

NEW POINT SYSTEM FOR REVOICATIONS/SUSPENSIONS

Guide to Offenses

Provided below is a listing of the most common offenses found in those Acts covered by the new point system, along with the offense classification and number of points to be assessed upon findings of guilt for each offense. This information was taken from state regulations in effect on **July 26, 2011** (Shaded areas indicate classifications upgraded by law on that date). This listing is only intended as a guide to those state regulations, which are subject to change.

Key to Classifications – Unless otherwise specified, points shall be assessed by the classification of offense as outlined below.

P=Petty Offense (3 pts.)

C=Class C Misdemeanor (6 pts.)

B=Class B Misdemeanor (9 pts.)

A=Class A Misdemeanor (12 pts.)

4F=Class 4 Felony (24 pts.)

3F=Class 3 Felony (60 pts.)

Business Offense (3 pts.)

Any violation during a period of suspension – 60 pts.

Federal Offenses - assessed points based upon the classification of the corresponding Illinois violation.

CONSERVATION CODES

CHAPTER 225 - PROFESSIONS AND OCCUPATIONS

Act 735 - Timber Buyers Licensing Act (First time offenders ^)

| <u>Chapter 225</u> Section | | Class | Points |
|-------------------------------|---|-------|--------|
| 735/3 | Necessity of timber buyers license | A | 12 |
| 735/5 | Violations | | |
| | a) Failure to pay for timber | A* | 12 |
| | b) Cut or cause to be cut any timber without consent of owner | A* | 12 |
| | c) Making false statements in connection with application, bond, etc. | A | 12 |
| | d) Failure to honestly account to grower or IDNR for timber cut | A | 12 |

| | | | |
|-------|--|----|----|
| 735/5 | e) To commit any fraudulent act in connection with purchase of cutting of timber | A | 12 |
| | f) Failure to report or pay fees required (timber buyer/land owner/operator) | A+ | 12 |
| | g) Resisting an Officer | A | 12 |

^ Enhanced periods of suspension apply to subsequent offenders on timber violations. (17 IL Adm Code 2530.24(b) 2&3)

* Minimum classification of offense. It is a Class 4 Felony (24 pts.) if aggregate value of timber illegally obtained is over \$300.

+ Minimum classification of offense. It is a Class 4 Felony (24 pts.) for second or subsequent convictions.

CHAPTER 515 - FISH

Act 5 - Fish and Aquatic Life Code

Article 1 - General Provisions

| <u>Chapter 515</u> Section | | Class | Points |
|-------------------------------|---|-------|--------|
| 5/1-125 | Administrative Rules | P | 3 |
| 5/1-200 | Resistance to officers (resisting arrest) | A | 12 |
| 5/1-205 | Posing as an officer | A | 12 |

Article 5 - Fish Protection

| | | | |
|-------|--------------------------|----|---|
| 5/5-5 | Pollution (of waterways) | P* | 3 |
|-------|--------------------------|----|---|

*Minimum classification of offense. It is a Class B Misdemeanor (9 pts) to fail to comply with an Order to remove the debris.

| | | | |
|--------|--|----|----|
| 5/5-20 | Consent of landowner (fishing without permission) | B | 9 |
| 5/5-25 | Resource theft-less than \$300 value | A | 12 |
| 5/5-25 | Felony resource theft when \geq \$300 | 3F | 60 |
| 5/5-25 | Multiple violations within a 90 day period where the total value is \geq \$300 | 4F | 24 |

