



Rep. Emily McAsey

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09600HB6094ham001

LRB096 20767 AJT 38676 a

1 AMENDMENT TO HOUSE BILL 6094

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6094 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 1-148.3m and 11-1426.1 as follows:

6 (625 ILCS 5/1-148.3m)

7 Sec. 1-148.3m. Neighborhood vehicle. A self-propelled,  
8 electric-powered, four-wheeled motor vehicle (or a  
9 self-propelled, gasoline-powered, four-wheeled motor vehicle  
10 with an engine displacement under 1,200 cubic centimeters) that  
11 is capable of attaining in one mile a speed of more than 20  
12 miles per hour, but not more than 25 miles per hour, and which  
13 does not conform ~~conforms~~ to federal regulations under Title 49  
14 C.F.R. Part 571.500.

15 (Source: P.A. 96-279, eff. 1-1-10.)

1 (625 ILCS 5/11-1426.1)

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

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

7 (1) an all-terrain vehicle, as defined by Section  
8 1-101.8 of this Code;

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

10 (3) a neighborhood vehicle, as defined by Section  
11 1-148.3m; and

12 (4) an off-highway motorcycle, as defined by Section  
13 1-153.1.

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

24 (b-5) A person may not operate a non-highway vehicle upon  
25 any street, highway, or roadway in this State unless he or she  
26 has a valid Illinois driver's license issued in his or her name

1 by the Secretary of State.

2 (c) Except as otherwise provided in subsection (c-5), no  
3 person operating a non-highway vehicle shall make a direct  
4 crossing upon or across any highway under the jurisdiction of  
5 the State, tollroad, interstate highway, or controlled access  
6 highway in this State.

7 (c-5) A person may make a direct crossing at an  
8 intersection controlled by a traffic light or 4-way stop sign  
9 upon or across a highway under the jurisdiction of the State if  
10 the speed limit on the highway is 35 miles per hour or less at  
11 the place of crossing.

12 (d) A municipality, township, county, or other unit of  
13 local government may authorize, by ordinance or resolution, the  
14 operation of non-highway vehicles on roadways under its  
15 jurisdiction if the unit of local government determines that  
16 the public safety will not be jeopardized. The Department may  
17 authorize the operation of non-highway vehicles on the roadways  
18 under its jurisdiction if the Department determines that the  
19 public safety will not be jeopardized.

20 Before permitting the operation of non-highway vehicles on  
21 its roadways, a municipality, township, county, other unit of  
22 local government, or the Department must consider the volume,  
23 speed, and character of traffic on the roadway and determine  
24 whether non-highway vehicles may safely travel on or cross the  
25 roadway. Upon determining that non-highway vehicles may safely  
26 operate on a roadway and the adoption of an ordinance or

1 resolution by a municipality, township, county, or other unit  
2 of local government, or authorization by the Department,  
3 appropriate signs shall be posted.

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

8 (e) No non-highway vehicle may be operated on a roadway  
9 unless, at a minimum, it has the following: brakes, a steering  
10 apparatus, tires, a rearview mirror, red reflectorized warning  
11 devices in the front and rear, a slow moving emblem (as  
12 required of other vehicles in Section 12-709 of this Code) on  
13 the rear of the non-highway vehicle, a headlight that emits a  
14 white light visible from a distance of 500 feet to the front, a  
15 tail lamp that emits a red light visible from at least 100 feet  
16 from the rear, brake lights, and turn signals. When operated on  
17 a roadway, a non-highway vehicle shall have its headlight and  
18 tail lamps lighted as required by Section 12-201 of this Code.

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

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

26 (h) It shall not be unlawful for any person to drive or

1 operate a non-highway vehicle, as defined in subsections (a) (1)  
2 of this Section, or a recreational off-highway vehicle, as  
3 defined in Section 1-168.8 of this Code, on a county roadway or  
4 township roadway for the purpose of conducting farming  
5 operations to and from the home, farm, farm buildings, and any  
6 adjacent or nearby farm land.

7 Non-highway or recreational off-highway vehicles, as used  
8 in this subsection (h), shall not be subject to subsections (e)  
9 and (g) of this section. However, if the non-highway vehicle or  
10 recreational off-highway vehicle, as used in this Section, is  
11 not covered under a motor vehicle insurance policy pursuant to  
12 subsection (g) of this Section, the vehicle must be covered  
13 under a farm, home, or non-highway vehicle insurance policy  
14 issued with coverage amounts no less than the minimum amounts  
15 set for bodily injury or death and for destruction of property  
16 under Section 7-203 of this Code. Non-highway or recreational  
17 off-highway vehicles operated on a county or township roadway  
18 at any time between one-half hour before sunset and one-half  
19 hour after sunrise must be equipped with head lamps and tail  
20 lamps, and the head lamps and tail lamps must be lighted.

21 Non-highway or recreational off-highway vehicles, as used  
22 in this subsection (h), shall not make a direct crossing upon  
23 or across any tollroad, interstate highway, or controlled  
24 access highway in this State.

25 Non-highway or recreational off-highway vehicles, as used  
26 in this subsection (h), shall be allowed to cross a State

1 highway, municipal street, county highway, or road district  
2 highway if the operator of the non-highway vehicle makes a  
3 direct crossing provided:

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

8 (2) the non-highway or recreational off-highway  
9 vehicle is brought to a complete stop before attempting a  
10 crossing;

11 (3) the operator of the non-highway or recreational  
12 off-highway vehicle yields the right of way to all  
13 pedestrian and vehicular traffic which constitutes a  
14 hazard; and

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

18 (Source: P.A. 95-150, 8-14-07; 95-414, eff. 8-24-07; 95-575,  
19 eff. 8-31-07; 95-876, eff. 8-21-08; 96-279, eff. 1-1-10.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."