

SB0199



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0199

Introduced 1/22/2025, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

605 ILCS 125/20
605 ILCS 125/23.1

Amends the Roadside Memorial Act. Provides that a DUI memorial marker shall be maintained permanently (rather than for at least 4 years from the date the last person was memorialized on the marker). Provides that a fatal crash memorial marker shall be maintained permanently (rather than for at least 4 years from the date the last person was memorialized on the marker).

LRB104 06067 LNS 16100 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 5. The Roadside Memorial Act is amended by
5 changing Sections 20 and 23.1 as follows:

6 (605 ILCS 125/20)

7 Sec. 20. DUI memorial markers.

8 (a) A DUI memorial marker erected before July 1, 2021
9 shall consist of a white on blue panel bearing the message
10 "Please Don't Drink and Drive". A DUI memorial marker erected
11 on or after July 1, 2021 shall consist of a white on blue panel
12 bearing the message "Don't Drive Under the Influence". At the
13 request of the qualified relative, a separate panel bearing
14 the words "In Memory of (victim's name)", followed by the date
15 of the crash that was the proximate cause of the loss of the
16 victim's life, shall be mounted below the primary panel. This
17 amendatory Act of the 102nd General Assembly does not require
18 the removal or replacement of any memorial markers erected
19 before July 1, 2021.

20 (b) A DUI memorial marker may memorialize more than one
21 victim who died as a result of the same DUI-related crash. If
22 one or more additional DUI crash deaths subsequently occur in
23 close proximity to an existing DUI memorial marker, the

1 supporting jurisdiction may use the same marker to memorialize
2 the subsequent death or deaths, by adding the names of the
3 additional persons.

4 (c) A DUI memorial marker shall be maintained permanently
5 ~~for at least 4 years from the date the last person was~~
6 ~~memorialized on the marker.~~

7 (d) The supporting jurisdiction has the right to install a
8 marker at a location other than the location of the crash or to
9 relocate a marker due to restricted room, property owner
10 complaints, interference with essential traffic control
11 devices, safety concerns, or other restrictions. In such
12 cases, the sponsoring jurisdiction may select an alternate
13 location.

14 (e) The Department shall secure the consent of any
15 municipality before placing a DUI memorial marker within the
16 corporate limits of the municipality.

17 (f) A fee in an amount to be determined by the supporting
18 jurisdiction may be paid in whole or in part from the Roadside
19 Memorial Fund if moneys are made available by the Department
20 of Transportation from that Fund or may be charged to the
21 qualified relative to the extent moneys from that Fund are not
22 made available. The fee shall not exceed the costs associated
23 with the fabrication, installation, and maintenance of the DUI
24 memorial marker.

25 (Source: P.A. 102-60, eff. 7-9-21; 103-82, eff. 1-1-24.)

(605 ILCS 125/23.1)

Sec. 23.1. Fatal crash memorial marker program.

(a) The fatal crash memorial marker program is intended to raise public awareness of traffic fatalities caused by reckless driving or other means by emphasizing the dangers while affording families an opportunity to remember the victims of traffic crashes.

(b) As used in this Section, "fatal crash memorial marker" means a marker on a highway in this State commemorating one or more persons who died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 or who otherwise caused the death of one or more persons through the operation of a motor vehicle.

(c) For purposes of the fatal crash memorial marker program in this Section, the provisions of Section 15 of this Act applicable to DUI memorial markers shall apply the same to fatal crash memorial markers.

(d) A fatal crash memorial marker shall consist of a white on blue panel bearing the message "Reckless Driving Costs Lives" if the victim or victims died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012. Otherwise, a fatal crash memorial marker shall consist of a white on blue panel

1 bearing the message "Drive With Care". At the request of the
2 qualified relative, a separate panel bearing the words "In
3 Memory of (victim's name)", followed by the date of the crash
4 that was the proximate cause of the loss of the victim's life,
5 shall be mounted below the primary panel.

6 (e) A fatal crash memorial marker may memorialize more
7 than one victim who died as a result of the same crash. If one
8 or more additional deaths subsequently occur in close
9 proximity to an existing fatal crash memorial marker, the
10 supporting jurisdiction may use the same marker to memorialize
11 the subsequent death or deaths, by adding the names of the
12 additional persons.

13 (f) A fatal crash memorial marker shall be maintained
14 ~~permanently for at least 4 years from the date the last person~~
15 ~~was memorialized on the marker.~~

16 (g) The supporting jurisdiction has the right to install a
17 marker at a location other than the location of the crash or to
18 relocate a marker due to restricted room, property owner
19 complaints, interference with essential traffic control
20 devices, safety concerns, or other restrictions. In these
21 cases, the sponsoring jurisdiction may select an alternate
22 location.

23 (h) The Department shall secure the consent of any
24 municipality before placing a fatal crash memorial marker
25 within the corporate limits of the municipality.

26 (i) A fee in an amount to be determined by the supporting

1 jurisdiction shall be charged to the qualified relative. The
2 fee shall not exceed the costs associated with the
3 fabrication, installation, and maintenance of the fatal crash
4 memorial marker.

5 (j) The provisions of this Section shall apply to any
6 fatal crash marker constructed on or after January 1, 2013.

7 (Source: P.A. 102-60, eff. 7-9-21; 102-982, eff. 7-1-23;
8 103-82, eff. 1-1-24.)