

AN ACT concerning transportation, which may be referred to as Adam's Law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Roadside Memorial Act is amended by adding Section 23.1 as follows:

(605 ILCS 125/23.1 new)

Sec. 23.1. Fatal accident memorial marker program.

(a) The fatal accident memorial marker program is intended to raise public awareness of reckless driving by emphasizing the dangers while affording families an opportunity to remember the victims of crashes involving reckless drivers.

(b) As used in this Section, "fatal accident memorial marker" means a marker on a highway in this State commemorating one or more persons who died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 or who otherwise caused the death of one or more persons through the operation of a motor vehicle.

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

fatal accident memorial markers.

(d) A fatal accident memorial marker shall consist of a white on blue panel bearing the message "Reckless Driving Costs Lives". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel.

(e) A fatal accident memorial marker may memorialize more than one victim who died as a result of the same crash. If one or more additional deaths subsequently occur in close proximity to an existing fatal accident memorial marker, the supporting jurisdiction may use the same marker to memorialize the subsequent death or deaths, by adding the names of the additional persons.

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

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

(h) The Department shall secure the consent of any

municipality before placing a fatal accident memorial marker within the corporate limits of the municipality.

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

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

Section 99. Effective date. This Act takes effect upon becoming law.