

DUI & ALCOHOL/DRUG-RELATED OFFENSES

Aggravated DUI — Any DUI offense resulting in felony charges is classified as Aggravated DUI. Any mandatory term of imprisonment or community service is not subject to suspension or reduction. Any person sentenced to probation or conditional discharge also must serve a minimum 480 hours of community service or 10 days imprisonment.

Reckless Homicide — DUI involving a crash in which an individual (not the driver) sustains personal injuries or death.

DUI Child Endangerment — DUI while transporting a child under age 16.

Driving Under the Extreme Influence of Alcohol — DUI with a BAC of .16 or more.

Illegal Transportation/Open Container — It is illegal to transport, carry, possess or have any alcoholic beverages or medical cannabis in the passenger compartment of a motor vehicle. Alcohol must be in the original container with the seal unbroken. Cannabis must be in a tamper evident container and kept in an area that is not accessible to the medical cannabis card holder. If the offender is under age 21, there is a mandatory suspension of driving privileges for one year for a first offense and a mandatory revocation of driving privileges for a second offense.

Illegal Consumption/Possession — A person under age 21 (does not have to be operating a motor vehicle) who consumes, possesses, purchases or receives alcohol.

Contributing to DUI — A person who knowingly allows another individual to operate his/her vehicle while under the influence of alcohol or drugs.

Parental/Adult Responsibility — It is illegal for parents or legal guardians to allow persons under age 21 to consume alcoholic beverages or fail to control access to alcohol on their private property or on any property under their control including a vehicle or water craft. If a death or personal injury occurs as a result of consumption, the parent or legal guardian may face criminal penalties.

Medical Cannabis (Marijuana) — Illinois allows for the use of cannabis for medicinal purposes. A driver may not operate a motor vehicle while impaired by the use of cannabis prescribed for medicinal purposes and may not transport medical cannabis in a vehicle unless it is stored in a tamper-evident container and kept in an area that is inaccessible while the vehicle is in motion.

Motorboat Crash with Personal Injury/Fatality — A person who is involved in a personal injury or fatal boating crash while operating or in physical control of a water craft and is issued a citation for any offense (other than an equipment violation) is deemed to have given consent to a breath test. A person who refuses, does not complete or fails chemical testing will have his/her driver's license suspended.

- **DESIGNATE A DRIVER**
- **STAY OVERNIGHT**
- **USE PUBLIC TRANSPORTATION**

For more information about Illinois DUI laws, please consult the Secretary of State's DUI Fact Book at:

WWW.CYBERDRIVEILLINOIS.COM

To schedule a presentation on DUI and traffic safety laws, please contact:

Secretary of State
2701 S. Dirksen Parkway
Springfield, IL 62723
866-247-0213 (presentations)

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DUI

DRIVE SAFE, DRIVE SOBER



DUI, ZERO TOLERANCE & RELATED DUI OFFENSES

JESSE  WHITE
SECRETARY OF STATE

Penalty Chart



Driving under the influence is a serious offense with serious consequences. DUI refers to driving under the influence of alcohol, cannabis or other drugs, including any legal or illegal substance that causes impairment. Illinois classifies DUI as a violent crime, and a conviction is never expunged from a driver's record.

Regardless of age, driving is a privilege and one not to be taken lightly. I urge you to familiarize yourself with Illinois' DUI laws and think twice before drinking and getting behind the wheel of a car. It's not only against the law, it could kill you, your friends or family members, and innocent people who share the road with you.

Please, drive safe and sober.

Jesse White

Jesse White
Secretary of State

DUI IN ILLINOIS

.08 BAC — It is illegal to operate a motor vehicle with a blood-alcohol concentration (BAC) of .08 percent or more. A driver also can be convicted of DUI with a BAC of more than .05 if additional evidence is present. It is illegal to operate a vehicle with a THC of either 5 nanograms or more per milliliter of whole blood or 10 nanograms or more per milliliter of other bodily substance.

Zero Tolerance — Drivers under age 21 are prohibited from driving with any trace of alcohol or drugs in their systems.

Implied Consent to Testing — When operating a motor vehicle in Illinois, drivers automatically consent to submit to certain tests, including breath, blood or urine, to determine if they are driving under the influence.

THC — Refers to the amount of tetrahydrocannabinol concentration found in a driver's whole blood or other bodily substance.

REFUSING A CHEMICAL TEST — DRIVER'S LICENSE SUSPENSION

	Zero Tolerance	DUI (regardless of age)
First offense:	6 months	12 months
Second or subsequent offense:	24 months	36 months (If within 5 years)

FAILING A CHEMICAL TEST — DRIVER'S LICENSE SUSPENSION

	Zero Tolerance	DUI (regardless of age)
First offense:	3 months	6 months
Second or subsequent offense:	12 months	12 months (If within 5 years)

ADMINISTRATIVE PENALTIES

Suspension — Temporary loss of driving privileges for a specific length of time. Suspended drivers must comply with all requirements and pay any fees to obtain reinstatement of driving privileges.

Revocation — Loss of driving privileges with no guarantee of reinstatement. At the end of a revocation period, a driver may apply for a reinstatement hearing. Based on the information submitted and the driver's past driving history, a determination will be made on whether the driver should be granted permission to have his/her driving privileges restored.

BAIID — Any qualified first-time DUI offender who wishes to obtain and is eligible for driving relief during the period of Statutory Summary Suspension must have a Breath Alcohol Ignition Interlock Device (BAIID) installed in his/her vehicle(s).

Vehicle Impoundment/Seizure — A driver may have his/her vehicle impounded or seized for DUI or other alcohol-related offenses. Local home rules may have unique provisions for vehicle impoundment and/or seizure.

DUI PENALTIES*

Conviction	Jail Sentence	Fine	Driving Revocation Period
First conviction: (Misdemeanor)	Up to 1 year	\$2,500	1-year minimum revocation 2-year minimum revocation (Under 21)
Second conviction: (Misdemeanor)	Up to 1 year	\$5,000	5-year minimum revocation
Third conviction:	Possible 3-7 years	\$25,000	10-year minimum revocation
Fourth conviction:	Possible 3-7 years	\$25,000	Lifetime revocation

* In addition to these penalties, a DUI conviction may result in the suspension of vehicle license plates, high insurance costs, mandatory alcohol evaluation and treatment, and court/attorney fees.