



Rep. Reginald Phillips

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1 AMENDMENT TO HOUSE BILL 5466

2 AMENDMENT NO. _____. Amend House Bill 5466 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-1426.1 and adding Section 1-168.9 as
6 follows:

7 (625 ILCS 5/1-168.9 new)

8 Sec. 1-168.9. Utility terrain vehicle. A commercially
9 designed and manufactured motor vehicle that does not meet
10 federal motor vehicle safety standards, that is not an
11 all-terrain vehicle, golf cart, off-highway motorcycle, or
12 recreational off-highway vehicle, that is designed to be used
13 primarily off a highway, and that has and was originally
14 manufactured with the following: (i) a net weight of 2,000
15 pounds or less; (ii) 4 or more low pressure or non-pneumatic
16 tires; (iii) a steering wheel; (iv) a tail light; (v) a brake

1 light; (vi) 2 headlights; (vii) a width of not more than 65
2 inches; (viii) a system of seat belts, or a similar system, for
3 restraining each occupant of the vehicle in the event of an
4 accident; and (ix) a system of structural members designed to
5 reduce the likelihood that an occupant would be crushed as a
6 result of a rollover of the vehicle.

7 (625 ILCS 5/11-1426.1)

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

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

13 (1) an all-terrain vehicle, as defined by Section
14 1-101.8 of this Code;

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

16 (3) an off-highway motorcycle, as defined by Section
17 1-153.1; ~~and~~

18 (4) a recreational off-highway vehicle, as defined by
19 Section 1-168.8; and -

20 (5) a utility terrain vehicle, as defined in Section
21 1-168.9

22 (b) Except as otherwise provided in this Section, it is
23 unlawful for any person to drive or operate a non-highway
24 vehicle upon any street, highway, or roadway in this State. If
25 the operation of a non-highway vehicle is authorized under

1 subsection (d), the non-highway vehicle may be operated only on
2 streets where the posted speed limit is 35 miles per hour or
3 less, except a utility terrain vehicle may be operated as
4 provided in subsection (c-10). This subsection (b) does not
5 prohibit a non-highway vehicle from crossing a road or street
6 at an intersection where the road or street has a posted speed
7 limit of more than 35 miles per hour.

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

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

19 (c-5) (Blank).

20 (c-10) A person may operate a utility terrain vehicle, as
21 defined in Section 1-168.9 of this Code, on a roadway with a
22 speed limit of 55 miles per hour or less if the roadway is not a
23 State highway or an interstate road and the utility terrain
24 vehicle is licensed and registered in the county in which the
25 roadway is located. Counties may, at their discretion, license
26 and register such vehicles.

1 (d) A municipality, township, county, or other unit of
2 local government may authorize, by ordinance or resolution, the
3 operation of non-highway vehicles on roadways under its
4 jurisdiction if the unit of local government determines that
5 the public safety will not be jeopardized. The Department may
6 authorize the operation of non-highway vehicles on the roadways
7 under its jurisdiction if the Department determines that the
8 public safety will not be jeopardized. The unit of local
9 government or the Department may restrict the types of
10 non-highway vehicles that are authorized to be used on its
11 streets.

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

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

26 (e) No non-highway vehicle may be operated on a roadway

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

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

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

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

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

1 is not covered under a motor vehicle insurance policy pursuant
2 to subsection (g) of this Section, the vehicle must be covered
3 under a farm, home, or non-highway vehicle insurance policy
4 issued with coverage amounts no less than the minimum amounts
5 set for bodily injury or death and for destruction of property
6 under Section 7-203 of this Code. Non-highway vehicles operated
7 on a county or township roadway at any time between one-half
8 hour before sunset and one-half hour after sunrise must be
9 equipped with head lamps and tail lamps, and the head lamps and
10 tail lamps must be lighted.

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

14 Non-highway vehicles, as used in this subsection (h), shall
15 be allowed to cross a State highway, municipal street, county
16 highway, or road district highway if the operator of the
17 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 another
3 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 (Source: P.A. 97-144, eff. 7-14-11; 98-567, eff. 1-1-14.)".