



Rep. Tony M. McCombie

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LRB103 37381 RTM 71551 a

1 AMENDMENT TO HOUSE BILL 5436

2 AMENDMENT NO. _____. Amend House Bill 5436 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-101, 3-412, 3-821, 11-1403.3, 11-1426.1,
6 and 11-1427.5 and by adding Sections 1-136.1, 3-805.6,
7 3-805.7, 11-1426.3, and 11-1427.6 as follows:

8 (625 ILCS 5/1-136.1 new)

9 Sec. 1-136.1. Large non-highway vehicle. Any motorized
10 off-highway device designed to travel primarily off-highway,
11 greater than 64 inches and not more than 75 inches in width,
12 having a manufacturer's dry weight of 3,500 pounds or less,
13 traveling on 4 or more non-highway tires, designed with a
14 non-straddle seat and a steering wheel for steering control,
15 except equipment such as lawnmowers.

1 (625 ILCS 5/3-101) (from Ch. 95 1/2, par. 3-101)

2 Sec. 3-101. Certificate of title required.

3 (a) Except as provided in Section 3-102, every owner of a
4 vehicle which is in this State and for which no certificate of
5 title has been issued by the Secretary of State shall make
6 application to the Secretary of State for a certificate of
7 title of the vehicle.

8 (b) Every owner of a motorcycle or motor driven cycle
9 purchased new on and after January 1, 1980 shall make
10 application to the Secretary of State for a certificate of
11 title. However, if such cycle is not properly manufactured or
12 equipped for general highway use pursuant to the provisions of
13 this Act, it shall not be eligible for license registration,
14 but shall be issued a distinctive certificate of title except
15 as provided in Sections 3-102 and 3-110 of this Act.

16 (c) The Secretary of State shall not register or renew the
17 registration of a vehicle unless a certificate of title has
18 been issued by the Secretary of State to the owner or an
19 application therefor has been delivered by the owner to the
20 Secretary of State.

21 (d) Every owner of an all-terrain vehicle or off-highway
22 motorcycle purchased on or after January 1, 1998 shall make
23 application to the Secretary of State for a certificate of
24 title.

25 (e) Every owner of a low-speed vehicle manufactured after
26 January 1, 2010 shall make application to the Secretary of

1 State for a certificate of title.

2 (f) Every owner of a large non-highway vehicle
3 manufactured after January 1, 2010 shall make application to
4 the Secretary of State for a certificate of title.

5 (g) Every owner of a recreational off-highway vehicle
6 manufactured after January 1, 2010 shall make application to
7 the Secretary of State for a certificate of title.

8 (Source: P.A. 96-653, eff. 1-1-10; 97-983, eff. 8-17-12.)

9 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

10 Sec. 3-412. Registration plates or digital registration
11 plates and registration stickers or digital registration
12 stickers to be furnished by the Secretary of State.

13 (a) The Secretary of State upon registering a vehicle
14 subject to annual registration for the first time shall issue
15 or shall cause to be issued to the owner one registration plate
16 or digital registration plate for a motorcycle, trailer,
17 semitrailer, moped, autocycle, or truck-tractor, 2
18 registration plates, or a digital registration plate and metal
19 plate as set forth in Section 3-401.5, for other motor
20 vehicles and, where applicable, current registration stickers
21 or digital registration stickers for motor vehicles of the
22 first division. The provisions of this Section may be made
23 applicable to such vehicles of the second division, as the
24 Secretary of State may, from time to time, in his discretion
25 designate. On subsequent annual registrations during the term

1 of the registration plate or digital registration plate as
2 provided in Section 3-414.1, the Secretary shall issue or
3 cause to be issued registration stickers or digital
4 registration stickers as evidence of current registration.
5 However, the issuance of annual registration stickers or
6 digital registration stickers to vehicles registered under the
7 provisions of Sections 3-402.1 and 3-405.3 of this Code may
8 not be required if the Secretary deems the issuance
9 unnecessary.

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

25 The Secretary may in his discretion prescribe that letters
26 be used as prefixes only on registration plates or digital

1 registration plates issued to vehicles of the first division
2 which are registered under this Code and only as suffixes on
3 registration plates or digital registration plates issued to
4 other vehicles. Every registration sticker or digital
5 registration sticker issued as evidence of current
6 registration shall designate the year number for which it is
7 issued and such other letters or numbers as the Secretary may
8 prescribe and shall be of a contrasting color with the
9 registration plates or digital registration plates and
10 registration stickers or digital registration stickers of the
11 previous year.

