



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5489

by Rep. Dave Severin

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-412 from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-806.10 new
625 ILCS 5/11-1426.1

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall issue distinctive registration plates for non-highway vehicles. Provides that the Secretary shall issue these plates only to non-highway vehicles that are insured and have brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear, a headlight that emits a white light, a tail lamp that emits a red light, brake lights, and turn signals. Provides that every owner of a non-highway vehicle that drives upon a roadway with a posted speed limit of 35 miles per hour or less shall pay the Secretary an annual registration fee of \$76. Provides that the registration fee shall be distributed as follows: \$1 to the State Treasurer, for deposit into the State Police Service Fund; \$30 to the State Treasurer, for deposit into the Road Fund; and \$45 to the Treasurer of the county of residence of the owner of the non-highway vehicle, for deposit into the road fund of the county. Provides that vehicles with a registration plate may be operated on any street, highway, or roadway where the posted speed limit is 35 miles per hour or less or any county highway where the posted speed limit is 55 miles per hour or less and may make a direct crossing upon or across certain roads.

LRB100 20832 LNS 36325 b

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 3-412 and 11-1426.1 and by adding Section 3-806.10 as
6 follows:

7 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

8 Sec. 3-412. Registration plates and registration stickers
9 to be furnished by the Secretary of State.

10 (a) The Secretary of State upon registering a vehicle
11 subject to annual registration for the first time shall issue
12 or shall cause to be issued to the owner one registration plate
13 for a motorcycle, trailer, semitrailer, moped, autocycle, or
14 truck-tractor, 2 registration plates for other motor vehicles
15 and, where applicable, current registration stickers for motor
16 vehicles of the first division. The provisions of this Section
17 may be made applicable to such vehicles of the second division,
18 as the Secretary of State may, from time to time, in his
19 discretion designate. On subsequent annual registrations
20 during the term of the registration plate as provided in
21 Section 3-414.1, the Secretary shall issue or cause to be
22 issued registration stickers as evidence of current
23 registration. However, the issuance of annual registration

1 stickers to vehicles registered under the provisions of
2 Sections 3-402.1 and 3-405.3 of this Code may not be required
3 if the Secretary deems the issuance unnecessary.

4 (b) Every registration plate shall have displayed upon it
5 the registration number assigned to the vehicle for which it is
6 issued, the name of this State, which may be abbreviated, the
7 year number for which it was issued, which may be abbreviated,
8 the phrase "Land of Lincoln" (except as otherwise provided in
9 this Code), and such other letters or numbers as the Secretary
10 may prescribe. However, for apportionment plates issued to
11 vehicles registered under Section 3-402.1 and fleet plates
12 issued to vehicles registered under Section 3-405.3, the phrase
13 "Land of Lincoln" may be omitted to allow for the word
14 "apportioned", the word "fleet", or other similar language to
15 be displayed. Registration plates issued to a vehicle
16 registered as a fleet vehicle may display a designation
17 determined by the Secretary.

18 The Secretary may in his discretion prescribe that letters
19 be used as prefixes only on registration plates issued to
20 vehicles of the first division which are registered under this
21 Code and only as suffixes on registration plates issued to
22 other vehicles. Every registration sticker issued as evidence
23 of current registration shall designate the year number for
24 which it is issued and such other letters or numbers as the
25 Secretary may prescribe and shall be of a contrasting color
26 with the registration plates and registration stickers of the

1 previous year.

2 (c) Each registration plate and the required letters and
3 numerals thereon, except the year number for which issued,
4 shall be of sufficient size to be plainly readable from a
5 distance of 100 feet during daylight, and shall be coated with
6 reflectorizing material. The dimensions of the plate issued to
7 vehicles of the first division shall be 6 by 12 inches.

8 (d) The Secretary of State shall issue for every passenger
9 motor vehicle rented without a driver the same type of
10 registration plates as the type of plates issued for a private
11 passenger vehicle.

12 (e) The Secretary of State shall issue for every passenger
13 car used as a taxicab or livery, distinctive registration
14 plates.

15 (f) The Secretary of State shall issue for every motorcycle
16 distinctive registration plates distinguishing between
17 motorcycles having 150 or more cubic centimeters piston
18 displacement, or having less than 150 cubic centimeter piston
19 displacement.

20 (g) Registration plates issued to vehicles for-hire may
21 display a designation as determined by the Secretary that such
22 vehicles are for-hire.

23 (h) (Blank).

24 (i) The Secretary of State shall issue for every public and
25 private ambulance registration plates identifying the vehicle
26 as an ambulance. The Secretary shall forward to the Department

1 of Healthcare and Family Services registration information for
2 the purpose of verification of claims filed with the Department
3 by ambulance owners for payment for services to public
4 assistance recipients.

