine may be imposed under this paragraph only if a violation
2 is established by a preponderance of the evidence. Judicial
3 review of all final orders of the Authority under this
4 paragraph shall be conducted in the circuit court of the county
5 in which the administrative decision was rendered in accordance
6 with the Administrative Review Law.

7 Any outstanding toll, fine, additional late payment fine,
8 other sanction, or costs imposed, or part of any fine, other
9 sanction, or costs imposed, remaining unpaid after the
10 exhaustion of, or the failure to exhaust, judicial review
11 procedures under the Administrative Review Law are a debt due
12 and owing the Authority and may be collected in accordance with
13 applicable law. After expiration of the period in which
14 judicial review under the Administrative Review Law may be
15 sought, unless stayed by a court of competent jurisdiction, a
16 final order of the Authority under this subsection (a-5) may be
17 enforced in the same manner as a judgment entered by a court of
18 competent jurisdiction. Notwithstanding any other provision of
19 this Act, the Authority may, with the approval of the Attorney
20 General, retain a law firm or law firms with expertise in the
21 collection of government fines and debts for the purpose of
22 collecting fines, costs, and other moneys due under this
23 subsection (a-5).

24 A system of civil administrative adjudication may also
25 provide for a program of vehicle immobilization, tow, or
26 impoundment for the purpose of facilitating enforcement of any

1 final order or orders of the Authority under this subsection
2 (a-5) that result in a finding or liability for 5 or more
3 violations after expiration of the period in which judicial
4 review under the Administrative Review Law may be sought. The
5 Authority may contract with another public or private entity to
6 provide immobilization, tow, or impoundment services. The
7 registered vehicle owner of a vehicle immobilized, towed, or
8 impounded for nonpayment of a final order of the Authority
9 under this subsection (a-5) shall have the right to request a
10 hearing before the Authority's civil administrative
11 adjudicatory system to challenge the validity of the
12 immobilization, tow, or impoundment. This hearing, however,
13 shall not constitute a readjudication of the merits of
14 previously adjudicated notices. Judicial review of all final
15 orders of the Authority under this subsection (a-5) shall be
16 conducted in the circuit court of the county in which the
17 administrative decision was rendered in accordance with the
18 Administrative Review Law. As used in this subsection (a-5),
19 "vehicle" includes any vehicle as defined in Section 1-217 of
20 the Illinois Vehicle Code.

21 No commercial entity that is the lessor of a vehicle under
22 a written lease agreement shall be liable for an administrative
23 notice of violation for toll evasion issued under this
24 subsection (a-5) involving that vehicle during the period of
25 the lease if the lessor provides a copy of the leasing
26 agreement to the Authority within 21 days of the issue date on

1 the notice of violation. The leasing agreement also must
2 contain a provision or addendum informing the lessee that the
3 lessee is liable for payment of all tolls and any fines for
4 toll evasion. Each entity must also post a sign at the leasing
5 counter notifying the lessee of that liability. The copy of the
6 leasing agreement provided to the Authority must contain the
7 name, address, and driver's license number of the lessee, as
8 well as the check-out and return dates and times of the vehicle
9 and the vehicle license plate number and vehicle make and
10 model.

11 As used in this subsection (a-5), "lessor" includes
12 commercial leasing and rental entities but does not include
13 public passenger vehicle entities.

14 The Authority shall establish an amnesty program for
15 violations adjudicated under this subsection (a-5). Under the
16 program, any person who has an outstanding notice of violation
17 for toll evasion or a final order of a hearing officer for toll
18 evasion dated prior to the effective date of this amendatory
19 Act of the 94th General Assembly and who pays to the Authority
20 the full percentage amounts listed in this paragraph remaining
21 due on the notice of violation or final order of the hearing
22 officer and the full fees and costs paid by the Authority to
23 the Secretary of State relating to suspension proceedings, if
24 applicable, on or before 5:00 p.m., Central Standard Time, of
25 the 60th day after the effective date of this amendatory Act of
26 the 94th General Assembly shall not be required to pay more

1 than the listed percentage of the original fine amount and
2 outstanding toll as listed on the notice of violation or final
3 order of the hearing officer and the full fees and costs paid
4 by the Authority to the Secretary of State relating to
5 suspension proceedings, if applicable. The payment percentage
6 scale shall be as follows: a person with 25 or fewer violations
7 shall be eligible for amnesty upon payment of 50% of the
8 original fine amount and the outstanding tolls; a person with
9 more than 25 but fewer than 51 violations shall be eligible for
10 amnesty upon payment of 60% of the original fine amount and the
11 outstanding tolls; and a person with 51 or more violations
12 shall be eligible for amnesty upon payment of 75% of the
13 original fine amount and the outstanding tolls. In such a
14 situation, the Executive Director of the Authority or his or
15 her designee is authorized and directed to waive any late fine
16 amount above the applicable percentage of the original fine
17 amount. Partial payment of the amount due shall not be a basis
18 to extend the amnesty payment deadline nor shall it act to
19 relieve the person of liability for payment of the late fine
20 amount. In order to receive amnesty, the full amount of the
21 applicable percentage of the original fine amount and
22 outstanding toll remaining due on the notice of violation or
23 final order of the hearing officer and the full fees and costs
24 paid by the Authority to the Secretary of State relating to
25 suspension proceedings, if applicable, must be paid in full by
26 5:00 p.m., Central Standard Time, of the 60th day after the