12 (c) Each registration plate or digital registration plate
13 and the required letters and numerals thereon, except the year
14 number for which issued, shall be of sufficient size to be
15 plainly readable from a distance of 100 feet during daylight,
16 and shall be coated with reflectorizing material. The
17 dimensions of the plate issued to vehicles of the first
18 division shall be 6 by 12 inches.

19 (d) The Secretary of State shall issue for every passenger
20 motor vehicle rented without a driver the same type of
21 registration plates or digital registration plates as the type
22 of plates issued for a private passenger vehicle.

23 (e) The Secretary of State shall issue for every passenger
24 car used as a taxicab or livery, distinctive registration
25 plates or digital registration plates.

26 (f) The Secretary of State shall issue for every

1 motorcycle distinctive registration plates or digital
2 registration plates distinguishing between motorcycles having
3 150 or more cubic centimeters piston displacement, or having
4 less than 150 cubic centimeter piston displacement.

5 (g) Registration plates or digital registration plates
6 issued to vehicles for-hire may display a designation as
7 determined by the Secretary that such vehicles are for-hire.

8 (h) (Blank).

9 (i) The Secretary of State shall issue for every public
10 and private ambulance registration plates or digital
11 registration plates identifying the vehicle as an ambulance.
12 The Secretary shall forward to the Department of Healthcare
13 and Family Services registration information for the purpose
14 of verification of claims filed with the Department by
15 ambulance owners for payment for services to public assistance
16 recipients.

17 (j) The Secretary of State shall issue for every public
18 and private medical carrier or rescue vehicle livery
19 registration plates or digital registration plates displaying
20 numbers within ranges of numbers reserved respectively for
21 medical carriers and rescue vehicles. The Secretary shall
22 forward to the Department of Healthcare and Family Services
23 registration information for the purpose of verification of
24 claims filed with the Department by owners of medical carriers
25 or rescue vehicles for payment for services to public
26 assistance recipients.

1 (k) The Secretary of State shall issue distinctive license
2 plates or digital registration plates or distinctive license
3 plate stickers or digital registration stickers for every
4 vehicle exempted from subsections (a) and (a-5) of Section
5 12-503 by subsection (g) of that Section, and by subsection
6 (g-5) of that Section before its deletion by this amendatory
7 Act of the 95th General Assembly. The Secretary shall issue
8 these plates or stickers immediately upon receiving the
9 physician's certification required under subsection (g) of
10 Section 12-503. New plates or stickers shall also be issued
11 when the certification is renewed as provided in that
12 subsection.

13 (l) The Secretary of State shall issue distinctive
14 registration plates or digital registration plates for
15 low-speed vehicles.

16 (m) The Secretary of State shall issue distinctive
17 registration plates or digital registration plates for
18 autocycles. The dimensions of the plate issued to autocycles
19 shall be 4 by 7 inches.

20 (n) The Secretary of State shall issue distinctive
21 registration plates or digital registration plates for large
22 non-highway vehicles.

23 (o) The Secretary of State shall issue distinctive
24 registration plates or digital registration plates for
25 recreational off-highway vehicles.

26 (Source: P.A. 101-395, eff. 8-16-19.)

1 (625 ILCS 5/3-805.6 new)

2 Sec. 3-805.6. Large non-highway vehicle. Every owner of a
3 large non-highway vehicle shall make application to the
4 Secretary of State for registration, or renewal of
5 registration, at a fee of \$30 every 2 years. Of each fee
6 collected for a large non-highway vehicle, \$2 of each fee
7 shall be deposited into the State Police Vehicle Fund, \$1 of
8 each fee shall be deposited into the Park and Conservation
9 Fund for the Department of Natural Resources to use for
10 conservation efforts, and the remainder of each fee shall be
11 deposited into the Road Fund. Counties authorizing the use of
12 utility-terrain vehicles on its roadway may assess a fee.

