

CHAPTER 24

MOTOR VEHICLES

ARTICLE I – GENERALLY

DIVISION I - DEFINITIONS

24-1-1 **DEFINITIONS.** For the purpose of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively.

Alley. A public way within a block, generally giving accesses to the rear of lots or buildings, and not used for general traffic circulation. **(See 625 ILCS Sec. 53/1-102)**

Authorized Emergency Vehicle. Emergency vehicles of Village departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the Fire Department and ambulances. **(See 625 ILCS Sec. 5/1-105)**

Bicycle. Every device propelled by human power upon which any person may ride, having **two (2)** tandem wheels except scooters and similar devices. **(See 625 ILCS Sec. 5/1-106)**

Bus. Every motor vehicle, other than a commuter van, designed for carrying more than **ten (10) persons.** **(See 625 ILCS Sec. 5/1-107)**

Business District. The territory contiguous to and including a highway when within **six hundred (600) feet** along the highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings, which occupy at least **three hundred (300) feet** of frontage on one side, or **three hundred (300) feet** collectively on both sides of the highway. **(See 625 ILCS Sec. 5/1-108)**

Commercial Vehicle. Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, but not including, a commuter van, an arrangement when being used for that purpose, or a recreational vehicle not being used commercially. **(See 625 ILCS Sec. 5/1-111.8)**

Controlled Access Highway. Every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street, or roadway. **(See 625 ILCS Sec. 5/1-112)**

Crosswalk.

(A) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of a highway, that part of the highway included within the extension of

the lateral line of the existing sidewalk to the side of the highway without the sidewalk, with the extension forming a right angle to the centerline of the highway.

(B) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface, placed in accordance with the provisions in the manual adopted by the Department of Transportation as authorized in **625 ILCS Sec. 5/11-301. (See 625 ILCS Sec. 5/1-113)**

Driver. Every person who drives or is in actual physical control of a vehicle. **(See 625 ILCS Sec. 5/1-116)**

Farm Tractor. Every motor vehicle designed and used primarily as a farm implement for drawing wagons, plows, mowing machines, and other implements of husbandry, and every implement of husbandry which is self-propelled. **(See 625 ILCS Sec. 5/1-120)**

Gross Weight. The weight of a vehicle, whether operated singly or in combination, without load, plus the weight of load thereon. **(See 625 ILCS Sec. 5/1-125)**

Highway. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. **(See 625 ILCS Sec. 5/1-126)**

Implement of Husbandry. Every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers, or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry, provided that no farm wagon, wagon trailer, or like vehicle having a gross weight of more than **thirty-six thousand (36,000) pounds**, shall be included hereunder. **(See 625 ILCS Sec. 5/1-130)**

Improved Highway. Any roadway of concrete, brick asphalt, macadam and crushed stone, or gravel. **(See 625 ILCS Sec. 5/1-131)**

Intersection.

(A) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of **two (2)** highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different roadways joining at any other angle may come in conflict.

(B) Where a highway includes **two (2)** roadways **forty (40) feet** or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection.

(C) The junction of an alley with a street or highway does not constitute an intersection. **(See 625 ILCS Sec. 5/1-132)**

Lane Control Signal. Official traffic-control device consisting of an electrically controlled and illuminated signal of a square or rectangular design, and employing distinctive colors or symbols used to control the direction of vehicular flow on the particular lane to which the indication applies. **(See 625 ILCS Sec. 5/1-135)**

Laned Roadway. A roadway which is divided into **two (2)** or more clearly marked lanes for vehicular traffic. **(See 625 ILCS Sec. 5/1-136)**

Lease. A written document vesting exclusive possession, use, control, and responsibility of the lessee during the periods the vehicle is operated by or for the lessee for a specific period of time. **(See 625 ILCS Sec. 5/1-137)**

License to Drive. Any driver's license or any other license or permit to operate a motor vehicle issued under the laws of this State including:

- (A) Any temporary license or instruction permit;
- (B) The privilege of any person to drive a motor vehicle, whether or not the person holds a valid license or permit;
- (C) Any nonresident's driving privilege as defined herein. **(See 625 ILCS Sec. 5/1-138)**

Local Authorities. Every county, city, and other local board or body having authority to enact laws relating to traffic under the Constitution and laws of this State. **(See 625 ILCS Sec. 5/1-140)**

Mail. To deposit in the United States mail properly addressed and with postage prepaid. **(See 625 ILCS Sec. 5/1-141)**

Motor Vehicle. Every vehicle which is self-propelled, except for vehicles moved solely by human power, and motorized wheelchairs. For this Section, motor vehicles are divided into two (2) divisions:

(A) **First Division.** Motor vehicles designed for carrying not more than **ten (10) persons.**

(B) **Second Division.** Motor vehicles designed for carrying more than **ten (10) persons**, those designed or used for living quarters, and those motor vehicles which are designed for pulling or carrying freight or cargo, and those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division. **(See 625 ILCS Sec. 5/1-146)**

Motor-Driven Cycle. Every motorcycle and every motor scooter with less than **one hundred fifty (150) cubic centimeter** piston displacement, including motorized pedalcycles. **(See 625 ILCS Sec. 5/1-145.001)**

Motorcycle. Every motor vehicle having a seat or saddle for the use of the rider, and designed to travel on not more than **three (3) wheels** in contact with the ground, but excluding a tractor. **(See 625 ILCS Sec. 5/1-147)**

Motorized Pedalcycle. A motor-driven cycle whose speed attainable in **one (1) mile** is **30 MPH** or less, which is equipped with a motor that produces two brake horsepower or less. If an internal combustion engine is used, the displacement shall not exceed **fifty (50) cubic centimeter** displacement and the power drive system shall not require the operator to shift gears. **(See 625 ILCS Sec. 5/1-148.2)**

Motorized Wheelchair. Any self-propelled vehicle, including a three-wheeled vehicle, designed for and used by a person with disabilities, that is incapable of a speed in excess of **8 MPH** on level ground. **(See 625 ILCS Sec. 5/1-148.3)**

Noncommercial Vehicle. Any vehicle that is not a commercial vehicle. **(See 625 ILCS Sec. 5/1-151)**

Not-For-Hire. Operation of a commercial vehicle in furtherance of any commercial or industrial enterprise, but not-for-hire. **(See 625 ILCS Sec. 5/1-153)**

Private Road or Driveway. Every way or place in private ownership, and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons. **(See 625 ILCS Sec. 5/1-163)**

Railroad. A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails. **(See 625 ILCS Sec. 5/1-166)**

Railroad-Highway Grade Crossing. The intersection of stationary rails owned or used in the operation of a railroad corporation across a highway. **(See 625 ILCS Sec. 5/1-166.1)**

Railroad Signs or Signals. Any sign, signal, or device, other than an official traffic-control signal or device, erected in accordance with the laws governing the same, and intended to give notice of the presence of railroad tracks or the approach of a railroad train. **(See 625 ILCS Sec. 5/1-167)**

Railroad Train. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars. **(See 625 ILCS Sec. 5/1-168)**

Recreational Vehicle. Every camping trailer, motor home, mini motor home, travel trailer, truck camper, or van camper used primarily for recreational purposes, and not used commercially nor owned by a commercial business. **(See 625 ILCS Sec. 5/1-169)**

Registration. The registration certificate or certificates and registration plates issued under the laws of this State pertaining to the registration of vehicles. **(See 625 ILCS Sec. 5/1-171)**

Registration Sticker. A device to be attached to a registration plate that will renew the registration and registration plate or plates for a predetermined period, not to exceed **one (1)** registration year. **(See 625 ILCS Sec. 5/1-171)**

Remove. Includes removing, defacing, covering, or destroying.

Rescue Squad. A voluntary association of individuals, or a fire department, dedicated to saving lives through the rescue of persons entrapped in wrecked vehicles or other hazardous circumstances, and associated with some unit of government. **(See 625 ILCS Sec. 5/1-171.6)**

Rescue Vehicle. Any publicly or privately owned vehicle which is specifically designed, configured, and equipped for the performance of access and extrication of persons from hazardous or life-endangering situations, as well as for the emergency transportation of persons who are sick injured, wounded, or otherwise incapacitated or helpless. **(See 625 ILCS Sec. 5/1-171.8)**

Residence District. The territory contiguous to and including a highway, not comprising a business district, when the property on the highway for a distance of **three hundred (300) feet** or more is in the main improved with residences or residences and buildings in use for business. For purposes of establishing maximum speed limits, a **residence district** shall be at least a quarter of a mile long with residences or residences and buildings in use for businesses spaced no more than **three hundred (300) feet** apart. **(See 625 ILCS Sec. 5/1-172)**

Retail Sale. The act or attempted act of selling vehicles or otherwise disposing of a vehicle to a person for use as a consumer. **(See 625 ILCS Sec. 5/1-174)**

Revocation of Driver's License. The termination by formal action of the secretary, of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration, except that an application for a new license may be presented and action upon by the secretary after the expiration of at least **one (1) year** after the date of revocation. **(See 625 ILCS Sec. 5/1-176)**

Right-Way. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision, unless one grants to the other. **(See 625 ILCS Sec. 5/1-177)**

Road Tractor. Every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon, either independently or any part of the weight of a vehicle or load so drawn. **(See 625 ILCS Sec. 5/1-178)**

Roadway. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes **two (2)** or more separate roadways, the term **roadway** as used herein shall refer to any such roadway separately, but not to all such roadways collectively. **(See 625 ILCS Sec. 5/1-179)**

Safety Zone. The area or space officially set apart within a roadway for the exclusive use of pedestrians, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. **(See 625 ILCS Sec. 5/1-181)**

School Bus.