5 (j) The Secretary of State shall issue for every public and
6 private medical carrier or rescue vehicle livery registration
7 plates displaying numbers within ranges of numbers reserved
8 respectively for medical carriers and rescue vehicles. The
9 Secretary shall forward to the Department of Healthcare and
10 Family Services registration information for the purpose of
11 verification of claims filed with the Department by owners of
12 medical carriers or rescue vehicles for payment for services to
13 public assistance recipients.

14 (k) The Secretary of State shall issue distinctive license
15 plates or distinctive license plate stickers for every vehicle
16 exempted from subsections (a) and (a-5) of Section 12-503 by
17 subsection (g) of that Section, and by subsection (g-5) of that
18 Section before its deletion by this amendatory Act of the 95th
19 General Assembly. The Secretary shall issue these plates or
20 stickers immediately upon receiving the physician's
21 certification required under subsection (g) of Section 12-503.
22 New plates or stickers shall also be issued when the
23 certification is renewed as provided in that subsection.

24 (l) The Secretary of State shall issue distinctive
25 registration plates for low-speed vehicles.

26 (m) The Secretary of State shall issue distinctive

1 registration plates for autocycles. The dimensions of the plate
2 issued to autocycles shall be 4 by 7 inches.

3 (n) The Secretary of State shall issue distinctive
4 registration plates for non-highway vehicles. The Secretary
5 shall issue these plates only to non-highway vehicles that meet
6 the requirements set forth in subsections (e) and (q) of
7 Section 11-1426.1. The Secretary shall collect and deposit the
8 registration fee as required under Section 3-806.10

9 (Source: P.A. 98-777, eff. 1-1-15.)

10 (625 ILCS 5/3-806.10 new)

11 Sec. 3-806.10. Registration fees for non-highway vehicles.
12 Every owner of a non-highway vehicle that drives upon any
13 street, highway, or roadway with a posted speed limit of 35
14 miles per hour or less or any county highway with a posted
15 speed limit of 55 miles per hour or less shall pay the
16 Secretary of State an annual registration fee of \$76. The fee
17 shall be distributed as follows: \$1 to the State Treasurer, for
18 deposit into the State Police Service Fund; \$30 to the State
19 Treasurer, for deposit into the Road Fund; and \$45 to the
20 Treasurer of the county of residence of the owner of the
21 non-highway vehicle, for deposit into the road fund of the
22 county.

23 (625 ILCS 5/11-1426.1)

24 Sec. 11-1426.1. Operation of non-highway vehicles on

1 streets, roads, and highways.

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

5 (1) an all-terrain vehicle, as defined by Section
6 1-101.8 of this Code;

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

8 (3) an off-highway motorcycle, as defined by Section
9 1-153.1; and

10 (4) a recreational off-highway vehicle, as defined by
11 Section 1-168.8.

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

22 (b-5) A person may not operate a non-highway vehicle upon
23 any street, highway, or roadway in this State unless he or she
24 has a valid driver's license issued in his or her name by the
25 Secretary of State or by a foreign jurisdiction.

26 (c) No person operating a non-highway vehicle shall make a

1 direct crossing upon or across any tollroad, interstate
2 highway, or controlled access highway in this State. No person
3 operating a non-highway vehicle shall make a direct crossing
4 upon or across any other highway under the jurisdiction of the
5 State except at an intersection of the highway with another
6 public street, road, or highway.

7 (c-5) (Blank).

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

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

1 of local government, or authorization by the Department,
2 appropriate signs shall be posted.

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

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

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

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

25 (h) It shall not be unlawful for any person to drive or
26 operate a non-highway vehicle, as defined in paragraphs (1) and

1 (4) of subsection (a) of this Section, on a county roadway or
2 township roadway for the purpose of conducting farming
3 operations to and from the home, farm, farm buildings, and any
4 adjacent or nearby farm land.

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

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

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

25 (1) the crossing is made at an angle of approximately
26 90 degrees to the direction of the street, road or highway

1 and at a place where no obstruction prevents a quick and
2 safe crossing;

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

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

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

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

16 (j) Notwithstanding any other provision of this Section, a
17 non-highway vehicle with a registration plate issued under
18 subsection (n) of Section 3-412 may be operated on any street,
19 highway, or roadway where the posted speed limit is 35 miles
20 per hour or less or any county highway where the posted speed
21 limit is 55 miles per hour or less.

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

25 Non-highway vehicles, as used in this subsection (j), may
26 cross a State highway, municipal street, county highway, or

1 road district highway if:

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;

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

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

11 (4) when crossing a divided highway, the crossing is
12 made only at an intersection of the highway with another
13 public street, road, or highway.

14 (Source: P.A. 97-144, eff. 7-14-11; 98-567, eff. 1-1-14.)