13 (625 ILCS 5/3-805.7 new)

14 Sec. 3-805.7. Recreational off-highway vehicle. Every
15 owner of a recreational off-highway vehicle shall make
16 application to the Secretary of State for registration, or
17 renewal of registration, at a fee of \$30 every 2 years. Of each
18 fee collected for a recreational off-highway vehicle, \$2 of
19 each fee shall be deposited into the State Police Vehicle
20 Fund, \$1 of each fee shall be deposited into the Park and
21 Conservation Fund for the Department of Natural Resources to
22 use for conservation efforts, and the remainder of each fee
23 shall be deposited into the Road Fund. Counties authorizing
24 the use of utility-terrain vehicles on its roadway may assess

1 a fee.

2 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

3 Sec. 3-821. Miscellaneous registration and title fees.

4 (a) Except as provided under subsection (h), the fee to be
5 paid to the Secretary of State for the following certificates,
6 registrations or evidences of proper registration, or for
7 corrected or duplicate documents shall be in accordance with
8 the following schedule:

9	<u>Certificate of Title for a large</u>	
10	<u>non-highway vehicle and recreational</u>	
11	<u>off-highway vehicle</u>	<u>\$35</u>
12	<u>Certificate of Title for a large</u>	
13	<u>non-highway vehicle and recreational</u>	
14	<u>off-highway vehicle used for production</u>	
15	<u>agriculture, or accepted by a dealer in trade</u>	<u>\$35</u>
16	Certificate of Title, except for an all-terrain	
17	vehicle, off-highway motorcycle, or motor home, mini	
18	motor home or van camper	\$165
19	Certificate of Title for a motor home, mini motor	
20	home, or van camper	\$250
21	Certificate of Title for an all-terrain vehicle	
22	or off-highway motorcycle	\$30
23	Certificate of Title for an all-terrain vehicle	
24	or off-highway motorcycle used for production	
25	agriculture, or accepted by a dealer in trade	\$13

1	Certificate of Title for a low-speed vehicle	\$30
2	Transfer of Registration or any evidence of	
3	proper registration	\$25
4	Duplicate Registration Card for plates or other	
5	evidence of proper registration	\$3
6	Duplicate Registration Sticker or Stickers, each	\$20
7	Duplicate Certificate of Title	\$50
8	Corrected Registration Card or Card for other	
9	evidence of proper registration	\$3
10	Corrected Certificate of Title	\$50
11	Salvage Certificate	\$20
12	Fleet Reciprocity Permit	\$15
13	Prorate Decal	\$1
14	Prorate Backing Plate	\$3
15	Special Corrected Certificate of Title	\$15
16	Expedited Title Service (to be charged in	
17	addition to other applicable fees)	\$30
18	Dealer Lien Release Certificate of Title	\$20

19 A special corrected certificate of title shall be issued
20 (i) to remove a co-owner's name due to the death of the
21 co-owner, to transfer title to a spouse if the decedent-spouse
22 was the sole owner on the title, or due to a divorce; (ii) to
23 change a co-owner's name due to a marriage; or (iii) due to a
24 name change under Article XXI of the Code of Civil Procedure.

25 There shall be no fee paid for a Junking Certificate.

26 There shall be no fee paid for a certificate of title

1 issued to a county when the vehicle is forfeited to the county
2 under Article 36 of the Criminal Code of 2012.

3 For purposes of this Section, the fee for a corrected
4 title application that also results in the issuance of a
5 duplicate title shall be the same as the fee for a duplicate
6 title.

7 (a-5) The Secretary of State may revoke a certificate of
8 title and registration card and issue a corrected certificate
9 of title and registration card, at no fee to the vehicle owner
10 or lienholder, if there is proof that the vehicle
11 identification number is erroneously shown on the original
12 certificate of title.

13 (a-10) The Secretary of State may issue, in connection
14 with the sale of a motor vehicle, a corrected title to a motor
15 vehicle dealer upon application and submittal of a lien
16 release letter from the lienholder listed in the files of the
17 Secretary. In the case of a title issued by another state, the
18 dealer must submit proof from the state that issued the last
19 title. The corrected title, which shall be known as a dealer
20 lien release certificate of title, shall be issued in the name
21 of the vehicle owner without the named lienholder. If the
22 motor vehicle is currently titled in a state other than
23 Illinois, the applicant must submit either (i) a letter from
24 the current lienholder releasing the lien and stating that the
25 lienholder has possession of the title; or (ii) a letter from
26 the current lienholder releasing the lien and a copy of the

1 records of the department of motor vehicles for the state in
2 which the vehicle is titled, showing that the vehicle is
3 titled in the name of the applicant and that no liens are
4 recorded other than the lien for which a release has been
5 submitted. The fee for the dealer lien release certificate of
6 title is \$20.

