



Rep. Charles Meier

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10200HB4899ham001

LRB102 25658 HEP 37216 a

1 AMENDMENT TO HOUSE BILL 4899

2 AMENDMENT NO. _____. Amend House Bill 4899 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 as follows:

6 (625 ILCS 5/11-1426.1)

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

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

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

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

15 (3) an off-highway motorcycle, as defined by Section
16 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,
10 it shall be permissible to operate a non-highway vehicle on
11 all roadways within the boundaries of a municipality that: (i)
12 has a total population that does not exceed 10,000 persons;
13 (ii) has a population density of less than 750 persons per
14 square mile, and (iii) has authorized the use of non-highway
15 vehicles under subsection (d). A non-highway vehicle being
16 operated within a municipality under this Section shall be
17 operated only:

18 (1) by a disabled veteran who would be otherwise
19 eligible for a disabled veteran registration plate and who
20 has been issued a person with disabilities parking
21 placard;

22 (2) on the farthest outside lane or shoulder of a
23 roadway with a speed limit not in excess of 35 miles per
24 hour;

25 (3) for a distance of less than 5 miles per one-way
26 trip from the point of origin to the point of destination;

1 (4) with the person with disabilities parking placard
2 displayed, and the vehicle meeting the requirements set
3 forth in subsections (e) and (g); and

4 (5) without crossing any toll roads or limited-access
5 highways.

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

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".