



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB0047**

Introduced 1/3/2005, by Rep. William B. Black

**SYNOPSIS AS INTRODUCED:**

20 ILCS 862/15

Amends the Recreational Trails of Illinois Act with respect to the Off-Highway Vehicle Trails Fund. Allows the Department of Natural Resources to use money from the Fund for construction of motorized recreational trails on Department owned or managed land that is not designated a nature preserve under the Illinois Natural Areas Preservation Act or is not contained in a report submitted under the Illinois Natural Areas Preservation Act. Effective immediately.

LRB094 03828 JAM 33839 b

1 AN ACT concerning recreational trails.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Recreational Trails of Illinois Act is  
5 amended by changing Section 15 as follows:

6 (20 ILCS 862/15)

7 Sec. 15. Off-Highway Vehicle Trails Fund.

8 (a) The Off-Highway Vehicle Trails Fund is created as a  
9 special fund in the State treasury. Money from federal, State,  
10 and private sources may be deposited into the Fund. Fines  
11 assessed by the Department of Natural Resources for citations  
12 issued to off-highway vehicle operators shall be deposited into  
13 the Fund. All interest accrued on the Fund shall be deposited  
14 into the Fund.

15 (b) All money in the Fund shall be used, subject to  
16 appropriation, by the Department for the following purposes:

17 (1) Grants for construction of off-highway vehicle  
18 recreational trails on county, municipal, other units of  
19 local government, or private lands where a recreational  
20 need for the construction is shown.

21 (2) Grants for maintenance and construction of  
22 off-highway vehicle recreational trails on federal lands,  
23 where permitted by law.

24 (3) Grants for development of off-highway vehicle  
25 trail-side facilities in accordance with criteria approved  
26 by the National Recreational Trails Advisory Committee.

27 (4) Grants for acquisition of property from willing  
28 sellers for off-highway vehicle recreational trails when  
29 the objective of a trail cannot be accomplished by other  
30 means.

31 (5) Grants for development of urban off-highway  
32 vehicle trail linkages near homes and workplaces.

1           (6) Grants for maintenance of existing off-highway  
2 vehicle recreational trails, including the grooming and  
3 maintenance of trails across snow.

4           (7) Grants for restoration of areas damaged by usage of  
5 off-highway vehicle recreational trails and back country  
6 terrain.

7           (8) Grants for provision of features that facilitate  
8 the access and use of off-highway vehicle trails by persons  
9 with disabilities.

10          (9) Grants for acquisition of easements for  
11 off-highway vehicle trails or for trail corridors.

12          (10) Grants for a rider education and safety program.

13          (11) Administration, enforcement, planning, and  
14 implementation of this Act and Sections 11-1426 and 11-1427  
15 of the Illinois Vehicle Code.

16          Of the money used from the Fund for the purposes set forth  
17 in this subsection, at least 92% shall be allocated for  
18 motorized recreation and not more than 8% shall be used by the  
19 Department for administration, enforcement, planning, and  
20 implementation of this Act or diverted from the Fund. The  
21 Department shall establish, by rule, measures to verify that  
22 recipients of money from the Fund comply with the specified  
23 conditions for the use of the money.

24          (c) The Department may not use the money from the Fund for  
25 the following purposes:

26           (1) Condemnation of any kind of interest in property.

27           (2) Construction of any recreational trail on National  
28 Forest System land for motorized uses unless those lands  
29 have been allocated for uses other than wilderness by an  
30 approved forest land and resource management plan or have  
31 been released to uses other than wilderness by an Act of  
32 Congress, and the construction is otherwise consistent  
33 with the management direction in the approved land and  
34 resource management plan.

35           (3) Construction of motorized recreational trails on  
36 Department owned or managed land designated as a nature

1       preserve as defined in Section 3.11 of the Illinois Natural  
2       Areas Preservation Act or contained in the report as  
3       submitted pursuant to Section 6.06 of the Illinois Natural  
4       Areas Preservation Act.

5       (d) The Department shall establish a program to administer  
6       grants from the Fund to units of local government,  
7       not-for-profit organizations, and other groups to operate,  
8       maintain, and acquire land for off-highway vehicle parks that  
9       are open and accessible to the public.

10      (Source: P.A. 93-1050, eff. 11-16-04.)

11      Section 99. Effective date. This Act takes effect upon  
12      becoming law.