

SB0483



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0483

Introduced 2/16/2005, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

20 ILCS 862/15

Amends the Recreational Trails of Illinois Act. Provides that money in the Off-Highway Vehicle Trails Fund may be used for recreation areas acquired after the effective date and a demonstration area at the World Shooting Complex. Provides that money in the Fund may not be used for certain land designated as a nature preserve. Effective immediately.

LRB094 10421 JAM 40691 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning recreation trails.

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 15 as follows:

6 (20 ILCS 862/15)

7 Sec. 15. Off-Highway Vehicle Trails Fund.

8 (a) The Off-Highway Vehicle Trails Fund is created as a
9 special fund in the State treasury. Money from federal, State,
10 and private sources may be deposited into the Fund. Fines
11 assessed by the Department of Natural Resources for citations
12 issued to off-highway vehicle operators shall be deposited into
13 the Fund. All interest accrued on the Fund shall be deposited
14 into the Fund.

15 (b) All money in the Fund shall be used, subject to
16 appropriation, by the Department for the following purposes:

17 (1) Grants for construction of off-highway vehicle
18 recreational trails on county, municipal, other units of
19 local government, or private lands where a recreational
20 need for the construction is shown.

21 (2) Grants for maintenance and construction of
22 off-highway vehicle recreational trails on federal lands,
23 where permitted by law.

24 (3) Grants for development of off-highway vehicle
25 trail-side facilities in accordance with criteria approved
26 by the National Recreational Trails Advisory Committee.

27 (4) Grants for acquisition of property from willing
28 sellers for off-highway vehicle recreational trails when
29 the objective of a trail cannot be accomplished by other
30 means.

31 (5) Grants for development of urban off-highway
32 vehicle trail linkages near homes and workplaces.

1 (6) Grants for maintenance of existing off-highway
2 vehicle recreational trails, including the grooming and
3 maintenance of trails across snow.

4 (7) Grants for restoration of areas damaged by usage of
5 off-highway vehicle recreational trails and back country
6 terrain.

7 (8) Grants for provision of features that facilitate
8 the access and use of off-highway vehicle trails by persons
9 with disabilities.

10 (9) Grants for acquisition of easements for
11 off-highway vehicle trails or for trail corridors.

12 (10) Grants for a rider education and safety program.

13 (11) Administration, enforcement, planning, and
14 implementation of this Act and Sections 11-1426 and 11-1427
15 of the Illinois Vehicle Code.

16 Of the money used from the Fund for the purposes set forth
17 in this subsection, at least 92% shall be allocated for
18 motorized recreation and not more than 8% shall be used by the
19 Department for administration, enforcement, planning, and
20 implementation of this Act or diverted from the Fund. The
21 Department shall establish, by rule, measures to verify that
22 recipients of money from the Fund comply with the specified
23 conditions for the use of the money.

24 (c) The Department may not use the money from the Fund for
25 the following purposes:

26 (1) Condemnation of any kind of interest in property.

27 (2) Construction of any recreational trail on National
28 Forest System land for motorized uses unless those lands
29 have been allocated for uses other than wilderness by an
30 approved forest land and resource management plan or have
31 been released to uses other than wilderness by an Act of
32 Congress, and the construction is otherwise consistent
33 with the management direction in the approved land and
34 resource management plan.

35 (3) Construction of motorized recreational trails on
36 Department owned or managed land, except (i) recreation

1 area acquired for for this purpose after the effective date
2 of this amendatory Act of the 94th General Assembly and
3 (ii) an off-highway vehicle demonstration area as part of
4 the World Shooting Complex near Sparta, Illinois.

5 (4) Land designated as a nature preserve as defined in
6 Section 3.11 of the Illinois Natural Area Preservation Act
7 or contained in the report as submitted pursuant to Section
8 6.06 of that Act.

9 (d) The Department shall establish a program to administer
10 grants from the Fund to units of local government,
11 not-for-profit organizations, and other groups to operate,
12 maintain, and acquire land for off-highway vehicle parks that
13 are open and accessible to the public.

14 (Source: P.A. 93-1050, eff. 11-16-04.)

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