

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 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.

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

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

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

10 (6) Grants for maintenance of existing off-highway
11 vehicle recreational trails, including the grooming and
12 maintenance of trails across snow.

13 (7) Grants for restoration of areas damaged by usage of
14 off-highway vehicle recreational trails and back country
15 terrain.

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

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

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

22 (11) Administration, enforcement, planning, and
23 implementation of this Act and Sections 11-1426 and 11-1427
24 of the Illinois Vehicle Code.

25 Of the money used from the Fund for the purposes set forth
26 in this subsection, at least 92% shall be allocated for

1 motorized recreation and not more than 8% shall be used by the
2 Department for administration, enforcement, planning, and
3 implementation of this Act or diverted from the Fund,
4 notwithstanding any other law to the contrary adopted after the
5 effective date of this amendatory Act of the 95th General
6 Assembly. The Department shall establish, by rule, measures to
7 verify that recipients of money from the Fund comply with the
8 specified conditions for the use of the money.

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

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

12 (2) Construction of any recreational trail on National
13 Forest System land for motorized uses unless those lands
14 have been allocated for uses other than wilderness by an
15 approved forest land and resource management plan or have
16 been released to uses other than wilderness by an Act of
17 Congress, and the construction is otherwise consistent
18 with the management direction in the approved land and
19 resource management plan.

20 (3) Construction of motorized recreational trails on
21 Department owned or managed land.

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

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

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.