



Rep. Bradley Fritts

Filed: 2/16/2024

10300HB3548ham001

LRB103 29679 MXP 58519 a

1 AMENDMENT TO HOUSE BILL 3548

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3548 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 11-1426.1 as follows:

6 (625 ILCS 5/11-1426.1)

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

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

12 (1) an all-terrain vehicle, as defined by Section  
13 1-101.8 of this Code;

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

15 (3) an off-highway motorcycle, as defined by Section  
16 1-153.1; and

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

3           (b) Except as otherwise provided in this Section, it is  
4           unlawful for any person to drive or operate a non-highway  
5           vehicle upon any street, highway, or roadway in this State. If  
6           the operation of a non-highway vehicle is authorized under  
7           subsection (d), the non-highway vehicle may be operated only  
8           on streets where the posted speed limit is 55 ~~35~~ miles per hour  
9           or less. This subsection (b) does not prohibit a non-highway  
10          vehicle from crossing a road or street at an intersection  
11          where the road or street has a posted speed limit of more than  
12          55 ~~35~~ miles per hour.

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

17          (c) No person operating a non-highway vehicle shall make a  
18          direct crossing upon or across any tollroad, interstate  
19          highway, or controlled access highway in this State. No person  
20          operating a non-highway vehicle shall make a direct crossing  
21          upon or across any other highway under the jurisdiction of the  
22          State except at an intersection of the highway with another  
23          public street, road, or highway.

24          (c-5) (Blank).

25          (d) A municipality, township, county, or other unit of  
26          local government may authorize, by ordinance or resolution,

1 the operation of non-highway vehicles on roadways under its  
2 jurisdiction if the unit of local government determines that  
3 the public safety will not be jeopardized. The Department may  
4 authorize the operation of non-highway vehicles on the  
5 roadways under its jurisdiction if the Department determines  
6 that the public safety will not be jeopardized. The unit of  
7 local government or the Department may restrict the types of  
8 non-highway vehicles that are authorized to be used on its  
9 streets.

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

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

24 (e) No non-highway vehicle may be operated on a roadway  
25 unless, at a minimum, it has the following: brakes, a steering  
26 apparatus, tires, a rearview mirror, red reflectorized warning

1 devices in the front and rear, a slow moving emblem (as  
2 required of other vehicles in Section 12-709 of this Code) on  
3 the rear of the non-highway vehicle, a headlight that emits a  
4 white light visible from a distance of 500 feet to the front, a  
5 tail lamp that emits a red light visible from at least 100 feet  
6 from the rear, brake lights, and turn signals. When operated  
7 on a roadway, a non-highway vehicle shall have its headlight  
8 and tail lamps lighted as required by Section 12-201 of this  
9 Code.

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

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

17 (h) It shall not be unlawful for any person to drive or  
18 operate a non-highway vehicle, as defined in paragraphs (1)  
19 and (4) of subsection (a) of this Section, on a county roadway  
20 or township roadway for the purpose of conducting farming  
21 operations to and from the home, farm, farm buildings, and any  
22 adjacent or nearby farm land.

23 Non-highway vehicles, as used in this subsection (h),  
24 shall not be subject to subsections (e) and (g) of this  
25 Section. However, if the non-highway vehicle, as used in this  
26 Section, is not covered under a motor vehicle insurance policy

1 pursuant to subsection (g) of this Section, the vehicle must  
2 be covered under a farm, home, or non-highway vehicle  
3 insurance policy issued with coverage amounts no less than the  
4 minimum amounts set for bodily injury or death and for  
5 destruction of property under Section 7-203 of this Code.  
6 Non-highway vehicles operated on a county or township roadway  
7 at any time between one-half hour before sunset and one-half  
8 hour after sunrise must be equipped with head lamps and tail  
9 lamps, and the head lamps and tail lamps must be lighted.

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

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

18 (1) the crossing is made at an angle of approximately  
19 90 degrees to the direction of the street, road or highway  
20 and at a place where no obstruction prevents a quick and  
21 safe crossing;

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

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

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

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

9           (j) A county board or township located in a county that  
10          permits the use of a non-highway vehicle on its roadways shall  
11          not be deemed liable for crashes involving the use of a  
12          non-highway vehicle on its roadways.

13          (k) 2-wheeled non-highway vehicles shall be subject to the  
14          same safety requirements as motorcycles.

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