

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1100

RULES OF THE ROAD – PERSONS WITH DISABILITIES PARKING PROGRAM

Section

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AUTHORITY: Implementing and authorized by Section 3-616 of the Illinois Vehicle Title and Registration Law and Section 11-1301.2 of the Illinois Rules of the Road [625 ILCS 5].

SOURCE: Adopted at 4 Ill. Reg. 11, p. 74, effective February 29, 1980; codified at 6 Ill. Reg. 12703; amended at 9 Ill. Reg. 12868, effective August 2, 1985; amended at 12 Ill. Reg. 8448, effective May 2, 1988; old Part repealed and new Part adopted at 22 Ill. Reg. 2280, effective January 1, 1998; amended at 30 Ill. Reg. 917, effective January 6, 2006; amended at 37 Ill. Reg. 19866, effective November 27, 2013; emergency amendment at 44 Ill. Reg. 5847, effective March 17, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 6658, effective April 9, 2020, for the remainder of the 150 days; emergency rule effective March 17, 2020, as amended April 9, 2020, repealed by emergency at 44 Ill. Reg. 11618, effective June 30, 2020; emergency amendment at 44 Ill. Reg. 11906, effective June 30, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 18742, effective November 13, 2020; amended at 50 Ill. Reg. _____, effective _____.

Section 1100.5 Definitions

"Affirmation by an authorized agent" means the agent for a corporation, school district or special education cooperative attests that the individuals being transported are qualified under IVC Section 1-159.1 and are permanently disabled (i.e., indefinitely subject to a physical disability or a developmental disability as defined in Section 4A(a) of the Illinois Identification Card Act [15 ILCS 335/4A(a)]).

"Authorized holder" means an individual issued a person with disabilities license

plate under IVC Section 3-616 or 3-609(a), or an individual issued a person-with-disabilities parking decal or device under IVC Section 11-1301.2.

"Competent medical specialist" means a person affirming that the applicant for a person-with-disabilities license plate or decal or device is a disabled person in accordance with IVC Section 1-159.1. This person shall be licensed under the Medical Practice Act [of 1987](#) [225 ILCS 60], or similar law of another jurisdiction, or a person specified in the Illinois Identification Card Act [\[15 ILCS 335/4\(b\)\]](#) and the Illinois Vehicle Code, ~~including a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination~~ [625 ILCS 5/3-616(a)].

"Decal or device" means a placard described in Section 1100.10(a) that, when displayed in a vehicle, authorizes the parking of the vehicle in parking spaces reserved for the disabled, and authorizes other parking privileges as outlined in IVC Sections 11-1301.1 and 11-1301.2. "Decal or device" does not mean a sticker with adhesive backing which is permanently affixed to the vehicle.

"DFPR" means the Illinois Department of Financial and Professional Regulation.

"False information" means any incorrect or inaccurate information concerning the name, date of birth, social security number, driver's license number, physician certification, or any other information required on the application for a person-with-disabilities license plate or parking decal or device that falsifies the content of the application.

"Fictitious person with disabilities license plate or parking decal or device" means any person with disabilities license plate or parking decal or device that has been issued by the Secretary or authorized unit of local government that was issued based upon false information contained on the required application.

"Fraudulent person with disabilities license plate or parking decal or device" means any person with disabilities license plate or parking decal or device that purports to be an official person with disabilities license plate or parking decal or device and has not been issued by the Secretary or an authorized unit of local government.

"IVC" means the Illinois Vehicle Code [625 ILCS 5].

"Metered-exempt decal or device", as that term is used in IVC Section 11-1301.2, means a decal or device that is issued by the Secretary to a natural person who, as

determined by a licensed physician, physician assistant or advanced practice nurse, meets the criteria established under IVC Section 11-1301.2(c-5).

"Permanent disability" means a disability that affects an individual indefinitely as defined in the Illinois Identification Card Act [15 ILCS 335/4A].