(A) Every motor vehicle, except as provided in paragraph (B) below, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of the entity:

- (1) A public or private primary or secondary school;
- (2) A primary or secondary school operated by a religious institution;
or
- (3) Any public, private, or religious nursery school.

- (B) This definition does not include the following:
- (1) A bus operated by a public utility, city corporation, or common carrier authorized to conduct local or interurban transportation of passengers when the bus is not traveling a specific school bus route but is:
 - (a) On a regularly scheduled route for the transportation of other fare-paying passengers;
 - (b) Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with special events; or
 - (c) Being used for shuttle service between attendance centers or other educational facilities.
 - (2) A motor vehicle of the First Division.
 - (3) A motor vehicle designed for the transportation of not less than **seven (7)** nor more than **sixteen (16) persons** that is operated by or for a public or private primary or secondary school, including any primary or secondary school operated by a religious institution, for the purpose of transporting not more than **fifteen (15) students** to and from interscholastic athletic or other interscholastic or school sponsored activities.

(See 625 ILCS Sec. 5/1-182)

Semi-Trailer. Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed its weight and that of its load rests upon or is carried by another vehicle. **(See 625 ILCS Sec. 5/1-187)**

Shoulder. That portion of the highway adjacent to the roadway for accommodating stopped vehicles or for emergency use. **(See 625 ILCS Sec. 5/1-187.1)**

Sidewalk. That portion of a street between the curb lines, or the lateral lines of roadway and the adjacent property lines, intended for use of pedestrians. **(See 625 ILCS Sec. 5/1-188)**

Speed-Change Lane. An auxiliary lane, including tapered areas, primarily for the acceleration or deceleration of vehicles entering or leaving the through traffic lanes. **(See 625 ILCS Sec. 5/1-193)**

Stand or Standing. The halting of a vehicle, whether occupied or not, otherwise than when temporarily and actually engaged in receiving or discharging passengers. **(See 625 ILCS Sec. 5/1-194)**

State. A state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province of the Dominion of Canada. **(See 625 ILCS Sec. 5/1-195)**

State Highways. Defined in the Illinois Highway Code as the same may from time to time be amended. **(See 625 ILCS Sec. 5/1-196)**

State Police. The Illinois State Police. (See 625 ILCS Sec. 5/1-197)

Stop. The complete cessation from movement. (See 625 ILCS Sec. 5/1-199)

Stop or Stopping. Any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic-control sign or signal. (See 625 ILCS Sec. 5/1-200)

Street. The entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (See 625 ILCS Sec. 5/1-201)

Suburban District. That portion of any city, or incorporated town, other than the business and residence districts. (See 625 ILCS Sec. 5/1-203)

Through Highway. Every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign, when those signs are erected as provided in this title. (See 625 ILCS Sec. 51/1-205)

Tow Truck. Every truck designed or altered and equipped for and used to push, tow, carry upon, or draw vehicles by means of a crane, hoist, towbar, towline, or auxiliary axle, or carried upon to render assistance to disabled vehicles, except for any truck tractor temporarily converted to a tow truck by means of a portable wrecker unit attached to the fifth wheel of the truck tractor and used only by the owner to tow a disabled vehicle also owned by him or her and never used for hire. (See 625 ILCS Sec. 5/1-205.1)

Traffic. Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel. (See 625 ILCS Sec. 5/1-207)

Traffic-Control Signal. Any official traffic-control device other than a railroad sign or signal, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed. (See 625 ILCS Sec. 5/1-208)

Traffic Regulations. Any provision of this Code or other regulatory ordinance the purpose of which is to directly control or improve traffic and safety of both vehicles and pedestrians.

Trailer. Every vehicle without motive power in operation, other than a pole trailer designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no part of its weight rests upon the towing vehicle. (See 625 ILCS Sec. 5/1-209)

Travel Trailer. A trailer, not used commercially, designed to provide living quarters for recreational, camping, or travel use, and of a size or weight not requiring an over-dimension permit when towed on a highway. (See 625 ILCS Sec. 5/1-210.01)

Truck. Every motor vehicle designed, used, or maintained primarily for the transportation of property. **(See 625 ILCS Sec. 5/1-211)**

Truck Camper. A truck, not used commercially, when equipped with a portable unit designed to be loaded onto the bed which is construed to provide temporary living quarters for recreational, travel, or camping use. **(See 625 ILCS Sec. 5/1-211.01)**

Truck Tractor. Every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn. **(See 625 ILCS Sec. 5/1-212)**

Urban District. The territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses, and situated at intervals of less than **one hundred (100) feet** for a distance of **one-quarter (1/4) mile** or more. **(See 625 ILCS Sec. 5/1-214)**

Urban Area. An urban area is any incorporated or unincorporated area developed primarily for residential or business purposes. **(See 625 ILCS Sec. 5/1-214.8)**

Vehicle.

(A) Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power, devices used exclusively upon stationary rails or tracks, and snowmobiles as defined in the Snowmobile Registration and Safety Act.

(B) For the purposes of this Section, unless otherwise prescribed, a device shall be considered to be a vehicle until such time it either comes within the definition of a "junk vehicle", as defined under this Section, or a junking certificate is issued for it.

(C) For this Section vehicles are divided into two divisions:

(1) **First Division.** Those motor vehicles which are designed for the carrying of not more than **ten (10) persons**.

(2) **Second Division.** Those vehicles which are designed for carrying more than **ten (10) persons**; those designed or used for living quarters; those which are designed for pulling or carrying property, freight, or cargo; those vehicles of the first division remodeled for use and used as vehicles of the second division; and those vehicles of the first division used and registered as school buses. **(See 625 ILCS Sec. 5/1-217)**

24-1-2 - 24-1-9 RESERVED.

DIVISION II – OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

24-1-10 OBEDIENCE TO POLICE OFFICERS.

(A) No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, fireman, or school crossing guard invested by law with authority to direct, control, or regulate traffic. **(See 625 ILCS Sec. 5/11-203)**

(B) In the event of fire, other emergency or for the duration thereof, officers and members of the Fire Department may direct traffic if conditions so require and in a manner prescribed by the Police Department. **(See Section 24-1-99 for Penalty.)**

(C) Any person convicted of violating **Section 24-1-10(A)** is guilty of a petty offense and shall be subject to a mandatory fine of **One Hundred Fifty Dollars (\$150.00)**. **(See 625 ILCS Sec. 5/11-203)**

24-1-11 PUBLIC OFFICERS AND EMPLOYEES TO OBEY TRAFFIC CODE; EXCEPTIONS.

(A) The provisions of this Traffic Code applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, the State, or any county, city, town, district, or any other political subdivision of the State, except as provided in this Section, and subject to specific exceptions as set forth in this title with reference to authorized emergency vehicles.

(B) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated.

(C) The driver of an authorized emergency vehicle may:

- (1) Park or stand, irrespective of the provisions of this Traffic Code;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation;
- (3) Exceed the maximum speed limits so long as he does not endanger life or property;
- (4) Disregard regulations governing the direction of movement or turning in specified directions.

(D) The exceptions herein granted to an authorized emergency vehicle, other than a police vehicle, shall apply only when the vehicle is making use of either an audible signal when in motion, or visual signals meeting the requirements of **625 ILCS Sec. 5/12-215**.

(E) The foregoing provisions do not relieve the driver of an authorized emergency vehicle from the duty of driving with due regard for the safety of all persons, nor do these provisions protect the driver from the consequences of his reckless disregard for the safety of others.

(F) Unless specifically made applicable, the provisions of this Traffic Code shall not apply to persons, motor vehicles, and equipment while actually engaged in work upon the highway, but shall apply to such persons and vehicles when traveling to or from such work. **(See 625 ICS Sec. 5/11-205) (See Section 24-1-99 for Penalty.)**

24-1-12 TRAFFIC LAWS APPLY TO PERSONS RIDING ANIMALS OR DRIVING ANIMAL DRAWN VEHICLES. Every person riding an animal or driving an animal-driven vehicle upon a roadway shall be granted all of the rights, and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except those provisions of this Chapter which by their very nature can have no application. **(See 625 ILCS Sec. 5/11-206) (See Section 24-1-99 for Penalty.)**

24-1-13 - 24-1-29 RESERVED.

DIVISION III – TRAFFIC SIGNS, SIGNALS, AND MARKINGS

24-1-30 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

(A) The driver of any vehicle shall obey the instructions of any official traffic-control accordance with this Chapter, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Traffic Code.

(B) It is unlawful for any person to leave the roadway and travel across private property to avoid an official traffic-control device.

(C) No provision of this Traffic Code, for which official traffic-control devices are required, shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person whenever a particular section does not state that official traffic-control devices are required. This Section shall be effective even though no devices are erected or in place.

(D) Whenever any official traffic-control device is placed or held in position approximately conforming to the requirements of this Traffic Code, the device shall be presumed to have been so placed or held by the official act or direction of lawful authority, and comply with the requirements of this Traffic Code, unless the contrary shall be established by competent evidence.

(E) The driver of a vehicle approaching a traffic-control signal on which no signal light facing the vehicle is illuminated shall stop before entering the intersection, in accordance with rules applicable in making a stop at a stop sign. **(See 625 ILCS Sec. 5/11-305) (See Section 24-1-99 for Penalty.)**

24-1-31 TRAFFIC-CONTROL SIGNAL LEGEND. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights or color lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(A) **Green Indication.**

(1) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles

turning right of left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

- (2) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indicating, may cautiously enter the intersection only to make the movement indicated by the arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
- (3) Unless otherwise directed by a pedestrian-control signal, as provided in **Section 24-1-32**, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(B) **Steady Yellow Indication.**

- (1) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.
- (2) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in **Section 24-1-32**, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no pedestrian shall then start to cross the roadway.

