



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4653

by Rep. Suzanne Bassi

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-412
625 ILCS 5/12-503

from Ch. 95 1/2, par. 3-412
from Ch. 95 1/2, par. 12-503

Amends the Illinois Vehicle Code to provide that a person may drive a motor vehicle with a nonreflective material tinted film that does not allow less than 50% light transmittance (or less than 35% light transmittance if the windows to the rear of the driver already have certain window treatment applied) upon the side windows immediately adjacent to each side of the driver. Deletes a front windshield exemption for persons afflicted with or suffering from a medical illness, ailment, or disease. Deletes an exemption to certain window obstruction provisions for motor vehicles manufactured prior to January 1, 1982. Provides that is a petty offense for a first offense and a Class C misdemeanor for a second offense for an installer to install window treatment on motor vehicles that do not have specified license plates or stickers. Effective immediately.

LRB096 15102 AJT 30133 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 Sections 3-412 and 12-503 as follows:

6 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

7 Sec. 3-412. Registration plates and registration stickers
8 to be furnished by the Secretary of State.

9 (a) The Secretary of State upon registering a vehicle
10 subject to annual registration for the first time shall issue
11 or shall cause to be issued to the owner one registration plate
12 for a motorcycle, trailer, semitrailer, motorized pedalcycle
13 or truck-tractor, 2 registration plates for other motor
14 vehicles and, where applicable, current registration stickers
15 for motor vehicles of the first division. The provisions of
16 this Section may be made applicable to such vehicles of the
17 second division, as the Secretary of State may, from time to
18 time, in his discretion designate. On subsequent annual
19 registrations during the term of the registration plate as
20 provided in Section 3-414.1, the Secretary shall issue or cause
21 to be issued registration stickers as evidence of current
22 registration. However, the issuance of annual registration
23 stickers to vehicles registered under the provisions of

1 Sections 3-402.1 and 3-405.3 of this Code may not be required
2 if the Secretary deems the issuance unnecessary.

3 (b) Every registration plate shall have displayed upon it
4 the registration number assigned to the vehicle for which it is
5 issued, the name of this State, which may be abbreviated, the
6 year number for which it was issued, which may be abbreviated,
7 the phrase "Land of Lincoln" (except as otherwise provided in
8 this Code), and such other letters or numbers as the Secretary
9 may prescribe. However, for apportionment plates issued to
10 vehicles registered under Section 3-402.1 and fleet plates
11 issued to vehicles registered under Section 3-405.3, the phrase
12 "Land of Lincoln" may be omitted to allow for the word
13 "apportioned", the word "fleet", or other similar language to
14 be displayed. Registration plates issued to a vehicle
15 registered as a fleet vehicle may display a designation
16 determined by the Secretary.

17 The Secretary may in his discretion prescribe that letters
18 be used as prefixes only on registration plates issued to
19 vehicles of the first division which are registered under this
20 Code and only as suffixes on registration plates issued to
21 other vehicles. Every registration sticker issued as evidence
22 of current registration shall designate the year number for
23 which it is issued and such other letters or numbers as the
24 Secretary may prescribe and shall be of a contrasting color
25 with the registration plates and registration stickers of the
26 previous year.

1 (c) Each registration plate and the required letters and
2 numerals thereon, except the year number for which issued,
3 shall be of sufficient size to be plainly readable from a
4 distance of 100 feet during daylight, and shall be coated with
5 reflectorizing material. The dimensions of the plate issued to
6 vehicles of the first division shall be 6 by 12 inches.

7 (d) The Secretary of State shall issue for every passenger
8 motor vehicle rented without a driver the same type of
9 registration plates as the type of plates issued for a private
10 passenger vehicle.

11 (e) The Secretary of State shall issue for every passenger
12 car used as a taxicab or livery, distinctive registration
13 plates.

14 (f) The Secretary of State shall issue for every motorcycle
15 distinctive registration plates distinguishing between
16 motorcycles having 150 or more cubic centimeters piston
17 displacement, or having less than 150 cubic centimeter piston
18 displacement.

19 (g) Registration plates issued to vehicles for-hire may
20 display a designation as determined by the Secretary that such
21 vehicles are for-hire.

22 (h) The Secretary of State shall issue distinctive
23 registration plates for electric vehicles.

24 (i) The Secretary of State shall issue for every public and
25 private ambulance registration plates identifying the vehicle
26 as an ambulance. The Secretary shall forward to the Department

1 of Healthcare and Family Services registration information for
2 the purpose of verification of claims filed with the Department
3 by ambulance owners for payment for services to public
4 assistance recipients.

