**Section 1001.630 Implied Consent Hearings; Religious Exception**

A petitioner who asserts that his/her alcohol concentration of more than 0.00 was the result of his/her consumption of alcohol in the performance of a religious service or ceremony must prove at a minimum:

a) the attendance of, and the petitioner's use of alcohol at, a religious service or ceremony within a reasonably recent period of time before the issuance of the traffic citation which led to the request to submit to the chemical test; the type and amount of alcohol consumed by the petitioner at the religious service or ceremony; the time and location of the service or ceremony; and whether the petitioner consumed any other alcohol prior to or after the religious service or ceremony. The evidence on these matters must be submitted in the form of written verification or testimony from at least two (2) independent sources. The petitioner's self-report will not be considered dispositive; and

b) that alcohol is used in the regular course of the type of religious service or ceremony attended by the petitioner; the purpose of the alcohol in the religious ritual; the type and amount of alcohol regularly used at said service or ceremony.

The evidence on these matters must be submitted in the form of written verification or testimony from a member of the clergy or the governing body of the religious denomination whose service or ceremony the petitioner claims he/she had attended before the issuance of the traffic citation.

(Source: Added at 19 Ill. Reg. 6667, effective May 1, 1995)