"Person with disabilities" means a natural person who, as determined by a licensed physician: cannot walk 200 feet without stopping to rest; cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; is restricted by lung disease to such an extent that ~~the person's his or her~~ forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mmhg on room air at rest; uses portable oxygen; has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV, according to standards set by the American Heart Association (Classification of Functional Capacity and Objective Assessment of Patients with Diseases of the Heart, 7272 Greenville Avenue, Dallas, Texas, effective March 4, 1994, no subsequent dates and editions); or is severely limited in the person's ability to walk due to an arthritic, neurological, oncological or orthopedic condition.

"Secretary" means the Illinois Secretary of State.

"Temporary disability" means a disability that lasts up to six months and is not permanent in nature.

"Unlawfully altered person with disabilities license plate or parking decal or device" means any person with disabilities license plate or parking decal or device issued by the Secretary or authorized unit of local government that has been physically altered or changed in such a manner that false information, which may include, but shall not be limited to, incorrect expiration date or incorrect decal or device number, appears on the license plate or parking decal or device.

"While the person with disabilities is present", as that term is used in IVC Section 11-1301.1, means that the person with disabilities must either exit or enter the vehicle while the vehicle is parked in a designated person with disabilities parking area or in an area where parking meter time restrictions are waived. In other words, an able-bodied driver cannot drop off the person with disabilities at the entrance to a facility, park in a person with disabilities parking space, and then return to pick up the person with disabilities.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 1100.10 Application Procedures for Plates and Decals or Devices

- a) If a person wishes to apply for a person with disabilities license plate, the person~~he/she~~ must be a resident of the State of Illinois and shall submit the following to the Secretary:
 - 1) The certification on a form prescribed by the Secretary completed by the competent medical specialist and the applicant, including an Illinois Identification Card number or a State of Illinois driver's license number or, if the applicant does not have an identification card or driver's license number, then the applicant may use a valid identification number issued by a branch of the U.S. military or a federally issued Medicare or Medicaid identification number; [625 ILCS 5/11-1301.2]
 - 2) The current registration card or a copy of the title if the vehicle is registered in the applicant's name or the title or the manufacturer's certificate of origin if the vehicle is not registered in the applicant's name; and
 - 3) The application form prescribed by the Secretary and statutory fee as provided for in IVC Section 3-806.
- b) If a person wishes to apply for a person with disabilities parking decal or device, the person~~he/she~~ must be a resident of the State of Illinois, ~~must possess a valid Illinois driver's license,~~ and shall submit the following to the Secretary or authorized unit of local government:
 - 1) The certification form completed by the competent medical specialist and applicant, including an Illinois Identification Card number or a State of Illinois driver's license number or, if the applicant does not have an identification card or driver's license number, then the applicant may use a valid identification number issued by a branch of the U.S. military or a federally issued Medicare or Medicaid identification number~~unless the person has been issued a disabled veteran or person with disabilities license and has a certification form on file or the person has an Illinois Person with a Disability ID card with a 1A or 2A classification as provided in Section 4A of the Illinois Identification Card Act; or~~
 - 2) Proof that:
 - A) the applicant has been issued a disabled veteran identification card or person with a disability identification card and has a certification form on file; or