5 (j) The Secretary of State shall issue for every public and
6 private medical carrier or rescue vehicle livery registration
7 plates displaying numbers within ranges of numbers reserved
8 respectively for medical carriers and rescue vehicles. The
9 Secretary shall forward to the Department of Healthcare and
10 Family Services registration information for the purpose of
11 verification of claims filed with the Department by owners of
12 medical carriers or rescue vehicles for payment for services to
13 public assistance recipients.

14 (k) The Secretary of State shall issue distinctive license
15 plates or distinctive license plate stickers for every vehicle
16 exempted from subsections ~~subsection~~ (a) and (a-3) of Section
17 12-503 by subsection (g) of that Section, and by subsection
18 (g-5) of that Section before its deletion by this amendatory
19 Act of the 95th General Assembly. The Secretary shall issue
20 these plates or stickers immediately upon receiving the
21 physician's certification required under subsection (g) of
22 Section 12-503. New plates or stickers shall also be issued
23 when the certification is renewed as provided in that
24 subsection.

25 (Source: P.A. 94-239, eff. 1-1-06; 94-564, eff. 8-12-05;
26 95-202, eff. 8-16-07; 95-331, eff. 8-21-07.)

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

2 Sec. 12-503. Windshields must be unobstructed and equipped
3 with wipers.

4 (a) No person shall drive a motor vehicle with any sign,
5 poster, window application, reflective material, nonreflective
6 material or tinted film upon the front windshield, except that
7 ~~a sidewings or side windows immediately adjacent to each side~~
8 ~~of the driver. A nonreflective tinted film may be used along~~
9 the uppermost portion of the windshield if such material does
10 not extend more than 6 inches down from the top of the
11 windshield. ~~Nothing in this Section shall create a cause of~~
12 ~~action on behalf of a buyer against a dealer or manufacturer~~
13 ~~who sells a motor vehicle with a window which is in violation~~
14 ~~of this Section.~~

15 (a-3) No window treatment or tinting shall be applied to
16 the windows immediately adjacent to each side of the driver,
17 except:

18 (1) on vehicles where none of the windows to the rear
19 of the driver's seat are treated in a manner that allows
20 less than 30% light transmittance, a nonreflective tinted
21 film that allows at least 50% light transmittance, with a
22 5% variance observed by any law enforcement official
23 metering the light transmittance, may be used on the side
24 windows immediately adjacent to each side of the driver;

25 (2) on vehicles where none of the windows to the rear

1 of the driver's seat are treated in a manner that allows
2 less than 35% light transmittance, a nonreflective tinted
3 film that allows at least 35% light transmittance, with a
4 5% variance observed by any law enforcement official
5 metering the light transmittance, may be used on the side
6 windows immediately adjacent to each side of the driver; or

7 (3) on vehicles where a nonreflective smoked or tinted
8 film or glass that was originally applied or installed by
9 the manufacturer on the windows to the rear of the driver's
10 seat, a nonreflective tint that allows at least 50% light
11 transmittance, with a 5% variance observed by a law
12 enforcement official metering the light transmittance, may
13 be used on the side windows immediately adjacent to each
14 side of the driver.

15 (a-5) No person shall install or repair any material
16 prohibited by subsection (a) or (a-3) of this Section.

17 (1) Nothing in this subsection shall prohibit a person
18 from removing or altering any material prohibited by
19 subsection (a) to make a motor vehicle comply with the
20 requirements of this Section.

21 (2) Nothing in this subsection shall prohibit a person
22 from installing window treatment for a person with a
23 medical condition described in subsection (g) of this
24 Section. An installer who installs window treatment for a
25 person with a medical condition described in subsection (g)
26 must obtain a copy of the certified statement or letter

1 written by a physician described in subsection (g) from the
2 person with the medical condition prior to installing the
3 window treatment. The copy of the certified statement or
4 letter must be kept in the installer's permanent records.

5 (b) On motor vehicles where window treatment has not been
6 applied to the windows immediately adjacent to each side of the
7 driver, ~~Nothing contained in this Section shall prohibit~~ the
8 use of a nonreflective, smoked or tinted glass, nonreflective
9 film, perforated window screen or other decorative window
10 application on windows to the rear of the driver's seat shall
11 be allowed, except that any motor vehicle with a window to the
12 rear of the driver's seat treated in this manner shall be
13 equipped with a side mirror on each side of the motor vehicle
14 which are in conformance with Section 12-502.

