

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 10. The Illinois Vehicle Code is amended by adding
5 Section 1-148.5m and adding Article XVI to Chapter 11 as
6 follows:

7 (625 ILCS 5/1-148.5m new)

8 Sec. 1-148.5m. Non-highway vehicle. A vehicle that is not
9 specifically designed to be used on a public highway,
10 including:

11 (1) an all-terrain vehicle, as defined by Section
12 1-101.8 of this Code;

13 (2) a golf cart, as defined by Section 1-123.9; and

14 (3) an off-highway motorcycle, as defined by Section
15 1-153.1.

16 (625 ILCS 5/Ch. 11, Art. XVI heading new)

17 ARTICLE XVI. NON-HIGHWAY AND LOW-SPEED VEHICLES

18 (625 ILCS 5/11-1605 new)

19 Sec. 11-1605. Operation of low-speed vehicles and
20 non-highway vehicles on streets.

21 (a) Except as otherwise provided in this Article, it is

1 unlawful for any person to drive or operate a low-speed vehicle
2 or non-highway vehicle upon any street in this State. If the
3 operation of a low-speed or non-highway vehicle is authorized
4 under subsection (e) of this Section, the vehicle may be
5 operated only on a street where the posted speed limit is 35
6 miles per hour or less. This subsection does not prohibit a
7 low-speed or non-highway vehicle from crossing a street at an
8 intersection where the street has a posted speed limit of more
9 than 35 miles per hour.

10 (b) A person may not operate a low-speed or non-highway
11 vehicle upon any street in this State unless he or she has a
12 valid Illinois driver's license issued in his or her name by
13 the Secretary of State.

14 (c) Except as otherwise provided in subsection (d) of this
15 Section, no person operating a low-speed or non-highway vehicle
16 may make a direct crossing upon or across any controlled access
17 highway in this State.

18 (d) A person operating a low-speed or non-highway vehicle
19 may make a direct crossing at an intersection controlled by a
20 traffic light or 4-way stop sign upon or across a street under
21 the jurisdiction of the State if the speed limit on the highway
22 is 35 miles per hour or less at the place of crossing.

23 (e) A municipality, township, county, or other unit of
24 local government may authorize, by ordinance or resolution, the
25 operation of low-speed or non-highway vehicles on streets under
26 its jurisdiction if the unit of local government determines

1 that the public safety will not be jeopardized. The Department
2 may authorize the operation of low-speed or non-highway
3 vehicles on the roadways under its jurisdiction if the
4 Department determines that the public safety will not be
5 jeopardized. The unit of local government or the Department
6 may, at its discretion, limit the authorization under this
7 Section to only low-speed vehicles or it may restrict the types
8 of non-highway vehicles that are authorized to be used on its
9 streets. A township, county, or other unit of local government
10 may not limit the powers granted in Section 11-1620 of this
11 Code.

12 Before permitting the operation of low-speed or
13 non-highway vehicles on its streets, a municipality, township,
14 county, other unit of local government, or the Department must
15 consider the volume, speed, and character of traffic on the
16 street and determine whether vehicles may safely travel on or
17 cross the street. Upon determining that low-speed or
18 non-highway vehicles may safely operate on a street and the
19 adoption of an ordinance or resolution by a municipality,
20 township, county, or other unit of local government, or
21 authorization by the Department, appropriate signs shall be
22 posted.

23 If a street is under the jurisdiction of more than one unit
24 of government, low-speed or non-highway vehicles may not be
25 operated on the street unless each unit of government agrees
26 and takes action as provided in this subsection.

1 (f) No low-speed or non-highway vehicle may be operated on
2 a street unless, at a minimum, it has the following: brakes, a
3 steering apparatus, tires, a rearview mirror, red
4 reflectorized warning devices in the front and rear, a slow
5 moving emblem (as required of other vehicles in Section 12-709
6 of this Code) on the rear of the non-highway vehicle, a
7 headlight that emits a white light visible from a distance of
8 500 feet to the front, a tail lamp that emits a red light
9 visible from at least 100 feet from the rear, brake lights, and
10 turn signals. When operated on a street, a non-highway vehicle
11 shall have its headlight and tail lamps lighted as required by
12 Section 12-201 of this Code.

13 (g) A person who drives or is in actual physical control of
14 a low-speed or non-highway vehicle on a street is subject to
15 the Rules of the Road in Chapter 11 of this Code.

16 (h) Any person who operates a low-speed or non-highway
17 vehicle on a street is subject to the mandatory insurance
18 requirements under Article VI of Chapter 7 of this Code.

19 (i) No action taken by a unit of local government under
20 this Section designates the operation of a low-speed or
21 non-highway vehicle as an intended or permitted use of property
22 with respect to Section 3-102 of the Local Governmental and
23 Governmental Employees Tort Immunity Act.

24 (j) Nothing in this Section shall limit the powers granted
25 in Section 11-1620 of this Code.

1 (625 ILCS 5/11-1610 new)

2 Sec. 11-1610. Operation of low-speed vehicles in the City
3 of Chicago.

4 (a) This Section applies only to streets located in the
5 City of Chicago.