7 (b) The Secretary may prescribe the maximum service charge
8 to be imposed upon an applicant for renewal of a registration
9 by any person authorized by law to receive and remit or
10 transmit to the Secretary such renewal application and fees
11 therewith.

12 (c) If payment is delivered to the Office of the Secretary
13 of State as payment of any fee or tax under this Code, and such
14 payment is not honored for any reason, the registrant or other
15 person tendering the payment remains liable for the payment of
16 such fee or tax. The Secretary of State may assess a service
17 charge of \$25 in addition to the fee or tax due and owing for
18 all dishonored payments.

19 If the total amount then due and owing exceeds the sum of
20 \$100 and has not been paid in full within 60 days from the date
21 the dishonored payment was first delivered to the Secretary of
22 State, the Secretary of State shall assess a penalty of 25% of
23 such amount remaining unpaid.

24 All amounts payable under this Section shall be computed
25 to the nearest dollar. Out of each fee collected for
26 dishonored payments, \$5 shall be deposited in the Secretary of

1 State Special Services Fund.

2 (d) The minimum fee and tax to be paid by any applicant for
3 apportionment of a fleet of vehicles under this Code shall be
4 \$15 if the application was filed on or before the date
5 specified by the Secretary together with fees and taxes due.
6 If an application and the fees or taxes due are filed after the
7 date specified by the Secretary, the Secretary may prescribe
8 the payment of interest at the rate of 1/2 of 1% per month or
9 fraction thereof after such due date and a minimum of \$8.

10 (e) Trucks, truck tractors, truck tractors with loads, and
11 motor buses, any one of which having a combined total weight in
12 excess of 12,000 lbs. shall file an application for a Fleet
13 Reciprocity Permit issued by the Secretary of State. This
14 permit shall be in the possession of any driver operating a
15 vehicle on Illinois highways. Any foreign licensed vehicle of
16 the second division operating at any time in Illinois without
17 a Fleet Reciprocity Permit or other proper Illinois
18 registration, shall subject the operator to the penalties
19 provided in Section 3-834 of this Code. For the purposes of
20 this Code, "Fleet Reciprocity Permit" means any second
21 division motor vehicle with a foreign license and used only in
22 interstate transportation of goods. The fee for such permit
23 shall be \$15 per fleet which shall include all vehicles of the
24 fleet being registered.

25 (f) For purposes of this Section, "all-terrain vehicle or
26 off-highway motorcycle used for production agriculture" means

1 any all-terrain vehicle or off-highway motorcycle used in the
2 raising of or the propagation of livestock, crops for sale for
3 human consumption, crops for livestock consumption, and
4 production seed stock grown for the propagation of feed grains
5 and the husbandry of animals or for the purpose of providing a
6 food product, including the husbandry of blood stock as a main
7 source of providing a food product. "All-terrain vehicle or
8 off-highway motorcycle used in production agriculture" also
9 means any all-terrain vehicle or off-highway motorcycle used
10 in animal husbandry, floriculture, aquaculture, horticulture,
11 and viticulture.

12 (f-5) For purposes of this Section, "large non-highway
13 vehicle and recreational off-highway vehicle used for
14 production agriculture" means any large non-highway vehicle
15 and recreational off-highway vehicle used in the raising of or
16 the propagation of livestock, crops for sale for human
17 consumption, crops for livestock consumption, and production
18 seed stock grown for the propagation of feed grains and the
19 husbandry of animals or for the purpose of providing a food
20 product, including the husbandry of blood stock as a main
21 source of providing a food product. "Large non-highway vehicle
22 and recreational off-highway vehicle used in production
23 agriculture" also means any large non-highway vehicle and
24 recreational off-highway vehicle used in animal husbandry,
25 floriculture, aquaculture, horticulture, and viticulture.

26 (g) All of the proceeds of the additional fees imposed by

1 Public Act 96-34 shall be deposited into the Capital Projects
2 Fund.

3 (h) The fee for a duplicate registration sticker or
4 stickers shall be the amount required under subsection (a) or
5 the vehicle's annual registration fee amount, whichever is
6 less.

