



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4981

by Rep. Susana A Mendoza

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.708 new
605 ILCS 125/20
730 ILCS 5/5-9-1.16 new

Amends the State Finance Act, the Roadside Memorial Act, and the Unified Code of Corrections. Provides that a person who is convicted or receives a disposition of court supervision for a violation of certain DUI provisions of the Illinois Vehicle Code shall, in addition to any other disposition, penalty, or fine imposed, pay a fee of \$50 which shall be deposited into the Roadside Memorial Fund. Creates the Roadside Memorial Fund as a special fund in the State treasury. Provides that, subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees for DUI memorial markers under the Roadside Memorial Act.

LRB095 18551 LCT 44637 b

FISCAL NOTE ACT
MAY APPLY

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 State Finance Act is amended by adding
5 Section 5.708 as follows:

6 (30 ILCS 105/5.708 new)

7 Sec. 5.708. The Roadside Memorial Fund.

8 Section 10. The Roadside Memorial Act is amended by
9 changing Section 20 as follows:

10 (605 ILCS 125/20)

11 Sec. 20. DUI memorial markers.

12 (a) A DUI memorial marker shall consist of a white on blue
13 panel bearing the message "Please Don't Drink and Drive". At
14 the request of the qualified relative, a separate panel bearing
15 the words "In Memory of (victim's name)", followed by the date
16 of the crash that was the proximate cause of the loss of the
17 victim's life, shall be mounted below the primary panel.

18 (b) A DUI memorial marker may memorialize more than one
19 victim who died as a result of the same DUI-related crash. If
20 one or more additional DUI crash deaths subsequently occur in
21 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 cases,
12 the sponsoring jurisdiction may select an alternate location.

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

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

24 (Source: P.A. 95-398, eff. 1-1-08.)

25 Section 15. The Unified Code of Corrections is amended by

1 adding Section 5-9-1.16 as follows:

2 (730 ILCS 5/5-9-1.16 new)

3 Sec. 5-9-1.16. Fee; Roadside Memorial Fund. A person who is
4 convicted or receives a disposition of court supervision for a
5 violation of Section 11-501 of the Illinois Vehicle Code shall,
6 in addition to any other disposition, penalty, or fine imposed,
7 pay a fee of \$50 which shall be collected by the clerk of the
8 court and then remitted to the State Treasurer for deposit into
9 the Roadside Memorial Fund, a special fund that is created in
10 the State treasury. Subject to appropriation, all moneys in the
11 Roadside Memorial Fund shall be used by the Department of
12 Transportation to pay fees imposed under subsection (f) of
13 Section 20 of the Roadside Memorial Act.