

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 Illinois Vehicle Code is amended by changing
5 Section 11-501.01 as follows:

6 (625 ILCS 5/11-501.01)

7 Sec. 11-501.01. Additional administrative sanctions.

8 (a) After a finding of guilt and prior to any final
9 sentencing or an order for supervision, for an offense based
10 upon an arrest for a violation of Section 11-501 or a similar
11 provision of a local ordinance, individuals shall be required
12 to undergo a professional evaluation to determine if an
13 alcohol, drug, or intoxicating compound abuse problem exists
14 and the extent of the problem, and undergo the imposition of
15 treatment as appropriate. Programs conducting these
16 evaluations shall be licensed by the Department of Human
17 Services. The cost of any professional evaluation shall be paid
18 for by the individual required to undergo the professional
19 evaluation.

20 (b) Any person who is found guilty of or pleads guilty to
21 violating Section 11-501, including any person receiving a
22 disposition of court supervision for violating that Section,
23 may be required by the Court to attend a victim impact panel

1 offered by, or under contract with, a county State's Attorney's
2 office, a probation and court services department, Mothers
3 Against Drunk Driving, or the Alliance Against Intoxicated
4 Motorists. All costs generated by the victim impact panel shall
5 be paid from fees collected from the offender or as may be
6 determined by the court.

7 (c) Every person found guilty of violating Section 11-501,
8 whose operation of a motor vehicle while in violation of that
9 Section proximately caused any incident resulting in an
10 appropriate emergency response, shall be liable for the expense
11 of an emergency response as provided in subsection (i) of this
12 Section.

13 (d) The Secretary of State shall revoke the driving
14 privileges of any person convicted under Section 11-501 or a
15 similar provision of a local ordinance.

16 (e) The Secretary of State shall require the use of
17 ignition interlock devices on all vehicles owned by a person
18 who has been convicted of a second or subsequent offense of
19 Section 11-501 or a similar provision of a local ordinance. The
20 person must pay to the Secretary of State DUI Administration
21 Fund an amount not to exceed \$30 for each month that he or she
22 uses the device. The Secretary shall establish by rule and
23 regulation the procedures for certification and use of the
24 interlock system, the amount of the fee, and the procedures,
25 terms, and conditions relating to these fees.

26 (f) In addition to any other penalties and liabilities, a

1 person who is found guilty of or pleads guilty to violating
2 Section 11-501, including any person placed on court
3 supervision for violating Section 11-501, shall be assessed
4 \$750, payable to the circuit clerk, who shall distribute the
5 money as follows: \$350 to the law enforcement agency that made
6 the arrest, and \$400 shall be forwarded to the State Treasurer
7 for deposit into the General Revenue Fund. If the person has
8 been previously convicted of violating Section 11-501 or a
9 similar provision of a local ordinance, the fine shall be
10 \$1,000, and the circuit clerk shall distribute \$200 to the law
11 enforcement agency that made the arrest and \$800 to the State
12 Treasurer for deposit into the General Revenue Fund. In the
13 event that more than one agency is responsible for the arrest,
14 the amount payable to law enforcement agencies shall be shared
15 equally. Any moneys received by a law enforcement agency under
16 this subsection (f) shall be used for enforcement and
17 prevention of driving while under the influence of alcohol,
18 other drug or drugs, intoxicating compound or compounds or any
19 combination thereof, as defined by Section 11-501 of this Code,
20 including but not limited to the purchase of law enforcement
21 equipment and commodities that will assist in the prevention of
22 alcohol related criminal violence throughout the State; police
23 officer training and education in areas related to alcohol
24 related crime, including but not limited to DUI training; and
25 police officer salaries, including but not limited to salaries
26 for hire back funding for safety checkpoints, saturation

1 patrols, and liquor store sting operations. ~~to purchase law~~
2 ~~enforcement equipment that will assist in the prevention of~~
3 ~~alcohol related criminal violence throughout the State. This~~
4 ~~shall include, but is not limited to, in-car video cameras,~~
5 ~~radar and laser speed detection devices, and alcohol breath~~
6 ~~testers.~~ Any moneys received by the Department of State Police
7 under this subsection (f) shall be deposited into the State
8 Police DUI Fund and shall be used for enforcement and
9 prevention of driving while under the influence of alcohol,
10 other drug or drugs, intoxicating compound or compounds or any
11 combination thereof, as defined by Section 11-501 of this Code,
12 including but not limited to the ~~to purchase~~ of law enforcement
13 equipment and commodities that will assist in the prevention of
14 alcohol related criminal violence throughout the State; police
15 officer training and education in areas related to alcohol
16 related crime, including but not limited to DUI training; and
17 police officer salaries, including but not limited to salaries
18 for hire back funding for safety checkpoints, saturation
19 patrols, and liquor store sting operations.

20 (g) The Secretary of State Police DUI Fund is created as a
21 special fund in the State treasury. All moneys received by the
22 Secretary of State Police under subsection (f) of this Section
23 shall be deposited into the Secretary of State Police DUI Fund
24 and, subject to appropriation, shall be used for enforcement
25 and prevention of driving while under the influence of alcohol,
26 other drug or drugs, intoxicating compound or compounds or any

1 combination thereof, as defined by Section 11-501 of this Code,
2 including but not limited to the ~~to~~ purchase of law enforcement
3 equipment and commodities to assist in the prevention of
4 alcohol related criminal violence throughout the State; police
5 officer training and education in areas related to alcohol
6 related crime, including but not limited to DUI training; and
7 police officer salaries, including but not limited to salaries
8 for hire back funding for safety checkpoints, saturation
9 patrols, and liquor store sting operations.

10 (h) Whenever an individual is sentenced for an offense
11 based upon an arrest for a violation of Section 11-501 or a
12 similar provision of a local ordinance, and the professional
13 evaluation recommends remedial or rehabilitative treatment or
14 education, neither the treatment nor the education shall be the
15 sole disposition and either or both may be imposed only in
16 conjunction with another disposition. The court shall monitor
17 compliance with any remedial education or treatment
18 recommendations contained in the professional evaluation.
19 Programs conducting alcohol or other drug evaluation or
20 remedial education must be licensed by the Department of Human
21 Services. If the individual is not a resident of Illinois,
22 however, the court may accept an alcohol or other drug
23 evaluation or remedial education program in the individual's
24 state of residence. Programs providing treatment must be
25 licensed under existing applicable alcoholism and drug
26 treatment licensure standards.

1 (i) In addition to any other fine or penalty required by
2 law, an individual convicted of a violation of Section 11-501,
3 Section 5-7 of the Snowmobile Registration and Safety Act,
4 Section 5-16 of the Boat Registration and Safety Act, or a
5 similar provision, whose operation of a motor vehicle,
6 snowmobile, or watercraft while in violation of Section 11-501,
7 Section 5-7 of the Snowmobile Registration and Safety Act,
8 Section 5-16 of the Boat Registration and Safety Act, or a
9 similar provision proximately caused an incident resulting in
10 an appropriate emergency response, shall be required to make
11 restitution to a public agency for the costs of that emergency
12 response. The restitution may not exceed \$1,000 per public
13 agency for each emergency response. As used in this subsection
14 (i), "emergency response" means any incident requiring a
15 response by a police officer, a firefighter carried on the
16 rolls of a regularly constituted fire department, or an
17 ambulance.

18 (Source: P.A. 95-578, eff. 6-1-08; 95-848, eff. 1-1-09;
19 96-1342, eff. 1-1-11.)