

# HB3837



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3837

by Rep. Jerry F. Costello, II

#### SYNOPSIS AS INTRODUCED:

20 ILCS 862/34

Amends the Recreational Trails of Illinois Act. Provides that the operator of an off-highway vehicle shall not be required to display an Off-Highway Vehicle Usage Stamp if the off-highway vehicle is operated on any private land with the permission of the land owner. Effective immediately.

LRB099 06752 MGM 26826 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Recreational Trails of Illinois Act is  
5 amended by changing Section 34 as follows:

6 (20 ILCS 862/34)

7 Sec. 34. Exception from display of Off-Highway Vehicle  
8 Usage Stamps. The operator of an off-highway vehicle shall not  
9 be required to display an Off-Highway Vehicle Usage Stamp if  
10 the off-highway vehicle is:

11 (1) owned and used by the United States, the State of  
12 Illinois, another state, or a political subdivision  
13 thereof, but these off-highway vehicles shall prominently  
14 display the name of the owner on the off-highway vehicle;

15 (2) operated on lands where the operator, his or her  
16 immediate family, or both are the sole owners of the land;  
17 this exception shall not apply to clubs, associations, or  
18 lands leased for hunting or recreational purposes;

19 (2.5) operated on any private land with the permission  
20 of the land owner;

21 (3) used only on local, national, or international  
22 competition circuits in events for which written  
23 permission has been obtained by the sponsoring or

1           sanctioning body from the governmental unit having  
2           jurisdiction over the location of any event held in this  
3           State;

4           (4) (blank);

5           (5) used on an off-highway vehicle grant assisted site  
6           and the off-highway vehicle displays a Off-Highway Vehicle  
7           Access decal;

8           (6) used in conjunction with a bona fide commercial  
9           business, including, but not limited to, agricultural and  
10          livestock production;

11          (7) a golf cart, regardless of whether the golf cart is  
12          currently being used for golfing purposes;

13          (8) displaying a valid motor vehicle registration  
14          issued by the Secretary of State or any other state;

15          (9) operated by an individual who either possesses an  
16          Illinois Identification Card issued to the operator by the  
17          Secretary of State that lists a Class P2 (or P20 or any  
18          successor classification) or P2A disability or an original  
19          or photocopy of a valid motor vehicle disability placard  
20          issued to the operator by the Secretary of State, or is  
21          assisting a disabled person with a Class P2 (or P20 or any  
22          successor classification) or P2A disability while using  
23          the same off-highway vehicle as the disabled individual; or

24          (10) used only at commercial riding parks.

25          For the purposes of this Section, "golf cart" means a  
26          machine specifically designed for the purposes of transporting

1 one or more persons and their golf clubs.

2 For the purposes of this Section, "local, national, or  
3 international competition circuit" means any competition  
4 circuit sponsored or sanctioned by an international, national,  
5 or state organization, including, but not limited to, the  
6 American Motorcyclist Association, or sponsored, sanctioned,  
7 or both by an affiliate organization of an international,  
8 national, or state organization which sanctions competitions,  
9 including trials or practices leading up to or in connection  
10 with those competitions.

11 For the purposes of this Section, "commercial riding parks"  
12 mean commercial properties used for the recreational operation  
13 of off-highway vehicles by the paying members of the park or  
14 paying guests.

15 (Source: P.A. 97-1136, eff. 1-1-13; 98-820, eff. 8-1-14.)

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