7 (i) All of the proceeds of (1) the additional fees imposed
8 by Public Act 101-32, and (2) the \$5 additional fee imposed by
9 this amendatory Act of the 102nd General Assembly for a
10 certificate of title for a motor vehicle other than an
11 all-terrain vehicle, off-highway motorcycle, or motor home,
12 mini motor home, or van camper shall be deposited into the Road
13 Fund.

14 (j) Beginning July 1, 2023, the \$10 additional fee imposed
15 by this amendatory Act of the 103rd General Assembly for a
16 Certificate of Title shall be deposited into the Secretary of
17 State Special Services Fund.

18 (Source: P.A. 102-353, eff. 1-1-22; 103-8, eff. 7-1-23.)

19 (625 ILCS 5/11-1403.3) (from Ch. 95 1/2, par. 11-1403.3)

20 Sec. 11-1403.3. Intercom helmets. Any driver of a vehicle
21 defined in Section 1-136.1, 1-145.001, 1-147, ~~or~~ 1-148.2, or
22 1-168.8 of this Code may use a helmet equipped with an
23 electronic intercom system permitting 2-way vocal
24 communication with drivers of any such vehicles or passengers
25 on such vehicles.

1 (Source: P.A. 90-89, eff. 1-1-98.)

2 (625 ILCS 5/11-1426.1)

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

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

8 (1) an all-terrain vehicle, as defined by Section
9 1-101.8 of this Code;

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

11 (3) an off-highway motorcycle, as defined by Section
12 1-153.1; and

13 (4) (blank). ~~a recreational off highway vehicle, as~~
14 ~~defined by Section 1-168.8.~~

15 (b) Except as otherwise provided in this Section, it is
16 unlawful for any person to drive or operate a non-highway
17 vehicle upon any street, highway, or roadway in this State. If
18 the operation of a non-highway vehicle is authorized under
19 subsection (d), the non-highway vehicle may be operated only
20 on streets where the posted speed limit is 35 miles per hour or
21 less. This subsection (b) does not prohibit a non-highway
22 vehicle from crossing a road or street at an intersection
23 where the road or street has a posted speed limit of more than
24 35 miles per hour.

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

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

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

11 (c-5) (Blank).

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

23 Before permitting the operation of non-highway vehicles on
24 its roadways, a municipality, township, county, other unit of
25 local government, or the Department must consider the volume,
26 speed, and character of traffic on the roadway and determine

1 whether non-highway vehicles may safely travel on or cross the
2 roadway. Upon determining that non-highway vehicles may safely
3 operate on a roadway and the adoption of an ordinance or
4 resolution by a municipality, township, county, or other unit
5 of local government, or authorization by the Department,
6 appropriate signs shall be posted.

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

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

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

26 (f-5) Any driver or passenger of a non-highway vehicle is

1 subject to Sections 11-502 through 11-502.15.

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

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

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

25 Non-highway vehicles, as used in this subsection (h),
26 shall not make a direct crossing upon or across any tollroad,

1 interstate highway, or controlled access highway in this
2 State.

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

7 (1) the crossing is made at an angle of approximately
8 90 degrees to the direction of the street, road or highway
9 and at a place where no obstruction prevents a quick and
10 safe crossing;

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

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

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

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

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

25 (625 ILCS 5/11-1426.3 new)

1 Sec. 11-1426.3. Operation of utility-type vehicles on
2 streets, roads, and highways.

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

6 (1) A large non-highway vehicle, as defined by Section
7 1-136.1.

8 (2) A recreational off-highway vehicle, as defined by
9 Section 1-168.8.

10 (b) Except as otherwise provided in this Section, it is
11 unlawful for any person to drive or operate a utility-type
12 vehicle upon any street, highway, or roadway in this State. If
13 the operation of a utility-type vehicle is authorized under
14 subsection (d), then the utility-type vehicle may be operated
15 only during daylight hours at a maximum speed of 45 miles per
16 hour on streets where the posted speed limit is 55 miles per
17 hour or less.

18 (c) A person may not operate a utility-type vehicle upon
19 any street, highway, or roadway in this State unless he or she
20 has a valid driver's license issued in his or her name by the
21 Secretary of State or by a foreign jurisdiction and be 18 years
22 of age.

23 (d) No person operating a utility-type vehicle shall make
24 a direct crossing upon or across any tollroad, interstate
25 highway, or controlled access highway in this State. No person
26 operating a utility-type vehicle shall make a direct crossing

1 upon or across any other highway under the jurisdiction of the
2 State except at an intersection of the highway with another
3 public street, road, or highway.