1 effective date of this amendatory Act of the 94th General
2 Assembly. This amendatory Act of the 94th General Assembly has
3 no retroactive effect with regard to payments already tendered
4 to the Authority that were full payments or payments in an
5 amount greater than the applicable percentage, and this Act
6 shall not be the basis for either a refund or a credit. This
7 amendatory Act of the 94th General Assembly does not apply to
8 toll evasion citations issued by the Illinois State Police or
9 other authorized law enforcement agencies and for which payment
10 may be due to or through the clerk of the circuit court. The
11 Authority shall adopt rules as necessary to implement the
12 provisions of this amendatory Act of the 94th General Assembly.
13 The Authority, by a resolution of the Board of Directors, shall
14 have the discretion to implement similar amnesty programs in
15 the future. The Authority, at its discretion and in
16 consultation with the Attorney General, is further authorized
17 to settle an administrative fine or penalty if it determines
18 that settling for less than the full amount is in the best
19 interests of the Authority after taking into account the
20 following factors: (1) the merits of the Authority's claim
21 against the respondent; (2) the amount that can be collected
22 relative to the administrative fine or penalty owed by the
23 respondent; (3) the cost of pursuing further enforcement or
24 collection action against the respondent; (4) the likelihood of
25 collecting the full amount owed; and (5) the burden on the
26 judiciary. The provisions in this Section may be extended to

1 other toll facilities in the State of Illinois through a duly
2 executed agreement between the Authority and the operator of
3 the toll facility.

4 (b) To prescribe rules and regulations applicable to
5 traffic on highways under the jurisdiction of the Authority,
6 concerning:

7 (1) Types of vehicles permitted to use such highways or
8 parts thereof, and classification of such vehicles;

9 (2) Designation of the lanes of traffic to be used by
10 the different types of vehicles permitted upon said
11 highways;

12 (3) Stopping, standing, and parking of vehicles;

13 (4) Control of traffic by means of police officers or
14 traffic control signals;

15 (5) Control or prohibition of processions, convoys,
16 and assemblages of vehicles and persons;

17 (6) Movement of traffic in one direction only on
18 designated portions of said highways;

19 (7) Control of the access, entrance, and exit of
20 vehicles and persons to and from said highways; and

21 (8) Preparation, location and installation of all
22 traffic signs; and to prescribe further rules and
23 regulations applicable to such traffic, concerning matters
24 not provided for either in the foregoing enumeration or in
25 the Illinois Vehicle Code. Notice of such rules and
26 regulations shall be posted conspicuously and displayed at

1 appropriate points and at reasonable intervals along said
2 highways, by clearly legible markers or signs, to provide
3 notice of the existence of such rules and regulations to
4 persons traveling on said highways. At each toll station,
5 the Authority shall make available, free of charge,
6 pamphlets containing all of such rules and regulations.

7 (c) The Authority, in fixing the rate for tolls for the
8 privilege of using the said toll highways, is authorized and
9 directed, in fixing such rates, to base the same upon annual
10 estimates to be made, recorded and filed with the Authority.
11 Said estimates shall include the following: The estimated total
12 amount of the use of the toll highways; the estimated amount of
13 the revenue to be derived therefrom, which said revenue, when
14 added to all other receipts and income, will be sufficient to
15 pay the expense of maintaining and operating said toll
16 highways, including the administrative expenses of the
17 Authority, and to discharge all obligations of the Authority as
18 they become due and payable.

19 (d) To accept from any municipality or political
20 subdivision any lands, easements or rights in land needed for
21 the operation, construction, relocation or maintenance of any
22 toll highways, with or without payment therefor, and in its
23 discretion to reimburse any such municipality or political
24 subdivision out of its funds for any cost or expense incurred
25 in the acquisition of land, easements or rights in land, in
26 connection with the construction and relocation of the said

1 toll highways, widening, extending roads, streets or avenues in
2 connection therewith, or for the construction of any roads or
3 streets forming extension to and connections with or between
4 any toll highways, or for the cost or expense of widening,
5 grading, surfacing or improving any existing streets or roads
6 or the construction of any streets and roads forming extensions
7 of or connections with any toll highways constructed,
8 relocated, operated, maintained or regulated hereunder by the
9 Authority. Where property owned by a municipality or political
10 subdivision is necessary to the construction of an approved
11 toll highway, if the Authority cannot reach an agreement with
12 such municipality or political subdivision and if the use to
13 which the property is being put in the hands of the
14 municipality or political subdivision is not essential to the
15 existence or the administration of such municipality or
16 political subdivision, the Authority may acquire the property
17 by condemnation.

18 (Source: P.A. 94-636, eff. 8-22-05.)

19 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

20 Sec. 11. The Authority shall have power:

21 (a) To enter upon lands, waters and premises in the State
22 for the purpose of making surveys, soundings, drillings and
23 examinations as may be necessary, expedient or convenient for
24 the purposes of this Act, and such entry shall not be deemed to
25 be a trespass, nor shall an entry for such purpose be deemed an

1 entry under any condemnation proceedings which may be then
2 pending; provided, however, that the Authority shall make
3 reimbursement for any actual damage resulting to such lands,
4 waters and premises as the result of such activities.

5 (b) To construct, maintain and operate stations for the
6 collection of tolls or charges upon and along any toll
7 highways.

8 (c) To provide for the collection of tolls and charges for
9 the privilege of using the said toll highways. Before it adopts
10 an increase in the rates for toll, the Authority shall hold a
11 public hearing at which any person may appear, express
12 opinions, suggestions, or objections, or direct inquiries
13 relating to the proposed increase. Any person may submit a
14 written statement to the Authority at the hearing, whether
15 appearing in person or not. The hearing shall be held in the
16 county in which the proposed increase of the rates is to take
17 place. The Authority shall give notice of the hearing by
18 advertisement on 3 successive days at least 15 days prior to
19 the date of the hearing in a daily newspaper of general
20 circulation within the county within which the hearing is held.
21 The notice shall state the date, time, and place of the
22 hearing, shall contain a description of the proposed increase,
23 and shall specify how interested persons may obtain copies of
24 any reports, resolutions, or certificates describing the basis
25 on which the proposed change, alteration, or modification was
26 calculated. After consideration of any statements filed or oral

1 opinions, suggestions, objections, or inquiries made at the
2 hearing, the Authority may proceed to adopt the proposed
3 increase of the rates for toll. No change or alteration in or
4 modification of the rates for toll shall be effective unless at
5 least 30 days prior to the effective date of such rates notice
6 thereof shall be given to the public by publication in a
7 newspaper of general circulation, and such notice, or notices,
8 thereof shall be posted and publicly displayed at each and
9 every toll station upon or along said toll highways.

