

SB3245



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3245

Introduced 2/11/2020, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

605 ILCS 125/5
605 ILCS 125/23.1

Amends the Roadside Memorial Act. Provides that a fatal accident memorial marker shall consist of a white on blue panel bearing the message "Reckless Driving Costs Lives" if the victim or victims died as a proximate result of a crash caused by a driver who committed an act of reckless homicide. Provides that all other fatal accident memorial markers shall consist of a white on blue panel bearing the message "Drive With Care". Makes changes to the purpose of the Act and intentions of the fatal accident memorial marker program.

LRB101 16604 LNS 65988 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 Sections 5 and 23.1 as follows:

6 (605 ILCS 125/5)

7 Sec. 5. Purpose of the Roadside Memorial program. The
8 Roadside Memorial program is intended to raise public awareness
9 of traffic fatalities ~~impaired driving~~ by ~~emphasizing the~~
10 ~~dangers while~~ affording families an opportunity to remember the
11 victims of traffic crashes ~~involving impaired drivers~~.

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

13 (605 ILCS 125/23.1)

14 Sec. 23.1. Fatal accident memorial marker program.

15 (a) The fatal accident memorial marker program is intended
16 to raise public awareness of traffic fatalities caused by
17 reckless driving or other means by emphasizing the dangers
18 while affording families an opportunity to remember the victims
19 of traffic crashes ~~involving reckless drivers~~.

20 (b) As used in this Section, "fatal accident memorial
21 marker" means a marker on a highway in this State commemorating
22 one or more persons who died as a proximate result of a crash

1 caused by a driver who committed an act of reckless homicide in
2 violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961
3 or the Criminal Code of 2012 or who otherwise caused the death
4 of one or more persons through the operation of a motor
5 vehicle.

6 (c) For purposes of the fatal accident memorial marker
7 program in this Section, the provisions of Section 15 of this
8 Act applicable to DUI memorial markers shall apply the same to
9 fatal accident memorial markers.

10 (d) A fatal accident memorial marker shall consist of a
11 white on blue panel bearing the message "Reckless Driving Costs
12 Lives" if the victim or victims died as a proximate result of a
13 crash caused by a driver who committed an act of reckless
14 homicide in violation of Section 9-3 or 9-3.2 of the Criminal
15 Code of 1961 or the Criminal Code of 2012. Otherwise, a fatal
16 accident memorial marker shall consist of a white on blue panel
17 bearing the message "Drive With Care". At the request of the
18 qualified relative, a separate panel bearing the words "In
19 Memory of (victim's name)", followed by the date of the crash
20 that was the proximate cause of the loss of the victim's life,
21 shall be mounted below the primary panel.

22 (e) A fatal accident memorial marker may memorialize more
23 than one victim who died as a result of the same crash. If one
24 or more additional deaths subsequently occur in close proximity
25 to an existing fatal accident memorial marker, the supporting
26 jurisdiction may use the same marker to memorialize the

1 subsequent death or deaths, by adding the names of the
2 additional persons.

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

6 (g) The supporting jurisdiction has the right to install a
7 marker at a location other than the location of the crash or to
8 relocate a marker due to restricted room, property owner
9 complaints, interference with essential traffic control
10 devices, safety concerns, or other restrictions. In these
11 cases, the sponsoring jurisdiction may select an alternate
12 location.

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

16 (i) A fee in an amount to be determined by the supporting
17 jurisdiction shall be charged to the qualified relative. The
18 fee shall not exceed the costs associated with the fabrication,
19 installation, and maintenance of the fatal accident memorial
20 marker.

21 (j) The provisions of this Section shall apply to any fatal
22 accident marker constructed on or after January 1, 2013.

23 (Source: P.A. 98-334, eff. 8-13-13.)