

# Chapter 17

## NONHIGHWAY VEHICLES

### 10-17-1: OPERATION OF NONHIGHWAY VEHICLES:

The use of specified nonhighway vehicles on the streets, roadways and alleys of the city shall be permissible subject to the provisions of this chapter. Nonhighway vehicles may not be used on any toll road, interstate highway, controlled access highway or other highway or road under the jurisdiction of the state, except permitted crossing as hereafter set forth in this chapter. (Ord. 3009, 4-18-2016)

### 10-17-2: DEFINITIONS:

For the purpose of this chapter, the following terms and phrases shall have the meanings set forth in this section:

**NONHIGHWAY VEHICLE:** Any recreational off highway vehicle not specifically designed to be used on a public highway. For purposes of this chapter, nonhighway vehicles shall not include all-terrain vehicles, golf carts, neighborhood vehicles, off highway vehicles and low speed vehicles, all as defined in the Illinois vehicle code.

**RECREATIONAL OFF HIGHWAY VEHICLE:** Any motorized off highway device designed to travel primarily off highway, sixty four inches (64") or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more nonhighway tires, designed with a nonstraddle seat and a steering wheel for steering control, except equipment such as lawn mowers. (Ord. 3009, 4-18-2016)

### 10-17-3: REGULATION OF NONHIGHWAY VEHICLES:

(A) No person shall operate a nonhighway vehicle at any time from November 1 of every year to April 30 of the following year.

(B) Nonhighway vehicles shall be permitted to operate at only the following times: on Mondays from six o'clock (6:00) A.M. until eleven o'clock (11:00) P.M., on Tuesdays from six o'clock (6:00) A.M. until eleven o'clock (11:00) P.M., on Wednesdays from six o'clock (6:00) A.M. until eleven o'clock (11:00) P.M., on Thursdays from six o'clock (6:00) A.M. until eleven o'clock (11:00) P.M.,

on Fridays from six o'clock (6:00) A.M. until twelve o'clock (12:00) midnight, on Saturdays from six o'clock (6:00) A.M. until twelve o'clock (12:00) midnight, and on Sundays from six o'clock (6:00) A.M. until eleven o'clock (11:00) P.M.

- (C) All nonhighway vehicles shall be operated only on streets where the posted speed limit is thirty five (35) miles per hour or less. The foregoing provision shall not prohibit a nonhighway vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than thirty five (35) miles per hour. (Ord. 3009, 4-18-2016)
- (D) A person may not operate a nonhighway vehicle upon any street, highway, or roadway unless he or she: 1) is eighteen (18) years of age or older; and 2) has a valid driver's license issued in his or her name by the Illinois secretary of state or such other applicable foreign jurisdiction. (Ord. 3010, 5-16-2016)
- (E) No person operating a nonhighway vehicle shall make a direct crossing upon or across any toll road, interstate highway, or controlled access highway. A person may make a direct crossing of any other highway under the jurisdiction of the state at an intersection of the highway with another public street, road, or highway.
- (F) No nonhighway vehicle may be operated on a roadway unless, at a minimum, it has the following: brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem (as required of other vehicles in section 12-709 of the Illinois vehicle code) on the rear of the nonhighway vehicle, a headlight that emits a white light visible from a distance of five hundred feet (500') to the front, a taillamp that emits a red light visible from at least one hundred feet (100') from the rear, brake lights, and turn signals. When operated on a roadway, a nonhighway vehicle shall have its headlight and taillamps lighted as required by section 12-201 of the Illinois vehicle code.
- (G) A person who drives or is in actual physical control of a nonhighway vehicle on a roadway while under the influence is subject to sections 11-500 through 11-502 of the Illinois vehicle code and all other applicable laws.
- (H) The operation of a nonhighway vehicle upon any street, roadway or alley is subject to the provisions of [chapter 11](#) of the Illinois vehicle code concerning the rules of the road and all applicable city ordinances, as the same may be amended from time to time.
- (I) No nonhighway vehicle shall be operated on any city sidewalks or other surfaces other than city streets. (Ord. 3009, 4-18-2016)

**10-17-4: INSURANCE REQUIREMENTS:**

Any person who operates a nonhighway vehicle on a street, highway, or roadway of the city shall be subject to the mandatory insurance requirements under article VI of [chapter 7](#) of the Illinois vehicle code. (Ord. 3009, 4-18-2016)

**10-17-5: SEAT BELTS REQUIRED:**

During the operation of a nonhighway vehicle, the operator and all passengers shall wear a seat belt. (Ord. 3009, 4-18-2016)

**10-17-6: PERMIT REQUIRED:**

- (A) No person shall operate a nonhighway vehicle on the city's streets, roadways or alleys without first obtaining an annual permit from the city as provided herein. A permit shall be valid, unless suspended or revoked, for a period of one year. The annual cost of the permit shall be one hundred dollars (\$100.00). If, at the time of obtaining the annual permit from the city a person has a valid permit for the nonhighway vehicle from the Dixon park district for OHV use on the Stengel Trail, the cost of the permit shall be ten dollars (\$10.00). Every nonhighway vehicle shall be required to have a permit. (Ord. 3010, 5-16-2016)
- (B) Every application for a permit shall be made on a form supplied by the city and shall contain the following information:
1. Name and address of applicant;
  2. Name of insurance carrier and policy number and/or a photocopy of applicable liability insurance coverage card issued specifically for the nonhighway vehicle to be operated pursuant to the permit;
  3. The serial number, make, model and description of the nonhighway vehicle;
  4. A certification from the applicant that the nonhighway vehicle satisfies the requirements of this chapter and the Illinois vehicle code; and
  5. Such other information as the city may require, including a release and waiver of liability signed by applicant releasing the city and its employees, and agreeing to indemnify and hold the city harmless, including the costs of defense, from any and all claims, penalties, costs, judgments, settlements or causes of action resulting or arising from the operation of applicant's nonhighway vehicle on city streets.
- (C) Each person operating a nonhighway vehicle shall carry the permit issued by the city at all times during the operation of said vehicle. (Ord. 3009, 4-18-2016)

### **10-17-7: VIOLATIONS:**

- (A) The city may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this chapter or there is a finding that the permittee cannot safely operate a nonhighway vehicle on city streets.
- (B) Additionally, a violation of any provision of this chapter shall be punishable by payment of a fine of not less than one hundred dollars (\$100.00) and not more than seven hundred fifty dollars

(\$750.00) and the city's enforcement costs incurred, including its attorney fees, for each offense. Any second or subsequent offense shall result in the revocation of the city permit for a period of not less than one nor more than three (3) years. To the extent that any violation of this chapter may also constitute a violation of a criminal statute of the state of Illinois, the violator shall also be subject to criminal prosecution and all other penalties as permitted by law. (Ord. 3009, 4-18-2016)