

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 1-148.3m and 11-1426.1 as follows:

6 (625 ILCS 5/1-148.3m)

7 Sec. 1-148.3m. Neighborhood vehicle. A self-propelled,
8 electric-powered, four-wheeled motor vehicle (or a
9 self-propelled, gasoline-powered, four-wheeled motor vehicle
10 with an engine displacement under 1,200 cubic centimeters) that
11 is capable of attaining in one mile a speed of more than 20
12 miles per hour, but not more than 25 miles per hour, and which
13 does not conform ~~conforms~~ to federal regulations under Title 49
14 C.F.R. Part 571.500.

15 (Source: P.A. 96-279, eff. 1-1-10.)

16 (625 ILCS 5/11-1426.1)

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

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

22 (1) an all-terrain vehicle, as defined by Section

1 1-101.8 of this Code;

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

3 (3) a neighborhood vehicle, as defined by Section
4 1-148.3m; and

5 (4) an off-highway motorcycle, as defined by Section
6 1-153.1.

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

17 (b-5) A person may not operate a non-highway vehicle upon
18 any street, highway, or roadway in this State unless he or she
19 has a valid Illinois driver's license issued in his or her name
20 by the Secretary of State.

21 (c) Except as otherwise provided in subsection (c-5), no
22 person operating a non-highway vehicle shall make a direct
23 crossing upon or across any highway under the jurisdiction of
24 the State, tollroad, interstate highway, or controlled access
25 highway in this State.

26 (c-5) A person may make a direct crossing at an

1 intersection controlled by a traffic light or 4-way stop sign
2 upon or across a highway under the jurisdiction of the State if
3 the speed limit on the highway is 35 miles per hour or less at
4 the place of crossing.

5 (d) A municipality, township, county, or other unit of
6 local government may authorize, by ordinance or resolution, the
7 operation of non-highway vehicles on roadways under its
8 jurisdiction if the unit of local government determines that
9 the public safety will not be jeopardized. The Department may
10 authorize the operation of non-highway vehicles on the roadways
11 under its jurisdiction if the Department determines that the
12 public safety will not be jeopardized.

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

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

1 (e) No non-highway vehicle may be operated on a roadway
2 unless, at a minimum, it has the following: brakes, a steering
3 apparatus, tires, a rearview mirror, red reflectorized warning
4 devices in the front and rear, a slow moving emblem (as
5 required of other vehicles in Section 12-709 of this Code) on
6 the rear of the non-highway vehicle, a headlight that emits a
7 white light visible from a distance of 500 feet to the front, a
8 tail lamp that emits a red light visible from at least 100 feet
9 from the rear, brake lights, and turn signals. When operated on
10 a roadway, a non-highway vehicle shall have its headlight and
11 tail lamps lighted as required by Section 12-201 of this Code.

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

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

19 (h) It shall not be unlawful for any person to drive or
20 operate a non-highway vehicle, as defined in subsections (a) (1)
21 of this Section, or a recreational off-highway vehicle, as
22 defined in Section 1-168.8 of this Code, on a county roadway or
23 township roadway for the purpose of conducting farming
24 operations to and from the home, farm, farm buildings, and any
25 adjacent or nearby farm land.

26 Non-highway or recreational off-highway vehicles, as used

1 in this subsection (h), shall not be subject to subsections (e)
2 and (g) of this Section. However, if the non-highway vehicle or
3 recreational off-highway vehicle, as used in this Section, is
4 not covered under a motor vehicle insurance policy pursuant to
5 subsection (g) of this Section, the vehicle must be covered
6 under a farm, home, or non-highway vehicle insurance policy
7 issued with coverage amounts no less than the minimum amounts
8 set for bodily injury or death and for destruction of property
9 under Section 7-203 of this Code. Non-highway or recreational
10 off-highway vehicles operated on a county or township roadway
11 at any time between one-half hour before sunset and one-half
12 hour after sunrise must be equipped with head lamps and tail
13 lamps, and the head lamps and tail lamps must be lighted.

14 Non-highway or recreational off-highway vehicles, as used
15 in this subsection (h), shall not make a direct crossing upon
16 or across any tollroad, interstate highway, or controlled
17 access highway in this State.

18 Non-highway or recreational off-highway vehicles, as used
19 in this subsection (h), shall be allowed to cross a State
20 highway, municipal street, county highway, or road district
21 highway if the operator of the non-highway vehicle makes a
22 direct crossing provided:

23 (1) the crossing is made at an angle of approximately
24 90 degrees to the direction of the street, road or highway
25 and at a place where no obstruction prevents a quick and
26 safe crossing;

1 (2) the non-highway or recreational off-highway
2 vehicle is brought to a complete stop before attempting a
3 crossing;

4 (3) the operator of the non-highway or recreational
5 off-highway vehicle yields the right of way to all
6 pedestrian and vehicular traffic which constitutes a
7 hazard; and

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

11 (Source: P.A. 95-150, 8-14-07; 95-414, eff. 8-24-07; 95-575,
12 eff. 8-31-07; 95-876, eff. 8-21-08; 96-279, eff. 1-1-10.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.