10 (d) To construct, at the Authority's discretion, grade
11 separations at intersections with any railroads, waterways,
12 street railways, streets, thoroughfares, public roads or
13 highways intersected by the said toll highways, and to change
14 and adjust the lines and grades thereof so as to accommodate
15 the same to the design of such grade separation and to
16 construct interchange improvements. The Authority is
17 authorized to provide such grade separations or interchange
18 improvements at its own cost or to enter into contracts or
19 agreements with reference to division of cost therefor with any
20 municipality or political subdivision of the State of Illinois,
21 or with the Federal Government, or any agency thereof, or with
22 any corporation, individual, firm, person or association.
23 Where such structures have been built by the Authority and a
24 local highway agency did not enter into an agreement to the
25 contrary, the Authority shall maintain the entire structure,
26 including the road surface, at the Authority's expense.

1 (e) To contract with and grant concessions to or lease or
2 license to any person, partnership, firm, association or
3 corporation so desiring the use of any part of any toll
4 highways, excluding the paved portion thereof, but including
5 the right of way adjoining, under, or over said paved portion
6 for the placing of telephone, telegraph, electric, power lines
7 and other utilities, and for the placing of pipe lines, and to
8 enter into operating agreements with or to contract with and
9 grant concessions to or to lease to any person, partnership,
10 firm, association or corporation so desiring the use of any
11 part of the toll highways, excluding the paved portion thereof,
12 but including the right of way adjoining, or over said paved
13 portion for motor fuel service stations and facilities,
14 garages, stores and restaurants, hotels, or for any other
15 lawful purpose, and to fix the terms, conditions, rents, rates
16 and charges for such use. Notwithstanding any law to the
17 contrary, beginning on the effective date of this amendatory
18 Act of the 95th General Assembly, the Authority shall have the
19 power to enter into these concessions, licenses, or leases with
20 terms of up to 50 years. Nothing in this Section shall be
21 construed as giving the Authority the power to enter into a
22 sale or lease of the Authority or of all or substantially all
23 of its assets.

24 The Authority shall also have power to establish reasonable
25 regulations for the installation, construction, maintenance,
26 repair, renewal, relocation and removal of pipes, mains,

1 conduits, cables, wires, towers, poles and other equipment and
2 appliances (herein called public utilities) of any public
3 utility as defined in the Public Utilities Act along, over or
4 under any toll road project. Whenever the Authority shall
5 determine that it is necessary that any such public utility
6 facilities which now are located in, on, along, over or under
7 any project or projects be relocated or removed entirely from
8 any such project or projects, the public utility owning or
9 operating such facilities shall relocate or remove the same in
10 accordance with the order of the Authority. All costs and
11 expenses of such relocation or removal, including the cost of
12 installing such facilities in a new location or locations, and
13 the cost of any land or lands, or interest in land, or any
14 other rights required to accomplish such relocation or removal
15 shall be ascertained and paid by the Authority as a part of the
16 cost of any such project or projects, and further, there shall
17 be no rent, fee or other charge of any kind imposed upon the
18 public utility owning or operating any facilities ordered
19 relocated on the properties of the said Authority and the said
20 Authority shall grant to the said public utility owning or
21 operating said facilities and its successors and assigns the
22 right to operate the same in the new location or locations for
23 as long a period and upon the same terms and conditions as it
24 had the right to maintain and operate such facilities in their
25 former location or locations.

26 (f) To enter into an intergovernmental agreement or

1 contract with a unit of local government or other public or
2 private entity for the collection, enforcement, and
3 administration of tolls, fees, revenue, and violations.

4 (g) To enter into an agreement involving the use of
5 Authority assets for promotional purposes so long as the
6 Authority finds that the agreement provides a benefit to the
7 Authority or its customers.

8 (Source: P.A. 94-636, eff. 8-22-05.)

9 Section 10. The Illinois Vehicle Code is amended by
10 changing Sections 3-413, 3-702, 3-704.2, 6-303, 6-306.7,
11 12-503, and 12-610.5 and adding Section 12-610.6 as follows:

12 (625 ILCS 5/3-413) (from Ch. 95 1/2, par. 3-413)

13 Sec. 3-413. Display of registration plates, registration
14 stickers and drive-away permits.

15 (a) Registration plates issued for a motor vehicle other
16 than a motorcycle, trailer, semitrailer, truck-tractor,
17 apportioned bus, or apportioned truck shall be attached
18 thereto, one in the front and one in the rear. The registration
19 plate issued for a motorcycle, trailer or semitrailer required
20 to be registered hereunder and any apportionment plate issued
21 to a bus under the provisions of this Code shall be attached to
22 the rear thereof. The registration plate issued for a
23 truck-tractor or an apportioned truck required to be registered
24 hereunder shall be attached to the front thereof.