Article 10 - Limits - Seasons - Methods of Taking

| | | | |
|-------------|---|---|----|
| 5/10B5 | Bass - daily limit (6), largemouth, smallmouth, spotted | B | 9 |
| 5/10-10 | Trout & salmon - daily limit (5) | B | 9 |
| 5/10-15 | Taking certain fish by sport devices only | B | 9 |
| 5/10-20 | Northern Pike - size limit 24" (Except Mississippi River) | B | 9 |
| 5/10-25 | Northern pike, walleye, sauger - daily limit | B | 9 |
| 5/10-30 | Bullfrogs - open season (June 15 - August 31) | B | 9 |
| 5/10-35 | Bullfrogs - limits (8 daily; 16 possession) | B | 9 |
| 5/10-40 | Smelt - taking & license requirements | P | 3 |
| 5/10-50 | Trout - size limits | B | 9 |
| 5/10-55 | Taking endangered species | A | 12 |
| 5/10-60 | Taking turtles and bullfrogs illegal methods | B | 9 |
| 5/10-70 | Daily limit | B | 9 |
| 5/10-75 | Immediate release of short fish | B | 9 |
| 5/10-80 | Use of electricity, drugs, chemicals, explosives to take aquatic life | A | 12 |
| 5/10-85 | Ice fishing regulations - 2 devices, shelters, diameter of holes | P | 3 |
| 5/10-90 | Snag line or pole | P | 3 |
| 5/10-95 | Number of hooks, tagging unattended sport devices | B | 9 |
| 5/10-100 | Release of fish | P | 3 |
| 5/10-100(b) | Release of injurious species | A | 12 |
| 5/10-110 | Bow and arrow devices, spears, or gig for taking carp, buffalo, sucker, gar, bowfin | P | 3 |
| 5/10-115 | Taking turtle - legal methods | B | 9 |
| 5/10-125 | Devices attached to tree below water line | P | 3 |
| 5/10-130 | Trolling (three poles - 2 hooks) | P | 3 |
| 5/10-135 | Sport Fishing Charter Boats | B | 9 |
| 5/10-140 | Dip nets (license requirements - methods for taking) | P | 3 |

Article 15 - Commercial Fishing

| | | | |
|----------|--|---|----|
| 5/15-5 | License - commercial fishing | B | 9 |
| 5/15-10 | License - commercial musselor | B | 9 |
| 5/15-15 | Commercial fishing devices | B | 9 |
| 5/15-20 | Gill or dip nets - legal for certain species | B | 9 |
| 5/15-30 | Gill or pound nets - unlawful for trout, salmon, whitefish | B | 9 |
| 5/15-32 | Lake Michigan commercial fishing licenses | B | 9 |
| 5/15-35 | Mussels - legal season | A | 12 |
| 5/15-40 | Mussels - size limit | B | 9 |
| 5/15-45 | Commercial possession of certain species by commercial fisherman | C | 6 |
| 5/15-46a | Roe harvester permit | A | 12 |
| 5/15-46b | Retaining incidentally caught sport fish species | B | 9 |
| 5/15-50 | Unlawful buy, sell, barter, offer to buy, sell, barter; and unlawful commercial possession of protected aquatic life | A | 12 |
| 5/15-55 | Aquatic life brought into state/transportation, labeling | B | 9 |
| 5/15-60 | Catfish - size limits of catfish taken with commercial devices (15" undressed, 12" dressed) | C | 6 |
| 5/15-65 | Administrative rules for 15-20 through 15-60 | B | 9 |
| 5/15-75 | Record of catch-commercial fishermen, commercial roe harvesters and musselors | P | 3 |
| 5/15-80 | Otter trawl | B | 9 |
| 5/15-85 | Dragging nets | B | 9 |
| 5/15-90 | Nets in Lake Michigan | B | 9 |
| 5/15-95 | Dragging trot, set or throw line to snare fish | B | 9 |
| 5/15-100 | Length and mesh size of seine | B | 9 |
| 5/15-105 | Commercial devices near spillways, locks, or dams (unlawful 300 yards above or below) | B | 9 |
| 5/15-110 | Seines for minnows, crayfish | B | 9 |

| | | | |
|----------|--|---|----|
| 5/15-115 | Basket traps - legal construction; Hoop nets - size of mesh | B | 9 |
| 5/15-120 | Mesh size of dip nets | B | 9 |
| 5/15-125 | Live box or live net - labeling | P | 3 |
| 5/15-130 | Gill or trammel net | B | 9 |
| 5/15-135 | Loaning of commercial license, possessing another's license, disturbing licensed equipment | A | 12 |
| 5/15-140 | Spacing of hooks | P | 3 |
| 5/15-145 | Tagging commercial gear with name and address | P | 3 |

