ORDINANCE NO. 2022-048

KNOX COUNTY NON-HIGHWAY VEHICLE ORDINANCE

WHEREAS, the County of Knox has determined that the operation of non-highway vehicles, also known as utility task vehicles, side-by-sides or recreational off-highway vehicles, as hereinafter defined, should be, under certain conditions, allowed on the roads and thoroughfares within the unincorporated areas of Knox County, Illinois; and

WHEREAS, the County of Knox is authorized, by virtue of 625 ILCS 5/11-1426.l(d), to enact an ordinance to permit non-highway vehicles to operate on the roads under the jurisdiction of the County if it determines that public safety would not be jeopardized; and

WHEREAS, the County of Knox has considered the volume, speed, and character of the traffic on County roads within its jurisdiction and has determined that, subject to the conditions stated herein, and the provisions of 625 ILCS 5/11-1426.1, qualified non-highway motor vehicles, more defined herein, may be operated on the roads within the jurisdiction of Knox County without jeopardizing public safety;

THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF KNOX COUNTY, ILLINOIS as follows:

SECTION 1: Non-highway vehicles, as defined and qualified herein, shall be allowed on roads within Knox County Illinois, the non-highway vehicle may be operated only on streets and roads where the posted speed limit is 55 miles per hour or less. Non-highway vehicles shall not be permitted to operate on Knox County Highway 10, except to cross from one authorized road to another.

SECTION 2: Definitions.

1. In this Ordinance, a "non-highway vehicle" is defined as a motor vehicle not specifically designed to be used on a public highway, including:

    a. A "recreational off-highway vehicle" is defined as any motorized device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on four or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers as defined by 625 ILCS 5/1-168.8

    b. An all-terrain vehicle is defined as any motorized off-highway device designed to travel primarily off-highway, 50 inches or less in width, having

a manufacturer's dry weight of 1,500 pounds or less, traveling on 3 or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.

c. A golf cart is defined as a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course.

2. "Roads" means any of the roadways, streets or other thoroughfares within the unincorporated areas of Knox County that are under the jurisdiction of the County and not under the jurisdiction of any municipality.

SECTION 3: Requirements.

1. A person may not operate a non-highway vehicle upon County roads unless he or she is 18 years of age and has a valid Illinois driver's license issued in his or her name by the Illinois Secretary of State or foreign jurisdiction.
2. No person may operate a non-highway vehicle upon County roads with passengers aged 10 years or younger.
3. Any person who drives or is in actual physical control of a non-highway vehicle on a County road shall be subject to the mandatory insurance requirements of Article VI of Chapter 7 of the Illinois Vehicle Code, 625 ILCS 5/7-601 *et seq.,* and shall carry proof of current liability insurance in or upon such vehicle.
4. Any person who drives or is in actual physical control of a non-highway vehicle on a roadway while under the influence is subject to 625 ILCS ILCS 5/11-500 through 11-502.
5. Any person who drives or is in actual physical control of a non-highway vehicle on a County road must have a permit to do so issued by Knox County.
6. A non-highway vehicle must have a decal issued by Knox County, Illinois on the rear of the vehicle at all times when operating on County roads.
7. Any person who drives or is in actual physical control of a non-highway vehicle on a County road shall obey all traffic laws of the State of Illinois and ordinances of the County.
8. Non-highway vehicles shall not be operated on sidewalks, bike paths, in

cemeteries or parks, other than in designated parking areas.

9. Non-highway vehicles may not be operated on highways, streets and roads under the jurisdiction of the Illinois Department of Transportation, except as allowed by State statute.

10. A non-highway vehicle operating on County roads must have the following in working order:

    a. Brakes; and

    b. A steering apparatus; and

    c. Tires; and

    d. A rearview mirror; and

    e. A slow moving (located rear vehicle) emblem as required for other vehicles under the provisions of 625 ILCS 5/12-709; and

    f. A headlight that emits a white light visible from a distance of 500 feet to the front of which is illuminated during operation; and

    g. Tail lamps that emit red light visible from at least 100 feet from the rear of which is illuminated during operation; and

    h. Brake lights; and

    i. Turn signals; and

    j. Seatbelts; and

    k. Any additional requirements as required by 625 ILCS 5/11-1426.1 now in effect or as hereafter amended.

11. Non-highway vehicles operating on a County or township road at any time between one-half hour before sunset and one-half hour after sunrise must be equipped with head lamps and tail lamps, and the head lamps and tail lamps must be lighted.

12. It shall not be unlawful for any person to drive or operate a non-highway vehicle on a County road or township road for the purpose of conducting farming operations to and from the home, farm, farm buildings, and any adjacent or nearby farm land.

    a. Any non-highway vehicle operating under paragraph 11 of SECTION 3 shall not be subject to paragraphs 2 or 9 of SECTION 3, or the subparagraphs thereunder. However, if the non-highway vehicle, as used in paragraph 11 of SECTION 3, is not covered under a motor vehicle insurance policy, the vehicle must be covered under a farm, home, or non-highway vehicle insurance policy issued with coverage amounts no less than the minimum amounts set for bodily injury or death and for destruction of property under 625 ILCS 5/7-203.

SECTION 4: Permits and Decals.

1. No person shall operate a non-highway vehicle without first obtaining a permit and decal from the County of Knox as provided herein. Permits shall be granted for a period of one (1) year beginning January 1 of each year and ending on December 31 the following year. The cost of the annual permit is $100.00 for Knox County residents. This permit shall be renewed annually. Insurance coverage policy number and Insurance Provider shall be on permit. Upon granting of a permit, the applicant shall be furnished with a County decal to be placed upon the driver's side or rear of the vehicle. Permits/Decals can be purchased at the County Clerk's office or their designees.

2. Every application for a permit shall be completed on a form supplied by the County of Knox and shall contain the following information:

    a. Name and address of the applicant, who shall be the owner of the vehicle.

    b. Name of liability insurance carrier.

    c. The serial number, make, model and description of the non-highway vehicle.

    d. A signed Waiver of Liability of applicant releasing Knox County, Illinois and agreeing to indemnify and hold the County harmless from any and all

claims resulting from the operation of the non-highway vehicle on the roads of Knox County.

e. Sufficient pictures from all four sides of the non-highway vehicle demonstrating that it satisfies the equipment requirements of this ordinance.

f. A photograph of the non-highway vehicle's vehicle identification number (VIN) is also required.

3. The County may suspend or revoke a permit granted hereunder upon a finding that the permit holder has violated any provision of this Ordinance or evidence demonstrates that the permit holder cannot safely operate the non-highway vehicle safely.

SECTION 5: Penalties. Any violation of the Ordinance shall be punishable by a minimum fine of not less than two hundred fifty dollars ($250.00), but no more than seven hundred fifty dollars ($750.00), except a violation of insurance requirement of this Ordinance shall be punishable by a minimum fine of not less than five hundred dollars ($500.00).

SECTION 6: Severability. If any section, subdivision thereof or sentence of this Ordinance is held invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portion(s) of this Ordinance.

SECTION 7: Effective date. This Ordinance shall become effective February 1, 2023.

Resolved this 26th Day of October, 2022

Hon. Jared M. Hawkinson
Knox County Board Chair

ATTEST:
Scott G. Erickson, County Clerk/Recorder