**Effective July 29, 2016, New Illinois DUI Law**

Effective July 29, 2016, Illinois has amended its DUI law to allow for the presence of small amounts of marijuana in a person’s system. Under subsection (a)(6) of  [625 ILCS 5/11-501](http://www.ilga.gov/legislation/ilcs/documents/062500050K11-501.htm) of the previous law, a person could not be in actual physical control of a vehicle in the State of Illinois if that person had any amount of cannabis in the person’s breath, blood, or urine. Under the new law, SB2228, 625 ILCS 5/11-501, Cannabis is excluded from subsection (a)(6) and a subsection (a)(7) has been amended as follows:

(7) the person has, within 2 hours of driving or being in actual physical control of a vehicle, a tetrahydrocannabinol concentration in the person’s whole blood or other bodily substance as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code….

Paragraph 6 of subsection (a) of Section 11-501.2 defines the amount of cannabis allowed as follows:

6. Tetrahydrocannabinol concentration means either 5 nanograms or more of delta-9-tetrahydrocannabinol per milliliter of whole blood or 10 nanograms or more of delta-9-tetrahydrocannabinol per milliliter of other bodily substance.

The text of the SB2228 as it amends  [625 ILCS 5/11-501](http://www.ilga.gov/legislation/ilcs/documents/062500050K11-501.htm) can be seen by following this link.

This new area of the law is complex, and the assistance of an experienced criminal defense attorney is necessary to ensure the police follow the law and respect the rights and privileges the legislature has given to those who use or dispense medical cannabis. If you have been charged with DUI or possession of medical cannabis in a vehicle and you use or dispense medical cannabis, or if you are unsure of what you may and may not do under these new laws, [contact](http://www.iveclaw.com/contact/) criminal defense attorney JohnPaul Ivec at Ivec Law, P.C. today at (815) 439-9909 for a free consultation; or e-mail at jp@iveclaw.com.