

Laws You Must Know

Under 21 & arrested for alcohol violation? Penalty might include a suspension of your driving privileges

Driving Under the Influence (DUI, First offense)

Driving with a blood alcohol content of greater than .08 is a violation of Illinois law.

Penalty

\$725 fine, plus court cost, \$500 subsection to arresting agency, suspension of drivers license for a minimum of 30 days, completion of Alcohol treatment and DUI course in the first year of supervision, 2 year supervision.

Zero Tolerance

Under 21 years of age it is illegal to operate a motor vehicle while having a BAC of above a .00.

BAC below a .08

Penalty

50 community service hours (all done in first year of supervision), suspension of drivers license for a minimum of 3 months

BAC higher than 0.16: 100 community service hours (50 finished in first year of supervision)

BAC .08 and above

Penalty

Suspension of driver's license for a minimum of 2 years
DUI conviction is permanently on driving record, plus all the fines and penalties of a DUI

Refusal to Take a Blood, Breath, or Urine Test

Any person who operates a motor vehicle in Illinois suspicious of DUI is required to take any tests at the officer's request. Upon refusal, you will face consequences.

Penalty

Under 21: Suspension of drivers license for one year
100 community service hours (50 finished in first year of supervision)

Over 21: Suspension of drivers license for 6 months

Minor Purchase/Acceptance of Alcohol

It is unlawful for anyone under the age of 21 to attempt the purchase of alcohol with or without identification.

Penalty

Minimum fine of \$200 and maximum of \$750, plus \$101 court fee.

Using False Identification

It is a violation of Illinois law to use falsified documents to purchase alcohol. This includes an attempt to misrepresent your age and/or use another person's ID or to lend them yours. As businesses face stiffer penalties than you do, they are likely to turn you in to avoid charges themselves.

Penalty

Minimum fine of \$350 and maximum of \$750; plus \$139 court fee.

Consuming Alcohol in Public

It is illegal to consume alcohol on the public right of way. This includes streets, sidewalks or any other public property.

Penalty

Minimum fine of \$100

Selling Alcohol without a License

It is illegal to charge for alcohol in anyway (e.g. at the door, as a cover charge or by the drink) if you do not have a liquor license.

Penalty

Minimum fine of \$350 and maximum of \$750; plus \$139 court fee.

Failure to Disperse/Failure to Obey a Lawful Order

You may be cited for failing to leave or obey a lawful command if ordered by an officer.

Penalty

Up to 1 year in jail, a minimum of 100 mandatory community service hours or one weekend in jail. (No supervision is eligible)

Misdemeanor Assault

Striking another person causing injury or otherwise threatening or approaching another person in a menacing manner.

Penalty

(State) Class C: 1 year supervision, Mental Health Evaluation, Minimum fine of \$250 and maximum of \$1,500.

(City) Fine of \$100

Minor in Possession (MIP)/Minor in Consumption (MIC)

No one under the age of 21 may possess, consumer or have physical control of alcohol.

Penalty

Suspension of driver's license for 3 months, plus fines and court cost.

Possession of Keg without Permit

It is illegal to have possession of a keg without documentation of a permit.

Penalty

Minimum fine of \$100 and maximum of \$750; plus \$110 court fee.

Disturbing the Peace (Disorderly House)

If cops get complaints about noise, you may be arrested for disturbing the peace.

Penalty

Minimum fine of \$100

Party Trash

It is a violation of Illinois law to leave trash in the yard after a party.

Penalty

Minimum fine of \$100

Open Container

It is illegal to have an open container of alcohol (bottle, box, can, etc.) in a vehicle. If an open container is found, everyone in the vehicle is suspected.

Penalty

Minimum fine of \$100

*These offenses are typically reported to EIU's Student Judicial Affairs Office. Therefore, in addition to the civil penalties, a student may also receive university sanctions.

*The information contained in this pamphlet is intended to inform, not to advise. If you need legal advice please contact Student Legal Services (217-581-6054) or a private attorney.

*Fine information provided by Charleston Police.



**More Information? Please contact the "Good Neighbors" Team @
Health Service – HERC at 217-581-7786 or herc@eiu.edu
www.eiu.edu/~goodneighbors**