

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 1-148.3m, 11-1426.1, and 11-1426.2 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.)

16 (625 ILCS 5/11-1426.1)

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

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

22 (1) an all-terrain vehicle, as defined by Section

- 1 1-101.8 of this Code;
- 2 (2) a golf cart, as defined by Section 1-123.9;
- 3 (3) a neighborhood vehicle, as defined by Section
- 4 1-148.3m; ~~and~~
- 5 (4) an off-highway motorcycle, as defined by Section
- 6 1-153.1; and ~~and~~
- 7 (5) a recreational off-highway vehicle, as defined by
- 8 Section 1-168.8.

9 (b) Except as otherwise provided in this Section, it is

10 unlawful for any person to drive or operate a non-highway

11 vehicle upon any street, highway, or roadway in this State. If

12 the operation of a non-highway vehicle is authorized under

13 subsection (d), the non-highway vehicle may be operated only on

14 streets where the posted speed limit is 35 miles per hour or

15 less. This subsection (b) does not prohibit a non-highway

16 vehicle from crossing a road or street at an intersection where

17 the road or street has a posted speed limit of more than 35

18 miles per hour.

19 (b-5) A person may not operate a non-highway vehicle upon

20 any street, highway, or roadway in this State unless he or she

21 has a valid ~~Illinois~~ driver's license issued in his or her name

22 by the Secretary of State or by a foreign jurisdiction.

23 (c) Except as otherwise provided in subsection (c-5), no

24 person operating a non-highway vehicle shall make a direct

25 crossing upon or across any highway under the jurisdiction of

26 the State, tollroad, interstate highway, or controlled access

1 highway in this State.

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

7 (d) A municipality, township, county, or other unit of
8 local government may authorize, by ordinance or resolution, the
9 operation of non-highway vehicles on roadways under its
10 jurisdiction if the unit of local government determines that
11 the public safety will not be jeopardized. The Department may
12 authorize the operation of non-highway vehicles on the roadways
13 under its jurisdiction if the Department determines that the
14 public safety will not be jeopardized. The unit of local
15 government or the Department may restrict the types of
16 non-highway vehicles that are authorized to be used on its
17 streets.

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

1 appropriate signs shall be posted.

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

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

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

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

24 (h) It shall not be unlawful for any person to drive or
25 operate a non-highway vehicle, as defined in paragraphs (1) and
26 (5) of subsection (a) of this Section, on a county roadway or

1 township roadway for the purpose of conducting farming
2 operations to and from the home, farm, farm buildings, and any
3 adjacent or nearby farm land.

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

17 Non-highway vehicles, as used in this subsection (h), shall
18 not make a direct crossing upon or across any tollroad,
19 interstate highway, or controlled access highway in this State.

20 Non-highway vehicles, as used in this subsection (h), shall
21 be allowed to cross a State highway, municipal street, county
22 highway, or road district highway if the operator of the
23 non-highway vehicle makes a direct crossing provided:

24 (1) the crossing is made at an angle of approximately
25 90 degrees to the direction of the street, road or highway
26 and at a place where no obstruction prevents a quick and

1 safe crossing;

2 (2) the non-highway vehicle is brought to a complete
3 stop before attempting a crossing;

4 (3) the operator of the non-highway vehicle yields the
5 right of way to all pedestrian and vehicular traffic which
6 constitutes a hazard; and

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

10 (i) No action taken by a unit of local government under
11 this Section designates the operation of a non-highway vehicle
12 as an intended or permitted use of property with respect to
13 Section 3-102 of the Local Governmental and Governmental
14 Employees Tort Immunity Act.

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

17 (625 ILCS 5/11-1426.2)

18 Sec. 11-1426.2. Operation of low-speed vehicles on
19 streets.

20 (a) Except as otherwise provided in this Section, it is
21 lawful for any person to drive or operate a low-speed vehicle
22 upon any street in this State where the posted speed limit is
23 30 miles per hour or less.

