

HB0365



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0365

Introduced 1/29/2021, by Rep. Nicholas K. Smith

SYNOPSIS AS INTRODUCED:

605 ILCS 125/20

Amends the Roadside Memorial Act. Provides that on and after July 1, 2021, a DUI memorial marker shall bear the message "Don't Drive Under the Influence" (rather than "Please Don't Drink and Drive"). Effective immediately.

LRB102 10016 HEP 15336 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 Section 20 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 for at least
5 2 years from the date the last person was memorialized on the
6 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. 95-398, eff. 1-1-08; 96-667, eff. 8-25-09.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.