(C) **Steady Red Indication.**

- (1) Except as provided in **Section 24-1-31(C)(3)**, vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such cross, then before entering the intersection; and shall remain standing until an indication to proceed is shown.
- (2) Except as provided in **Section 24-1-31(C)(3)**, vehicular traffic facing a steady red arrow signal alone shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection; and shall remain standing until an indication permitting the movement indicated by such red arrow is shown.
- (3) Except when a sign is in place prohibiting a turn and the Village authorities by ordinance or state authorities by rule or regulation prohibit any such turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right, or to turn left from a one-way street into a one-way street, after stopping as required by **Section 24-1-31(C)(1)** or **24-1-**

31(C)(2). After stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction or roadways. The driver shall yield the right-of-way to pedestrians within the intersection or an adjacent crosswalk.

(4) Unless otherwise directed by a pedestrian-control signal as provided in **Section 24-1-32**, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

(D) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a traffic sign or a marking on the pavement indicating where the stop shall be made; or, in the absence of such sign or marking, the stop shall be made at the signal. **(See 625 ILCS Sec. 5/11-306) (See Section 24-1-99 for Penalty.)**

24-1-32 PEDESTRIAN-CONTROL SIGNALS. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" or the illuminated symbols of a walking person or an upraised palm are in place, these signals shall indicate as follows:

(A) **"Walk" or Walking Person Symbol.** Pedestrians facing this signal may proceed across the roadway in the direction of the signal, and shall be given the right-of-way by the drivers of all vehicles.

(B) **"Don't Walk" or Upraised Palm Signal.** No pedestrian shall start to cross the roadway in the direction of this signal, but any pedestrian who has partly completed his crossing on the "Walk" signal or walking person symbol shall proceed to a sidewalk or safety island while the "Don't Walk" signal or upraised palm symbol is illuminated, steady, or flashing. **(See 625 ILCS Sec. 5/11-307) (See Section 24-1-99 for Penalty.)**

24-1-33 LANE-CONTROL SIGNALS. Whenever lane-control signals are used in conjunction with official signs, they shall have the following meanings:

(A) **Downward-Pointing Green Arrow.** A driver facing this indication is permitted to drive in the lane over which the arrow signal is located. Otherwise, he shall obey all other traffic controls present and follow normal safe driving practices.

(B) **Red X Symbol.** A driver facing this indication shall not drive in the lane over which the signal is located, and this indication shall modify accordingly the meaning of all other traffic controls present. Otherwise he shall obey all other traffic controls, and follow normal safe driving practices.

(C) **Yellow X (Steady).** A driver facing this indication should prepare to vacate the lane over which the signal is located, in a safe manner to avoid, if possible, occupying that lane when a steady red X is displayed.

(D) **Flashing Yellow Arrow.** A driver facing this indication may use the lane only for the purpose of approaching and making a left turn. **(See 625 ILCS Sec. 5/11-308) (See Section 24-1-99 for Penalty.)**

24-1-34 FLASHING SIGNALS. Whenever an illuminated flashing red or yellow signal is used in conjunction with a traffic-control device, it shall require obedience by vehicular traffic as follows:

(A) **Flashing Red (Stop Signal).** When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at a point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(B) **Flashing Yellow (Caution Signal).** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signal only with caution.

(C) This Section does not apply to railroad grade crossings. **(See 625 ILCS Sec. 5/11-309) (See Section 24-1-99 for Penalty.)**

24-1-35 DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, MARKINGS, OR ADVERTISING SIGNS.

(A) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be, or is an imitation of, or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the movement of traffic or the effectiveness of an official traffic-control device or any railroad sign or signal.

(B) No person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(C) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same, or cause it to be removed without notice.

(D) No person shall sell or offer for sale any traffic-control device to be used on any street or highway in this Village which does not conform to the requirements of this Chapter.

(E) This Section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information, and of a type that cannot be mistaken for official signs.

(F) This Section shall not be deemed to prohibit the erection of Illinois Adopt-A-Highway signs by the Village as provided in the Illinois Adopt-A-Highway Act. **(See 625 ILCS Sec. 5/11-310) (See Section 24-1-99 for Penalty.)**

24-1-36 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS.

(A) No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device, or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

(B) Every person who is convicted of a violation of this Section shall be punished by a fine of at least **Two Hundred Fifty Dollars (\$250.00)** in addition to any other penalties which may be imposed. **(See 625 ILCS Sec. 5/11-311)**

24-1-37 UNLAWFUL USE OR DAMAGE TO HIGHWAYS, APPURTENANCES, AND STRUCTURES; LIABILITY.

- (A)
 - (1) It shall be unlawful for any person to willfully injure or damage any public highway or street, or any bridge or culvert, or to willfully damage, injure, or remove any sign, signpost, or structure upon or used or constructed in connection with any public highway or street for the protection thereof, or for the protection or regulation of traffic thereon, by any willfully unusual, improper, or unreasonable use thereof, or by willfully careless driving or use of any vehicle thereon, or by willful mutilation, defacing, destruction, or removal thereof.
 - (2) Every person who is convicted of a violation of this Section shall be punished by a fine of at least **Two Hundred Fifty Dollars (\$250.00)** in addition to any other penalty which may be imposed. **(See 625 ILCS Sec. 5/11-312)**
- (B)
 - (1) Any person driving any vehicle, object or contrivance upon any street or street structure is liable for all damage which the street or structure may sustain as a result of any illegal operation, driving or moving of such vehicle, object or contrivance, or as a result of operating, driving or moving any vehicle, object or contrivance exceeding the maximum dimensions or weighing in excess of the maximum weight set by ordinance but authorized by a special permit. The measure of liability is the cost of repairing a facility partially damaged or the depreciated replacement cost of a facility damaged beyond repair together with all other expenses incurred by the Village in providing a temporary detour, including a temporary structure, to serve the needs of traffic during the period of repair or replacement of the damaged street or street structure.
 - (2) Whenever such driver is not the owner of such vehicle, object or contrivance, but is so operating, driving or moving the same with the express or implied permission of the owner, then the owner or driver are jointly and severally liable to the extent provided in paragraph (A) of this Section. **(See Section 24-1-99 for Penalty.)**

24-1-38 UNLAWFUL POSSESSION OF HIGHWAY SIGN OR MARKER. The Village Street Department, with reference to traffic-control signs, signals, or markers owned by the Village, is authorized to indicate the ownership of the signs, signals, or markers on the back of the devices in letters not less than **three-eighths (3/8) inch**, or more than **three-fourths (3/4) inch** in height, by use of a metal stamp, etching, or other permanent means. Except for employees of the Village Street Department, police officers, contractors and their employees engaged in a highway construction contract or work on the highway approved by the Village, it is unlawful for any person to possess a sign, signal, or marker so identified. **(See 625 ILCS Sec. 5/11-313) (See Section 24-1-99 for Penalty.)**

24-1-39 ZONES OF QUIET.

(A) Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle within the zone shall sound the horn or other warning device except in an emergency.

(B) **Hospital Zone.**

(1) **Establishment.**

(2) **Prohibited Conduct Within Zones.** Within the limits of the zones established in this Section, it shall be unlawful for any person to make or cause to be made any unnecessary or undue noise, by shouting, yelling or loud and boisterous language; or by creating any unnecessary loud noise with a mechanical device, or by unnecessary honking of a horn on any motor vehicle, or to act in any manner whatsoever so as to disturb the patients in the hospital located within the limits of the quiet zone.

24-1-40 NO-TURNING SIGNS AND TURNING MARKERS. Whenever

authorized signs are erected indicating that no right or left or U-turn is permitted no driver of a vehicle shall disobey the directions of the sign. When authorized marks, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles, no driver of a vehicle shall disobey the directions of the indications.

24-1-41 STOP AND YIELD SIGNS.

(A) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in **625 ILCS Sec. 5/11-302.**

(B) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle and every motorman of a streetcar approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersection roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

(C) The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. **(See 625 ILCS Sec. 5/11-1204) (See Section 24-1-99 for Penalty.)**

24-1-42 LOCATION OF VILLAGE PARKING-CONTROL SIGNS. The locations

of authorized traffic-control signs in the Village are set forth in Traffic Schedules "A" and "C" and in Parking Schedules "E", "F" and "G" at the conclusion of the Chapter.

24-1-43 - 24-1-98RESERVED.

DIVISION IV – PENALTY

24-1-99 **VIOLATIONS.** Whoever violates any provision of this Traffic Code for which another penalty is not already otherwise provided by ordinance or by appropriate statutory penalty as generally set forth in **625 ILCS Sec. 5/16-101 et seq.** shall, upon conviction, be subject to a fine of not less than **One Hundred Dollars (\$100.00)** and not more than **Seven Hundred Fifty Dollars (\$750.00)**.

ARTICLE II – RULES OF OPERATION

DIVISION I – SPEED RESTRICTIONS

24-2-1 SPEED LIMITS.

(A) No vehicle may be driven upon any highway of this Village at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the highway, or which endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, or when a special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(B) No person may drive a vehicle upon any street at a speed which is greater than the applicable statutory maximum speed limit established by paragraphs (C) and (D) below, by **Section 24-2-2**, or by a regulation or ordinance made under this Chapter.

