

SB0070



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0070

Introduced 1/29/2021, by Sen. Terri Bryant

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-412 from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-806.10 new
625 ILCS 5/11-1426.1

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall issue distinctive registration plates for non-highway vehicles. Provides that the Secretary shall issue these plates only to non-highway vehicles that are insured and have brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear, a headlight that emits a white light, a tail lamp that emits a red light, brake lights, and turn signals. Provides that every owner of a non-highway vehicle that drives upon a roadway with a posted speed limit of 35 miles per hour or less shall pay the Secretary an annual registration fee of \$76. Provides that the registration fee shall be distributed as follows: \$1 to the State Treasurer, for deposit into the State Police Service Fund; \$30 to the State Treasurer, for deposit into the Road Fund; and \$45 to the Treasurer of the county of residence of the owner of the non-highway vehicle, for deposit into the road fund of the county. Provides that vehicles with a registration plate may be operated on any street, highway, or roadway where the posted speed limit is 35 miles per hour or less or any county highway where the posted speed limit is 55 miles per hour or less and may make a direct crossing upon or across certain roads.

LRB102 04013 HEP 14029 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-412 and 11-1426.1 and by adding Section
6 3-806.10 as follows:

7 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

8 Sec. 3-412. Registration plates or digital registration
9 plates and registration stickers or digital registration
10 stickers to be furnished by the Secretary of State.

11 (a) The Secretary of State upon registering a vehicle
12 subject to annual registration for the first time shall issue
13 or shall cause to be issued to the owner one registration plate
14 or digital registration plate for a motorcycle, trailer,
15 semitrailer, moped, autocycle, or truck-tractor, 2
16 registration plates, or a digital registration plate and metal
17 plate as set forth in Section 3-401.5, for other motor
18 vehicles and, where applicable, current registration stickers
19 or digital registration stickers for motor vehicles of the
20 first division. The provisions of this Section may be made
21 applicable to such vehicles of the second division, as the
22 Secretary of State may, from time to time, in his discretion
23 designate. On subsequent annual registrations during the term

1 of the registration plate or digital registration plate as
2 provided in Section 3-414.1, the Secretary shall issue or
3 cause to be issued registration stickers or digital
4 registration stickers as evidence of current registration.
5 However, the issuance of annual registration stickers or
6 digital registration stickers to vehicles registered under the
7 provisions of Sections 3-402.1 and 3-405.3 of this Code may
8 not be required if the Secretary deems the issuance
9 unnecessary.

10 (b) Every registration plate or digital registration plate
11 shall have displayed upon it the registration number assigned
12 to the vehicle for which it is issued, the name of this State,
13 which may be abbreviated, the year number for which it was
14 issued, which may be abbreviated, the phrase "Land of Lincoln"
15 (except as otherwise provided in this Code), and such other
16 letters or numbers as the Secretary may prescribe. However,
17 for apportionment plates issued to vehicles registered under
18 Section 3-402.1 and fleet plates issued to vehicles registered
19 under Section 3-405.3, the phrase "Land of Lincoln" may be
20 omitted to allow for the word "apportioned", the word "fleet",
21 or other similar language to be displayed. Registration plates
22 or digital registration plates issued to a vehicle registered
23 as a fleet vehicle may display a designation determined by the
24 Secretary.

25 The Secretary may in his discretion prescribe that letters
26 be used as prefixes only on registration plates or digital

1 registration plates issued to vehicles of the first division
2 which are registered under this Code and only as suffixes on
3 registration plates or digital registration plates issued to
4 other vehicles. Every registration sticker or digital
5 registration sticker issued as evidence of current
6 registration shall designate the year number for which it is
7 issued and such other letters or numbers as the Secretary may
8 prescribe and shall be of a contrasting color with the
9 registration plates or digital registration plates and
10 registration stickers or digital registration stickers of the
11 previous year.

12 (c) Each registration plate or digital registration plate
13 and the required letters and numerals thereon, except the year
14 number for which issued, shall be of sufficient size to be
15 plainly readable from a distance of 100 feet during daylight,
16 and shall be coated with reflectorizing material. The
17 dimensions of the plate issued to vehicles of the first
18 division shall be 6 by 12 inches.

19 (d) The Secretary of State shall issue for every passenger
20 motor vehicle rented without a driver the same type of
21 registration plates or digital registration plates as the type
22 of plates issued for a private passenger vehicle.

23 (e) The Secretary of State shall issue for every passenger
24 car used as a taxicab or livery, distinctive registration
25 plates or digital registration plates.

26 (f) The Secretary of State shall issue for every

1 motorcycle distinctive registration plates or digital
2 registration plates distinguishing between motorcycles having
3 150 or more cubic centimeters piston displacement, or having
4 less than 150 cubic centimeter piston displacement.

5 (g) Registration plates or digital registration plates
6 issued to vehicles for-hire may display a designation as
7 determined by the Secretary that such vehicles are for-hire.

