

Illinois DUI / DWI Regulations

DUI / DWI Statute	<u>§625 ILCS 5/11-501, et seq.</u>
Criteria for DUI / DWI	<p>BAC > 0.00 if under 21 years old or operating a school bus</p> <p>BAC ≥ 0.04 while operating a commercial motor vehicle</p> <p>BAC ≥ 0.05 - 0.0799 for all non-commercial drivers aged 21 years or older may be charged with DUI, but no statutory summary license suspension</p> <p>BAC ≥ 0.08 for all non-commercial drivers aged 21 years or older</p> <p>BAC ≥ 0.16 enhanced penalties</p>
Penalties for 1 st offense	<ul style="list-style-type: none"> ✧ Class A misdemeanor ✧ 1 year driver's license suspension ✧ Maximum 12 month jail sentence ✧ 100 hours community service ✧ Maximum \$2,500 in fines
"Look back" period	5 years
Penalties for repeat offender	<p>Second DUI Conviction (within 5 years):</p> <ul style="list-style-type: none"> ✧ Class A misdemeanor ✧ Minimum 5 year driver's license suspension ✧ Minimum 5 day jail sentence or 240 hours of community service ✧ Possible 12 month jail sentence ✧ Installation of ignition interlock device ✧ Maximum \$2,500 in fines <p>Third DUI Conviction (Aggravated DUI):</p> <ul style="list-style-type: none"> ✧ Class 2 felony ✧ Minimum 10 year driver's license suspension ✧ Minimum 10 day jail sentence or 480 hours of community service ✧ Possible 3 - 7 year jail sentence ✧ Installation of ignition interlock device ✧ Maximum of \$25,000 in fines <p>Breath Test Refusal Penalties:</p> <ul style="list-style-type: none"> ✧ 12 month driver's license suspension ✧ Ineligible to hold a commercial driver's license ✧ Each additional refusal: 3 year driver's license suspension <p>Increased Penalties for a BAC of 0.16 or Over?</p> <ul style="list-style-type: none"> ✧ Yes <p>Fourth, fifth, and sixth (and subsequent) convictions charged as Class 2 felony, Class 1 felony, and Class X felony respectively</p>

*National Motorists Association
December 2015*

This information was current at the time of publication. The reader should check official sources for the latest version of regulations.

Illinois DUI / DWI Regulations

License suspensions	<p>1st offense: 1 year 2nd offense: 5 years 3rd offense: 10 years 4th offense: life (may apply for reinstatement after 3 years sobriety with interlock device)</p>
Ignition interlocks	<p>The court shall require any persons who are convicted of DUI to equip any motor vehicle the person operates with an ignition interlock device during the period of statutory license suspension.</p> <p>Other than offenders that must drive to and from a farm, or operate a tractor while working on a farm, DUI offenders will be automatically issued an ignition interlock device. They may decline the device, but without it, the offender will face increased penalties.</p> <p>Exemptions: Employer</p>
Vehicle impoundment	Impoundment, vehicle confiscation
Open Container laws	Open container must be in locked glove box, trunk, or otherwise inaccessible to driver and passengers, but does not apply to passengers of hired vehicles, motor homes, or house trailers.
Source(s):	<p>Source: https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a118.pdf</p> <p>Source: http://www.criminallawyerillinois.com/2010/03/09/how-long-will-i-lose-my-illinois-drivers-license-for-a-dui-conviction/</p> <p>Source: http://chicago.suntimes.com/news/7/71/944964/dui-convictions-5085-back-illinois-roads-legally</p>

Sources

https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a118.pdf
<http://www.criminallawyerillinois.com/2010/03/09/how-long-will-i-lose-my-illinois-drivers-license-for-a-dui-conviction/>
<http://chicago.suntimes.com/news/7/71/944964/dui-convictions-5085-back-illinois-roads-legally>

*National Motorists Association
 December 2015*

This information was current at the time of publication. The reader should check official sources for the latest version of regulations.