(C) Unless some other speed restriction is established under this Chapter, the maximum speed limit in an urban district (as defined in **Section 24-2-1**) for all vehicles is:

- (1) **Twenty-five (25) miles** per hour; and
- (2) **Fifteen (15) miles** per hour in an alley.

(D) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle of the first division, or a vehicle of the second division designed or used for the carrying of a gross weight of less than **eight thousand (8,000) pounds** (including the weight of the vehicle and maximum load, is:

- (1) **Sixty-five (65) miles** per hour for all highways under the jurisdiction of the Illinois State Toll Highway Authority and for all or part of highways that are designed by the Department, have at least **four (4) lanes** of traffic, and have a separation between the roadways moving in opposite directions and
- (2) **Fifty-five (55) miles** per hour for all other highways, roads, and streets.

(E) Unless some lesser speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a vehicle of the second division designed or used for the carrying of a gross weight of **eight thousand (8,000) pounds** or more (including the weight of the vehicle and maximum load) is **fifty-five (55) miles** per hour.

(F) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a bus is:

- (1) **Sixty-five (65) miles** per hour upon any highway which has at least **four (4) lanes** of traffic and of which the roadways for traffic moving in opposite directions are separated by a strip of ground which is not surfaced or suitable for vehicular traffic except that the maximum speed limit for a bus on all highways, roads and streets under the jurisdiction of the Department of the Illinois State Toll Highways Authority is **fifty-five (55) miles** per hour.

- (2) **Sixty (60) miles** per hour on any other highway, except that the maximum speed limit for a bus on all highways, roads and streets not under the jurisdiction of the Department or the Illinois State Toll Highway Authority is **fifty-five (55) miles** per hour.

(G) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a house car, camper, private living coach, vehicles licensed as recreational vehicles, and any vehicle towing any other vehicle is **fifty-five (55) miles** per hour or the posted speed limit, whichever is less. **(See 65 ILCS Sec. 5/11-601) (See 24-1-99 for Penalty)**

Statutory References. Authority to regulate speed, 65 ILCS Sec. 5/11-4-1 and 625 ILCS Sec. 5/11-604

24-2-2 SPECIAL SPEED LIMITS WHILE PASSING SCHOOLS OR WHILE TRAVELING THROUGH HIGHWAY CONSTRUCTION OR MAINTENANCE ZONES.

(A) For the purpose of this Section, ***school*** means the following entities:

- (1) A public or private primary or secondary school.
- (2) A primary or secondary school operated by a religious institution.
- (3) A public, private, or religious nursery school.

(B) For the purpose of this Section, a ***school day*** shall begin at **7:00 A.M.** and shall conclude at **4:00 P.M.**

(C) On a school day when school children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic, no person shall drive a motor vehicle at a speed in excess of **twenty (20) miles** per hour while passing a school zone, or while traveling upon any public thoroughfare where children pass going to and from school.

(D) This Section shall not be applicable unless appropriate signs are posted upon streets wherein the school zone is located. With regard to the special speed limit while passing schools, such signs shall give proper due warning that a school zone is being approached and shall indicate the school zone and the maximum speed limit in effect during school days when school children are present.

(E) No person shall operate a motor vehicle in a construction or maintenance zone at a speed in excess of the posted speed limit when workers are present and so close to the moving traffic that a potential hazard exists because of the motorized traffic.

(F) Nothing in this Chapter shall prohibit the use of electronic speed-detecting devices within **five hundred (500) feet** of signs within a special school speed zone or a construction or maintenance zone indicating the zone, as defined in this Section, nor shall evidence obtained thereby be inadmissible in any prosecution for speed, provided the use of the device shall apply only to the enforcement of the speed limit in the special school speed zone or a construction or maintenance zone.

(G) For the purpose of this Section, a construction or maintenance zone is an area in which the local agency has determined that the preexisting established speed limit through a highway construction or maintenance project is greater than is reasonable or safe with respect to the conditions expected to exist in the construction or maintenance zone and has posted a lower speed limit with a highway construction or maintenance zone special speed limit sign.

(H) Highway construction or maintenance zone special speed limit signs shall be of a design approved by the Department. The signs shall give proper due warning that a construction or maintenance zone is being approached and shall indicate the maximum speed limit in effect. The signs shall also state the amount of the minimum fine for a violation when workers are present. **(See 625 ILCS Sec. 5/11-605) (See Section 24-1-99 for Penalty)**

24-2-3 MAXIMUM ATTAINABLE OPERATING SPEED. No person shall drive or operate any motor vehicle on any street or highway in this Village where the minimum allowable speed on that street or highway, as posted, is greater than the maximum attainable operating speed of the vehicle. Maximum attainable operating speed shall be determined by the manufacturer of the vehicle and clearly published in the manual of specifications and operation, or it shall be determined by applicable rule and regulation promulgated by the Secretary of State. **(See 625 ILCS Sec. 5/11-611) (See Section 24-1-99 for Penalty)**

24-2-4 MINIMUM SPEED REGULATION. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and regular movement of traffic except when reduced speed is necessary for safe operation of his vehicle or in compliance with law. **(See 625 ILCS Sec. 5/11-606(A)) (See Section 24-1-99 for Penalty)**

24-2-5 - 24-2-19 RESERVED.

DIVISION II – TURNING AND STARTING; SIGNALS

24-2-20 REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS.

(A) The driver of a vehicle intending to turn at an intersection shall do so as follows:

- (1) Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
- (2) The driver of a vehicle intending to turn left at any intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

- (3) The State Department of Transportation and local authorities in their respective jurisdictions may cause official traffic-control devices to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this Section be traveled by vehicles turning at an intersection, and when such devices are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such devices.

(B) **Two-Way Left Turn Lanes.** Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic control devices:

- (1) A left turn shall not be made from any other lane.
(2) A vehicle shall not be driven in the lane except when preparing for or making a left turn from or into the roadway or when preparing for or making a U-turn when otherwise permitted by law. **(See 625 ILCS Sec. 5/11-801) (See Section 24-1-99 for Penalty)**

24-2-21 LIMITATIONS ON U-TURNS.

(A) The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction unless the movement can be made in safety and without interfering with other traffic.

(B) No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where the vehicle cannot be seen by the driver of any other vehicle approaching from either direction within **five hundred (500) feet.** **(See 625 ILCS Sec. 5/11-802) (See Section 24-1-99 for Penalty)**

24-2-22 STARTING PARKED VEHICLE. No person shall start a vehicle which is stopped, standing, or parked, unless and until the movement can be made with reasonable safety. **(See 625 ILCS Sec. 5/11-803) (See Section 24-1-99 for Penalty)**

24-2-23 WHEN SIGNAL REQUIRED.

(A) No person may turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in **Section 24-2-20**, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course, or move right or left upon a roadway unless and until the movement can be made within reasonable safety. No person may so turn any vehicle without giving an appropriate signal in the manner hereinafter provided.

(B) A signal of intention to turn right or left when required must be given continuously during not less than the last **one hundred (100) feet** traveled by the vehicle before turning within a business or residence district, and the signal must be given continuously during not less than the last **two hundred (200) feet** traveled by the vehicle before turning outside a business or residence district.

(C) No person may stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in this Chapter to the driver of any vehicle immediately to the rear when there is opportunity to give a signal.

(D) The electric turn signal device required in **625 ILCS Sec. 5/12-208** must be used to indicate an intention to turn, change lanes, or start from a parallel parked position, but must not be flashed on one side only on a parked or disabled vehicle, or slashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear. However, signal devices may be flashed simultaneously on both sides of a motor vehicle to indicate the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, and passing. **(See 625 ILCS Sec. 5/11-804) (See Section 24-1-99 for Penalty)**

24-2-24 SIGNAL BY HAND AND ARM OR SIGNAL DEVICE. Any stop or turn signal, when required herein, shall be given either by means of the hand and arm or by an electric turn signal device conforming to the requirements provided in **625 ILCS Sec. 5/12-208) (See Section 24-1-99 for Penalty)**

24-2-25 METHOD OF GIVING HAND AND ARM SIGNALS. All signals given by hand and arm shall be given from the left side of the vehicle in the following manner, and the signals shall indicate as follows:

- (A) **Left Turn.** Hand and arm extended horizontally.
 - (B) **Right Turn.** Hand and arm extended upward.
 - (C) **Stop or Decrease of Speed.** Hand and arm extended downward.
- (See 625 ILCS Sec. 5/11-806) (See Section 24-1-99 for Penalty)**

24-2-26 - 24-2-39 RESERVED.

DIVISION III – OVERTAKING AND PASSING

24-2-40 DRIVING ON RIGHT SIDE OF ROADWAY; EXCEPTIONS.

- (A) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:
- (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing those movements.
 - (2) When an obstruction exists making it necessary to drive to the left of the center of the roadway; provided, any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the roadway within such distance as to constitute an immediate hazard;
 - (3) Upon a roadway divided into **three (3)** marked lanes for traffic under the rules applicable thereon;
 - (4) Upon a roadway restricted to one-way traffic;
 - (5) Whenever there is a single-track paved road on one side of the public highway and **two (2) vehicles** meet thereon, the driver

on whose right is the wider shoulder shall give the right-of-way on the pavement to the other vehicle.

(B) Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into a private road or driveway.

(C) Upon any roadway having **four (4)** or more lanes for moving traffic, and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic-control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use the lanes, or except as permitted under **Section 24-2-40(A)(2)**. However, this Section shall not be construed as prohibiting the crossing of the center line in making a left turn into or from an alley, private road, or driveway. **(See 625 ILCS Sec. 5/11-701) (See Section 24-1-99 for Penalty)**

24-2-41 PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTION.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least **one-half (1/2)** of the main traveled portion of the roadway as nearly as possible. **(See 625 ILCS Sec. 5/11-702) (See Section 24-1-99 for Penalty)**

24-2-42 OVERTAKING VEHICLES ON THE LEFT. The following rules govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules otherwise stated in this Chapter;

(A) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. In no event shall the movement be made by driving off the pavement or the main traveled portion of the roadway.

