

## CHAPTER 4

## NONHIGHWAY VEHICLES

## SECTION:

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5-4-1: **PURPOSE; INTENT:** The purpose of this chapter is to protect, maintain, and enhance health, safety and general welfare of citizens of the village of Ashmore. The use of nonhighway vehicles on village streets creates a potential traffic hazard for occupants of both highway and nonhighway vehicles. After consideration of the volume, speed and character of traffic on the village streets, the village board has determined that nonhighway vehicles may safely travel on village streets.

Therefore, the intent of this chapter is to regulate the use of motorized non-highway vehicles within the corporate limits of the village of Ashmore as authorized by 625 Illinois Compiled Statutes 5/11-1426.1, operation of non-highway vehicles on streets, roads, and highways. (Ord. 062612A, 8-7-2012)

5-4-2: **DEFINITIONS:****NONHIGHWAY  
VEHICLE:**

As used in 625 Illinois Compiled Statutes section 5/11-1426.1, operation of nonhighway vehicles on streets, roads, and highways, a "nonhighway vehicle" means a motor vehicle not specifically designed to be used on a public highway, including:

- 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 the Illinois vehicle code; and

D. A recreational off highway vehicle, as defined by section 1-168.8 of the Illinois vehicle code.

STATE ROADS: Include Illinois Route 16 and Oakland Road.

VILLAGE STREETS: Any of the streets within the boundaries of the village of Ashmore except for state and county roads. (Ord. 062612A, 8-7-2012)

5-4-3: **REQUIREMENTS:** All persons wishing to operate a non-highway vehicle on the streets of the village of Ashmore must ensure compliance with the following requirements:

- A. Must have liability insurance.
- B. Proof of liability insurance, must be with the nonhighway vehicle at all times.
- C. Must display a village decal.
- D. Must be inspected by designated representative approved by the village board.
- E. Must have a valid driver's license.
- F. Must be equipped with brakes, a steering apparatus, tires, a rear-view mirror, red reflectorized warning devices in the front and rear, a slow moving emblem<sup>1</sup> 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.

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1. As required of other vehicles in 625 ILCS 5/12-709.

- G. Must obey all traffic laws of the state of Illinois and village of Ashmore.
- H. Side street use only.
- I. No modification of nonhighway suspension.
- J. Must not exceed village speed limit.
- K. May only operate on village streets with the exception of authorized crossings of state or county roads.
- L. Nonhighway vehicles shall not be operated in inclement weather nor when visibility is impaired by weather, smoke, fog, or other conditions.
- M. A person who drives or is in actual physical control of a nonhighway vehicle on a roadway while under the influence is subject to 625 Illinois Compiled Statutes 5/11-500 through 11-502.
- N. Nonhighway vehicles shall not be operated on sidewalks or in village parks other than on roads or parking areas. (Ord. 062612A, 8-7-2012)
- O. Nonhighway vehicles may not be operated on streets, highways, and roads under the jurisdiction of the Illinois department of transportation (Illinois Route 16 and Oakland Road) except to cross Illinois Route 16 directly at the intersection of Illinois Street. Nonhighway vehicles must come to a complete stop before attempting to cross and must yield the right of way to all pedestrian and vehicular traffic which constitutes a hazard. The village of Ashmore will place and maintain W11-11 golf cart traffic signs at the intersection of Illinois Street and Illinois Route 16. (Ord. 012814C, 3-25-2014)
- P. Nonhighway vehicles may not be operated on state or county roads. (Ord. 062612A, 8-7-2012)

5-4-4: **PERMITS:**

- A. No person shall operate a nonhighway vehicle without obtaining a permit from the village clerk as provided herein. Permits shall be granted for a period of one year and may be renewed annually. The cost of a permit is twenty five dollars (\$25.00) for a village resident

and fifty dollars (\$50.00) for a nonresident. Insurance coverage is to be verified by the village clerk when renewing the permit.

- B. Every application for a permit shall be made on a form supplied by the village and shall contain the following information:
  - 1. The name and address of the applicant.
  - 2. Certificate of insurance showing coverage for the nonhighway vehicle(s) being permitted (serial number or VIN number on insurance must match number on application).
  - 3. The serial number, make, model, and description of the non-highway vehicle.
  - 4. Such other information as the village may require.
- C. No permit shall be granted unless the following conditions are met:
  - 1. The nonhighway vehicle must be inspected by the designated representative to ensure that the vehicle is safe to operate on village streets and is in compliance with the requirements of this chapter.
  - 2. The applicant must provide evidence of insurance in compliance with the provisions of Illinois statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the state of Illinois.
  - 3. A disclaimer releasing the village of liability must be signed and attached to the application.
- D. The village board may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this chapter or if there is evidence that the permittee cannot safely operate the motorized nonhighway vehicle on the designated roadways. (Ord. 062612A, 8-7-2012)

5-4-5: **GOLF CARTS:** Every person operating a golf cart pursuant to permit hereunder on designated village streets has all the rights and duties applicable to a driver of any vehicle pursuant to the state highway traffic laws and regulations except when those provisions cannot reasonably be applied to nonhighway vehicles. (Ord. 062612A, 8-7-2012)

5-4-6: **PENALTY:** Any person who violates any provisions of this chapter shall be guilty of a petty offense and shall be punished by a fine of not less than twenty dollars (\$20.00) per offense and not more than one hundred dollars (\$100.00) per offense. (Ord. 062612A, 8-7-2012)