1 (b) Every registration plate shall at all times be securely
2 fastened in a horizontal position to the vehicle for which it
3 is issued so as to prevent the plate from swinging and at a
4 height of not less than 5 inches from the ground, measuring
5 from the bottom of such plate, in a place and position to be
6 clearly visible and shall be maintained in a condition to be
7 clearly legible, free from any materials that would obstruct
8 the visibility or electronic image recording of the plate,
9 including, but not limited to, glass covers and tinted plastic
10 covers and any covers, coating, wrappings, materials,
11 streaking, distorting, holographic, reflective or other
12 devices that obstructs the visibility or electronic image
13 recording of the plate. This subsection (b) shall not apply to
14 automatic vehicle identification transponder devices, cards or
15 chips issued by a governmental body for the purpose of
16 electronic payment of tolls or other authorized payments, the
17 exemption of which shall preempt any local legislation to the
18 contrary. If a Department of State Police Officer or local law
19 enforcement officer having jurisdiction observes that a cover
20 or other device or material or substance is obstructing the
21 visibility or electronic image recording of the plate, the
22 officer shall issue a Uniform Traffic Citation and shall
23 confiscate the cover or other device that obstructs the
24 visibility or electronic image recording of the plate. If the
25 Department of State Police Officer or local law enforcement
26 officer having jurisdiction observes that the plate itself has

1 been physically treated with a substance or material that is
2 obstructing the visibility or electronic image recording of the
3 plate, the officer shall issue a Uniform Traffic Citation and
4 shall confiscate the plate. A fine of \$75 shall be imposed in
5 any instance where a plate cover obstructs the visibility or
6 electronic image recording of the plate. A fine of \$1,000 shall
7 be imposed where a plate has been physically altered with any
8 chemical or reflective substance or coating that obstructs the
9 visibility or electronic image recording of the plate. The
10 Secretary of State shall revoke the registration of any plate
11 that has been found by a court or administrative tribunal to
12 have been physically altered with any chemical or reflective
13 substance or coating that obstructs the visibility or
14 electronic image recording of the plate. ~~Clear plastic covers~~
15 ~~are permissible as long as they remain clear and do not~~
16 ~~obstruct the visibility of the plates.~~ Registration stickers
17 issued as evidence of renewed annual registration shall be
18 attached to registration plates as required by the Secretary of
19 State, and be clearly visible at all times.

20 The Illinois Attorney General may file suit against any
21 individual or entity offering or marketing the sale, including
22 via the Internet, of any product advertised as having the
23 capacity to obstruct the visibility or electronic image
24 recording of a license plate. In addition to injunctive and
25 monetary relief, punitive damages and attorneys fees, the suit
26 shall also seek a full accounting of the records of all sales

1 to residents of or entities within the State of Illinois.

2 (c) Every drive-away permit issued pursuant to this Code
3 shall be firmly attached to the motor vehicle in the manner
4 prescribed by the Secretary of State. If a drive-away permit is
5 affixed to a motor vehicle in any other manner the permit shall
6 be void and of no effect.

7 (d) The Illinois prorated decal issued to a foreign
8 registered vehicle part of a fleet prorated or apportioned with
9 Illinois, shall be displayed on a registration plate and
10 displayed on the front of such vehicle in the same manner as an
11 Illinois registration plate.

12 (e) The registration plate issued for a camper body mounted
13 on a truck displaying registration plates shall be attached to
14 the rear of the camper body.

15 (f) No person shall operate a vehicle, nor permit the
16 operation of a vehicle, upon which is displayed an Illinois
17 registration plate, plates or registration stickers after the
18 termination of the registration period for which issued or
19 after the expiration date set pursuant to Sections 3-414 and
20 3-414.1 of this Code.

21 (Source: P.A. 92-668, eff. 1-1-03; 92-680, eff. 7-16-02;
22 revised 10-2-02.)

23 (625 ILCS 5/3-702) (from Ch. 95 1/2, par. 3-702)

24 Sec. 3-702. Operation of vehicle when registration
25 cancelled, suspended or revoked.

1 (a) No person shall operate, nor shall an owner knowingly
2 permit to be operated, upon any highway:

3 (1) A vehicle the registration of which has been
4 cancelled, suspended or revoked; or

5 (2) A vehicle properly registered in another
6 Reciprocal State, the foreign registration of which, or the
7 Illinois Reciprocity Permit or Decal of which, has been
8 cancelled, suspended or revoked.

9 (b) No person shall use, nor shall any owner use or
10 knowingly permit the use of any Illinois registration plate,
11 plates or registration sticker, or any Illinois Reciprocity
12 Permit or Prorate Decal which has been cancelled, suspended or
13 revoked.

14 (c) Any violation of this Section is a Class A misdemeanor
15 unless:

16 1. the registration of the motor vehicle has been
17 suspended for noninsurance, then the provisions of Section
18 3-708 of this Code apply in lieu of this Section.

19 2. the registration of the motor vehicle has been
20 suspended for failure to purchase a vehicle tax sticker
21 pursuant to Section 3-704.1 of this Code, then the
22 violation shall be considered a business offense and the
23 person shall be required to pay a fine in excess of \$500,
24 but not more than \$1,000.

25 (d) Any person whose suspension was based on Section
26 3-704.2 of this Code relating to unpaid toll violations, in

1 addition to other penalties imposed under this Section, shall
2 have his or her motor vehicle immediately impounded by the
3 arresting law enforcement officer. The motor vehicle may be
4 released to any licensed driver upon a showing of proof of
5 payment in full of all fines, penalties and fees related to the
6 unpaid toll violations and the notarized written consent for
7 the release by the vehicle owner.

8 (Source: P.A. 86-149; 87-1225.)

9 (625 ILCS 5/3-704.2)

10 Sec. 3-704.2. Failure to satisfy fines or penalties for
11 toll violations or evasions; suspension of vehicle
12 registration.

13 (a) Upon receipt of a certified report, as prescribed by
14 subsection (c) of this Section, from the Authority stating that
15 the owner of a registered vehicle has failed to satisfy any
16 fine or penalty resulting from a final order issued by the
17 Authority relating directly or indirectly to 5 or more toll
18 violations, toll evasions, or both, the Secretary of State
19 shall suspend the vehicle registration of the person in
20 accordance with the procedures set forth in this Section.