Article 20 - Licenses & Permits

| | | | |
|---------|--|------------------|----|
| 5/20-5 | Sport fishing license (fishing w/o license) | P | 3 |
| 5/20-10 | Salmon Stamp | P | 3 |
| 5/20-11 | Inland trout stamp | P | 3 |
| 5/20-20 | Non-resident license, salmon stamp and inland trout stamp | P | 3 |
| 5/20-30 | Application for license - vendor responsibilities | P | 3 |
| 5/20-65 | Tags for commercial devices | P | 3 |
| 5/20-70 | Fish dealers licenses(non-resident, wholesale & retail) | B | 9 |
| 5/20-75 | Mussel dealers license | B | 9 |
| 5/20-80 | Minnow dealers license(intrastate - wholesale & retail & interstate) | B | 9 |
| 5/20-85 | a) Taxidermist license | B | 9 |
| | b) Written records | P | 3 |
| | c) Origin tag or label | P | 3 |
| | d) Records inspection/records maintenance | P | 3 |
| | e) Aquatic life not recorded or tagged | P | 3 |
| | f) Shipment of aquatic life | P | 3 |
| 5/20-90 | Aquaculture | Business Offense | 3 |
| 5/20-91 | Roe Harvester permits | A | 12 |
| 5/20-92 | Roe Dealer Permits | A | 12 |

| | | | |
|-------------|---|-----|-----|
| 5/20-105 | Violations while under revocation/suspension | (A) | 60* |
| 5/20-110 | Fishing w/o license, salmon stamp, inland trout or permit in possession | P | 3 |
| 5/20-120 | License Agents: sales | A | 12 |
| 5/20-120(h) | Falsification or misrepresentation | A | 13 |
| 5/20-125 | Commercial Records, Reports, Receipts | P | 3 |
| 5/20-125c | Failure to allow inspection | B | 9 |
| 5/20-125d | Falsify records or provide fraudulent information | A | 13 |

* In accordance with 17 Ill. Adm. Code 2530, any violation committed during a period of suspension shall result in the maximum period of suspension allowed by law (5 years)

Article 25 - Fish & Mussel Preserves
Transportation of Fish

| | | | |
|---------|--|---|---|
| 5/25-5 | Fishing in Aquatic Life preserves, closed waters | B | 9 |
| 5/25-10 | Mussel Preserves | B | 9 |
| 5/25-15 | Destruction of posted notices | B | 9 |
| 5/25-20 | Shipment of Fish - license numbers labels and tags | B | 9 |

CHAPTER 520 - WILDLIFE

Act 5 - Wildlife Code

Article I - Authorities and Powers

| <u>Chapter 520</u> <u>Section</u> | | Class | Points |
|--------------------------------------|------------------------|-------|--------|
| 5/1.4 | Administrative Rules | P | 3 |
| 5/1.22 | Resistance to officers | A | 12 |

Article II - Game Protective Regulations

| | | | |
|-------|---|---|----|
| 5/2.2 | Unlawful taking of protected species | P | 3 |
| 5/2.4 | Birds of prey - possession (falcons, hawks, owls) | A | 12 |
| 5/2.6 | Pheasant seasons, limits | P | 3 |
| 5/2.7 | Bobwhite quail | P | 3 |

| | | | |
|----------|--|---|----|
| 5/2.9 | Wild turkey | B | 9 |
| 5/2.10 | Wild turkey - open season | P | 3 |
| 5/2.11 | Wild turkey permit, hours (2 hour before sunrise to 2 hour after sunset), possession (one turkey per valid permit) | B | 9 |
| 5/2.16 | Sale of game birds | B | 9 |
| 5/2.18 | Taking of migratory game birds | B | 9 |
| 5/2.18-1 | Migratory waterfowl-non-toxic shot | P | 3 |
| 5/2.19 | Floating blind | P | 3 |
| 5/2.20 | Taking protected species on department lands | P | 3 |
| 5/2.24 | Taking or possession of deer | B | 9 |
| 5/2.25 | Taking deer during closed season; unlawful take of <u>all</u> white deer | B | 9 |
| 5/2.26 | Deer hunting permit, hours (2 hour before sunrise to 2 hour after sunset) | B | 9 |
| 5/2.27 | Rabbits | P | 3 |
| 5/2.28 | Squirrels | P | 3 |
| 5/2.29 | Sale of game animals | B | 9 |
| 5/2.30 | Unlawful taking of furbearing animals. Training/running dogs during ten (10) day closed period before and after raccoon hunting season | B | 9 |
| 5/2.31 | Hunting or trapping on highways | B | 9 |
| 5/2.32 | Molesting or destroying of dens | B | 9 |
| 5/2.33 | Illegal methods - mechanical devices - unlawful to: | | |
| | a) Carry or possess gun in state refuge | B | 9 |
| | b) Use or possess snare, etc. | B | 9 |
| | c) Take wild mammals from den with Mechanical device | B | 9 |
| | f) Use spears, gigs, hooks or like devices | B | 9 |
| | g) Use poison, chemicals, or explosives | A | 12 |
| | D) Use light from vehicle | A | 12 |
| | j) Use shotgun larger than 10 gauge | B | 9 |

