

## CHAPTER 11

# OPERATION OF NON-HIGHWAY VEHICLES ON DESIGNATED VILLAGE STREETS

### SECTIONS:

#### 7-11-1: Definitions

#### 7-11-2: Operation Of Non-Highway Vehicles

#### 7-11-3: Annual Registration Of Non-Highway Vehicles

#### 7-11-4: Compliance With Illinois Vehicle Code

#### 7-11-5: Other Restrictions On The Use Of Non-Highway Vehicles

#### 7-11-6: Offenses By Persons Owning Or Controlling Non-Highway Vehicles

#### 7-11-7: Penalties

#### 7-11-1: DEFINITIONS:

For the purposes of this section, the following definitions shall apply:

NON-HIGHWAY VEHICLES:	Means a motor vehicle not specifically designed to be used on a public highway, including: 1. A vehicle as defined in 625 ILCS 5/1-123.9. 2. A recreational off-highway vehicle as defined by 625 ILCS 5/1-168.8.
OPERATE:	Means to drive or otherwise control the movement of a non-highway vehicle by using its steering apparatus and accelerator mechanism.
OPERATOR:	Means a person who operates a non-highway vehicle. It does not include a person who is merely riding on a non-highway vehicle as a passenger.

#### 7-11-2: OPERATION OF NON-HIGHWAY VEHICLES:

A. The use and operation of non-highway vehicles on the public streets of the Village shall be permitted, subject to the provisions of this chapter. The operation of any non-highway vehicle other than non-highway vehicles as defined in this chapter is prohibited.

B. No person may operate a non-highway vehicle on any public street or roadway where the posted speed limit is more than twenty-five (25) miles per hour.

C. In addition to the foregoing, no person may operate a non-highway vehicle on any portion of, including crossing upon the following streets:

1. Miller Road
2. IL Route 59
3. IL Route 22

D. No person operating a non-highway vehicle shall make a direct crossing upon or across any other highway under the jurisdiction of the County of Lake and State of Illinois.

#### 7-11-3: ANNUAL REGISTRATION OF NON-HIGHWAY VEHICLES:

No non-highway vehicle authorized under this chapter, shall be operated on any street in the Village unless the owner(s) thereof shall have first registered with the Village in accordance with the following requirements:

A. Registration of such vehicles shall be administered by the Village Administrator or designee. An application for registration may be made on a form prescribed by the Village. Said form shall include a statement under oath with penalties of perjury that the vehicle proposed to be registered meets the definition of non-highway vehicles as defined by the state statute or in this chapter and shall be accompanied by an annual registration fee of fifty dollars (\$50.00) and proof of liability insurance for said vehicle having at least the same limits of coverage as required from time to time for motor vehicles under the mandatory insurance law of the State of Illinois.

B. Vehicles registered under this chapter and section shall be issued a sticker from the Village which shall be affixed to the rear of the vehicle and shall be viewable to a police officer from outside of said vehicle.

C. The registration of said vehicle shall be effective for a period of one year to start on April 1 of each year and shall be renewed annually by March 31 of each year thereafter in the same manner as the original registration, including the required proof of liability insurance. Any registrations made after the expiration of six (6) months from April 1 shall pay one-half of the annual fee.

D. The registration of said vehicles shall not be transferable in the event of a change of ownership. A new registration fee and application will be required from the new owner(s). Operation of any non-highway vehicle by a new owner while using the previous owner's registration sticker shall be a violation of this Ordinance. No refund of the original registration fee is allowed in the event of the change of ownership.

E. The registration of said vehicles shall be subject to the revocation by the Village Administrator or designee in the event of a violation of the requirements of 625 ILCS 5/11-1426.1 or any of the provisions of this chapter. A revocation of such registration shall be made in writing and shall set forth the provision(s) of the state statute or this chapter that has been violated. No refund of the registration fee is allowed in the event of the revocation of said permit.

F. In the event the registration of a vehicle is revoked due to the owner's failure to maintain the required liability insurance, the Village may reinstate the registration if; (1) the Village determines that the owner's failure to maintain insurance was not intentional, and (2) the owner provides documentation demonstrating that the required insurance coverage has been reinstated.

G. In the event the registration of a vehicle is revoked due to the owner's failure to fully comply with section 7-11-4(B) of this ordinance, the Village may reinstate the registration if; (1) the Village determines that the owner's failure was not intentional; (2) the owner repairs or modifies the vehicle to bring it in compliance with the requirements of section 7-11-4(B); and (3) the Village Administrator determines, upon reinspection of the vehicle, that the vehicle's violation has been corrected.

**7-11-4: COMPLIANCE WITH ILLINOIS VEHICLE CODE:**

A. The operation of non-highway vehicles within the Village shall be in accordance with all provisions of the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq.

B. All non-highway vehicles must have at a minimum, the equipment and other items set forth in Section 11-1426.1(e) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1(e)), including:

1. Brakes
2. Steering apparatus
3. Four (4) tires
4. A rearview mirror
5. Red reflectorized warning devices in the front and rear
6. A slow moving emblem on the rear
7. A headlight that emits a white light visible from a distance of not less than five hundred feet (500')
8. At least two (2) red tail lamps that remain steady when the lights are activated and visible from a distance of not less than one hundred feet (100')
9. At least one (1) red brake lamp that becomes steady when the brakes are applied and is visible from a distance of not less than one hundred feet (100')
10. A horn.

**7-11-5: OTHER RESTRICTIONS ON THE USE OF NON-HIGHWAY VEHICLES:**

A. It shall be unlawful for any person to operate a non-highway vehicle in the Village under any of the following conditions:

1. At a rate of speed that is unreasonable or improper under the circumstances;
2. In a careless, reckless or negligent manner, so as to endanger the safety of any person or property of any other person;
3. While under the influence of alcohol, drugs, intoxicating compounds or any combination thereof, subject to the provisions of 625 ILCS 5/11-501 through 625 ILCS 5/11-502;
4. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons;
5. On the private property of another without the permission of the owner or lessee of the property. Further, the failure to post signs for no trespass does not grant consent for non-highway vehicle use;
6. On public property areas not intended for vehicles, including, but not limited to, school grounds, park property, playgrounds and public open space and recreational areas.
7. While carrying more passengers than the vehicle was designed to safely seat;
8. At any time of day other than during allowable hours of operation, which are Sunday through Thursday six o'clock (6:00) a.m. to eleven o'clock (11:00) p.m. and Friday and Saturday six o'clock (6:00) a.m. to midnight.

B. A person may not operate a non-highway vehicle upon any street in the Village unless he or she is sixteen (16) years or older and has a valid driver's license issued by the Illinois Secretary of State or by a foreign jurisdiction.

C. A person may not operate a non-highway vehicle upon any street in the Village without proof of applicable liability insurance coverage required under the provisions of Illinois state statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

**7-11-6: OFFENSES BY PERSONS OWNING OR CONTROLLING NON-HIGHWAY VEHICLES:**

It shall be unlawful for the owner of a non-highway vehicle to permit, authorize, or direct any other person to operate such vehicle on any of the Village streets in any manner that violates sections 7-11-4 and/or 7-11-5 of this chapter.

**7-11-7: PENALTIES:**

A. Any person who violates the provisions of this chapter shall be fined one hundred dollars (\$100.00). A second and all subsequent offenses within a twelve (12) month period shall result in a fine of two hundred fifty dollars (\$250.00) for each such offense.

B. To the extent of any violation of this section constitutes a violation of the Illinois Vehicle Code or a criminal statute of the State of Illinois, the violator shall also be subject to prosecution under the applicable code or statute.