21 (b) Following receipt of the certified report of the
22 Authority as specified in the Section, the Secretary of State
23 shall notify the person whose name appears on the certified
24 report that the person's vehicle registration will be suspended
25 at the end of a specified period unless the Secretary of State

1 is presented with a notice from the Authority certifying that
2 the fines or penalties and other costs incurred by the
3 Authority due to the suspension proceedings, including but not
4 limited to the filing fees and hearing fees paid by the
5 Authority to the Secretary of State, owing the Authority have
6 been satisfied or that inclusion of that person's name on the
7 certified report was in error. The Secretary's notice shall
8 state in substance the information contained in the Authority's
9 certified report to the Secretary, and shall be effective as
10 specified by subsection (c) of Section 6-211 of this Code.

11 (c) The report from the Authority notifying the Secretary
12 of unsatisfied fines or penalties pursuant to this Section
13 shall be certified and shall contain the following:

14 (1) The name ~~and~~ last known address, as recorded in
15 the Secretary of State's vehicle registration records, and
16 ~~driver's license number~~ of the person who failed to satisfy
17 the fines or penalties and the registration number of any
18 vehicle known to be registered in this State to that
19 person.

20 (2) A statement that the Authority sent a notice of
21 impending suspension of the person's driver's license,
22 vehicle registration, or both, as prescribed by rules
23 enacted pursuant to subsection (a-5) of Section 10 of the
24 Toll Highway Act, to the person named in the report at the
25 address recorded with the Secretary of State's vehicle
26 registration records State; the date on which the notice

1 was sent; and the address to which the notice was sent.

2 (d) The Authority, after making a certified report to the
3 Secretary pursuant to this Section, shall notify the Secretary,
4 on a form prescribed by the Secretary, whenever a person named
5 in the certified report has satisfied the previously reported
6 fines or penalties and other costs incurred by the Authority
7 due to the suspension proceedings, including but not limited to
8 the filing fees and hearing fees paid by the Authority to the
9 Secretary of State, or whenever the Authority determines that
10 the original report was in error. A certified copy of the
11 notification shall also be given upon request and at no
12 additional charge to the person named therein. Upon receipt of
13 the Authority's notification or presentation of a certified
14 copy of the notification, the Secretary shall terminate the
15 suspension.

16 (e) The Authority shall, by rule, establish procedures for
17 persons to challenge the accuracy of the certified report made
18 pursuant to this Section. The rule shall also provide the
19 grounds for a challenge, which may be limited to:

20 (1) the person not having been the owner or lessee of
21 the vehicle or vehicles receiving 5 or more toll violations
22 ~~violation~~ or toll evasions ~~evasion notices~~ on the date of
23 the violations in the notice ~~or dates the notices were~~
24 ~~issued;~~ or

25 (2) the person having already satisfied the fines or
26 penalties for the 5 or more toll violations or toll

1 evasions indicated on the certified report.

2 (f) All notices sent by the Authority to persons involved
3 in administrative adjudications, hearings, and final orders
4 issued pursuant to rules implementing subsection (a-5) of
5 Section 10 of the Toll Highway Act shall state that failure to
6 satisfy any fine or penalty imposed by the Authority shall
7 result in the Secretary of State suspending the driving
8 privileges, vehicle registration, or both, of the person
9 failing to satisfy the fines or penalties imposed by the
10 Authority.

11 (g) A person may request an administrative hearing to
12 contest an impending suspension or a suspension made pursuant
13 to this Section upon filing a written request with the
14 Secretary. The filing fee for this hearing is \$20, to be paid
15 at the time of the request. The Authority shall reimburse the
16 Secretary for all reasonable costs incurred by the Secretary as
17 a result of the filing of a certified report pursuant to this
18 Section, including, but not limited to, the costs of providing
19 notice required pursuant to subsection (b) and the costs
20 incurred by the Secretary in any hearing conducted with respect
21 to the report pursuant to this subsection and any appeal from
22 that hearing.

23 (h) The Secretary and the Authority may promulgate rules to
24 enable them to carry out their duties under this Section.

25 (i) The Authority shall cooperate with the Secretary in the
26 administration of this Section and shall provide the Secretary

1 with any information the Secretary may deem necessary for these
2 purposes, including regular and timely access to toll violation
3 enforcement records.

4 The Secretary shall cooperate with the Authority in the
5 administration of this Section and shall provide the Authority
6 with any information the Authority may deem necessary for the
7 purposes of this Section, including regular and timely access
8 to vehicle registration records. Section 2-123 of this Code
9 shall not apply to the provision of this information, but the
10 Secretary shall be reimbursed for the cost of providing this
11 information.

12 (j) For purposes of this Section, the term "Authority"
13 means the Illinois State Toll Highway Authority.

14 (k) This Section may be extended to other toll facilities
15 in the State of Illinois through a duly executed agreement
16 between the Authority and the operator of the toll facility.

17 (Source: P.A. 91-277, eff. 1-1-00.)

18 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

19 Sec. 6-303. Driving while driver's license, permit or
20 privilege to operate a motor vehicle is suspended or revoked.

21 (a) Any person who drives or is in actual physical control
22 of a motor vehicle on any highway of this State at a time when
23 such person's driver's license, permit or privilege to do so or
24 the privilege to obtain a driver's license or permit is revoked
25 or suspended as provided by this Code or the law of another

1 state, except as may be specifically allowed by a judicial
2 driving permit, family financial responsibility driving
3 permit, probationary license to drive, or a restricted driving
4 permit issued pursuant to this Code or under the law of another
5 state, shall be guilty of a Class A misdemeanor.

