



Rep. Suzanne Bassi

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LRB096 05916 AJT 24922 a

1 AMENDMENT TO HOUSE BILL 3325

2 AMENDMENT NO. _____. Amend House Bill 3325 by replacing
3 everything after the enacting clause with the following:

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, while at the same time to protect the environment from
7 the harmful emissions created by the excessive and unnecessary
8 use of vehicle air-conditioning systems.

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

11 (625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

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

14 (a) No person shall drive a motor vehicle with any sign,
15 poster, window application, reflective material, nonreflective

1 material or tinted film upon the front windshield, sidewings or
2 side windows immediately adjacent to each side of the driver,
3 except as provided in this subsection and subsections (a-5),
4 (a-7), and (a-9) of this Section. A nonreflective tinted film
5 may be used along the uppermost portion of the windshield if
6 such material does not extend more than 6 inches down from the
7 top of the windshield. ~~Nothing in this Section shall create a~~
8 ~~cause of action on behalf of a buyer against a dealer or~~
9 ~~manufacturer who sells a motor vehicle with a window which is~~
10 ~~in violation of this Section.~~

11 (a-5) A nonreflective tinted film that does not allow less
12 than 50% light transmittance, with a 5% variance observed by
13 any law enforcement official metering the light transmittance,
14 may be used on the side windows immediately adjacent to each
15 side of the driver. This subsection does not apply to the front
16 windshield. This subsection does not apply to any motor
17 vehicle, except as provided for in subsection (a-9) of this
18 Section, that has one or more windows to the rear of the
19 driver's seat treated in a manner described by subsection (b)
20 of this Section that allows less than 30% light transmittance.

21 (a-7) A nonreflective tinted film that does not allow less
22 than 35% light transmittance, with a 5% variance observed by
23 any law enforcement official metering the light transmittance,
24 may be used on the side windows immediately adjacent to each
25 side of the driver. This subsection does not apply to the front
26 windshield. This subsection does not apply to any motor vehicle

1 that has one or more windows to the rear of the driver's seat
2 treated in a manner described by subsection (b) of this Section
3 that allows less than 35% light transmittance.

4 (a-9) A nonreflective tinted film that does not allow less
5 than 50% light transmittance, with a 5% variance observed by
6 any law enforcement official metering the light transmittance,
7 may be used on the side windows immediately adjacent to each
8 side of the driver in any multipurpose passenger vehicle, as
9 defined by Section 1-148.3b of this Code. This Section does not
10 apply to any multipurpose passenger vehicle which has tinting
11 other than the tinting originally applied by the manufacturer.

12 (b) Nothing contained in this Section shall prohibit the
13 use of nonreflective, smoked or tinted glass, nonreflective
14 film, perforated window screen or other decorative window
15 application on windows to the rear of the driver's seat, except
16 that any motor vehicle with a window to the rear of the
17 driver's seat treated in this manner shall be equipped with a
18 side mirror on each side of the motor vehicle which are in
19 conformance with Section 12-502.

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

25 (d) Every motor vehicle, except motorcycles, shall be
26 equipped with a device, controlled by the driver, for cleaning

1 rain, snow, moisture or other obstructions from the windshield;
2 and no person shall drive a motor vehicle with snow, ice,
3 moisture or other material on any of the windows or mirrors,
4 which materially obstructs the driver's clear view of the
5 highway.

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

13 (f) Paragraphs (a) and (b) of this Section shall not apply
14 to:

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

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

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

24 (1) is owned and operated by a person afflicted with or
25 suffering from a medical illness, ailment, or disease,
26 including but not limited to systemic or discoid lupus

1 erythematosus, disseminated superficial actinic
2 porokeratosis, or albinism, which would require that
3 person to be shielded from the direct rays of the sun; or

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

12 The owner must obtain a certified statement or letter
13 written by a physician licensed to practice medicine in
14 Illinois that such person owning and operating or being
15 transported in a motor vehicle is afflicted with or suffers
16 from such illness, ailment, or disease, including but not
17 limited to systemic or discoid lupus erythematosus,
18 disseminated superficial actinic porokeratosis, or
19 albinism, and such certification must be carried in the
20 motor vehicle at all times. The certification shall be
21 legible and shall contain the date of issuance, the name,
22 address and signature of the attending physician, and the
23 name, address, and medical condition of the person
24 requiring exemption. The information on the certificate
25 for a window treatment must remain current and shall be
26 renewed annually by the attending physician. The owner

1 shall also submit a copy of the certification to the
2 Secretary of State. The Secretary of State may forward
3 notice of certification to law enforcement agencies.

4 (g-3) Paragraph (a) of this Section shall not apply to any
5 motor vehicle with a window treatment, including but not
6 limited to a window application, nonreflective material, or
7 tinted film, applied or affixed to a motor vehicle displaying a
8 distinctive license plates or license plate stickers
9 authorized under subsection (k) of Section 3-412 of this Code.

10 (g-5) (Blank).

11 (g-7) An installer who installs window treatment for a
12 person with a medical condition described in subsection (g)
13 must obtain a copy of the certified statement or letter written
14 by a physician described in subsection (g) from the person with
15 the medical condition prior to installing the window treatment.
16 The copy of the certified statement or letter must be kept in
17 the installer's permanent records.

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

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

26 (j) A person found guilty of violating paragraphs (a), (b),

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

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

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