SB647 Enrolled LRB9204792RCcdA

- 1 AN ACT in relation to aeronautics.
- 2 Be it enacted by the People of the State of Illinois,
- 3 represented in the General Assembly:
- 4 Section 5. The Illinois Aeronautics Act is amended by
- 5 changing Section 43d as follows:
- 6 (620 ILCS 5/43d) (from Ch. 15 1/2, par. 22.43d)
- 7 Sec. 43d. Intoxicated persons in or about aircraft.
- 8 (a) No person shall:

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- 9 (1) Operate or attempt to operate any aircraft in 10 this State while under the influence of intoxicating 11 liquor or any narcotic drug or other controlled 12 substance.
  - (2) Knowingly permit any individual who is under the influence of intoxicating liquor or any narcotic drug or other controlled substance to operate any aircraft owned by the person or in his custody or control.
  - (3) Perform any act in connection with the maintenance or operation of any aircraft when under the influence of intoxicating liquor or any narcotic drug or other controlled substance, except medication prescribed by a physician which will not render the person incapable of performing his duties safely.
    - (4) (i) Consume alcoholic liquor within 8 hours prior to operating or acting as a crew member of any aircraft within this State.
  - (ii) Act as a crew member of any aircraft within this State while under the influence of alcohol.
- 29 (iii) Operate or act as a crew member of any 30 aircraft within this State when the alcohol 31 concentration in the person's blood or breath is

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1	0.04 or	more 1	based on	the	definition	of	blood	and
2	breath	units	contain	ied	in Section	11-5	01.2 of	the
3	Illinois Vehicle Code.							

- (iv) Operate or act as a crew member of any aircraft within this State when there is any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act or a controlled substance as listed in the Illinois Controlled Substance Act.
- (5) Knowingly consume while a crew member of any aircraft any intoxicating liquor, narcotic drug, or other controlled substance while the aircraft is in operation.
- (b) Any person who violates clause (4)(i) of subsection

  (a) any-previsien of this Section is guilty of a Class A

  misdemeanor. A person who violates paragraph (2), (3), or (5)

  or clause (4)(ii) of subsection (a) of this Section is guilty

  of a Class 4 felony. A person who violates paragraph (1) or

  clause (4)(iii) or (4)(iv) of subsection (a) of this Section

  is guilty of a Class 3 felony.
- 21 (Source: P.A. 87-458.)