8 (h) (Blank).

9 (i) The Secretary of State shall issue for every public
10 and private ambulance registration plates or digital
11 registration plates identifying the vehicle as an ambulance.
12 The Secretary shall forward to the Department of Healthcare
13 and Family Services registration information for the purpose
14 of verification of claims filed with the Department by
15 ambulance owners for payment for services to public assistance
16 recipients.

17 (j) The Secretary of State shall issue for every public
18 and private medical carrier or rescue vehicle livery
19 registration plates or digital registration plates displaying
20 numbers within ranges of numbers reserved respectively for
21 medical carriers and rescue vehicles. The Secretary shall
22 forward to the Department of Healthcare and Family Services
23 registration information for the purpose of verification of
24 claims filed with the Department by owners of medical carriers
25 or rescue vehicles for payment for services to public
26 assistance recipients.

1 (k) The Secretary of State shall issue distinctive license
2 plates or digital registration plates or distinctive license
3 plate stickers or digital registration stickers for every
4 vehicle exempted from subsections (a) and (a-5) of Section
5 12-503 by subsection (g) of that Section, and by subsection
6 (g-5) of that Section before its deletion by this amendatory
7 Act of the 95th General Assembly. The Secretary shall issue
8 these plates or stickers immediately upon receiving the
9 physician's certification required under subsection (g) of
10 Section 12-503. New plates or stickers shall also be issued
11 when the certification is renewed as provided in that
12 subsection.

13 (l) The Secretary of State shall issue distinctive
14 registration plates or digital registration plates for
15 low-speed vehicles.

16 (m) The Secretary of State shall issue distinctive
17 registration plates or digital registration plates for
18 autocycles. The dimensions of the plate issued to autocycles
19 shall be 4 by 7 inches.

20 (n) The Secretary of State shall issue distinctive
21 registration plates for non-highway vehicles. The Secretary
22 shall issue these plates only to non-highway vehicles that
23 meet the requirements set forth in subsections (e) and (g) of
24 Section 11-1426.1. The Secretary shall collect and deposit the
25 registration fee as required under Section 3-806.10

26 (Source: P.A. 101-395, eff. 8-16-19.)

1 (625 ILCS 5/3-806.10 new)

2 Sec. 3-806.10. Registration fees for non-highway vehicles.
3 Every owner of a non-highway vehicle that is operated upon any
4 street, highway, or roadway with a posted speed limit of 35
5 miles per hour or less or any county highway with a posted
6 speed limit of 55 miles per hour or less shall pay the
7 Secretary of State an annual registration fee of \$76. The fee
8 shall be distributed as follows: \$1 to the State Treasurer,
9 for deposit into the State Police Service Fund; \$30 to the
10 State Treasurer, for deposit into the Road Fund; and \$45 to the
11 Treasurer of the county of residence of the owner of the
12 non-highway vehicle, for deposit into the road fund of the
13 county.

14 (625 ILCS 5/11-1426.1)

15 Sec. 11-1426.1. Operation of non-highway vehicles on
16 streets, roads, and highways.

17 (a) As used in this Section, "non-highway vehicle" means a
18 motor vehicle not specifically designed to be used on a public
19 highway, including:

20 (1) an all-terrain vehicle, as defined by Section
21 1-101.8 of this Code;

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

23 (3) an off-highway motorcycle, as defined by Section
24 1-153.1; and

1 (4) a recreational off-highway vehicle, as defined by
2 Section 1-168.8.

3 (b) Except as otherwise provided in this Section, it is
4 unlawful for any person to drive or operate a non-highway
5 vehicle upon any street, highway, or roadway in this State. If
6 the operation of a non-highway vehicle is authorized under
7 subsection (d), the non-highway vehicle may be operated only
8 on streets where the posted speed limit is 35 miles per hour or
9 less. This subsection (b) does not prohibit a non-highway
10 vehicle from crossing a road or street at an intersection
11 where the road or street has a posted speed limit of more than
12 35 miles per hour.

13 (b-5) A person may not operate a non-highway vehicle upon
14 any street, highway, or roadway in this State unless he or she
15 has a valid driver's license issued in his or her name by the
16 Secretary of State or by a foreign jurisdiction.

17 (c) No person operating a non-highway vehicle shall make a
18 direct crossing upon or across any tollroad, interstate
19 highway, or controlled access highway in this State. No person
20 operating a non-highway vehicle shall make a direct crossing
21 upon or across any other highway under the jurisdiction of the
22 State except at an intersection of the highway with another
23 public street, road, or highway.

24 (c-5) (Blank).

25 (d) A municipality, township, county, or other unit of
26 local government may authorize, by ordinance or resolution,

1 the operation of non-highway vehicles on roadways under its
2 jurisdiction if the unit of local government determines that
3 the public safety will not be jeopardized. The Department may
4 authorize the operation of non-highway vehicles on the
5 roadways under its jurisdiction if the Department determines
6 that the public safety will not be jeopardized. The unit of
7 local government or the Department may restrict the types of
8 non-highway vehicles that are authorized to be used on its
9 streets.

