

HB4133



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4133

Introduced 2/27/2009, by Rep. Suzanne Bassi

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-503

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

Amends the Illinois Vehicle Code to provide that a person may not drive a motor vehicle with any sign, poster, window application, reflective material, nonreflective material, or tinted film upon the front windshield, sidewings, or side windows immediately adjacent to each side of the driver in a manner that allows less than 50% light transmittance (instead of completely prohibiting those items on those windows).

LRB096 09838 AJT 22647 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 1. The purpose of this Act is to allow drivers or
5 passengers of motor vehicles to protect themselves from skin
6 cancer.

7 Section 5. The Illinois Vehicle Code is amended by changing
8 Section 12-503 as follows:

9 (625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

10 Sec. 12-503. Windshields must be unobstructed and equipped
11 with wipers.

12 (a) No person shall drive a motor vehicle with any sign,
13 poster, window application, reflective material, nonreflective
14 material, or tinted film upon the front windshield, sidewings,
15 or side windows immediately adjacent to each side of the driver
16 in a manner that allows less than 50% light transmittance. A
17 nonreflective tinted film may be used along the uppermost
18 portion of the windshield if such material does not extend more
19 than 6 inches down from the top of the windshield. Nothing in
20 this Section shall create a cause of action on behalf of a
21 buyer against a dealer or manufacturer who sells a motor
22 vehicle with a window which is in violation of this Section.

1 (b) Nothing contained in this Section shall prohibit the
2 use of nonreflective, smoked or tinted glass, nonreflective
3 film, perforated window screen or other decorative window
4 application on windows to the rear of the driver's seat, except
5 that any motor vehicle with a window to the rear of the
6 driver's seat treated in this manner shall be equipped with a
7 side mirror on each side of the motor vehicle which are in
8 conformance with Section 12-502.

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

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

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

1 event the rear window of the vehicle is materially obscured.

2 (f) Paragraphs (a) and (b) of this Section shall not apply
3 to:

4 (1) motor vehicles manufactured prior to January 1,
5 1982; or

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

8 (g) Paragraph (a) of this Section shall not apply to any
9 motor vehicle with a window treatment, including but not
10 limited to a window application, reflective material,
11 nonreflective material, or tinted film, applied or affixed to a
12 motor vehicle that:

13 (1) is owned and operated by a person afflicted with or
14 suffering from a medical illness, ailment, or disease,
15 including but not limited to systemic or discoid lupus
16 erythematosus, disseminated superficial actinic
17 porokeratosis, or albinism, which would require that
18 person to be shielded from the direct rays of the sun; or

19 (2) is used in transporting a person when the person
20 resides at the same address as the registered owner of the
21 vehicle and the person is afflicted with or suffering from
22 a medical illness, ailment or disease which would require
23 the person to be shielded from the direct rays of the sun,
24 including but not limited to systemic or discoid lupus
25 erythematosus, disseminated superficial actinic
26 porokeratosis, or albinism.

1 The owner must obtain a certified statement or letter
2 written by a physician licensed to practice medicine in
3 Illinois that such person owning and operating or being
4 transported in a motor vehicle is afflicted with or suffers
5 from such illness, ailment, or disease, including but not
6 limited to systemic or discoid lupus erythematosus,
7 disseminated superficial actinic porokeratosis, or
8 albinism, and such certification must be carried in the
9 motor vehicle at all times. The certification shall be
10 legible and shall contain the date of issuance, the name,
11 address and signature of the attending physician, and the
12 name, address, and medical condition of the person
13 requiring exemption. The information on the certificate
14 for a window treatment must remain current and shall be
15 renewed annually by the attending physician. The owner
16 shall also submit a copy of the certification to the
17 Secretary of State. The Secretary of State may forward
18 notice of certification to law enforcement agencies.

19 (g-5) (Blank).

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

25 (i) Those motor vehicles exempted under paragraph (f) (1) of
26 this Section shall not cause their windows to be treated as

1 described in paragraph (a) after January 1, 1993.

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

11 (Source: P.A. 94-564, eff. 8-12-05; 95-202, eff. 8-16-07.)