ILLINOIS · DUI CHECKLIST

Illinois DUI Checklist

What to do today, this week, and before your court date. Print it. Check things off. One step at a time.

YOUR FIRST DEADLINE

90 days to act on your Statutory Summary Suspension (petition to rescind in circuit court)

90 days after the notice of statutory summary suspension is served (usually at arrest). The petition goes to the circuit court of venue, not the Secretary of State. The suspension starts on the 46th day after notice whether or not a petition is filed.

Who: Illinois Secretary of State (suspension); circuit court (petition to rescind)

KEY FACTS

SUSPENSION, 1ST FAILED TEST

6 months (1 year if not a first offender)

SUSPENSION, 1ST REFUSAL

12 months (3 years if not a first offender)

1ST OFFENSE CHARGE

Class A misdemeanor

1ST OFFENSE FINE

Up to $2,500 (at least $500 at 0.16 or more)

1ST OFFENSE JAIL

Up to 1 year

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

No time limit. All prior offenses count.

IGNITION INTERLOCK

A first offender can drive during the Statutory Summary Suspension only with a Monitoring Device Driving Permit (MDDP) and a Breath Alcohol Ignition Interlock Device (BAIID). Repeat offenders need a BAIID to get a Restricted Driving Permit after revocation.

1 First 24 Hours

- [ ] **Statutory Summary Suspension (petition to rescind in circuit court): act within 90 days. 90 days after the notice of statutory summary suspension is served (usually at arrest). The petition goes to the circuit court of venue, not the Secretary of State. The suspension starts on the 46th day after notice whether or not a petition is filed.**

- [ ] Find your Notice of Statutory Summary Suspension — The officer serves it at arrest. It starts both clocks: the suspension begins on day 46, and you have 90 days to petition to rescind.
- [ ] File a petition to rescind in circuit court — The petition goes to the circuit court handling your DUI, not the Secretary of State. File it early: the hearing should be held within 30 days of the request or the first court date on the ticket.
- [ ] Decide about the MDDP if this is your first DUI — First offenders are issued a Monitoring Device Driving Permit unless they opt out in writing. It requires a BAIID and cannot start before day 31 of the suspension.
- [ ] Write down what happened — Where you were stopped, what you drank and when, which tests you took, and what you were told in the Warning to Motorist. These are the issues at the rescission hearing.
- [ ] Talk to a lawyer about the petition and the DUI case — The rescission hearing is often the first chance to question the arresting officer under oath.

2 Court

- [ ] Arrest and charge — The officer issues the DUI ticket and the Notice of Statutory Summary Suspension. Your first court date is on the ticket.
- [ ] First appearance and arraignment — You appear in circuit court, are told the charge, and enter a plea. A petition to rescind the summary suspension is heard in the same court.
- [ ] Pretrial and discovery — Your lawyer gets the reports, video, and test records and may file motions about the stop or the test.
- [ ] DUI evaluation — Before sentencing, you must get a professional alcohol and drug evaluation. The court monitors any education or treatment it recommends.
- [ ] Plea, trial, and sentencing — A first offender may be eligible for court supervision instead of a conviction. Illinois allows DUI court supervision only once in a lifetime.

3 Getting Your License Back

- [ ] DUI evaluation and DUI Risk Education (10 hours minimum for minimal risk): Everyone convicted or placed on supervision for DUI must get a DUI evaluation from a licensed provider before sentencing. A first offender rated minimal risk must complete at least 10 hours of DUI risk education; higher risk ratings add treatment. The Secretary of State also requires it to reinstate, and it cannot be waived.
- [ ] Ignition interlock: A first offender can drive during the Statutory Summary Suspension only with a Monitoring Device Driving Permit (MDDP) and a Breath Alcohol Ignition Interlock Device (BAIID). Repeat offenders need a BAIID to get a Restricted Driving Permit after revocation.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Monitoring Device Driving Permit (MDDP); Restricted Driving Permit (RDP) after revocation: The Secretary of State mails MDDP information to first offenders; follow it, install a BAIID, and pay the monitoring fees. For an RDP after revocation, request a hearing with the Secretary of State Department of Administrative Hearings.

Your full Illinois DUI guide

Deadlines, penalties, the court process, license hearings, and FAQs, with links to the official sources.

https://dui911.org/illinois

Official source for your license deadline: https://www.ilsos.gov/departments/drivers/faq.html

This checklist is educational and is not legal advice. Laws, deadlines and fees change; confirm them with the agency or a licensed Illinois attorney before you rely on them. DUI911.org is not a law firm and is not affiliated with any law firm, interlock company or insurer.