(B) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(C) The driver of a two-wheeled vehicle may not, in passing upon the left of any vehicle proceeding in the same direction, pass upon the right of any vehicle proceeding in the same direction unless there is an unobstructed lane of traffic available to permit the passing maneuver safely. **(See 625 ILCS Sec. 5/11-703) (See Section 24-1-99 for Penalty)**

24-2-43 WHEN OVERTAKING ON THE RIGHT IS PERMITTED.

(A) The driver of a vehicle with **three (3)** or more wheels may overtake and pass upon the right of another vehicle only under the following conditions:

- (1) When the vehicle overtaken is making or about to make a left turn;

- (2) Upon a roadway with unobstructed pavement of sufficient width for **two (2)** or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle;
- (3) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for **two (2)** or more lines of moving vehicles.

(B) The driver of a two-wheeled vehicle may not pass upon the right of any other vehicle proceeding in the same direction unless the unobstructed pavement to the right of the vehicle being passed is of a width of not less than **eight (8) feet**.

(C) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting the movement in safety. Such movement shall not be made by driving off the roadway. **(See 625 ILCS Sec. 5/11-704) (See Section 24-1-99 for Penalty)**

24-2-44 LIMITATIONS ON OVERTAKING ON THE LEFT.

(A) **Passing on the Left.**

- (1) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by the provisions of this Chapter, and unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction, or any vehicle overtaken.
- (2) In every event, the overtaking vehicle must return to an authorized lane of travel as soon as practicable, and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within **two hundred (200) feet** of any vehicle approaching from the opposite direction. **(See 625 ILCS Sec. 5/11-705)**

(B) **Conditions Where Passing on the Left is Prohibited.**

- (1) No vehicle shall be driven on the left side of the roadway under the following conditions:
 - (a) When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within a distance as to create a hazard in the event another vehicle might approach from the opposite direction.
 - (b) When approaching within **one hundred (100) feet** of or traversing any intersection or railroad grade crossing.
 - (c) When the view is obstructed upon approaching within **one hundred (100) feet** of any bridge, viaduct, or tunnel.
- (2) The limitations above do not apply upon a one-way roadway, nor upon a roadway with unobstructed pavement of sufficient width for **two (2)** or more lanes of moving traffic in each direction, nor to the driver of a vehicle turning left into or from an alley, private road, or driveway when the movements can be made with safety. **(See 625 ILCS Sec. 5/11-706) (See Section 24-1-99 for Penalty)**

24-2-45 MEETING OR OVERTAKING SCHOOL BUS.

(A) The driver of a vehicle shall stop the vehicle before meeting or overtaking, from either direction, any school bus stopped for the purpose of receiving or discharging pupils on a highway or upon a private road within an area that is covered by a contract or agreement executed pursuant to **625 ILCS Sec. 5/11-209.1**. The stop is required before reaching the school bus when there is in operation on the school bus the visual signals as specified in **625 ILCS Sec. 5/12-801 and 5/12-805**. The driver of the vehicle shall not proceed until the school bus resumes motion or the driver of the vehicle is signaled by the school bus driver to proceed or the visual signals are no longer actuated.

(B) The stop signal arm required by **625 ILCS Sec. 5/12-803** shall be extended after the school bus has come to a complete stop for the purpose of loading or discharging pupils and shall be closed before the bus is placed in motion again. The stop signal arm shall not be extended at any other time.

(C) The alternately flashing red signal lamps of an **eight (8) lamp** flashing signal system required by **625 ILCS Sec. 5/12-805** shall be actuated after the school bus has come to a complete stop for the purpose of loading or discharging pupils and shall be turned off before the school bus is placed in motion again. The red signal lamps shall not be actuated at any other time except as provided in paragraph (D) below.

(D) The alternately flashing amber signal lamps of an **eight (8) lamp** flashing signal system required by **625 ILCS Sec. 5/12-805** shall be actuated continuously during not less than the last **one hundred (100) feet** traveled by the school bus before stopping for the purpose of loading or discharging pupils within an urban area, and during not less than the last **two hundred (200) feet** traveled by the school bus outside an urban area. The amber signal lamps shall remain actuated until the school bus is stopped. The amber signal lamps shall not be actuated at any other time.

(E) The driver of a vehicle upon a highway having **four (4)** or more lanes which permits at least **two (2) lanes** of traffic to travel in opposite directions need not stop the vehicle upon meeting a school bus which is stopped in the opposing roadway; and need not stop the vehicle when driving upon a controlled access highway when passing a school bus traveling in either direction that is stopped in a loading zone adjacent to the surfaced or improved part of the controlled access highway where pedestrians are not permitted to cross.

(F) In addition to the driving privilege suspensions authorized by **625 ILCS Sec. 5/11-1414**, any person convicted of violating this Section shall be subject to a mandatory fine of **One Hundred Fifty Dollars (\$150.00)** or, upon a second or subsequent violation, **Five Hundred Dollars (\$500.00)**. (See **625 ILCS Sec. 5/11-1414**) (See **Section 24-1-99 for Penalty**)

24-2-46 ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS.

(A) Upon a roadway designated for one-way traffic, a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by official traffic-control devices. One-way streets are designated in **Schedule "B"** at the conclusion of this Chapter.

(B) A vehicle passing around a rotary traffic island must be driven only to the right of the island.

(C) Whenever any highway has been divided into **two (2)** or more roadways by leaving an intervening space or by a physical barrier or a clearly indicated dividing section 50 constructed as to impede vehicular traffic, every vehicle must be driven only upon the right-

hand roadway unless directed or permitted to use another roadway by official traffic-control devices or police officers. No vehicle may be driven over, across, or within any dividing space, barrier, or section except through an opening in the physical barrier, or dividing section, or space, or at a cross-over or intersection as established by public authority.

(D) The driver of a vehicle may turn left across a paved non-curbed dividing space unless prohibited by an official traffic-control device. **(See 625 ILCS Sec. 5/11-708) (See Section 24-1-99 for Penalty)**

24-2-47 NO-PASSING ZONES.

(A) The Board of Trustees is authorized to determine those portions of any highway within the Village where overtaking and passing or driving on the left of the roadway would be especially hazardous, and may be appropriate signs or markings on the roadway indicate the beginning and end of the zones, and when signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

(B) Where signs or markings are in place to define a no-passing zone as set forth in paragraph (A) no driver may at any time drive on the left side of the roadway within the no-passing zone or on the left side of any pavement striping designed to mark the no-passing zone throughout its length.

(C) This Section does not apply under the conditions described in **Section 24-2-40(A)(2)**, nor to the driver of a vehicle turning left into or from an alley, private road, or driveway. The pavement striping designed to mark the no-passing zone may be crossed from the left-hand lane for the purpose of completing a pass that was begun prior to the beginning of the zone in the driver's direction of travel. **(See 625 ILCS Sec. 5/11-707) (See Section 24-1-99 for Penalty)**

24-2-48 DRIVING ON ROADWAYS LANED FOR TRAFFIC. Whenever any roadway has been divided into **two (2)** or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply.

(A) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(B) Upon a roadway which is divided into **three (3) lanes** and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a left turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic-control devices.

(C) Official traffic-control devices may be erected directing specific traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device. Drivers must obey lane designation signing except when it is necessary to use a different lane to make a turning maneuver.

(D) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the directions of every such device. **(See 625 ILCS Sec. 5/11-709) (See Section 24-1-99 for Penalty)**

24-2-49 - 24-2-59 RESERVED.

DIVISION IV – RIGHT-OF-WAY

24-2-60 VEHICLES APPROACHING OR ENTERING INTERSECTION. When **two (2) vehicles** approach or enter an intersection from different roadways at approximately the same time, the driver of the vehicle on the left must yield the right-of-way to the vehicle on the right. This rule may be modified at through highways or streets and where otherwise inconsistent with the provisions of this Traffic Code. **(See 625 ILCS Sec. 5/11-901) (See Section 24-1-99 for Penalty)**

24-2-61 VEHICLE TURNING LEFT. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard, but the driver, having so yielded, may proceed as soon as a safe interval occurs. **(See 625 ILCS Sec. 5/11-902) (See Section 24-1-99 for Penalty)**

24-2-62 VEHICLES ENTERING STOP CROSSWALK. Where stop signs or flashing red signals are in place at an intersection, or flashing red signals are in place at a plainly marked crosswalk between intersections, drivers of vehicles shall stop before entering the nearest crosswalk and pedestrians within or entering the crosswalk at either edge of the roadway shall have the right-of-way over vehicles so stopped. Drivers of vehicles having so yielded the right-of-way to pedestrians entering or within the nearest crosswalk at an intersection shall also yield the right-of-way to pedestrians within any other crosswalk at the intersection. **(See 625 ILCS Sec. 5/11-903) (See Section 24-1-99 for Penalty)**

24-2-63 VEHICLE ENTERING STOP OR YIELD INTERSECTION.

(A) Preferential right-of-way at an intersection may be indicated by stop or yield signs.

(B) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another roadway, or which is approaching so closely on the roadway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection, but the driver, having so yielded, may proceed as soon as a safe interval occurs.

(C) The driver of a vehicle approaching a yield sign shall, in obedience to the sign, slow down to a speed reasonable for the existing conditions, and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection.

