



Jesse White

SECRETARY OF STATE

NEWS

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Three New Laws Initiated By White Will Take Effect January 1

Measures will create legally binding Organ/Tissue Donor Registry, increase penalties for disability parking violations, and limit drivers to two court supervisions each year

Three important pieces of legislation initiated this year by Secretary of State Jesse White will take effect as new laws January 1. White said the measures would lead directly to more lives being saved each year through an increase in donated organs; safer roads through the limitation of court supervision; and greater accessibility for disabled persons through increased fines and penalties for those who violate parking laws. All three measures received strong support from the Illinois General Assembly.

“I want to thank Governor Blagojevich and the General Assembly for their assistance in addressing these important public health and safety issues,” White said. “These new laws will make more organs and tissue available for transplants, allow my office to remove more dangerous drivers from our roads and increase the penalties against those who wrongly park in spots reserved for the disabled.”

Public Act 94-0075 (HB 1077) creates a First-Person Consent Organ/Tissue Donor Law in Illinois. This new law will make a person’s decision to donate organs and tissue following death binding under state law. Currently an individual’s organs and tissue may not be donated without the consent of the person’s next of kin, even if he or she has joined the state’s donor registry.

According to Gift of Hope, an organ and tissue procurement organization covering much of Illinois, 40 percent of families say no to organ and tissue donation when approached for permission. Families also say no to donating organs and tissue 19 percent of the time even when they are told that their loved one had joined the state’s donor registry. Gift of Hope estimates that a first person consent law could save at least 100 additional lives each year. Similar legislation has been approved in 42 other states.

While 5,000 people are waiting for transplants in Illinois, one donor can save or enhance the lives of more than 25 people. Although Illinois has the largest donor registry in the country, approximately 300 people in the state die each year waiting for a transplant.

“Although six million people in Illinois have joined our organ and tissue donor registry, their wishes are sometimes not carried through,” White said. “This law makes a person’s decision to be an organ and tissue donor binding under state law. It is important that we honor their wishes after they have passed away. We believe this new law could save more than 100 additional lives each year by making organs available for transplant.”

Public Act 94-0330 (HB 1483) will limit drivers to two court supervisions for moving violations in a 12-month period. Any other moving violations a driver is found guilty of during that time frame would result in convictions reported to the individual's permanent driving record.

White said the new law is necessary because a small percentage of Illinois drivers have received too many court supervisions in recent years. Some drivers have been granted court supervision more than a dozen times in a single year, keeping the offenses off their permanent records so their driving privileges can't be suspended for committing too many moving violations.

"This law will close a loophole that some of the worst drivers are using to avoid losing their driving privileges," White said. "In a few cases, drivers have been granted court supervision ten or more times in the same year. Because the violations technically weren't convictions, my office could not suspend their licenses. Starting in January, we will be able take action against these habitual offenders who jeopardize the safety of other motorists."

In 2004, 3,785 drivers received court supervision for more than three offenses, 128 drivers received court supervision more than six times and one driver received court supervision 14 times. Over the past three years, 28 drivers have received court supervision 10 or more times in a 12-month period.

Public Act 94-0619 (HB 1316) will increase the fine for parking in an accessible parking space without a disability license plate or placard to \$250. The new law also creates a \$500 fine for improperly using a disability license plate or placard without the authorized holder present and allows the Secretary of State to suspend the driver's license of anyone caught using a disability license plate or placard without the authorized holder present. It also increases penalties against those who illegally alter or fraudulently manufacture disability placards or plates.

"Stiffer fines and the potential suspension of driving privileges should make more drivers think twice before parking in spaces reserved for people with disabilities," White said. "It is unconscionable that able-bodied people would abuse this important program."

White has directed the Secretary of State Police to conduct stings at shopping malls throughout the state during the busy holiday shopping season to ticket drivers who violate disability-parking laws. The effort has netted more than 200 violators. There are more than 550,000 disability parking placards and 90,000 disability license plates assigned to motorists throughout Illinois.

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