



Sen. Karen McConnaughay

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09800SB1530sam001

LRB098 04216 MLW 42979 a

1 AMENDMENT TO SENATE BILL 1530

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1530 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 11-1426.1 as follows:

6 (625 ILCS 5/11-1426.1)

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

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

12 (1) an all-terrain vehicle, as defined by Section  
13 1-101.8 of this Code;

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

15 (3) an off-highway motorcycle, as defined by Section  
16 1-153.1; and

1 (4) a recreational off-highway vehicle, as defined by  
2 Section 1-168.8.

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

13 (b-5) A person may not operate a non-highway vehicle upon  
14 any street, highway, or roadway in this State unless he or she  
15 has a valid driver's license issued in his or her name by the  
16 Secretary of State or by a foreign jurisdiction.

17 (c) ~~No~~ ~~Except as otherwise provided in subsection (c-5), no~~  
18 person operating a non-highway vehicle shall make a direct  
19 crossing upon or across any ~~highway under the jurisdiction of~~  
20 ~~the State,~~ tollroad, interstate highway, or controlled access  
21 highway in this State. No person operating a non-highway  
22 vehicle shall make a direct crossing upon or across any other  
23 highway under the jurisdiction of the State except at an  
24 intersection of the highway with another public street, road,  
25 or highway.

26 (c-5) (Blank). ~~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. The unit of local  
13 government or the Department may restrict the types of  
14 non-highway vehicles that are authorized to be used on its  
15 streets.

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

26 If a roadway is under the jurisdiction of more than one

1 unit of government, non-highway vehicles may not be operated on  
2 the roadway unless each unit of government agrees and takes  
3 action as provided in this subsection.

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

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

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

22 (h) It shall not be unlawful for any person to drive or  
23 operate a non-highway vehicle, as defined in paragraphs (1) and  
24 (4) of subsection (a) of this Section, on a county roadway or  
25 township roadway for the purpose of conducting farming  
26 operations to and from the home, farm, farm buildings, and any

1 adjacent or nearby farm land.

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

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

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

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

26 (2) the non-highway vehicle is brought to a complete

1 stop before attempting a crossing;

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

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

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

13 (Source: P.A. 96-279, eff. 1-1-10; 96-1434, eff. 8-11-10;  
14 97-144, eff. 7-14-11.)".