

# HB5912



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5912

by Rep. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1426

from Ch. 95 1/2, par. 11-1426

Amends the Illinois Vehicle Code. Provides that the corporate authorities of a municipality may adopt ordinances or resolutions allowing all-terrain vehicles and off-highway motorcycles to be operated on roadways under their jurisdiction.

LRB095 16531 WGH 42562 b

A BILL FOR

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 Section 11-1426 as follows:

6 (625 ILCS 5/11-1426) (from Ch. 95 1/2, par. 11-1426)

7 Sec. 11-1426. Operation of all-terrain vehicles and  
8 off-highway motorcycles on streets, roads and highways.

9 (a) Except as provided under this Section, it shall be  
10 unlawful for any person to drive or operate any all-terrain  
11 vehicle or off-highway motorcycle upon any street, highway or  
12 roadway in this State.

13 (a-1) It shall not be unlawful for any person to drive or  
14 operate any all-terrain vehicle upon any county roadway or  
15 township roadway for the purpose of conducting farming  
16 operations to and from the home, farm, farm buildings, and any  
17 adjacent or nearby farm land. An all-terrain vehicle that is  
18 operated on a county or township roadway at any time between  
19 one-half hour before sunset and one-half hour after sunrise  
20 must be equipped with head lamps and tail lamps, and the head  
21 lamps and tail lamps must be lighted.

22 (b) Except as provided under subsection (c) of this  
23 Section, all-terrain vehicles and off-highway motorcycles may

1 make a direct crossing provided:

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; and

6 (2) The all-terrain vehicle or off-highway motorcycle  
7 is brought to a complete stop before attempting a crossing;  
8 and

9 (3) The operator of the all-terrain vehicle or  
10 off-highway motorcycle yields the right of way to all  
11 pedestrian and vehicular traffic which constitutes a  
12 hazard; and

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

16 (5) That when accessing township roadways in counties  
17 which contain a tract of the Shawnee National Forest, the  
18 accessing complies with rules promulgated by the  
19 Department of Natural Resources to govern the accessing.

20 (c) No person operating an all-terrain vehicle or  
21 off-highway motorcycle shall make a direct crossing upon or  
22 across any tollroad, interstate highway, or controlled access  
23 highway in this State.

24 (d) The corporate authorities of a county, road district,  
25 township, city, village, or incorporated town may adopt  
26 ordinances or resolutions allowing all-terrain vehicles and

1 off-highway motorcycles to be operated on roadways under their  
2 jurisdiction, designated by signs as may be prescribed by the  
3 Department, when it is necessary to cross a bridge or culvert  
4 or when it is impracticable to gain immediate access to an area  
5 adjacent to a highway where an all-terrain vehicle or  
6 off-highway motorcycle is to be operated. The crossing shall be  
7 made in the same direction as traffic.

8 (e) The corporate authorities of a county, road district,  
9 township, city, village, or incorporated town may adopt  
10 ordinances or resolutions designating one or more specific  
11 public highways or streets under their jurisdiction as egress  
12 and ingress routes for the use of all-terrain vehicles and  
13 off-highway motorcycles. Operation of all-terrain vehicles and  
14 off-highway motorcycles on the routes shall be in the same  
15 direction as traffic. Corporate authorities acting under the  
16 authority of this subsection (e) shall erect and maintain  
17 signs, as may be prescribed by the Department, giving proper  
18 notice of the designation.

19 (f) The corporate authorities of a municipality may adopt  
20 ordinances or resolutions allowing all-terrain vehicles and  
21 off-highway motorcycles to be operated on roadways under their  
22 jurisdiction.

23 (Source: P.A. 95-575, eff. 8-31-07.)