

<u>Criminal Offense</u>	<u>EFFECT ON DRIVING</u>	<u>TYPE OF DISPOSITION</u>	<u>JAIL/COMM. SERVICE</u>	<u>FINE</u>
DUI WITH PASSENGER < 16				
1 st Violation (c-5)	None other than SSS/ see other side	Class A misdemeanor / Eligible for supervision to 2 years-or-if bodily harm to child=Class 4 felony	mand 6 mo. jail and 25 days comm service	1 st SSS reinst fee \$250/ DUI Tech \$500 (poss \$150 analysis) + min \$1000 to \$2500
2 nd Violation (c-6)	SSS+revocation min 1 year if conviction on DUI; RDP eligible-if 2 nd conv RDP after 1 yr w/BAIID See 2 nd violation above	Class A/ Not eligible for supervision if any prior DUI supervision =C/D or prob to 2yr	mand 6 mo jail and 140 hrs comm service	2 nd SSS reinst fee \$500; DUI Tech \$1000 (poss \$150 analysis) fines mand \$1000;
1 st Conviction w/prior DUI w/in 10 years (c-7)	See above	Class 4 felony	mand 1 year IDOC and 25 days comm. service	reinst as above; DUI Tech \$1000 (poss \$150 analysis) min \$2500 to \$25,000 plus \$200 DNA Fee
3 rd Conviction (c-9);(c-10)	Revoked for min 5yr if prior conv w/in 20 yrs; RDP Eligible-if 2 nd conv RDP after 1 yr w/BAIID; Rev min 10 yr if 3 rd conv RDP same.	Class 2 felony/ Probation or C/D up to 30 months	mand 18 mo IDOC and 25 days comm serv; If prior DUI w/in 20 years=3yr IDOC and 25 days comm service.	reinst as above; DUI Tech \$1000 (poss \$150 analysis) min \$2500 to \$25,000; if prior w/in 20 yr min fine= \$25,000 plus \$200 DNA
4 th or Subsequent Conviction w/ 3 prior DUI with pass<16 or BAC>.16 (c-11)	4 th revoked for life RDP elig	Class 2 felony NO probation	IDOC 3-7 years	min \$25,000+ DUI Tech \$1000 (poss \$150 analysis) to \$25,000 plus \$200 DNA Fee plus \$150 analysis
DUI WHILE BAC>.16				
1 st Conviction (c-12)	SSS+revocation 1 year if conviction on DUI-RDP eligible	Class A misdemeanor / Eligible for supervision to 2 years	mand 100 hours	min \$500+DUI Tech \$500 (poss \$150 analysis) to \$2500
2 nd Conviction w/ prior DUI w/in 10 years (c-13)	SSS+revocation min 1 year if conviction on DUI; RDP eligible-if 2 nd conv RDP after 1 yr w/BAIID	Class A/ Not eligible for supervision if any prior DUI supervision C/D or prob to 2yr	mand 2 days jail if prior w/in 10 yr to 364	min \$1250+DUI Tech \$1000 (poss \$150 analysis) to \$2500
3 rd Conviction w/prior DUI w/in 20 years (c-14)	Revoked for min 5yr if prior conv w/in 20 yrs; RDP Eligible-if 2 nd conv RDP after 1 yr w/BAIID; Rev min 10 yr if 3 rd conv RDP same.	Class 2 felony/ Probation or C/D up to 30 months	mand. 90 days jail if prior w/in 20 yr; IDOC 1-3 years	If prior w/in 20 yr=min\$2500 +DUI Tech \$1000 (poss \$150 analysis) to \$25K to \$200 DNA
4 th or more conviction w/ 3 prior DUI with pass<16 or BAC> 16 (c-15)	4 th revoked for life-RDP elig	Class 2 felony NO probation	IDOC 3-7 years	min \$2500+DUI Tech \$1000 (poss \$150 analysis) to \$25,000 plus \$200 DNA Fee

STATUTORY SUMMARY
SUSPENSION

1st offender=no prior DUI/SSS w/in 5 years
CDL=No JDP for BAC>.08
CDL=1 yr disqual for refusal

3 month SSS BAC>.08 or
6 month SSS test refusal
JDP on 31st day of suspension

2nd offender=prior DUI/SSS w/in 5 years of test date.