- 173
- 174 B) the person has an Illinois Person with a Disability Identification
- 175 Card with a 1A or 2A classification as provided in Section 4A of
- 176 the Illinois Identification Card Act; or~~A copy of the individual's~~
- 177 ~~State of Illinois identification card, disabled veteran identification~~
- 178 ~~card, person with disabilities identification card, or State of Illinois~~
- 179 ~~Driver's License. In the case of a person with disabilities who is~~
- 180 ~~under the age of 18, the identification card number of the minor's~~
- 181 ~~parent or legal guardian may be submitted.~~
- 182
- 183 3) If a person with a disability has neither a vehicle registered in that person's
- 184 name nor a valid form of identification, as required under subsections (a)
- 185 and (b), the identification card number of the parent or legal guardian may
- 186 be submitted.
- 187
- 188 c) The physician certification form shall contain the following items:
- 189
- 190 1) The definition of a "person with disabilities" as outlined in IVC Section 1-
- 191 159.1 and contained in Section 1100.5 of this Part and the requirements
- 192 for an applicant to qualify for the metered-exempt parking decal or device
- 193 set forth in IVC Section 11-1301.2(c-5);
- 194
- 195 2) An indication from the competent medical specialist as to the qualifying
- 196 disability;
- 197
- 198 3) An indication from the competent medical specialist whether the disability
- 199 is permanent or temporary. If temporary, the competent medical specialist
- 200 ~~must~~shall also indicate the anticipated duration of the disability (not to
- 201 exceed 6 months). If the disability is permanent, the competent medical
- 202 specialist ~~must~~shall indicate whether the applicant meets the medical
- 203 conditions required by IVC Section 1-159.1 for a metered-exempt parking
- 204 decal or device;
- 205
- 206 4) The certifying competent medical specialist's name, address, telephone
- 207 number, professional license number and signature;
- 208
- 209 5) The applicant's name, address, telephone number, social security number
- 210 and driver's license number, ~~or~~ State identification number, or other
- 211 acceptable form of identification as authorized under this Section;
- 212
- 213 6) The plate number for the one or two primary vehicles used to transport the
- 214 person with disabilities; and
- 215

- 7) The name, address, phone number, relationship to the disabled individual, and signature of the family member who is the owner of the vehicle upon which the person with disabilities relies for ~~his/her mode of~~ transportation, and that the disabled individual ~~he/she~~ does not own a vehicle ~~in his/her name~~, if the vehicle is not owned by the applicant having the disability.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 1100.20 Person with Disabilities Parking Decals or Devices

- a) The decals or devices issued by State and local authorities according to the provisions of IVC Section 11-1301.2 shall be the following size, color, design, duration and placement.
- 1) Size – 3" x 9½".
 - 2) Color – Permanent, metered-exempt, and temporary decals or devices shall be of differing distinctive and contrasting colors.
 - 3) Design, Placement, Manufacturing – The decal or device shall contain the international symbol of access, the registration number, the expiration date, and the name of the issuing agent. Decals shall be placed on the rearview mirror of the vehicle while the vehicle is parked in the person with disabilities parking space or metered space, and shall be removed while the vehicle is in motion. If the person is incapable of putting the decal or device on the rearview mirror because of the person's ~~his/her~~ physical disability, the decal or device may be placed on the dashboard of the car in clear view.
 - 4) Duration of the Temporary Decal or Device – Secretary Issue: Temporary decals or devices provided by the Secretary shall be issued to individuals whose disability is temporary in nature. The temporary decal or device shall be issued for the time specified by the physician certification, but shall not exceed six months. Recertification of disability is required upon application for renewal.
 - 5) Duration of Temporary Decal or Device – Unit of Local Government Issue: Temporary decals or devices provided by units of local government shall be issued to individuals whose disability is temporary in nature. The temporary decal or device shall be issued for the time specified by the physician certification, but shall not exceed 90 days. Recertification of disability is required upon application for renewal.

6) Duration of Permanent Decal: The permanent decals or devices shall expire every ~~five~~^{four} years. A physician's certification of the permanent disability is required for renewal of permanent decals or devices. The Secretary may stagger the expiration of permanent decals or devices, or change the annual expiration date, as necessary, for the convenience of the public and the efficiency of the Office of the Secretary of State. To effectively implement the changes made by Public Act 104-88, or any subsequent amendment to IVC Section 3-616(h), the Secretary of State is authorized to begin issuing permanent decals or devices bearing new or extended expiration dates upon the expiration of the most recently held permanent decal or device.

b) The vehicle in which the disabled parking decal or device is displayed need not bear Illinois registration plates. However, the vehicle's registration plates must be valid and issued in accordance with the individual's ruling state/jurisdiction.

c) A vehicle displaying disabled plates issued under IVC Section 3-609(a) or 3-616 that has also been issued a metered-exempt parking decal or device must display the metered-exempt parking decal or device while parked at a meter to avoid paying the meter.

(Source: Amended at 50 Ill. Reg. _____, effective _____)