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|--------|---|---|----|
| 5/2.33 | k) Unlawful to use or possess in the field any shot shell with shot size larger than lead BB or steel T (.20) when taking or attempting to take wild game mammals (excluding white tailed deer) wild game birds, migratory waterfowl or migratory game birds. | B | 9 |
| | l) Use slug to take wild game (except deer or coyote during firearm deer season by holders of a valid, unfilled deer permit) | B | 9 |
| | m) Use unplugged shotgun | B | 9 |
| | n) Transport uncased firearm, or bow in vehicle | B | 9 |
| | o) Use Crossbow | A | 12 |
| | p) Use rifle, pistol, revolver, or airgun to take game birds, migratory game birds, migratory waterfowl | A | 12 |
| | q) Shoot over or into waters of state (except shotgun) | B | 9 |
| | r) Shoot along, upon, or across highway | B | 9 |
| | s) Use silencer on gun | B | 9 |
| | t) Hunt or trap on lands without permission of owner | B | 9 |
| | u) Hunt within 100 yards of inhabited dwelling with a dog and/or a shotgun loaded with shot shells only, hunt with a bow and arrow or trap without permission of owner. For all other guns and ammunition, a 300 yard restriction applies | B | 9 |
| | v) Disturb traps without written authorization of owner | B | 9 |
| | w) Permit dogs to pursue, harass or kill deer | B | 9 |
| | x) Destroy personal property of another while hunting or trapping | B | 9 |
| | y) Hunt between 2 hour after sunset and 2 hour before sunrise (except by administrative order) | A | 12 |
| | z) Take any game bird (excluding wild turkeys and pheasants not capable of normal flight and otherwise irretrievable), when not flying | B | 9 |
| | aa) Possess climbing or cutting device while hunting furbearing animals | B | 9 |

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|----------|---|---|----|
| 5/2.33 | bb) Import, carry into, possess alive any wildlife from other state without license | B | 9 |
| | cc) Possess freshly killed species during closed season (except road killed deer) | A | 13 |
| | dd) Take any species and retain it alive | B | 9 |
| | ee) Unlawful possession of rifle during gun deer season | B | 9 |
| | ff) Blaze orange clothing requirement (during gun deer season) except migratory waterfowl hunters & hunters in closed counties | B | 9 |
| | gg) Blaze orange cap required while hunting upland game | B | 9 |
| | hh) Wanton waste (failure to attempt to retrieve game) | B | 9 |
| 5/2.33-1 | Unlawful possession or transportation of guns on boats on department lands (February 1 - May 31) by anyone other than a turkey hunter with an unfilled permit or other licensed eligible hunter | B | 9 |
| 5/2.33a | Traps - illegal methods | | |
| | a) Fail to check traps each day | B | 9 |
| | b) Size limit on land set traps | B | 9 |
| | c) Size limit on water set traps | B | 9 |
| | d) Use trap with toothed or spiked jaws | B | 9 |
| | e) Destroy, disturb or set traps inside lodges or houses | B | 9 |
| | f) Trap size for beaver | B | 9 |
| | g) Set traps within 10 feet of animal dens (applies to land sets only) | B | 9 |
| | h) Use colony, cage, box, or stovepipe trap | B | 9 |
| | I) Set traps during closed season | B | 9 |
| | j) Land set traps within 30 feet of exposed bait | B | 9 |
| 5/2.34 | Dog training regulations (possession of firearm, live ammunition while training dogs during closed season) | P | 3 |

| | | | |
|---------|---|----|----|
| 5/2.35 | Possession/daily limit/possession limit/separate bag limits/tagging c) Possession of green hides 20 days after season closes | P | 3 |
| 5/2.36 | Sale and commercial possession of protected species | A | 12 |
| 5/2.36a | Felony Resource theft when \geq \$300 | 3F | 60 |
| | Multiple Violations within a 90 day period where total value is \geq \$300 | 4F | 24 |
| 5/2.38 | Falsification or misrepresentation to obtain license or permit | A | 13 |

