

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 changing
5 Section 11-1426.1 and adding Section 1-168.9 as follows:

6 (625 ILCS 5/1-168.9 new)

7 Sec. 1-168.9. Utility terrain vehicle. A commercially
8 designed and manufactured motor vehicle that does not meet
9 federal motor vehicle safety standards, that is not an
10 all-terrain vehicle, golf cart, off-highway motorcycle, or
11 recreational off-highway vehicle, that is designed to be used
12 primarily off a highway, and that has and was originally
13 manufactured with the following: (i) a net weight of 2,000
14 pounds or less; (ii) 4 or more low pressure or non-pneumatic
15 tires; (iii) a steering wheel; (iv) a tail light; (v) a brake
16 light; (vi) 2 headlights; (vii) a width of not more than 65
17 inches; (viii) a system of seat belts, or a similar system, for
18 restraining each occupant of the vehicle in the event of an
19 accident; and (ix) a system of structural members designed to
20 reduce the likelihood that an occupant would be crushed as a
21 result of a rollover of the vehicle.

22 (625 ILCS 5/11-1426.1)

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

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

6 (1) an all-terrain vehicle, as defined by Section
7 1-101.8 of this Code;

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

9 (3) an off-highway motorcycle, as defined by Section
10 1-153.1; ~~and~~

11 (4) a recreational off-highway vehicle, as defined by
12 Section 1-168.8; ~~and~~ -

13 (5) a utility terrain vehicle, as defined in Section
14 1-168.9

15 (b) Except as otherwise provided in this Section, it is
16 unlawful for any person to drive or operate a non-highway
17 vehicle upon any street, highway, or roadway in this State. If
18 the operation of a non-highway vehicle is authorized under
19 subsection (d), the non-highway vehicle may be operated only on
20 streets where the posted speed limit is 35 miles per hour or
21 less, except a utility terrain vehicle may be operated as
22 provided in subsection (c-10). This subsection (b) does not
23 prohibit a non-highway vehicle from crossing a road or street
24 at an intersection where the road or street has a posted speed
25 limit of more than 35 miles per hour.

26 (b-5) A person may not operate a non-highway vehicle upon

1 any street, highway, or roadway in this State unless he or she
2 has a valid driver's license issued in his or her name by the
3 Secretary of State or by a foreign jurisdiction.

4 (c) No person operating a non-highway vehicle shall make a
5 direct crossing upon or across any tollroad, interstate
6 highway, or controlled access highway in this State. No person
7 operating a non-highway vehicle shall make a direct crossing
8 upon or across any other highway under the jurisdiction of the
9 State except at an intersection of the highway with another
10 public street, road, or highway.

11 (c-5) (Blank).

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

19 (d) A municipality, township, county, or other unit of
20 local government may authorize, by ordinance or resolution, the
21 operation of non-highway vehicles on roadways under its
22 jurisdiction if the unit of local government determines that
23 the public safety will not be jeopardized. The Department may
24 authorize the operation of non-highway vehicles on the roadways
25 under its jurisdiction if the Department determines that the
26 public safety will not be jeopardized. The unit of local

1 government or the Department may restrict the types of
2 non-highway vehicles that are authorized to be used on its
3 streets.

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

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

18 (e) No non-highway vehicle may be operated on a roadway
19 unless, at a minimum, it has the following: brakes, a steering
20 apparatus, tires, a rearview mirror, red reflectorized warning
21 devices in the front and rear, a slow moving emblem (as
22 required of other vehicles in Section 12-709 of this Code) on
23 the rear of the non-highway vehicle, a headlight that emits a
24 white light visible from a distance of 500 feet to the front, a
25 tail lamp that emits a red light visible from at least 100 feet
26 from the rear, brake lights, and turn signals. When operated on

1 a roadway, a non-highway vehicle shall have its headlight and
2 tail lamps lighted as required by Section 12-201 of this Code.

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

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

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

16 Non-highway vehicles, as used in this subsection (h), shall
17 not be subject to subsections (e) and (g) of this Section.
18 However, if the non-highway vehicle, as used in this Section,
19 is not covered under a motor vehicle insurance policy pursuant
20 to subsection (g) of this Section, the vehicle must be covered
21 under a farm, home, or non-highway vehicle insurance policy
22 issued with coverage amounts no less than the minimum amounts
23 set for bodily injury or death and for destruction of property
24 under Section 7-203 of this Code. Non-highway vehicles operated
25 on a county or township roadway at any time between one-half
26 hour before sunset and one-half hour after sunrise must be

1 equipped with head lamps and tail lamps, and the head lamps and
2 tail lamps must be lighted.

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

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

10 (1) the crossing is made at an angle of approximately
11 90 degrees to the direction of the street, road or highway
12 and at a place where no obstruction prevents a quick and
13 safe crossing;

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

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

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

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

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