



Rep. Bradley Fritts

**Filed: 4/1/2024**

10300HB3548ham002

LRB103 29679 RTM 71554 a

1 AMENDMENT TO HOUSE BILL 3548

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3548 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  
8           on streets where the posted speed limit is 55 ~~35~~ miles per hour  
9           or less. This subsection (b) does not prohibit a non-highway  
10          vehicle from crossing a road or street at an intersection  
11          where the road or street has a posted speed limit of more than  
12          55 ~~35~~ 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 person operating a non-highway vehicle shall make a  
18          direct crossing upon or across any tollroad, interstate  
19          highway, or controlled access highway in this State. No person  
20          operating a non-highway vehicle shall make a direct crossing  
21          upon or across any other highway under the jurisdiction of the  
22          State except at an intersection of the highway with another  
23          public street, road, or highway.

24          (c-5) (Blank).

25          (d) A municipality, township, county, or other unit of  
26          local government may authorize, by ordinance or resolution,

1 the operation of non-highway vehicles on roadways under its  
2 jurisdiction if the unit of local government determines that  
3 the public safety will not be jeopardized. The Department may  
4 authorize the operation of non-highway vehicles on the  
5 roadways under its jurisdiction if the Department determines  
6 that the public safety will not be jeopardized. The Department  
7 of Natural Resources may authorize the operation of  
8 non-highway vehicles on the roadways under its jurisdiction if  
9 the Department determines that the public safety will not be  
10 jeopardized. The unit of local government, or the Department, or  
11 the Department of Natural Resources may restrict the types  
12 of non-highway vehicles that are authorized to be used on its  
13 streets.

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

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

1 unit of government, non-highway vehicles may not be operated  
2 on 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  
13 on a roadway, a non-highway vehicle shall have its headlight  
14 and tail lamps lighted as required by Section 12-201 of this  
15 Code.

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

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

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

1 operations to and from the home, farm, farm buildings, and any  
2 adjacent or nearby farm land.

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

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

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

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

1 safe crossing;

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

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

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

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

15 (j) A county board or township located in a county that  
16 permits the use of a non-highway vehicle on its roadways shall  
17 not be deemed liable for crashes involving the use of a  
18 non-highway vehicle on its roadways.

19 (k) 2-wheeled non-highway vehicles shall be subject to the  
20 same safety requirements as motorcycles.

21 (Source: P.A. 97-144, eff. 7-14-11; 98-567, eff. 1-1-14.)".