6 (b) The Secretary of State upon receiving a report of the
7 conviction of any violation indicating a person was operating a
8 motor vehicle during the time when said person's driver's
9 license, permit or privilege was suspended by the Secretary, by
10 the appropriate authority of another state, or pursuant to
11 Section 11-501.1; except as may be specifically allowed by a
12 probationary license to drive, judicial driving permit or
13 restricted driving permit issued pursuant to this Code or the
14 law of another state; shall extend the suspension for the same
15 period of time as the originally imposed suspension; however,
16 if the period of suspension has then expired, the Secretary
17 shall be authorized to suspend said person's driving privileges
18 for the same period of time as the originally imposed
19 suspension; and if the conviction was upon a charge which
20 indicated that a vehicle was operated during the time when the
21 person's driver's license, permit or privilege was revoked;
22 except as may be allowed by a restricted driving permit issued
23 pursuant to this Code or the law of another state; the
24 Secretary shall not issue a driver's license for an additional
25 period of one year from the date of such conviction indicating
26 such person was operating a vehicle during such period of

1 revocation.

2 (c) Any person convicted of violating this Section shall
3 serve a minimum term of imprisonment of 10 consecutive days or
4 30 days of community service when the person's driving
5 privilege was revoked or suspended as a result of:

6 (1) a violation of Section 11-501 of this Code or a
7 similar provision of a local ordinance relating to the
8 offense of operating or being in physical control of a
9 vehicle while under the influence of alcohol, any other
10 drug or any combination thereof; or

11 (2) a violation of paragraph (b) of Section 11-401 of
12 this Code or a similar provision of a local ordinance
13 relating to the offense of leaving the scene of a motor
14 vehicle accident involving personal injury or death; or

15 (3) a violation of Section 9-3 of the Criminal Code of
16 1961, as amended, relating to the offense of reckless
17 homicide; or

18 (4) a statutory summary suspension under Section
19 11-501.1 of this Code.

20 Such sentence of imprisonment or community service shall
21 not be subject to suspension in order to reduce such sentence.

22 (c-1) Except as provided in subsection (d), any person
23 convicted of a second violation of this Section shall be
24 ordered by the court to serve a minimum of 100 hours of
25 community service.

26 (c-2) In addition to other penalties imposed under this

1 Section, the court may impose on any person convicted a fourth
2 time of violating this Section any of the following:

3 (1) Seizure of the license plates of the person's
4 vehicle.

5 (2) Immobilization of the person's vehicle for a period
6 of time to be determined by the court.

7 (d) Any person convicted of a second violation of this
8 Section shall be guilty of a Class 4 felony and shall serve a
9 minimum term of imprisonment of 30 days or 300 hours of
10 community service, as determined by the court, if the
11 revocation or suspension was for a violation of Section 11-401
12 or 11-501 of this Code, or a similar out-of-state offense, or a
13 similar provision of a local ordinance, a violation of Section
14 9-3 of the Criminal Code of 1961, relating to the offense of
15 reckless homicide, or a similar out-of-state offense, or a
16 statutory summary suspension under Section 11-501.1 of this
17 Code.

18 (d-1) Except as provided in subsection (d-2) and subsection
19 (d-3), any person convicted of a third or subsequent violation
20 of this Section shall serve a minimum term of imprisonment of
21 30 days or 300 hours of community service, as determined by the
22 court.

23 (d-2) Any person convicted of a third violation of this
24 Section is guilty of a Class 4 felony and must serve a minimum
25 term of imprisonment of 30 days if the revocation or suspension
26 was for a violation of Section 11-401 or 11-501 of this Code,

1 or a similar out-of-state offense, or a similar provision of a
2 local ordinance, a violation of Section 9-3 of the Criminal
3 Code of 1961, relating to the offense of reckless homicide, or
4 a similar out-of-state offense, or a statutory summary
5 suspension under Section 11-501.1 of this Code.

6 (d-3) Any person convicted of a fourth, fifth, sixth,
7 seventh, eighth, or ninth violation of this Section is guilty
8 of a Class 4 felony and must serve a minimum term of
9 imprisonment of 180 days if the revocation or suspension was
10 for a violation of Section 11-401 or 11-501 of this Code, or a
11 similar out-of-state offense, or a similar provision of a local
12 ordinance, a violation of Section 9-3 of the Criminal Code of
13 1961, relating to the offense of reckless homicide, or a
14 similar out-of-state offense, or a statutory summary
15 suspension under Section 11-501.1 of this Code.

16 (d-4) Any person convicted of a tenth, eleventh, twelfth,
17 thirteenth, or fourteenth violation of this Section is guilty
18 of a Class 3 felony, and is not eligible for probation or
19 conditional discharge, if the revocation or suspension was for
20 a violation of Section 11-401 or 11-501 of this Code, or a
21 similar out-of-state offense, or a similar provision of a local
22 ordinance, a violation of Section 9-3 of the Criminal Code of
23 1961, relating to the offense of reckless homicide, or a
24 similar out-of-state offense, or a statutory summary
25 suspension under Section 11-501.1 of this Code.

26 (d-5) Any person convicted of a fifteenth or subsequent

1 violation of this Section is guilty of a Class 2 felony, and is
2 not eligible for probation or conditional discharge, if the
3 revocation or suspension was for a violation of Section 11-401
4 or 11-501 of this Code, or a similar out-of-state offense, or a
5 similar provision of a local ordinance, a violation of Section
6 9-3 of the Criminal Code of 1961, relating to the offense of
7 reckless homicide, or a similar out-of-state offense, or a
8 statutory summary suspension under Section 11-501.1 of this
9 Code.

10 (e) Any person in violation of this Section who is also in
11 violation of Section 7-601 of this Code relating to mandatory
12 insurance requirements, in addition to other penalties imposed
13 under this Section, shall have his or her motor vehicle
14 immediately impounded by the arresting law enforcement
15 officer. The motor vehicle may be released to any licensed
16 driver upon a showing of proof of insurance for the vehicle
17 that was impounded and the notarized written consent for the
18 release by the vehicle owner.