Article III - Licenses & Permits

| | | | |
|--------|---|---|---|
| 5/3.1 | a) Hunting license, state waterfowl and habitat stamp f) Harvest Information Program registration | P | 3 |
| 5/3.2 | License vendor responsibilities - habitat and state waterfowl stamps must be attached to license <u>or</u> signed | P | 3 |
| 5/3.2a | Hunting license, state waterfowl and habitat stamps in possession | P | 3 |
| 5/3.3 | Trapping license, state habitat stamp, tagging of traps | B | 9 |
| 5/3.4 | License vendor responsibilities: trapping reports required | B | 9 |
| 5/3.4a | Trapping license in possession | P | 3 |
| 5/3.8 | Migratory waterfowl areas; Geese. Blind and pit regulations | P | 3 |
| 5/3.11 | Resident wholesale fur buyer permit | B | 9 |
| 5/3.12 | Resident retail fur buyer permit | B | 9 |
| 5/3.18 | Non-resident fur buyer permit | P | 3 |
| 5/3.19 | Fur buyers and tanner permits in possession | B | 9 |
| 5/3.20 | Records of hides received or purchased (records and reporting requirement) | B | 9 |
| 5/3.21 | a) Taxidermist license | B | 9 |
| | b) Written records | P | 3 |
| | c) Origin tag or label | P | 3 |

| | | | |
|--------|---|------------------|-----|
| 5/3.21 | d) Records inspection/records maintenance | P | 3 |
| | e) Furbearer/game mammal hides-tagging | P | 3 |
| | f) Furbearer/game mammal hides - tanning | P | 3 |
| | f5) Furbearer/game mammal hides - sales | P | 3 |
| | g) Wildlife not recorded or tagged | P | 3 |
| | h) Shipment of wildlife | P | 3 |
| 5/3.23 | Game and game bird breeders permit; ferret permit | P | 3 |
| 5/3.25 | Fur bearing animal breeders permit | B | 9 |
| 5/3.26 | Hound Running Area Permits | B | 9 |
| | a) permit | B | 9 |
| | b) operating requirements | B | 9 |
| | c) unauthorized entry with gun, bow or trap | B | 9 |
| | d) unlawful transfer of permit | B | 9 |
| | e) legal acquisition of specimens | B | 9 |
| | f) disease free certification | Business Offense | 3 |
| 5/3.27 | Game breeding and shooting preserve area permit | P | 3 |
| 5/3.30 | Season for game breeding and shooting preserve area, hunting license required | P | 3 |
| 5/3.35 | Transfer or misuse of tags - game breeding and shooting preserves | B | 9 |
| 5/3.36 | Violations while under revocation/suspension | (A) | 60* |

* In accordance with 17 Ill. Admin. Code 2530, any violation committed during a period of suspension shall result in the maximum period of suspension allowed by law (5 years).

Article IV - Transportation of Birds and Game

| | | | |
|-------|--|---|---|
| 5/4.1 | Shipment of game | P | 3 |
| 5/4.2 | Shipment of protected species from state by non-resident | P | 3 |
| 5/4.3 | Shipment into state of game taken illegally in state of origin | P | 3 |

CHAPTER 520 - WILDLIFE

Act 10 - Endangered Species Protection Act

| | | | |
|------|--|---|----|
| 10/3 | Possess, take transport or sell any animal species or product thereof on the Illinois List | A | 12 |
|------|--|---|----|

CHAPTER 525 - CONSERVATION

Act 20 - Ginseng Harvesting Act

| <u>Chapter 525</u> Section | | Class | Points |
|-------------------------------|--|-------|--------|
| 20/2a | Harvest license | B | 9 |
| 20/2b | Grower=s license and record requirements | B | 9 |
| 20/2c | Dealer=s license and record requirements | B | 9 |
| 20/3 | Harvest season | B | 9 |
| 20/4 | Trespass to harvest ginseng | B | 9 |
| 20/6 | Violations while under revocation/suspension | (A) | 60* |

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11/08/11