**Section 2010.95 Penalties for Convictions**

a) Violation of the provisions of the Snowmobile Registration and Safety Act is a Class C misdemeanor, with the following exceptions:

1) Resisting or obstructing a Department officer or employee is a Class A misdemeanor (see 625 ILCS 40/10-1).

2) Operation of a snowmobile while operating privileges are suspended or revoked by the State of Illinois, another state, federal agency or province of Canada is a Class A misdemeanor (see 625 ILCS 40/10-3).

3) Operating a snowmobile while under the influence of alcohol or drugs (see 625 ILCS 40/5-7):

A) First offense: Class A misdemeanor.

B) Repeat offense, if injuries result from incident or if operating while privileges are suspended: Class 4 felony.

C) Death of person: Class 2 felony.

b) Violation of the provisions of the Boat Registration and Safety Act is a petty offense, with the following exceptions:

1) Violation of dealer transfer/titling requirements is a Class A misdemeanor (see 625 ILCS 45/3A-13 and A-14).

2) Altering, forging or counterfeiting a title is a Class 2 felony (see 625 ILCS 45/3A-21).

3) Careless operation of a watercraft is a Class B misdemeanor (see 625 ILCS45/5-1).

4) Reckless operation of a watercraft is a Class A misdemeanor (see 625 ILCS 45/5-2).

5) Aggravated reckless operation of a watercraft is a Class 4 felony (see 625 ILCS 11A-3).

6) Operation of a watercraft while operating privileges are suspended by the State of Illinois, another state, federal agency or province of Canada is a Class A misdemeanor for the first offense, and a Class 4 felony for subsequent offenses (see 625 ILCS 45/11A-5).

7) Operation of watercraft while under the influence of alcohol or drugs (see 625 ILCS 45/5-16):

A) First Offense: Class A misdemeanor.

B) Repeat offense, if injuries result from incident or if operating while privileges are suspended: Class 4 felony.

C) Death of person: Class 2 felony.

8) Resisting or obstructing a Department officer or employee or refusal to obey direction of a peace officer is a Class A misdemeanor (see 625 ILCS 45/2-4).

9) Offenses related to titling are Class A misdemeanors (see 625 ILCS 45/3A-20).

10) Failure to equip and maintain a motorboat with an effective muffler or underwater exhaust system is a Class B misdemeanor, and a subsequent offense occurring within three years after the most recent offense is a Class A misdemeanor (see 625 ILCS 45/4-3).

11) Operation of a motorboat in a manner exceeding a noise level of 75 decibels is a Class B misdemeanor, and a subsequent offense occurring within three years after the most recent offense is a Class A misdemeanor (see 625 ILCS 45/4-3).

12) Manufacture or sale of a motorboat without an effective muffler or underwater exhaust system and a noise level exceeding 75 decibels is a Class A misdemeanor, and a subsequent offense is a Class 4 felony (see 625 ILCS 45/4-3).

c) In addition to any other penalties imposed by the court system for violations of the Snowmobile Registration and Safety Act and the Boat Registration and Safety Act, the Department may suspend the operator's privileges. Pursuant to 17 Ill. Adm. Code 2530 (Revocation Procedures for Conservation Offences), the Department shall suspend an operator's privileges for a period of not less than one year and impose fees for reckless operation of a watercraft, leaving the scene of a watercraft accident, failure to yield to an emergency watercraft and operating a watercraft or snowmobile while under the influence (or refusal).

(Source: Added at 35 Ill. Reg. 10764, effective June 23, 2011)