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

20 If a roadway is under the jurisdiction of more than one
21 unit of government, non-highway vehicles may not be operated
22 on the roadway unless each unit of government agrees and takes
23 action as provided in this subsection.

24 (e) No non-highway vehicle may be operated on a roadway
25 unless, at a minimum, it has the following: brakes, a steering
26 apparatus, tires, a rearview mirror, red reflectorized warning

1 devices in the front and rear, a slow moving emblem (as
2 required of other vehicles in Section 12-709 of this Code) on
3 the rear of the non-highway vehicle, a headlight that emits a
4 white light visible from a distance of 500 feet to the front, a
5 tail lamp that emits a red light visible from at least 100 feet
6 from the rear, brake lights, and turn signals. When operated
7 on a roadway, a non-highway vehicle shall have its headlight
8 and tail lamps lighted as required by Section 12-201 of this
9 Code.

10 (f) A person who drives or is in actual physical control of
11 a non-highway vehicle on a roadway while under the influence
12 is subject to Sections 11-500 through 11-502 of this Code.

13 (g) Any person who operates a non-highway vehicle on a
14 street, highway, or roadway shall be subject to the mandatory
15 insurance requirements under Article VI of Chapter 7 of this
16 Code.

17 (h) It shall not be unlawful for any person to drive or
18 operate a non-highway vehicle, as defined in paragraphs (1)
19 and (4) of subsection (a) of this Section, on a county roadway
20 or township roadway for the purpose of conducting farming
21 operations to and from the home, farm, farm buildings, and any
22 adjacent or nearby farm land.

23 Non-highway vehicles, as used in this subsection (h),
24 shall not be subject to subsections (e) and (g) of this
25 Section. However, if the non-highway vehicle, as used in this
26 Section, is not covered under a motor vehicle insurance policy

1 pursuant to subsection (g) of this Section, the vehicle must
2 be covered under a farm, home, or non-highway vehicle
3 insurance policy issued with coverage amounts no less than the
4 minimum amounts set for bodily injury or death and for
5 destruction of property under Section 7-203 of this Code.
6 Non-highway vehicles operated on a county or township roadway
7 at any time between one-half hour before sunset and one-half
8 hour after sunrise must be equipped with head lamps and tail
9 lamps, and the head lamps and tail lamps must be lighted.

10 Non-highway vehicles, as used in this subsection (h),
11 shall not make a direct crossing upon or across any tollroad,
12 interstate highway, or controlled access highway in this
13 State.

14 Non-highway vehicles, as used in this subsection (h),
15 shall be allowed to cross a State highway, municipal street,
16 county highway, or road district highway if the operator of
17 the non-highway vehicle makes a direct crossing provided:

18 (1) the crossing is made at an angle of approximately
19 90 degrees to the direction of the street, road or highway
20 and at a place where no obstruction prevents a quick and
21 safe crossing;

22 (2) the non-highway vehicle is brought to a complete
23 stop before attempting a crossing;

24 (3) the operator of the non-highway vehicle yields the
25 right of way to all pedestrian and vehicular traffic which
26 constitutes a hazard; and

1 (4) that when crossing a divided highway, the crossing
2 is made only at an intersection of the highway with
3 another public street, road, or highway.

4 (i) No action taken by a unit of local government under
5 this Section designates the operation of a non-highway vehicle
6 as an intended or permitted use of property with respect to
7 Section 3-102 of the Local Governmental and Governmental
8 Employees Tort Immunity Act.

9 (j) Notwithstanding any other provision of this Section, a
10 non-highway vehicle with a registration plate issued under
11 subsection (n) of Section 3-412 may be operated on any street,
12 highway, or roadway where the posted speed limit is 35 miles
13 per hour or less or any county highway where the posted speed
14 limit is 55 miles per hour or less.

15 Non-highway vehicles, as used in this subsection (j),
16 shall not make a direct crossing upon or across any tollroad,
17 interstate highway, or controlled access highway in this
18 State.

19 Non-highway vehicles, as used in this subsection (j), may
20 cross a State highway, municipal street, county highway, or
21 road district highway if:

22 (1) the crossing is made at an angle of approximately
23 90 degrees to the direction of the street, road, or
24 highway and at a place where no obstruction prevents a
25 quick and safe crossing;

26 (2) the non-highway vehicle is brought to a complete

1 stop before attempting a crossing;

2 (3) the operator of the non-highway vehicle yields the
3 right of way to all pedestrian and vehicular traffic which
4 constitutes a hazard; and

5 (4) when crossing a divided highway, the crossing is
6 made only at an intersection of the highway with another
7 public street, road, or highway.

8 (Source: P.A. 97-144, eff. 7-14-11; 98-567, eff. 1-1-14.)