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

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

25 If a roadway is under the jurisdiction of more than one
26 unit of government, utility-type vehicles may not be operated

1 on the roadway unless each unit of government agrees and takes
2 action as provided in this subsection.

3 (f) No utility-type vehicle may be operated on a roadway
4 unless, at a minimum, it has the following: brakes, a steering
5 apparatus, tires, a rearview mirror, a windshield, a vehicle
6 identification number, a seat safety belt, a rearview mirror,
7 an exterior rearview mirror mounted on the driver's side of
8 the vehicle, red reflectorized warning devices in the front
9 and rear, a headlight that emits a white light visible from a
10 distance of 500 feet to the front, a tail lamp that emits a red
11 light visible from at least 100 feet from the rear, brake
12 lights, and turn signals. When operated on a highway, a
13 utility-type vehicle shall have its headlight and tail lamps
14 lighted at all times. A utility-type vehicle that is
15 manufactured not to exceed 40 miles per hour shall have a slow
16 moving emblem affixed to the rear of the utility-type vehicle.
17 A slow moving emblem shall not be affixed to any utility-type
18 vehicle that is manufactured to exceed 40 miles per hour.

19 (g) Any driver who drives or is in actual physical control
20 of a utility-type vehicle on a highway while under the
21 influence is subject to Sections 11-500 through 11-501.9.

22 (h) Any driver or passenger of an utility-type vehicle on
23 a highway is subject to Sections 11-502 through 11-502.15.

24 (i) Any driver or passenger of an utility-type vehicle on
25 a highway is subject to Section 12-603.1.

26 (j) Any person operating a utility-type vehicle shall ride

1 only upon the permanent and regular seat attached thereto, and
2 such operator shall not carry any other person nor shall any
3 other person ride on a utility-type vehicle unless the
4 utility-type vehicle is designed to carry more than one person
5 and be equipped with the number of available seat safety
6 belts.

7 (k) Any person who operates a utility-type vehicle on a
8 street, highway, or roadway shall be subject to the mandatory
9 insurance requirements under Article VI of Chapter 7.

10 (l) It shall not be unlawful for any person to drive or
11 operate a utility-type vehicle on a county roadway or township
12 roadway for the purpose of conducting farming operations to
13 and from the home, farm, farm buildings, and any adjacent or
14 nearby farm land.

15 Utility-type vehicles, as used in this subsection, shall
16 not be subject to subsection (k). However, if the utility-type
17 vehicle, as used in this Section, is not covered under a motor
18 vehicle insurance policy under subsection (k), the
19 utility-type vehicle must be covered under a farm, home, or
20 utility-type vehicle insurance policy issued with coverage
21 amounts no less than the minimum amounts set for bodily injury
22 or death and for destruction of property under Section 7-203.

23 Utility-type vehicles, as used in this subsection, shall
24 not make a direct crossing upon or across any tollroad,
25 interstate highway, or controlled access highway in this
26 State.

1 Utility-type vehicles, as used in this subsection, shall
2 be allowed to cross a State highway, municipal street, county
3 highway, or road district highway if the operator of the
4 utility-type vehicle makes a direct crossing if:

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

9 (2) the utility-type vehicle is brought to a complete
10 stop before attempting a crossing;

11 (3) the operator of the utility-type vehicle yields
12 the right of way to all pedestrian and vehicular traffic
13 which constitutes a hazard; and

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

17 (m) No action taken by a unit of local government under
18 this Section designates the operation of a utility-type
19 vehicle as an intended or permitted use of property with
20 respect to Section 3-102 of the Local Governmental and
21 Governmental Employees Tort Immunity Act.

22 (n) Every owner of a utility-type vehicle which may be
23 operated upon a highway shall secure a certificate of title
24 and display valid registration.

1 Sec. 11-1427.5. Recreational off-highway vehicles. All
2 provisions of this Code, except Section 11-1426.1, that apply
3 to an all-terrain vehicle shall apply the same to a
4 recreational off-highway vehicle.

5 (Source: P.A. 96-428, eff. 8-13-09.)

6 (625 ILCS 5/11-1427.6 new)

7 Sec. 11-1427.6. Large non-highway vehicles. All provisions
8 of this Code, except Section 11-1426.1, that apply to an
9 all-terrain vehicle shall apply the same to a large
10 non-highway vehicle."