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

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

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

8 (f) Paragraphs (a) (a-3), and (b) of this Section shall
9 not apply to:

10 (1) (Blank). ~~motor vehicles manufactured prior to~~
11 ~~January 1, 1982; or~~

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

14 (g) ~~Paragraph~~ Paragraph (a) and (a-3) of this Section
15 shall not apply to ~~any motor vehicle with a~~ window treatment,
16 including but not limited to a window application, ~~reflective~~
17 ~~material,~~ nonreflective material, or tinted film, applied or
18 affixed to a motor vehicle for which distinctive license plates
19 or license plate stickers have been issued pursuant to
20 subsection (k) of Section 3-412 of this Code, and which ~~that~~:

21 (1) is owned and operated by a person afflicted with or
22 suffering from a medical ~~illness, ailment, or~~ disease,
23 including but not limited to systemic or discoid lupus
24 erythematosus, disseminated superficial actinic
25 porokeratosis, or albinism, which would require that
26 person to be shielded from the direct rays of the sun; or

1 (2) is used in transporting a person when the person
2 resides at the same address as the registered owner of the
3 vehicle and the person is afflicted with or suffering from
4 a medical ~~illness, ailment or~~ disease which would require
5 the person to be shielded from the direct rays of the sun,
6 including but not limited to systemic or discoid lupus
7 erythematosus, disseminated superficial actinic
8 porokeratosis, or albinism.

9 The owner must obtain a certified statement or letter
10 written by a physician licensed to practice medicine in
11 Illinois that such person owning and operating or being
12 transported in a motor vehicle is afflicted with or suffers
13 from such ~~illness, ailment, or~~ disease, including but not
14 limited to systemic or discoid lupus erythematosus,
15 disseminated superficial actinic porokeratosis, or
16 albinism. However, no exemption from the requirements of
17 subsection (a-5) shall be granted for any condition, such
18 as light sensitivity, for which protection from the direct
19 rays of the sun can be adequately obtained by the use of
20 sunlasses or other eye protective devices.

21 Such ~~, and such~~ certification must be carried in the
22 motor vehicle at all times. The certification shall be
23 legible and shall contain the date of issuance, the name,
24 address and signature of the attending physician, and the
25 name, address, and medical condition of the person
26 requiring exemption. The information on the certificate

1 for a window treatment must remain current and shall be
2 renewed annually by the attending physician. The owner
3 shall also submit a copy of the certification to the
4 Secretary of State. The Secretary of State may forward
5 notice of certification to law enforcement agencies.

6 (g-5) (Blank).

7 (g-7) Installers shall only install window treatment
8 authorized by subsection (g) on motor vehicles for which
9 distinctive plates or license plate stickers have been issued
10 pursuant to subsection (k) of Section 3-412 of this Code. The
11 distinctive license plates or plate sticker must be on the
12 motor vehicle at the time of window treatment installation.

13 (h) Paragraph (a) of this Section shall not apply to motor
14 vehicle stickers or other certificates issued by State or local
15 authorities which are required to be displayed upon motor
16 vehicle windows to evidence compliance with requirements
17 concerning motor vehicles.

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

21 (j) A person found guilty of violating paragraphs (a),
22 (a-3), (a-5), (b), or (g-7) ~~(i)~~ of this Section shall be guilty
23 of a petty offense and fined no less than \$50 nor more than
24 \$500. A second or subsequent violation of paragraphs (a),
25 (a-3), (a-5), (b), or (g-7) ~~(i)~~ of this Section shall be
26 treated as a Class C misdemeanor and the violator fined no less

1 than \$100 nor more than \$500. Any person convicted under
2 paragraphs (a), (a-3) or (b), ~~or (i)~~ of this Section shall be
3 ordered to alter any nonconforming windows into compliance with
4 this Section.

5 (k) The Secretary of State shall provide a notice of the
6 requirements of this Section to a new resident applying for
7 vehicle registration in this State pursuant to Section 3-801 of
8 this Code. The Secretary of State may comply with this
9 subsection by posting the requirements of this Section on the
10 Secretary of State's website.

11 (l) Nothing in this Section shall create a cause of action
12 on behalf of a buyer against a vehicle dealer or manufacturer
13 who sells a motor vehicle with a window which is in violation
14 of this Section.

15 (Source: P.A. 95-202, eff. 8-16-07; 96-530, eff. 1-1-10.)

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.