1 year SSS BAC> .08
3 year SSS test refusal
NO JDP possible

CRIMINAL OFFENSE 11-501
DUI REFUSAL OR BAC<.16-NO PASSENGER < 16)

EFFECT ON DRIVING

TYPE OF DISPOSITION

JAIL/COMM. SERVICE

FINE

1st Violation (a)

2nd Violation (except if def has prior reckless homicide or AggDUI resulting in great bodily harm see below treated as 3rd (a); (b-3)

None other than SSS.

SSS+revocation min 1 year if conviction on DUI; RDP eligible-if 2nd conv RDP after 1 yr w/BAIID

Class A misdemeanor / Eligible for supervision to 2 years-EXCEPT if no valid DL or no INS=Class 4 felony/ Probation or C/D to 30 mo.

No jail if supervision

0-364 days-if prior w/in 5 yr = mand. 5 days jail or 240 hours comm service

1st SSS reinstatement fee \$250; DUI Tech fee \$500 (poss \$150 analysis) fines up to \$2500

2nd SSS reinstatement fee\$500; DUI Tech fee \$1000 (poss \$150 analysis) fines up to \$2500

3rd Violation -or- 4th violation -or- any DUI driving a school bus w/children-or any DUI w/accident w/injury in school zone20MPH in effect (c-1)(2);(b-4); (c-1)(3)

Revoked for min 5yr if prior conv w/in 20 yrs; RDP Eligible-if 2nd conv RDP after 1 yr w/BAIID; Rev min 10 yr if 3rdconv RDP same. 4th revoked for life RDP elig.

3rd=Class 2 felony/ Probation or C/D up to 48 months; 4th= Class 2 no probation

if prior w/in 5 years mand. 10 days jail or 480 hours/ if 4th=no probation 3-7yr IDOC

reinst as above; DUI Tech \$1000 (poss \$150 analysis) to \$25,000

5th Violation-or- 6th or subsequent (c)(4); (c-1)(4); (c-16)

Revoked for life-RDP eligible

5th=Class 1 no probation 4-15 yr IDOC/ 6th+ = Class X 6-30 IDOC

No Probation

Conv+harm to child<16
1st=1yr IDOC +25days CRS;
2nd=18mo IDOC+25 days CRS
Great bodily harm=Class 4 prob+ 10 days or 480 hrs, if IDOC 1-12 yr Reckless Homicide=Class2 if IDOC 3-14 yr w/one dead - 6-28 w/2 or more dead

reinst as above; DUI Tech \$1000 (poss \$150 analysis) to \$25,000
Conv+harm to child<16 min 1st=\$2500; 2nd=\$5000
reinst as above; DUI Tech fee \$500 or \$1000 (poss \$150 analysis) up to \$25,000

DUI resulting in bodily harm to child <16 or great bodily harm or death (c-5.1);(c-7.1);(d)(2)

Same as DUI except revoked 3yr for reckless homicide or 5yr for 2nd w/ 20yr

Convicted +harm child<16=Class 4 Great bodily harm=Class 4 felony Reckless Homicide=Class 2 felony

mand. 30 days jail or 40 days periodic imprisonment or 720 hours; IDOC 1-3 years

reinst as above; DUI Tech fee \$500 or \$1000 (poss \$150 analysis) up to \$25,000

DUI ON SSS/REVOKED FOR DUI OR RECKLESS HOMICIDE

SSS+revocation min 1 year if conviction on DUI-RDP eligible

Class 4 felony/ Probation or C/D up to 30 months

mand. 30 days jail or 40 days periodic imprisonment or 720 hours+addl mand 10 days jail or addl 480 hours ; IDOC 3-7 years

reinst as above; DUI Tech fee \$1000 (poss \$150 analysis) up to \$25,000

1st or 2nd Violation (c-1)(1)

Same as 3rd violation above

Class 2 felony/ Probation or C/D up to 48 months

No Probation=4th 3-7; 5th 4-15; 6th 6-30 IDOC

See above -over-

3rd Violation (c-1)(2.1)

4th 5th 6th Violation or more (c-1)(3); (c-1)(4); (c-16)

Same as 4th 5th 6th violation above

4th Class 2; 5th Class 1; 6th Class X