24 (b) Low-speed vehicles may cross a street at an
25 intersection where the street being crossed has a posted speed

1 limit of not more than 45 miles per hour. Low-speed vehicles
2 may not cross a street with a speed limit in excess of 45 miles
3 per hour unless the crossing is at an intersection controlled
4 by a traffic light or 4-way stop sign.

5 (c) The Department of Transportation or a municipality,
6 township, county, or other unit of local government may
7 prohibit, by regulation, ordinance, or resolution, the
8 operation of low-speed vehicles on streets under its
9 jurisdiction where the posted speed limit is 30 miles per hour
10 or less if the Department of Transportation or unit of local
11 government determines that the public safety would be
12 jeopardized.

13 ~~(d) Before prohibiting the operation of low-speed vehicles~~
14 ~~on a street, the Department of Transportation or unit of local~~
15 ~~government must consider the volume, speed, and character of~~
16 ~~traffic on the street and determine whether allowing low speed~~
17 ~~vehicles to operate on that street would jeopardize public~~
18 ~~safety.~~ Upon determining that low-speed vehicles may not safely
19 operate on a street, and upon the adoption of an ordinance or
20 resolution by a unit of local government, or regulation by the
21 Department of Transportation, the operation of low-speed
22 vehicles may be prohibited. The unit of local government or the
23 Department of Transportation may prohibit the operation of
24 low-speed vehicles on any and all streets under its
25 jurisdiction. Appropriate ~~appropriate~~ signs shall be posted in
26 conformance with the State Manual on Uniform Traffic Control

1 Devices adopted pursuant to Section 11-301 of this Code.

2 (e) If a street is under the jurisdiction of more than one
3 unit of local government, or under the jurisdiction of the
4 Department of Transportation and one or more units of local
5 government, low-speed vehicles may be operated on the street
6 unless each unit of local government and the Department of
7 Transportation agree and take action to prohibit such operation
8 as provided in this Section.

9 (f) No low-speed vehicle may be operated on any street
10 unless, at a minimum, it has the following: brakes, a steering
11 apparatus, tires, a rearview mirror, red reflectorized warning
12 devices in the front and rear, a headlight that emits a white
13 light visible from a distance of 500 feet to the front, a tail
14 lamp that emits a red light visible from at least 100 feet from
15 the rear, brake lights, and turn signals. When operated on a
16 street, a low-speed vehicle shall have its headlight and tail
17 lamps lighted as required by Section 12-201 of this Code. The
18 low-speed vehicle shall also have signs or decals permanently
19 and conspicuously affixed to the rear of the vehicle and the
20 dashboard of the vehicle stating "This Vehicle May Not Be
21 Operated on Streets With Speed Limits in Excess of 30 m.p.h."
22 The lettering of the sign or decal on the rear of the vehicle
23 shall be not less than 2 inches in height. The lettering on the
24 sign or decal on the dashboard shall be not less than one-half
25 inch in height.

26 (g) A person may not operate a low-speed vehicle upon any

1 street in this State unless he or she has a valid driver's
2 license issued in his or her name by the Secretary of State or
3 a foreign jurisdiction.

4 (h) The operation of a low-speed vehicle upon any street is
5 subject to the provisions of Chapter 11 of this Code concerning
6 the Rules of the Road, and applicable local ordinances.

7 (i) Every owner of a low-speed vehicle is subject to the
8 mandatory insurance requirements specified in Article VI of
9 Chapter 7 of this Code.

10 (j) Any person engaged in the retail sale of low-speed
11 vehicles are required to comply with the motor vehicle dealer
12 licensing, registration, and bonding laws of this State, as
13 specified in Sections 5-101 and 5-102 of this Code.

14 (k) No action taken by a unit of local government under
15 this Section designates the operation of a low-speed vehicle as
16 an intended or permitted use of property with respect to
17 Section 3-102 of the Local Governmental and Governmental
18 Employees Tort Immunity Act.

19 (Source: P.A. 96-653, eff. 1-1-10.)

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