

HB2372



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2372

by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

605 ILCS 125/23.1 new

Amends the Roadside Memorial Act. Re-enacts the fatal accident memorial marker program, which was repealed December 31, 2012 by operation of law. Applies to markers constructed on or after January 1, 2013. Effective immediately.

LRB098 10476 MLW 40701 b

A BILL FOR

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

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

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

7 (605 ILCS 125/23.1 new)

8 Sec. 23.1. Fatal accident memorial marker program.

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

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

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

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

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

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

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

25 (h) The Department shall secure the consent of any
26 municipality before placing a fatal accident memorial marker

1 within the corporate limits of the municipality.

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

7 (j) The Department shall report to the General Assembly no
8 later than October 1, 2013 on the evaluation of the program and
9 the number of fatal accident memorial marker requests.

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

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