(D) If a driver is involved in a collision at an intersection or interferes with the movement of other vehicles after driving past a yield right-of-way sign, the collision or interference shall be deemed prima facie evidence of the driver's failure to yield right-of-way. **(See 625 ILCS Sec. 5/11-904) (See Section 24-1-99 for Penalty)**

24-2-64 MERGING TRAFFIC. Notwithstanding the right-of-way provision in **Section 24-2-60**, at an intersection where traffic lanes are provided for merging traffic, the driver of each vehicle on the converging roadways is required to adjust his vehicular speed and lateral position so as to avoid a collision with another vehicle. **(See 625 ILCS Sec. 5/11-905) (See Section 24-1-99 for Penalty)**

24-2-65 VEHICLE ENTERING HIGHWAY FROM PRIVATE ROAD OR DRIVEWAY. The driver of a vehicle about to enter or cross a highway from an alley, building, private road, or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered. **(See 625 ILCS Sec. 5/11-906) (See Section 24-1-99 for Penalty)**

24-2-66 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

(A) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this Chapter, or a police vehicle properly and lawfully making use of an audible or visual signal, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway clear of any intersection, and shall, if necessary to permit the safe passage of the emergency vehicle, stop and remain in that position until the authorized emergency vehicle has passed, unless otherwise directed by a police officer.

(B) This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. **(See 625 ILCS Sec. 5/11-907) (See Section 24-1-99 for Penalty)**

24-2-67 FUNERAL PROCESSIONS.

(A) Funeral processions have the right-of-way at intersections when vehicles comprising the procession have their headlights lighted, subject to the following conditions and exceptions:

- (1) Operators of vehicles in a funeral procession shall yield the right-of-way upon the approach of an authorized emergency vehicle giving an audible or visible signal;
- (2) Operators of vehicles in a funeral procession shall yield the right-of-way when directed to do so by a traffic officer;
- (3) The operator of the leading vehicle in a funeral procession shall comply with stop signs and traffic-control signals but when the leading vehicle has proceeded across an intersection in accordance with the signal or alter stopping as required by the stop sign, all vehicles in the procession may proceed without

stopping, regardless of the sign or signal, and the leading vehicle and the vehicles in procession shall proceed with due caution.

(B) The operator of a vehicle not in the funeral procession shall not drive his vehicle in the funeral procession except when authorized to do so by a traffic officer or when such vehicle is an authorized emergency vehicle giving audible or visible signal.

(C) Operators of vehicles not a part of a funeral procession may not form a procession or convoy and have their headlights lighted for the purpose of securing the right-of-way granted by this Section to funeral processions.

(D) The operator of a vehicle not in a funeral procession may overtake and pass the vehicles in such procession if such overtaking and passing can be accomplished without causing a traffic hazard or interfering with such procession.

(E) The lead vehicle in the funeral procession may be equipped with a flashing amber light which may be used only when such vehicle is used as a lead vehicle in such procession. Vehicles comprising a funeral procession may utilize funeral pennants or flags or windshield stickers to identify the individual vehicles in such a procession. **(See 625 ILCS Sec. 5/11-1420) (See Section 24-1-99 for Penalty)**

24-2-68 - 24-2-79 RESERVED.

DIVISION V – SPECIAL STOPS REQUIRED

24-2-80 OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN.

(A) Whenever any person driving a vehicle approaches a railroad grade crossing, that person must exercise due care and caution as the existence of a railroad track across a highway is a warning of danger, and under any of the circumstances stated in this Section, the driver shall stop within **fifty (50) feet** but not less than **fifteen (15) feet** from the nearest rail of the railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

- (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- (2) A crossing gate is lowered or a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
- (3) A railroad train approaching a highway crossing emits a warning signal and the train, by reason of its speed or nearness to the crossing, is an immediate hazard;
- (4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing;
- (5) A railroad train is approaching so closely that an immediate hazard is created.

(B) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed.

(C) When stop signs are erected at railroad grade crossings, the driver of any vehicle shall stop within **fifty (50) feet** but not less than **fifteen (15) feet** from the nearest rail of the railroad, and shall proceed only upon exercising due care.

(D) At any railroad grade crossing provided with railroad crossbuck signs, without automatic, electric, or mechanical signal devices, crossing gates, or a human flagman giving a signal of the approach or passage of a train, the driver of a vehicle shall in obedience to the railroad crossbuck sign, yield the right-of-way and slow down to a speed reasonable for the existing conditions and shall stop, if required for safety, at a clearly marked stopped line, or if no stop line, within **fifty (50) feet** but not less than **fifteen (15) feet** from the nearest rail of the railroad and shall not proceed until he or she can do so safely. If a driver is involved in a collision at a railroad crossing or interferes with the movement of a train after driving past the railroad crossbuck sign, the collision or interference is prima facie evidence of the driver's failure to yield right-of-way.

(E) A violation of any part of this Section shall result in a mandatory fine of **Five Hundred Dollars (\$500.00)** or **fifty (50) hours** of community service.

Local authorities shall impose fines as established in paragraph (E) for vehicles that fail to obey signals indicating the presence, approach, passage or departure of a train. **(See 625 ILCS Sec. 5/11-1201) (See Section 24-1-99 for Penalty)**

24-2-81 CERTAIN VEHICLES MUST STOP AT ALL RAILROAD GRADE CROSSINGS.

(A) The driver of any of the following vehicles shall, before crossing a railroad track or tracks at grade, stop that vehicle within **fifty (50) feet** but not less than **fifteen (15) feet** from the nearest rail, and while so stopped, shall listen and look for the approach of a train, and shall not proceed until that movement can be made with safety:

- (1) Any second division vehicle carrying passengers for hire;
- (2) Any bus that meets all of the special requirements for school buses in **Section 24-2-106**, **Section 24-2-22** and **Section 24-2-24**;
- (3) Any other vehicle which is required by federal or state law to be placarded when carrying as a cargo or part of a cargo "hazardous material" as defined in **625 ILCS Sec. 5/6500**. After stopping as required in this Section, the driver shall proceed only in a gear not requiring a change of gears during the crossing, and the driver shall not shift gears while crossing the track or tracks.

(B) This Section shall not apply:

- (1) At any railroad grade crossing where traffic is controlled by a police officer or flagperson;
- (2) At any railroad grade crossing controlled by a functioning traffic-control signal transmitting a green indication which under law, permits the vehicle to proceed across the railroad tracks without slowing or stopping except that (A) above shall apply to any school bus;
- (3) At any streetcar grade crossing within a business or residence district; or
- (4) At any abandoned industrial or spur track railroad grade crossing designated as exempt by the Illinois Commerce Commission and

marked with an official sign as authorized in the State Manual of Uniform Traffic Control Devices for Streets and Highways. **(See 625 ILCS Sec. 5/11-1202) (See Section 24-1-99 for Penalty)**

24-2-82 EMERGING FROM ALLEY, BUILDING, PRIVATE ROAD, OR DRIVEWAY. The driver of a vehicle emerging from an alley, building, private road, or driveway within an urban area shall stop the vehicle immediately prior to driving into the sidewalk area extending across the alley, building entrance, road, or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon, and shall yield the right-of-way to any pedestrians as may be necessary to avoid collision, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway. **(See 625 ILCS Sec. 5/11-1205) (See Section 24-1-99 for Penalty)**

24-2-83 STOP WHEN TRAFFIC OBSTRUCTED. No driver shall enter an intersection or a marked crosswalk, or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk, or railroad grade crossing to accommodate the vehicle he is operating without obstructing the passage of other vehicles, pedestrians, or railroad trains, notwithstanding any traffic-control signal indication to proceed. **(See 625 ILCS Sec. 5/11-1425) (See Section 24-1-99 for Penalty)**

24-2-84 - 24-2-94 RESERVED.

DIVISION VI – PROHIBITIONS

24-2-95 BACKING.

(A) The driver of a vehicle shall not back the same unless the movement can be made.

(B) With safety and without interfering with other traffic.

(C) The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway. **(See 625 ILCS Sec. 5/11-1402) (See Section 24-1-99 for Penalty)**

24-2-96 FOLLOWING VEHICLE TOO CLOSELY. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon and conditions of the street or highway. **(See 625 ILCS Sec. 5/11-710) (See Section 24-1-99 for Penalty)**

24-2-97 OBSTRUCTION OF DRIVER'S VIEW OR DRIVING MECHANISM.

(A) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle, or as to interfere with the driver's control over the driving mechanism of the vehicle.

(B) No passenger in a vehicle or streetcar shall ride in a position as to interfere with the driver's or motorman's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle or streetcar.

(C) No passenger on a school bus may ride or stand in a position as to interfere with the driver's view ahead or to the side or to the rear, or to interfere with his control of the driving mechanism of the bus. **(See 625 ILCS Sec. 5/11-1406) (See Section 24-1-99 for Penalty)**

24-2-98 OPENING VEHICLE DOORS. No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. **(See 625 ILCS Sec. 5/11-1407) (See Section 24-1-99 for Penalty)**

24-2-99 COASTING.

(A) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears or transmission of the vehicle in neutral.

(B) The driver of a truck or bus when traveling upon a down grade shall not coast with the clutch disengaged. **(See 625 ILCS Sec. 5/11-1410) (See Section 24-1-99 for Penalty)**

24-2-100 FOLLOWING FIRE APPARATUS; DRIVING OVER FIRE HOSE.

