

**RAMSELL, ARMAMENTOS & KLIS 1-800-DIAL-DUI
ILLINOIS DUI PENALTIES 2006-OVER 21**

**STATUTORY SUMMARY
SUSPENSION**

652 ILCS 5/6-208.1; 5/6-514(a)
(3)(i); (b); see 49CFR sec. 384.210

1st offender=no prior DUI/SSS w/in
5 years
CDL=No JDP for BAC>.08
CDL=1yr 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 5/11-501
DUI REFUSAL OR BAC<.16-NO
PASSENGER < 16)**

1st Violation (a); (d)(1)

EFFECT ON DRIVING

None other than SSS.

TYPE OF DISPOSITION

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.

JAIL/COMM. SERVICE

No jail if supervision

FINE

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

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

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

Class A/ Not eligible for
supervision if any prior DUI
supervision or Reckless
disposition= C/D or prob to 2yr

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

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

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

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 fee \$500
or \$1000 (poss \$150 analysis) up to
\$25,000

**DUI ON SSS/REVOKED FOR DUI OR
RECKLESS HOMICIDE**

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

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; IDOC 1-3 years

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

3rd Violation (c-1)(2.1)

Same as 3rd violation above

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

mand. 30 days jail or 40 days
periodic imprisonment or 720
hours+addl mand 10 days jail or

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

addl 480 hours ; IDOC 3-7 years

See above

-over-

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