

1. DEFINITION OF NON-HIGHWAY VEHICLE

As used in this Revised Code, the term "non-highway vehicle" shall have the definition as currently set forth in **Section 11-1426.1 of the Illinois Vehicle Code, 625 ILCS 5/11-1426.1**. Specifically, to include:

- (a) An all-terrain vehicle, as defined by Section 1-101.8 of the Illinois Vehicle Code;
- (b) A golf cart, as defined by Section 1-123.9 of the Illinois Vehicle Code;
- (c) An off-highway motorcycle, as defined by Section 1-153.1 of Illinois Vehicle Code;
and
- (d) A recreational off-highway vehicle, as defined by Section 1-168.8.

2. REQUIREMENTS

All and any persons operating a non-highway vehicle on the Village of Alhambra Streets, must comply with the following requirements:

- (a) Must possess at all times, proof of current liability insurance;
- (b) Must possess a non-highway vehicle permit from the Village;
- (c) Must display Village decal on the non-highway vehicle in a visible location, the front passenger side;
- (d) Must have a current, valid Illinois driver's license;
- (e) Non-highway vehicles must be equipped with the following items, with such items being fully operational, pursuant, in part, to 625 ILCS 5/11-1426.1 (e):
 - i. Brakes adequate to stop such vehicle when traveling 20 miles per hour;
 - ii. A Steering Wheel Apparatus;
 - iii. Tires;
 - iv. Rearview Mirror;
 - v. Red reflectorized warning devices in the front and rear;
 - vi. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle, orange reflective triangle;
 - vii. A headlight that emits a white light visible from a distance of 500 feet to the front;
 - viii. A tail lamp that emits a red light visible from at least 100 feet from the rear;
 - ix. Brake lights
 - x. Turn signal
 - xi. Horn; and
 - xii. If turn signals are not installed on vehicle by manufacturer then hand signals can be used and must be known. Since not all motorcycles or other vehicles deemed road ready do not have turn signals and hand signals suffice.

- (f) Must obey all traffic laws of the State of Illinois and the Village of Alhambra;
- (g) Must have a current, valid Driver's License issued by the State of Illinois or some other foreign jurisdiction;
- (h) Must be 16 years of age;
- (i) Must be operated only on Village Streets, except where prohibited;
- (j) If traveling in a group of two (2) or more non-highway vehicles, the non-highway vehicles must travel in a single file line and may not travel side by side; and
- (k) Must not be operated in excess of posted speed limit.

3. PROHIBITED LOCATIONS

Operation of a Non-highway vehicle is prohibited in the following locations:

- (a) Sidewalks;
- (b) Walking path around Village of Alhambra Lake;
- (c) Streets, highways and roads under the jurisdiction of the Illinois Department of Transportation (U.S. Highway 140); and
- (d) Madison County Transit Trails

4. OPERATION OF NON-HIGHWAY VEHICLES.

A non-highway vehicle meeting the definition under said **Section 11 -1426.1** shall be permitted to make a direct crossing of a State Highway 140 only provided.

- (a) The crossing is made at an angle or approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;
- (b) The non-highway vehicle is brought to a complete stop before attempting a crossing;
- (c) The operator of the non-highway vehicle yields the right of way to all pedestrian and vehicular traffic which constitutes a hazard; and
- (d) That when crossing a divided highway, the crossing is made only at an intersection of the highway with another public street, road, or highway.

5. PERMITS

(a) No person shall operate a qualified non-highway vehicle without first obtaining a permit from the Village Clerk, as provided herein. Each permit obtained shall be valid for one non-highway vehicle. The cost of the permit shall be \$60.00. Each permit shall be valid for one

(1) year, commencing on January 1, and expiring on December 31. The cost of a permit obtained during such term shall not be pro-rated to reflect the actual time remaining on such permit;

(b) Every application for a permit shall be made on a form supplied by the Village and the following information will need to be provided as well for permit application:

- i. Name and address of applicant;
- ii. Name of liability insurance carrier and insurance policy number;
- iii. The serial number, make, model and description of the non-highway vehicle;
- iv. Photocopy of applicable liability insurance coverage specifically for the vehicle to be operated pursuant to permit;
- v. Photocopy of operator's current driver's license; and
- iv. Signed Waiver of Liability by applicant releasing the Village of Alhambra

(c) Upon investigation and recommendation by the Village Designee, the Village may suspend or revoke a permit granted hereunder upon a finding that the permit holder thereof has violated any provision of this Ordinance or there is evidence that permittee permit holder cannot safely operate a qualified non-highway vehicle on the designated roadways;

(d) Revocations may be appealed in writing to the Village Board fourteen (14) days from the issuance of the revocation, and if appealed, the Village Board shall hold a public hearing at which the affected owner may appear, present witnesses and evidence, and be represented by an attorney. The Village Board shall uphold the revocation if it determines by a preponderance of the evidence presented at the hearing that the violation which was the basis for the revocation occurred. During the appeal process, the revocation shall remain in full force and effect;

(e) In the event a registration is revoked due to a failure to maintain the required liability insurance or a failure to maintain the condition of the non-highway vehicle in compliance with this Article, including but not limited to, maintaining the required safety systems, the Village Designee, in his/her discretion, may reinstate the registration upon documentation of reinstatement of the required insurance or of the repair or modification of the non-highway vehicle necessary to cure any deficiencies, as applicable, if the Village Designee determines that the violation was not intentional and is not likely to recur. Multiple violations may result in permanent revocation of permit by the Village Board;

~~(f) In the event a driver is caught driving a non-highway vehicle in the Village of Alhambra, first offense is a warning. Second offense is a fine of \$120.~~

6. MANDATORY INSURANCE

The owner of any non-highway vehicle registered under this Article shall continuously maintain liability insurance for said vehicle having at least the same limits as required ~~from time to time~~ for motor vehicles under the mandatory insurance law of the State of Illinois.

7. OPERATION LIMITED TO LICENSED DRIVERS

No person shall operate a non-highway vehicle upon any street, highway or roadway in the Village unless he or she has a valid driver's license issued in his or her name by the Secretary of State or by a foreign jurisdiction. The provisions of Section 6-107 of the Illinois Vehicle

Code, 625 ILCS 5/6-107 providing for graduated licenses for young drivers, shall be fully applicable to the operation of non-highway vehicles. All persons operating non-highway vehicles as defined herein must be a minimum of 16 years of age.

8. OTHER LAWS, REGULATION AND ORDINANCES

Non-Highway vehicles shall be operated at all, times in accordance with the provision of the Illinois Vehicle Code, the rules of the road contained therein, and any other laws, regulations or ordinances governing the operation of motor vehicles in the Village, as well as any laws, regulations or ordinances specifically pertaining to non-highway vehicles and the operation thereof.

9. EXCLUSIONS

This Ordinance shall not apply to any Village-owned vehicle used or operated for official Village business. This includes, but is not limited to, the public safety department, the public works department, the fire department, the police department, or official Village business.

10. MISCELLANEOUS

(1) In the event that a court of competent jurisdiction declares any particular provision of this Article to be invalid or unenforceable, the remaining provisions of this Article shall be construed as valid and enforceable. The invalidity of any part of this Article shall not affect any part or parts thereof.

(2) This Article shall be in full force and effect from and after passage and approval as provided by law.

(3) Any ordinance, or portion thereof, of the Village which is contrary to this Article shall be deemed to be repealed.