

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 adding
5 Section 23 as follows:

6 (605 ILCS 125/23 new)

7 Sec. 23. Fatal accident memorial marker program.

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

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

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

23 (d) A fatal accident memorial marker shall consist of a

1 white on blue panel bearing the message "Reckless Driving Costs
2 Lives". At the request of the qualified relative, a separate
3 panel bearing the words "In Memory of (victim's name)",
4 followed by the date of the crash that was the proximate cause
5 of the loss of the victim's life, shall be mounted below the
6 primary panel.

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

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

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

23 (h) The Department shall secure the consent of any
24 municipality before placing a fatal accident memorial marker
25 within the corporate limits of the municipality.

26 (i) A fee in an amount to be determined by the supporting

1 jurisdiction shall be charged to the qualified relative. The
2 fee shall not exceed the costs associated with the fabrication,
3 installation, and maintenance of the fatal accident memorial
4 marker.

5 (j) The Department shall report to the General Assembly no
6 later than October 1, 2011 on the evaluation of the program and
7 the number of fatal accident memorial marker requests.

8 (k) This Section is repealed on December 31, 2011.