

SB2633



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2633

Introduced 12/3/2013, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

20 ILCS 862/26
20 ILCS 862/34

Amends the Recreational Trails of Illinois Act. Provides that the fee for an Off-Highway Vehicle Usage Stamp for a vehicle with an engine capacity of over 75 cubic centimeters shall be \$15 annually. Provides that the fee for an Off-Highway Vehicle Usage Stamp for a vehicle with an engine capacity of 75 cubic centimeters and below shall be \$10 annually. Provides additional exemptions to the requirement of operators of an off-highway vehicle displaying an Off-Highway Vehicle Usage Stamp. Effective immediately.

LRB098 15226 MGM 50230 b

A BILL FOR

1 AN ACT concerning State government.

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 Sections 26 and 34 as follows:

6 (20 ILCS 862/26)

7 Sec. 26. Operation of off-highway vehicles without an
8 Off-Highway Vehicle Usage Stamp. Except as hereinafter
9 provided, no person shall, on or after July 1, 2013, operate
10 any off-highway vehicle within the State unless the off-highway
11 vehicle has attached an Off-Highway Vehicle Usage Stamp
12 purchased and displayed in accordance with the provisions of
13 this Act. The Department shall adopt rules for the purchase of
14 Off-Highway Vehicle Usage Stamps. The fee for an Off-Highway
15 Vehicle Usage Stamp for a vehicle with an engine capacity of
16 over 75 cubic centimeters shall be \$15 annually and shall
17 expire the March 31st following the year displayed on the
18 Off-Highway Vehicle Usage Stamp. The Department shall deposit
19 \$5 from the sale of each Off-Highway Vehicle Usage Stamp for
20 vehicles with an engine capacity of over 75 cubic centimeters
21 into the Conservation Police Operations Assistance Fund. The
22 Department shall deposit \$10 from the sale of each Off-Highway
23 Vehicle Usage Stamp for vehicles with an engine capacity of

1 over 75 cubic centimeters into the Park and Conservation Fund.
2 The fee for an Off-Highway Vehicle Usage Stamp for a vehicle
3 with an engine capacity of 75 cubic centimeters or below shall
4 be \$10 annually. The Department shall deposit \$5 from the sale
5 of each Off-Highway Vehicle Usage Stamp for vehicles with an
6 engine capacity of 75 cubic centimeters or below into the
7 Conservation Police Operations Assistance Fund. The Department
8 shall deposit \$5 from the sale of each Off-Highway Vehicle
9 Usage Stamp for vehicles with an engine capacity of 75 cubic
10 centimeters or below into the Park and Conservation Fund. The
11 monies deposited into the Conservation Police Operations
12 Assistance Fund or the Park and Conservation Fund under this
13 Section shall not be subject to administrative charges or
14 chargebacks unless otherwise authorized by this Act.

15 (Source: P.A. 97-1136, eff. 1-1-13.)

16 (20 ILCS 862/34)

17 Sec. 34. Exception from display of Off-Highway Vehicle
18 Usage Stamps. The operator of an off-highway vehicle shall not
19 be required to display an Off-Highway Vehicle Usage Stamp if
20 the off-highway vehicle is:

21 (1) owned and used by the United States, the State of
22 Illinois, another state, or a political subdivision
23 thereof, but these off-highway vehicles shall prominently
24 display the name of the owner on the off-highway vehicle;

25 (2) operated on lands where the operator, his or her

1 immediate family, or both are the sole owners of the land
2 ~~owner permanently resides;~~ this exception shall not apply
3 to clubs, associations, or lands leased for hunting or
4 recreational purposes, ~~or to off-highway vehicles being~~
5 ~~used by outfitters as defined in the Wildlife Code as part~~
6 ~~of their outfitting business;~~

7 (3) used only on local, national, or international ~~or~~
8 ~~national~~ competition circuits in events for which written
9 permission has been obtained by the sponsoring or
10 sanctioning body from the governmental unit having
11 jurisdiction over the location of any event held in this
12 State;

13 (4) (blank); ~~while being used for activities~~
14 ~~associated with farming or livestock production~~
15 ~~operations; or~~

16 (5) ~~while being~~ used on an off-highway vehicle grant
17 assisted site and the off-highway vehicle displays a
18 Off-Highway Vehicle Access decal;~~;~~

19 (6) used in conjunction with a bona fide commercial
20 business, including, but not limited to, agricultural and
21 livestock production;

22 (7) a golf cart, regardless of whether the golf cart is
23 currently being used for golfing purposes;

24 (8) displaying a valid motor vehicle registration
25 issued by the Secretary of State or any other state;

26 (9) operated by an individual who either possesses an

1 Illinois Identification Card issued to the operator by the
2 Secretary of State that lists a Class P2 (or P20 or any
3 successor classification) or P2A disability or an original
4 or photocopy of a valid motor vehicle disability placard
5 issued to the operator by the Secretary of State, or is
6 assisting a disabled person with a Class P2 (or P20 or any
7 successor classification) or P2A disability while using
8 the same off-highway vehicle as the disabled individual; or
9 (10) used only at commercial riding parks.

10 For the purposes of this Section, "golf cart" means a
11 machine specifically designed for the purposes of transporting
12 one or more persons and their golf clubs.

13 For the purposes of this Section, "local, national, or
14 international competition circuit" means any competition
15 circuit sponsored or sanctioned by an international, national,
16 or state organization, including, but not limited to, the
17 American Motorcyclist Association, or sponsored, sanctioned,
18 or both by an affiliate organization of an international,
19 national, or state organization which sanctions competitions,
20 including trials or practices leading up to or in connection
21 with those competitions.

22 For the purposes of this Section, "commercial riding parks"
23 mean commercial properties used for the recreational operation
24 of off-highway vehicles by the paying members of the park or
25 paying guests.

26 (Source: P.A. 97-1136, eff. 1-1-13.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.