(A) The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than **five hundred (500) feet** or stop the vehicle within **five hundred (500) feet** of any fire apparatus stopped in answer to a fire alarm. **(See 625 ILCS Sec. 5/11-1411)**

(B) No vehicle shall be driven over an unprotected hose of the Fire Department when laid down on any street, private road, or driveway to be used at any fire or alarm of fire, without the consent of the Fire Department official in command. **(See 625 ILCS Sec. 5/11-1412) (See Section 24-1-99 for Penalty)**

24-2-101 DRIVING UPON SIDEWALK.

(A) No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway.

(B) This Section does not apply to any vehicle moved exclusively by human power nor to any motorized wheelchair. **(See 625 ILCS Sec. 5/11-1412.1) (See Section 24-1-99 for Penalty)**

24-2-102 USE OF ROLLER SKATES, COASTERS, OR SIMILAR DEVICES. No person upon roller skates or riding in or by means of any coaster, toy vehicle, skateboard, or similar device shall go upon any roadway except while crossing a street on a crosswalk or except upon streets set aside as play streets when authorized by the traffic authority. **(See Section 24-1-99 for Penalty)**

24-2-103 PUTTING GLASS OR OTHER HAZARDOUS MATERIALS ON HIGHWAY PROHIBITED.

(A) No person shall throw, spill or deposit upon any highway any bottle, glass, nails, tacks, wire, cans, or any litter (as defined in Chapter 38, Section 86-3 of the State Litter Control Act).

(B) Any person who violates paragraph (A) upon any highway shall immediately remove such material or cause it to be removed.

(C) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other debris, except any hazardous substance as defined in **415 ILCS Sec. 5/3.14**, hazardous waste as defined in **415 ILCS Sec. 5/3.15**, and potentially infectious medical waste as defined in **415 ILCS Sec. 5/3.84**, dropped upon the highway from such vehicle. **(See 625 ILCS Sec. 5/11-1413) (See Section 24-1-99 for Penalty)**

24-2-104 OBSTRUCTING PERSON IN HIGHWAYS. No person shall willfully and unnecessarily hinder, obstruct, or delay, or willfully and unnecessarily attempt to delay, hinder, or obstruct any other person in lawfully driving or traveling along or upon any highway within this Village, or offer for barter or sale merchandise on the highway so as to interfere with the effective movement of traffic. **(See 625 ILCS Sec. 5/11-1416) (See Section 24-1-99 for Penalty)**

24-2-105 FARM TRACTOR OPERATION.

(A) No person shall operate a farm tractor on a highway in this Village unless the tractor is being used as an implement of husbandry in connection with farming operations.

(B) For the purpose of this Section, the use of a farm tractor as an implement of husbandry in connection with farming operations shall be deemed to include use of the tractor in connection with the transportation of agricultural products and of farm machinery, equipment, and supplies, as well as the transportation of the implement of husbandry from its place of purchase to its place of storage, in connection with the obtaining of repairs of the implement of husbandry, and the towing of a registered truck of not more than **eight thousand (8,000) pounds** for use as return transportation after the tractor is left at the place of work or repair. **(See 625 ILCS Sec. 5/11-1418) (See Section 24-1-99 for Penalty)**

24-2-106 DRIVING ON CONTROLLED-ACCESS HIGHWAY. No person may drive a vehicle onto or from any controlled-access highway except at entrances and exits established by public authority. **(See 625 ILCS Sec. 5/11-711) (See Section 24-1-99 for Penalty)**

24-2-107 LOUDSPEAKERS OR AMPLIFIERS UPON VEHICLES PROHIBITED.

The Chief of Police is empowered to authorize or prohibit, and to prescribe the conditions governing, the use of any loudspeaker or other broadcasting or amplifying equipment upon any vehicle driving upon the streets, or the use of any such equipment installed upon the public or private premises abutting any sidewalk or street for broadcasting sound over or upon any sidewalk or street.

24-2-108 SQUEALING OR SCREECHING TIRES.

(A) No person shall operate any motor vehicle in such a manner as to cause or allow to be emitted squealing, screeching or other such noise from the vehicles tires due to rapid acceleration or excessive speed around corners or other such reason.

(B) This Section shall not apply to the following conditions:

- (1) An authorized emergency vehicle when responding to an emergency call or when in pursuit of an actual or suspected violator;
- (2) The emergency operation of a motor vehicle when avoiding imminent danger; nor
- (3) Any raceway, racing facility, or other public event, not part of a highway, sanctioned by the Village.

24-2-109 DRIVING ON CLOSED OR BARRICADED STREETS PROHIBITED.

No person shall drive any vehicle over or across any newly made pavement in any public street, across or around which pavement there is a barrier, or at, over, or near which there is a person or sign warning persons that the street is closed.

24-2-110 - 24-2-119 RESERVED.

DIVISION VII – PARADES

24-2-120 DEFINITIONS. For the purpose of this Division the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Cruising. The repeated operation of **two (2)** or more vehicles in a continuous or nearly continuous flow through a parking lot.

Parade. Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the Village, or *cruising* defined above.

Parade Permit. A permit required by this Division.

Parking Lot. Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers, but shall not include those operated for hire.

24-2-121 PERMIT REQUIRED.

(A) No person or persons shall engage or participate in, aid, form, or start any parade unless a parade permit has been obtained from the Chief of Police or other authorized Village official.

(B) This Division shall not apply to:

- (1) Funeral processions;
- (2) Students going to and from school classes or participating in educational activities, provided the conduct is under the immediate direction and supervision of the proper school authorities;
- (3) A governmental agency acting within the scope of its functions.

(See Section 24-1-99 for Penalty)

24-2-122 APPLICATION FOR PERMIT. A person seeking issuance of a parade permit shall file an application with the Chief of Police or other authorized Village official on forms provided by such officer.

(A) **Filing Period.** The application for a parade permit shall be filed not less than **five (5) days** or not more than **sixty (60) days** before the date on which it is proposed to conduct the parade.

(B) The application for a parade permit shall set forth the following information:

- (1) The name, address, and telephone number of the person seeking to conduct the parade;
- (2) If the parade is proposed to be conducted for, on behalf of or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;
- (3) The name, address, and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct;
- (4) The date when the parade is to be conducted;
- (5) The route to be traveled, the starting point, and the termination point;
- (6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;
- (7) The hours when the parade will start and terminate;
- (8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;
- (9) The location by street of any assembly area for the parade;
- (10) The time at which units of the parade will begin to assemble at any such assembly area or areas;

- (11) The interval of space to be maintained between units of the parade;
- (12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his behalf;
- (13) Any additional information reasonably necessary to a fair determination as to whether a permit should be issued.

(C) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by the Board of Trustees from time to time. **(See Section 24-1-99 for Penalty)**

24-2-123 STANDARDS FOR ISSUANCE OF PERMIT. The Chief of Police or other authorized Village official shall issue a permit when, from a consideration of the application and from other information obtained, he finds that:

(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the Village to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the Village.

(C) The conduct of the parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the Village other than that to be occupied by the proposed line of march and areas contiguous thereto.

(D) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the parade will not interfere with the movement of fire-fighting equipment en route to a fire;

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;

(G) The parade is not to be held for the sole purpose of advertising any product, goods, or event, and is not designated to be held purely for private profit;

(H) The parade, if it takes the form of cruising, has the approval in writing of the owner or an authorized agent of the owner for the use of the parking lot which is the site of the parade. **(See Section 24-1-99 for Penalty)**

24-2-124 NOTICE OF REJECTION OF PERMIT APPLICATION. The Chief of Police or other authorized Village official shall act on the application for a parade permit within **three (3) days**, Saturdays, Sundays, and holidays excepted, after filing thereof if he disapproves the application, he shall mail to the applicant within the **three (3) days**, Saturdays, Sundays, and holidays excepted, after the date on which the application was filed, a notice of his action stating the reasons for his denial of the permit.

24-2-125 APPEAL PROCEDURE WHEN PERMIT DENIED. Any person aggrieved shall have the right to appeal the denial of a parade permit to the Board of Trustees. The appeal shall be taken within **thirty (30) days** after notice of denial. The Board of Trustees shall act on the appeal within **thirty (30) days** after its receipt.

24-2-126 ALTERNATIVE PERMIT. The Chief of Police or other authorized Village official, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his acceptance. An alternate parade permit shall conform to the requirements of and shall have the effect of a parade permit under this Division.

24-2-127 NOTICE TO VILLAGE AND OTHER OFFICIALS WHEN PERMIT ISSUED. Immediately on the issuance of a parade permit, a copy thereof shall be sent to the following persons:

- (A) The President;
- (B) The Fire Chief.

24-2-128 CONTENTS OF PERMIT. Each parade permit shall state the following information:

- (A) Starting time;
- (B) Minimum speed;
- (C) Maximum speed;
- (D) Maximum interval of space to be maintained between the units of the parade;
- (E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;
- (F) The maximum length of the parade in miles or fractions thereof;
- (G) Such other information as is reasonably necessary to the enforcement of this Division. **(See Section 24-1-99 for Penalty)**

24-2-129 DUTIES OF PERMITTEE. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairperson or other person heading or leading the activity shall carry the parade permit on his person during the conduct of the parade. **(See Section 24-1-99 for Penalty)**

24-2-130 PUBLIC CONDUCT DURING PARADES.

(A) **Interference.** No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in a parade.

(B) **Driving Through Parades.** No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(C) **Parking on Parade Route.** The Chief of Police or other authorized Village official shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of a parade. Signs shall be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

No person shall be liable for parking on a street or other public thoroughfare unless signs have been posted in accordance with this Section. **(See Section 24-1-99 for Penalty)**

24-2-131 REVOCATION OF PERMIT. The Village shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

ARTICLE III – PARKING REGULATIONS

DIVISION I – METHOD OF PARKING

24-3-1 GENERAL PARKING REGULATIONS.