19 (f) For any prosecution under this Section, a certified
20 copy of the driving abstract of the defendant shall be admitted
21 as proof of any prior conviction.

22 (g) The motor vehicle used in a violation of this Section
23 is subject to seizure and forfeiture as provided in Sections
24 36-1 and 36-2 of the Criminal Code of 1961 if the person's
25 driving privilege was revoked or suspended as a result of a
26 violation listed in paragraph (1), (2), or (3) of subsection

1 (c) of this Section or as a result of a summary suspension as
2 provided in paragraph (4) of subsection (c) of this Section.

3 (h) Any person whose suspension was based on Section
4 6-306.7 of this Code relating to unpaid toll violations, in
5 addition to other penalties imposed under this Section, shall
6 have his or her motor vehicle immediately impounded by the
7 arresting law enforcement officer. The motor vehicle may be
8 released to any licensed driver upon a showing of proof of
9 payment in full of all fines, penalties, and fees related to
10 the unpaid toll violations and the notarized written consent
11 for the release by the vehicle owner.

12 (Source: P.A. 94-112, eff. 1-1-06.)

13 (625 ILCS 5/6-306.7)

14 Sec. 6-306.7. Failure to satisfy fines or penalties for
15 toll violations or evasions; suspension of driving privileges.

16 (a) Upon receipt of a certified report, as prescribed by
17 subsection (c) of this Section, from the Authority stating that
18 the owner of a registered vehicle has failed to satisfy any
19 fine or penalty resulting from a final order issued by the
20 Authority relating directly or indirectly to 5 or more toll
21 violations, toll evasions, or both, the Secretary of State
22 shall suspend the driving privileges of the person in
23 accordance with the procedures set forth in this Section.

24 (b) Following receipt of the certified report of the
25 Authority as specified in the Section, the Secretary of State

1 shall notify the person whose name appears on the certified
2 report that the person's driver's license will be suspended at
3 the end of a specified period unless the Secretary of State is
4 presented with a notice from the Authority certifying that the
5 fines or penalties and other costs incurred by the Authority
6 due to the suspension proceedings, including but not limited to
7 the filing fees and hearing fees paid by the Authority to the
8 Secretary of State, owing the Authority have been satisfied or
9 that inclusion of that person's name on the certified report
10 was in error. The Secretary's notice shall state in substance
11 the information contained in the Authority's certified report
12 to the Secretary, and shall be effective as specified by
13 subsection (c) of Section 6-211 of this Code, except as to
14 those drivers who also have been issued a CDL. If a person also
15 has been issued a CDL, notice of suspension of that person's
16 driver's license must be given in writing by certified mail and
17 is effective on the date listed in the notice of suspension,
18 except that the notice is not effective until 4 days after the
19 date on which the notice was deposited into the United States
20 mail. The notice becomes effective 4 days after its deposit
21 into the United States mail regardless of whether the Secretary
22 of State receives the return receipt and regardless of whether
23 the written notification is returned for any reason to the
24 Secretary of State as undeliverable.

25 (c) The report from the Authority notifying the Secretary
26 of unsatisfied fines or penalties pursuant to this Section

1 shall be certified and shall contain the following:

2 (1) The name and ~~7~~ last known address, as recorded in
3 the Secretary of State's vehicle registration records, and
4 ~~driver's license number~~ of the person who failed to satisfy
5 the fines or penalties and the registration number of any
6 vehicle known to be registered in this State to that
7 person.

8 (2) A statement that the Authority sent a notice of
9 impending suspension of the person's driver's license,
10 vehicle registration, or both, as prescribed by rules
11 enacted pursuant to subsection (a-5) of Section 10 of the
12 Toll Highway Act, to the person named in the report at the
13 address recorded with the Secretary of State's vehicle
14 registration records ~~State~~; the date on which the notice
15 was sent; and the address to which the notice was sent.

16 (d) The Authority, after making a certified report to the
17 Secretary pursuant to this Section, shall notify the Secretary,
18 on a form prescribed by the Secretary, whenever a person named
19 in the certified report has satisfied the previously reported
20 fines or penalties and other costs incurred by the Authority
21 due to the suspension proceedings, including but not limited to
22 the filing fees and hearing fees paid by the Authority to the
23 Secretary of State, or whenever the Authority determines that
24 the original report was in error. A certified copy of the
25 notification shall also be given upon request and at no
26 additional charge to the person named therein. Upon receipt of

1 the Authority's notification or presentation of a certified
2 copy of the notification, the Secretary shall terminate the
3 suspension.

4 (e) The Authority shall, by rule, establish procedures for
5 persons to challenge the accuracy of the certified report made
6 pursuant to this Section. The rule shall also provide the
7 grounds for a challenge, which may be limited to:

8 (1) the person not having been the owner or lessee of
9 the vehicle or vehicles receiving 5 or more toll violations
10 or toll evasions ~~evasion notices~~ on the date of the
11 violations in the notices ~~or dates the notices were issued;~~
12 or

13 (2) the person having already satisfied the fines or
14 penalties for the 5 or more toll violations or toll
15 evasions indicated on the certified report.

16 (f) All notices sent by the Authority to persons involved
17 in administrative adjudications, hearings, and final orders
18 issued pursuant to rules implementing subsection (a-5) of
19 Section 10 of the Toll Highway Act shall state that failure to
20 satisfy any fine or penalty imposed by the Authority shall
21 result in the Secretary of State suspending the driving
22 privileges, vehicle registration, or both, of the person
23 failing to satisfy the fines or penalties imposed by the
24 Authority.

