

# HB3705



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3705

Introduced 2/25/2009, by Rep. Naomi D. Jakobsson

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1426.1

Amends the Illinois Vehicle Code. Provides that a person may not operate a neighborhood vehicle on a street, road, or highway without obtaining a certificate of title, registering the vehicle with the Secretary of State, and obtaining a liability insurance policy covering the vehicle in accordance with the mandatory insurance provisions of the Illinois Vehicle Code.

LRB096 11601 AJT 22096 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Section 11-1426.1 as follows:

6 (625 ILCS 5/11-1426.1)

7 Sec. 11-1426.1. Operation of neighborhood vehicles on  
8 streets, roads, and highways.

9 (a) As used in this Section, "neighborhood vehicle" means a  
10 self-propelled, electronically powered four-wheeled motor  
11 vehicle (or a self-propelled, gasoline-powered four-wheeled  
12 motor vehicle with an engine displacement under 1,200 cubic  
13 centimeters) which is capable of attaining in one mile a speed  
14 of more than 20 miles per hour, but not more than 25 miles per  
15 hour, and which conforms to federal regulations under Title 49  
16 C.F.R. Part 571.500.

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

1 vehicle from crossing a road or street at an intersection where  
2 the road or street has a posted speed limit of more than 35  
3 miles per hour.

4 (b-5) A person may not operate a neighborhood vehicle upon  
5 any street, highway, or roadway in this State unless:

6 (1) the person ~~he or she~~ has a valid Illinois driver's  
7 license issued in his or her name by the Secretary of  
8 State;

9 (2) the person has obtained a certificate of title for  
10 the neighborhood vehicle from the Secretary of State;

11 (3) the person has registered the neighborhood vehicle  
12 with the Secretary of State; and

13 (4) the person has obtained a liability insurance  
14 policy covering the neighborhood vehicle in accordance  
15 with Section 7-601 of this Code.

16 (c) Except as otherwise provided in subsection (c-5), no  
17 person operating a neighborhood vehicle shall make a direct  
18 crossing upon or across any highway under the jurisdiction of  
19 the State, tollroad, interstate highway, or controlled access  
20 highway in this State.

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

26 (d) A municipality, township, county, or other unit of

1 local government may authorize, by ordinance or resolution, the  
2 operation of neighborhood vehicles on roadways under its  
3 jurisdiction if the unit of local government determines that  
4 the public safety will not be jeopardized. The Department may  
5 authorize the operation of neighborhood vehicles on the  
6 roadways under its jurisdiction if the Department determines  
7 that the public safety will not be jeopardized.

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

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

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

1 the rear of the neighborhood vehicle, a headlight that emits a  
2 white light visible from a distance of 500 feet to the front, a  
3 tail lamp that emits a red light visible from at least 100 feet  
4 from the rear, brake lights, and turn signals. When operated on  
5 a roadway, a neighborhood vehicle shall have its headlight and  
6 tail lamps 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 vehicle on a roadway while under the influence  
9 is subject to Sections 11-500 through 11-502 of this Code.

10 (Source: P.A. 94-298, eff. 1-1-06; 95-150, 8-14-07; 95-414,  
11 eff. 8-24-07; 95-575, eff. 8-31-07; 95-876, eff. 8-21-08.)