

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 Sections 11-1426 and 11-1426.1 as follows:

6 (625 ILCS 5/11-1426) (from Ch. 95 1/2, par. 11-1426)

7 Sec. 11-1426. Operation of all-terrain vehicles and
8 off-highway motorcycles on streets, roads and highways.

9 (a) Except as provided under this Section, it shall be
10 unlawful for any person to drive or operate any all-terrain
11 vehicle or off-highway motorcycle upon any street, highway or
12 roadway in this State.

13 (a-1) It shall not be unlawful for any person to drive or
14 operate any all-terrain vehicle upon any county roadway or
15 township roadway for the purpose of conducting farming
16 operations to and from the home, farm, farm buildings, and any
17 adjacent or nearby farm land. An all-terrain vehicle that is
18 operated on a county or township roadway at any time between
19 one-half hour before sunset and one-half hour after sunrise
20 must be equipped with head lamps and tail lamps, and the head
21 lamps and tail lamps must be lighted.

22 (b) Except as provided under subsection (c) of this
23 Section, all-terrain vehicles and off-highway motorcycles may

1 make a direct crossing provided:

2 (1) The crossing is made at an angle of approximately
3 90 degrees to the direction of the street, road or highway
4 and at a place where no obstruction prevents a quick and
5 safe crossing; and

6 (2) The all-terrain vehicle or off-highway motorcycle
7 is brought to a complete stop before attempting a crossing;
8 and

9 (3) The operator of the all-terrain vehicle or
10 off-highway motorcycle yields the right of way to all
11 pedestrian and vehicular traffic which constitutes a
12 hazard; and

13 (4) That when crossing a divided highway, the crossing
14 is made only at an intersection of the highway with another
15 public street, road, or highway; and

16 (5) That when accessing township roadways in counties
17 which contain a tract of the Shawnee National Forest, the
18 accessing complies with rules promulgated by the
19 Department of Natural Resources to govern the accessing.

20 (c) No person operating an all-terrain vehicle or
21 off-highway motorcycle shall make a direct crossing upon or
22 across any tollroad, interstate highway, or controlled access
23 highway in this State.

24 (d) The corporate authorities of a county, road district,
25 township, city, village, or incorporated town may adopt
26 ordinances or resolutions allowing all-terrain vehicles and

1 off-highway motorcycles to be operated on roadways under their
2 jurisdiction, designated by signs as may be prescribed by the
3 Department, when it is necessary to cross a bridge or culvert
4 or when it is impracticable to gain immediate access to an area
5 adjacent to a highway where an all-terrain vehicle or
6 off-highway motorcycle is to be operated. The crossing shall be
7 made in the same direction as traffic.

8 (e) The corporate authorities of a county, road district,
9 township, city, village, or incorporated town may adopt
10 ordinances or resolutions designating one or more specific
11 public highways or streets under their jurisdiction as egress
12 and ingress routes for the use of all-terrain vehicles and
13 off-highway motorcycles. Operation of all-terrain vehicles and
14 off-highway motorcycles on the routes shall be in the same
15 direction as traffic. Corporate authorities acting under the
16 authority of this subsection (e) shall erect and maintain
17 signs, as may be prescribed by the Department, giving proper
18 notice of the designation.

19 (Source: P.A. 89-445, eff. 2-7-96; 90-287, eff. 1-1-98.)

20 (625 ILCS 5/11-1426.1)

21 Sec. 11-1426.1. Operation of neighborhood ~~electric~~
22 vehicles on streets, roads, and highways.

23 (a) As used in this Section, "neighborhood ~~electric~~
24 vehicle" means a self-propelled, electronically powered
25 four-wheeled motor vehicle (or a self-propelled,

1 gasoline-powered four-wheeled motor vehicle with an engine
2 displacement under 1,200 cubic centimeters) which is capable of
3 attaining in one mile a speed of more than 20 miles per hour,
4 but not more than 25 miles per hour, and which conforms to
5 federal regulations under Title 49 C.F.R. Part 571.500.

6 (b) Except as otherwise provided in this Section, it is
7 unlawful for any person to drive or operate a neighborhood
8 ~~electric~~ vehicle upon any street, highway, or roadway in this
9 State. If the operation of a neighborhood ~~electric~~ vehicle is
10 authorized under subsection (d), the neighborhood ~~electric~~
11 vehicle may be operated only on streets where the posted speed
12 limit is 35 miles per hour or less. This subsection (b) does
13 not prohibit a neighborhood ~~electric~~ vehicle from crossing a
14 road or street at an intersection where the road or street has
15 a posted speed limit of more than 35 miles per hour.

16 (b-5) A person may not operate a neighborhood ~~electric~~
17 vehicle upon any street, highway, or roadway in this State
18 unless he or she has a valid Illinois driver's license issued
19 in his or her name by the Secretary of State.

20 (c) No person operating a neighborhood ~~electric~~ vehicle
21 shall make a direct crossing upon or across any highway under
22 the jurisdiction of the State, tollroad, interstate highway, or
23 controlled access highway in this State.

24 (d) A municipality, township, county, or other unit of
25 local government may authorize, by ordinance or resolution, the
26 operation of neighborhood ~~electric~~ vehicles on roadways under

1 its jurisdiction if the unit of local government determines
2 that the public safety will not be jeopardized. The Department
3 may authorize the operation of neighborhood ~~electric~~ vehicles
4 on the roadways under its jurisdiction if the Department
5 determines that the public safety will not be jeopardized.

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

17 If a roadway is under the jurisdiction of more than one
18 unit of government, neighborhood ~~electric~~ vehicles may not be
19 operated on the roadway unless each unit of government agrees
20 and takes action as provided in this subsection.

21 (e) No neighborhood ~~electric~~ vehicle may be operated on a
22 roadway unless, at a minimum, it has the following: brakes, a
23 steering apparatus, tires, a rearview mirror, red
24 reflectorized warning devices in the front and rear, a slow
25 moving emblem (as required of other vehicles in Section 12-709
26 of this Code) on the rear of the neighborhood ~~electric~~ vehicle,

1 a headlight that emits a white light visible from a distance of
2 500 feet to the front, a tail lamp that emits a red light
3 visible from at least 100 feet from the rear, brake lights, and
4 turn signals. When operated on a roadway, a neighborhood
5 ~~electric~~ vehicle shall have its headlight and tail lamps
6 lighted as required by Section 12-201 of this Code.

7 (f) A person who drives or is in actual physical control of
8 a neighborhood ~~electric~~ vehicle on a roadway while under the
9 influence is subject to Sections 11-500 through 11-502 of this
10 Code.

11 (Source: P.A. 94-298, eff. 1-1-06.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.