

# HB6239



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB6239

by Rep. Tom Cross

### SYNOPSIS AS INTRODUCED:

605 ILCS 125/23

Amends the Roadside Memorial Act. Removes language providing that the fatal accident memorial marker program is repealed on December 31, 2012. Effective immediately.

LRB097 23065 HEP 71878 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 changing  
5 Section 23 as follows:

6 (605 ILCS 125/23)

7 (Section scheduled to be repealed on December 31, 2012)

8 Sec. 23. Fatal accident memorial marker program.

9 (a) The fatal accident memorial marker program is intended  
10 to raise public awareness of reckless driving by emphasizing  
11 the dangers while affording families an opportunity to remember  
12 the victims of crashes involving reckless drivers.

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

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

1 (d) A fatal accident memorial marker shall consist of a  
2 white on blue panel bearing the message "Reckless Driving Costs  
3 Lives". At the request of the qualified relative, a separate  
4 panel bearing the words "In Memory of (victim's name)",  
5 followed by the date of the crash that was the proximate cause  
6 of the loss of the victim's life, shall be mounted below the  
7 primary panel.

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

15 (f) A fatal accident memorial marker shall be maintained  
16 for at least 2 years from the date the last person was  
17 memorialized on the marker.

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

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

1           (i) A fee in an amount to be determined by the supporting  
2 jurisdiction shall be charged to the qualified relative. The  
3 fee shall not exceed the costs associated with the fabrication,  
4 installation, and maintenance of the fatal accident memorial  
5 marker.

6           (j) The Department shall report to the General Assembly no  
7 later than October 1, 2011 on the evaluation of the program and  
8 the number of fatal accident memorial marker requests.

9           (k) (Blank). ~~This Section is repealed on December 31, 2012.~~  
10 (Source: P.A. 96-1371, eff. 1-1-11; 97-304, eff. 8-11-11.)

11           Section 99. Effective date. This Act takes effect upon  
12 becoming law.