**Section 549.300 Criteria for DUI Memorial Markers, Fatal Accident Memorial Markers, and Commemorative Plaques**

a) Only a qualified relative of a deceased victim may request a DUI or fatal accident memorial marker of the Department. (See Section 15(a) of the Act.)

b) The Department shall deny the request if any qualified relative of any decedent involved in the crash objects in writing to the placement of the DUI or fatal accident memorial marker. (See Section 15(c) of the Act.)

c) The Department shall deny the request or, if a DUI or fatal accident memorial marker has already been installed, may remove the marker, if the qualified relative requesting the memorial marker has provided false or misleading information in the application. (See Section 15(d) of the Act)

d) *The qualified relative shall agree not to place or encourage the placement of flowers, pictures or other items at the crash site*. (Section 15(e) of the Act)

e) The Department shall not erect a DUI or fatal accident memorial marker for a deceased driver involved in a fatal crash who is shown by toxicology reports to have been in violation of state DUI law, unless the qualified relative of any other victim or victims killed in the crash consents in writing to the erection of the memorial. (See Section 15(f) of the Act)

f) When requested and approved, DUI memorial markers and fatal accident memorial markers may be installed for any crash occurring on or after January 1, 1990. (See Section 15(b) of the Act.)

g) DUI or fatal accident memorial markers shall not be installed on freeways except that they may be installed on ramps leading from other highways to freeways.

h) DUI or fatal accident memorial markers shall not be installed within the median of any divided highway.

(Source: Amended at 36 Ill. Reg. 2402, effective January 24, 2012)