6 (b) Except as otherwise provided in this Section, it is
7 lawful for any person to drive or operate a low-speed vehicle
8 upon any street that is located in the City of Chicago where
9 the posted speed limit is 30 miles per hour or less.

10 (c) All provisions of Section 11-1605 of this Code
11 concerning the operation and equipment requirements for
12 low-speed vehicles apply to the operation of low-speed vehicles
13 under this Section.

14 (d) The Department of Transportation or the City of Chicago
15 may prohibit the operation of low-speed vehicles on any street
16 or on all streets under its jurisdiction. Upon the adoption of
17 an ordinance or resolution by the City of Chicago or a
18 regulation by the Department of Transportation prohibiting the
19 operation of low-speed vehicles on any street or on all streets
20 under its jurisdiction, appropriate signs shall be posted. If a
21 street is under the jurisdiction of the Department of
22 Transportation and the City of Chicago, low-speed vehicles may
23 be operated on the street unless both the City of Chicago and
24 the Department of Transportation agree and take action to
25 prohibit such operation as provided in this Section.

26 (e) No action taken by the City of Chicago under this

1 Section designates the operation of a low-speed vehicle as an
2 intended or permitted use of property with respect to Section
3 3-102 of the Local Governmental and Governmental Employees Tort
4 Immunity Act.

5 (f) Nothing in this Section prohibits the operation of
6 non-highway vehicles on streets located in the City of Chicago
7 if that operation is authorized under Section 11-1605 of this
8 Code. Nothing in this Section prohibits the operation of
9 low-speed vehicles on streets where the posted speed limit is
10 35 miles an hour or less if that operation is authorized under
11 Section 11-1605 of this Code.

12 (625 ILCS 5/11-1615 new)

13 Sec. 11-1615. Requirements for retail sellers. Any person
14 engaged in the retail sale of low-speed vehicles are required
15 to comply with the motor vehicle dealer licensing,
16 registration, and bonding laws of this State, as specified in
17 Sections 5-101 and 5-102 of this Code.

18 (625 ILCS 5/11-1620 new)

19 Sec. 11-1620. Farming operations.

20 (a) It is lawful for any person to drive or operate an
21 all-terrain vehicle, as defined by Section 1-101.8 of this
22 Code, or a recreational off-highway vehicle, as defined by
23 Section 1-168.8 of this Code, on a county or township roadway
24 for the purpose of conducting farming operations to and from

1 the home, farm, farm buildings, or any adjacent or nearby farm
2 land.

3 (b) The requirements of subsection (f) and (h) of Section
4 11-1605 do not apply to the operation of non-highway vehicles
5 under this Section. However, if the all-terrain vehicle or
6 recreational off-highway vehicle, as used in this Section, is
7 not covered under a motor vehicle insurance policy pursuant to
8 subsection (h) of Section 11-1605 of this Code, the vehicle
9 must be covered under a farm, home, or non-highway vehicle
10 insurance policy issued with coverage amounts no less than the
11 minimum amounts set for bodily injury or death and for
12 destruction of property under Section 7-203 of this Code.
13 All-terrain or recreational off-highway vehicles operated on a
14 county or township roadway at any time between one-half hour
15 before sunset and one-half hour after sunrise must be equipped
16 with head lamps and tail lamps, and the head lamps and tail
17 lamps must be lighted.

18 (c) An all-terrain vehicle or recreational off-highway
19 vehicle may not make a direct crossing upon or across any
20 tollroad, interstate highway, or controlled access highway in
21 this State.

22 An all-terrain vehicle or recreational off-highway vehicle
23 may cross a State highway, municipal street, county highway, or
24 road district highway if the operator of the vehicle makes a
25 direct crossing and if:

26 (1) the crossing is made at an angle of approximately

1 90 degrees to the direction of the street, road, or highway
2 and is made at a place where no obstruction prevents a
3 quick and safe crossing;

4 (2) the operator brings the vehicle to a complete stop
5 before attempting a crossing;

6 (3) the operator yields the right-of-way to all
7 pedestrian and vehicular traffic that constitutes a
8 hazard; and

9 (4) when crossing a divided highway, the operator makes
10 the crossing only at an intersection of the highway with
11 another public street, road, or highway.

12 (625 ILCS 5/1-148.3m rep.)

13 (625 ILCS 5/11-1426.1 rep.)

14 (625 ILCS 5/11-1426.2 rep.)

15 Section 15. The Illinois Vehicle Code is amended by
16 repealing Sections 1-148.3m, 11-1426.1, and 11-1426.2.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 65 ILCS 5/8-11-4 from Ch. 24, par. 8-11-4

4 625 ILCS 5/1-148.5m new

5 625 ILCS 5/Ch. 11, Art.

6 XVI heading new

7 625 ILCS 5/11-1605 new

8 625 ILCS 5/11-1610 new

9 625 ILCS 5/11-1615 new

10 625 ILCS 5/11-1620 new

11 625 ILCS 5/1-148.3m rep.

12 625 ILCS 5/11-1426.1 rep.

13 625 ILCS 5/11-1426.2 rep.