



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2431

Introduced 2/17/2005, by Rep. Robert W. Churchill

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-145.001	from Ch. 95 1/2, par. 1-148
625 ILCS 5/1-147	from Ch. 95 1/2, par. 1-147
625 ILCS 5/1-148.2a new	
625 ILCS 5/6-101	from Ch. 95 1/2, par. 6-101
625 ILCS 5/11-1429 new	

Amends the Illinois Vehicle Code. Provides that a person must have a valid driver's license or permit to operate a motorized scooter or electric personal assistive mobility device on a road or highway. Provides that the person may not exceed a speed of 20 miles per hour. Provides that a person may not operate the scooter or device on a road or highway after sunset and before sunrise. Provides that the operator must wear a helmet and may not carry passengers. Provides that a violation is a petty offense. Sets penalties.

LRB094 07589 DRH 37758 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 1-145.001, 1-147, and 6-101 and by adding Sections
6 1-148.2a and 11-1429 as follows:

7 (625 ILCS 5/1-145.001) (from Ch. 95 1/2, par. 1-148)

8 Sec. 1-145.001. Motor driven cycle. Every motorcycle and
9 every motor scooter with less than 150 cubic centimeter piston
10 displacement including motorized pedalcycles, but excluding
11 motorized scooters.

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

13 (625 ILCS 5/1-147) (from Ch. 95 1/2, par. 1-147)

14 Sec. 1-147. Motorcycle.

15 Every motor vehicle having a seat or saddle for the use of
16 the rider and designed to travel on not more than 3 wheels in
17 contact with the ground, but excluding a tractor or a motorized
18 scooter.

19 (Source: P.A. 80-262.)

20 (625 ILCS 5/1-148.2a new)

21 Sec. 1-148.2a. Motorized scooter. Any 2 wheeled tandem or 3
22 wheeled device, that has handlebars, designed to be stood or
23 sat upon by the operator, powered by an electric or gas powered
24 motor that is capable of propelling the device with or without
25 human propulsion, but excluding a motor scooter, motorcycle,
26 motor driven cycle, motorized pedalcycle, or motorized
27 wheelchair.

28 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

29 Sec. 6-101. Drivers must have licenses or permits.

1 (a) No person, except those expressly exempted by Section
2 6-102, shall drive any motor vehicle, motorized scooter, or
3 electric personal assistive mobility device upon a highway in
4 this State unless such person has a valid license or permit, or
5 a restricted driving permit, issued under the provisions of
6 this Act.

7 (b) No person shall drive a motor vehicle, motorized
8 scooter, or electric personal assistive mobility device unless
9 he holds a valid license or permit, or a restricted driving
10 permit issued under the provisions of Section 6-205, 6-206, or
11 6-113 of this Act. Any person to whom a license is issued under
12 the provisions of this Act must surrender to the Secretary of
13 State all valid licenses or permits. No drivers license shall
14 be issued to any person who holds a valid Foreign State
15 license, identification card, or permit unless such person
16 first surrenders to the Secretary of State any such valid
17 Foreign State license, identification card, or permit.

18 (c) Any person licensed as a driver hereunder shall not be
19 required by any city, village, incorporated town or other
20 municipal corporation to obtain any other license to exercise
21 the privilege thereby granted.

22 (d) In addition to other penalties imposed under this
23 Section, any person in violation of this Section who is also in
24 violation of Section 7-601 of this Code relating to mandatory
25 insurance requirements shall have his or her motor vehicle
26 immediately impounded by the arresting law enforcement
27 officer. The motor vehicle may be released to any licensed
28 driver upon a showing of proof of insurance for the motor
29 vehicle that was impounded and the notarized written consent
30 for the release by the vehicle owner.

31 (e) In addition to other penalties imposed under this
32 Section, the vehicle of any person in violation of this Section
33 who is also in violation of Section 7-601 of this Code relating
34 to mandatory insurance requirements and who, in violating this
35 Section, has caused death or personal injury to another person
36 is subject to forfeiture under Sections 36-1 and 36-2 of the

1 Criminal Code of 1961. For the purposes of this Section, a
2 personal injury shall include any type A injury as indicated on
3 the traffic accident report completed by a law enforcement
4 officer that requires immediate professional attention in
5 either a doctor's office or a medical facility. A type A injury
6 shall include severely bleeding wounds, distorted extremities,
7 and injuries that require the injured party to be carried from
8 the scene.

9 (Source: P.A. 93-187, eff. 7-11-03; 93-895, eff. 1-1-05.)

10 (625 ILCS 5/11-1429 new)

11 Sec. 11-1429. Operation of motorized scooters and electric
12 personal mobility devices on roads and highways.

13 (a) A person may not operate motorized scooter or electric
14 personal assistive mobility device on a road or highway at a
15 speed in excess of 20 miles per hour.

16 (b) A person operating a motorized scooter or electric
17 personal assistive mobility device upon a road or highway has
18 the right to use all public roads and highways, except limited
19 access highways where signs specifically prohibiting scooters
20 or bicycles have been posted, and is subject to all traffic
21 laws and ordinances, except that:

22 (1) a scooter or electric personal assistive mobility
23 device operator shall keep to the right side of the road at
24 all times, including when passing a moving motor vehicle;

25 (2) the scooter or electric personal assistive
26 mobility device must be equipped with operational stop and
27 turn signals so that the operator can keep both hands on
28 the handlebars at all times; and

29 (3) a person may not operate a motorized scooter or
30 electric personal assistive mobility device upon any road
31 or highway at any time after sunset or before sunrise.

32 (c) A person operating a motorized scooter or electric
33 personal assistive mobility device must wear protective
34 headgear conforming with the minimum standards of construction
35 and performance the Secretary of State may prescribe. The

1 Secretary shall adopt rules for implementing this Section.

2 (d) A person operating a motorized scooter or electric
3 personal assistive mobility device may not permit any other
4 person to ride as a passenger on the scooter or electric
5 personal assistive mobility device.

6 (e) Motorized scooters and electric personal assistive
7 mobility devices must comply with all applicable federal motor
8 vehicle safety standards.

9 (f) A person convicted of violating this Section is guilty
10 of a petty offense and shall be fined not more than \$25 for the
11 first violation, not less than \$25 nor more than \$50 for a
12 second violation, and not less than \$50 nor more than \$100 for
13 a third or subsequent violation.