25 (g) A person may request an administrative hearing to
26 contest an impending suspension or a suspension made pursuant

1 to this Section upon filing a written request with the
2 Secretary. The filing fee for this hearing is \$20, to be paid
3 at the time of the request. The Authority shall reimburse the
4 Secretary for all reasonable costs incurred by the Secretary as
5 a result of the filing of a certified report pursuant to this
6 Section, including, but not limited to, the costs of providing
7 notice required pursuant to subsection (b) and the costs
8 incurred by the Secretary in any hearing conducted with respect
9 to the report pursuant to this subsection and any appeal from
10 that hearing.

11 (h) The Secretary and the Authority may promulgate rules to
12 enable them to carry out their duties under this Section.

13 (i) The Authority shall cooperate with the Secretary in the
14 administration of this Section and shall provide the Secretary
15 with any information the Secretary may deem necessary for these
16 purposes, including regular and timely access to toll violation
17 enforcement records.

18 The Secretary shall cooperate with the Authority in the
19 administration of this Section and shall provide the Authority
20 with any information the Authority may deem necessary for the
21 purposes of this Section, including regular and timely access
22 to vehicle registration records. Section 2-123 of this Code
23 shall not apply to the provision of this information, but the
24 Secretary shall be reimbursed for the cost of providing this
25 information.

26 (j) For purposes of this Section, the term "Authority"

1 means the Illinois State Toll Highway Authority.

2 (k) This Section may be extended to other toll facilities
3 in the State of Illinois through a duly executed agreement
4 between the Authority and the operator of the toll facility.

5 (Source: P.A. 94-218, eff. 7-1-06.)

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

1 conformance with Section 12-502.

2 (c) No person shall drive a motor vehicle with any objects
3 placed or suspended between the driver and the front
4 windshield, rear window, side wings or side windows immediately
5 adjacent to each side of the driver which materially obstructs
6 the driver's view. This subsection (c) does not apply to
7 automatic vehicle identification transponder devices, cards,
8 or chips, issued by a governmental body for the purpose of
9 electronic payment of tolls or other authorized payments, the
10 exemption of which preempts any local legislation to the
11 contrary.

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

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

26 (f) Paragraphs (a) and (b) of this Section shall not apply

1 to:

2 (1) motor vehicles manufactured prior to January 1,
3 1982; or

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

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

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

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

22 It must be certified by a physician licensed to
23 practice medicine in Illinois that such person owning and
24 operating or being transported in a motor vehicle is
25 afflicted with or suffers from such illness, ailment, or
26 disease and such certification must be carried in the motor

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

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

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

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

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

26 (i) is owned and operated by a person afflicted with or

1 suffering from systemic or discoid lupus erythematosus or
2 albinism; or

3 (ii) is used in transporting a person who resides at
4 the same address as the registered owner and is afflicted
5 with or suffers from systemic or discoid lupus
6 erythematosus or albinism.

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

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.

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

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

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

14 (625 ILCS 5/12-610.5)

15 Sec. 12-610.5. Registration plate covers.

16 (a) In this Section, "registration plate cover" means any
17 tinted, colored, painted, marked, clear, reflective,
18 holographic, beveled, streaked, layered, or illuminated object
19 that is designed to:

20 (1) cover any of the characters of a motor vehicle's
21 registration plate; or

22 (2) distort a recorded image of any of the characters
23 of a motor vehicle's registration plate recorded by an
24 automated red light enforcement system as defined in
25 Section 1-105.5 of this Code, ~~or~~ recorded by an automated

1 traffic control system as defined in Section 15 of the
2 Automated Traffic Control Systems in Highway Construction
3 or Maintenance Zones Act, or recorded by a video or photo
4 surveillance system as provided in subsection (a-5) of
5 Section 10 of the Toll Highway Act.

6 (b) It shall be unlawful to operate any motor vehicle that
7 is equipped with registration plate covers.

8 (c) A person may not sell or offer for sale a registration
9 plate cover.

10 (d) A person may not advertise for the purpose of promoting
11 the sale of registration plate covers.

12 (e) A violation of this Section or a similar provision of a
13 local ordinance shall be an offense against laws and ordinances
14 regulating the movement of traffic.

15 (Source: P.A. 94-304, eff. 1-1-06.)

16 (625 ILCS 5/12-610.6 new)

17 Sec. 12-610.6. Registration plate spray and other recorded
18 image distorting material.

19 (a) In this Section, "registration plate spray or other
20 recorded image distorting material" means any spray, chemical,
21 substance, or other material that is designed to:

22 (1) cover any of the characters of a motor vehicle's
23 registration plate; or

24 (2) distort a recorded image of any of the characters
25 of a motor vehicle's registration plate recorded by (i) an

1 automated red light enforcement system as defined in
2 Section 1-105.5 of this Code, (ii) an automated traffic
3 control system as defined in Section 15 of the Automated
4 Traffic Control Systems in Highway Construction or
5 Maintenance Zone Act, or (iii) a video or photo
6 surveillance system as provided in subsection (a-5) of
7 Section 10 of the Toll Highway Act.

8 (b) It shall be unlawful to operate any motor vehicle that
9 is equipped with a registration plate that has been treated
10 with a spray or other image recording distorting material.

11 (c) A person may not sell or offer for sale a registration
12 plate spray or other image recording distorting material.

13 (d) A person may not advertise for the purpose of promoting
14 the sale of registration plate spray or other image recording
15 distorting material.

16 (e) A violation of this Section or a similar provision of a
17 local ordinance is an offense against laws and ordinances
18 regulating the movement of traffic.

19 (f) The Illinois Attorney General may file suit against any
20 person offering, advertising, or marketing the sale, including
21 via the Internet, of any product advertised as having the
22 capacity to obstruct the visibility or electronic image
23 recording of a license plate. In addition to injunctive and
24 monetary relief, punitive damages, and attorneys fees, the suit
25 shall also seek a full accounting of the records of all sales
26 to residents of or entities within the State of Illinois.

1 (g) The Secretary of State shall revoke the registration of
2 any plate that has been found to be in violation of subsection
3 (b) of this Section.