(A) Except as otherwise provided in this Section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within **twelve (12) inches** of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(B) Every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within **twelve (12) inches** of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within **twelve (12) inches** of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(C) No person shall park in violation of signs placed by and under the jurisdiction of the State Department of Transportation which prohibit, limit, or restrict the stopping, standing, or parking of vehicles on any highway. **(See 625 ILCS Sec. 5/11-1304) (See Section 24-3-99 for Penalty)**

24-3-2 UNATTENDED MOTOR VEHICLES. No person driving or in charge of a motor vehicle shall permit it to stand unattended without stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the brake thereon and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway. **(See 625 ILCS Sec. 5/11-1401) (See Section 24-3-99 for Penalty)**

24-3-3 - 24-3-9 RESERVED.

DIVISION II – RESTRICTIONS ON STOPPING, STANDING, AND PARKING

24-3-10 STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES.

(A) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer, or an official traffic-control device, no person shall:

- (1) Stop, stand, or park a vehicle:
 - (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (b) On a sidewalk;
 - (c) Within an intersection;
 - (d) On a crosswalk;

- (e) Between a safety zone and the adjacent curb or within **thirty (30) feet** of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
 - (f) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - (g) Upon any bridge or other elevated structure, upon a highway, or within a highway tunnel;
 - (h) On any railroad tracks. A violation of any part of this paragraph shall result in a mandatory fine of **Five Hundred Dollars (\$500.00)** or **fifty (50) hours** of community service.
 - (i) At any place where official signs prohibit stopping;
 - (j) On any controlled-access highway;
 - (k) In the area between roadways of a divided highway, including crossovers.
 - (l) In a public parking area if the vehicle does not display a current annual registration sticker or current temporary permit pending registration.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
- (a) In front of a public or private driveway;
 - (b) Within **fifteen (15) feet** of a fire hydrant;
 - (c) Within **twenty (20) feet** of a crosswalk at an intersection;
 - (d) Within **thirty (30) feet** upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;
 - (e) Within **twenty (20) feet** of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within **seventy-five (75) feet** of the entrance (when properly sign-posted);
 - (f) At any place where official signs prohibit standing.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
- (a) Within **fifty (50) feet** of the nearest rail of a railroad crossing;
 - (b) At any place where official signs prohibit parking.

(B) No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb a distance as is unlawful. **(See 625 ILCS Sec. 5/11-1303) (See Section 24-3-99 for Penalty)**

(C) No person shall park any trailer, camper trailer or recreational vehicle for more than **seventy-two (72) hours** upon any street, alley or any public way within the Village. **(Ord. No. 2013-06; 08-12-13)**

24-3-11 STOPPING, STANDING, OR PARKING OUTSIDE BUSINESS OR RESIDENCE DISTRICT.

(A) Outside a business or residence district, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the roadway when it is

practicable to stop, park, or so leave the vehicle off the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles, and a clear view of the stopped vehicle shall be available from a distance of **two hundred (200) feet** in each direction upon the highway.

(B) The Village, with respect to highways under its jurisdiction or for the maintenance of which it is responsible, may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on any highway where in its opinion stopping, standing, or parking is dangerous to those using the highway, or where stopping, standing, or parking vehicles would unduly interfere with the free movement of traffic thereon. Any regulations adopted by the Village regarding the stopping, standing, or parking of vehicles upon any specific street, streets, or highways become effective at the time of the erection of appropriate signs indicating the regulations. **(See Chapter 9, Parking Schedules)**

(C) This Section and **Section 24-1-10** and **625 ILCS Sec. 5/11-1304** shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position.

(D) Any second division vehicle used exclusively for the collection of garbage, refuse, or recyclable material may stop or stand on the road in a business, rural, or residential district for the sole purpose of collecting garbage, refuse, or recyclable material. The vehicle, in addition to having its hazard lights lighted at all times that it is engaged in stopping or standing, shall also use its amber oscillating, rotating, or flashing light or lights as authorized under **625 ILCS Sec. 5/12-215**, if so equipped. **(See 625 ILCS Sec. 5/11-1301) (See Section 24-3-99 for Penalty)**

24-3-12 UNAUTHORIZED USE OR PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES.

(A) It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a person with disabilities, as defined by **Section 24-1-1**, pursuant to **625 ILCS Sec. 5/3-616, 5/11-1301.1, or 5/11-1301.2**, or to a disabled veteran pursuant to **625 ILCS Sec. 5/3-609**, as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public off-street parking facility, specifically reserved, by the posting of an official sign as designated under **625 ILCS Sec. 5/11-301**, for motor vehicles bearing such registration plates. Any motor vehicle bearing a person with disabilities license plate or a person with disabilities parking decal or device containing the International symbol of access issued to persons with disabilities shall be recognized by local authorities as a valid license plate or device and receive the same parking privileges as residents of the Village. A complete list of handicapped parking spaces in the Village shall be located at the conclusion of this Chapter in **Schedule "H"**.

(B) Any person or local authority owning or operating any public or private off-street parking facility may, after notifying the Police Department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by a person with disabilities which does not display a person with disabilities registration plates or a special decal or device as required under this Section.

(C) Any person found guilty of violating the provisions of this Section shall be fined as set forth in **Section 24-3-99** in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this Section, and the Village shall

display signs indicating the fine imposed. If the amount of the fine is subsequently changed, the Village shall change the sign to indicate the current amount of the fine. **(See 625 ILCS Sec. 5/11-1301.3) (See Section 24-3-99 for Penalty)**

24-3-13 PARKING IN ALLEYS. It shall be unlawful for any driver to park a vehicle within an alley in such a manner or under such conditions as to leave available less than **eight (8) feet** of the width of the roadway for the free movement of vehicular traffic, and there shall be no parking in any alley for a time longer than is necessary to load or unload passengers or materials.

24-3-14 PARKING SECOND DIVISION MOTOR VEHICLE IN RESIDENTIAL AREA. No operator of a motor vehicle of the second division of a gross weight in pounds, including vehicle and maximum load, in excess of **sixteen thousand (16,000) pounds**, as defined under the Illinois Motor Vehicle Code, **625 ILCS Sec. 5**, shall stand or park such vehicle upon any street in the Village zoned residential pursuant to Chapter 155, Zoning, or where the primary use of the structures fronting thereon is for residential purposes in the Village except for the purpose of making a delivery or pickup of merchandise or material, in which event such standing or parking shall be permitted for a period not to exceed **one (1) hour**. However, trucks engaged in the transporting of the household possessions of persons moving into or out of a dwelling unit within the Village shall be permitted to park or stand for a period not to exceed **four (4) hours** in the street on which such dwelling unit is located.

24-3-15 PARKING VIOLATIONS. Any person found guilty of a violation of an ordinance prohibiting stopping, standing or parking a vehicle, trailer, camper trailer or recreational vehicle in a designated area or restricting the length of time a vehicle, trailer, camper trailer or recreational vehicle may be there parked shall be fined not less than **Fifty Dollars (\$50.00)** nor more than **One Hundred Dollars (\$100.00)** for each violation. Each day a violation continues after notification constitutes a separate offense.

(A) **Removal – Time Limit.** Any vehicle, trailer, camper trailer or recreational vehicle illegally parked for a period in excess of **twenty-four (24) hours** may be removed by a towing service authorized by the Police Department of the Municipality. In any emergency any vehicle, trailer, camper trailer or recreational vehicle may be removed by any means wen authorized by the Police Department of the Municipality.

(B) **Village Parking Lots.** No person shall park a motor vehicle on a Village parking lot unattended for more than **five (5) consecutive days**. **(Ord. No. 2013-06; 08-12-13)**

24-3-16 - 24-3-24 RESERVED.

DIVISION III – SNOW EMERGENCIES

24-3-25 ANNOUNCEMENT OF SNOW EMERGENCY. Whenever the Mayor finds that falling snow, sleet, or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he finds on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a condition making it necessary that such parking be prohibited, he is authorized to announce such prohibition, to become effective at a time specified by him. After the effective time of such prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet, or freezing rain occurs after **11:00 P.M.** and prior to **6:00 A.M.**, and the Mayor has not announced prior to **11:00 P.M.** that parking on

snow emergency routes is to be prohibited after a specified time, a vehicle parking on a snow emergency route may remain so parked until **7:00 A.M.** following such fall. The prohibition of parking announced by the Mayor under the authority of this Section shall remain in effect until he announces the termination of the snow emergency, in part or in whole, after which the prohibition of parking authorized by this Section shall no longer be in effect. **(See Section 24-3-99 for Penalty)**

24-3-26 TERMINATION OF EMERGENCY. Whenever the Mayor shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If such announcement is made other than between **6:00 A.M.** and **11:00 P.M.**, it shall be repeated between those hours.

24-3-27 SNOW EMERGENCY ROUTES. The term *snow emergency route* shall mean any route designated by the Mayor. On such street or highway designated as a snow emergency route, special signs shall be posted to this effect.

24-3-28 - 24-3-39 RESERVED.

DIVISION IV – VIOLATIONS

24-3-40 OFFICERS AUTHORIZED TO REMOVE VEHICLES.

(A) Whenever any police officer finds a vehicle in violation of any of the provisions of **Section 24-3-11** or any other applicable section of this Traffic Code or ordinance of the Village, the officer is authorized to move the vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the roadway.

(B) Any police officer is authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway, or in a tunnel, or in a position or under circumstances as to obstruct the normal movement of traffic.

(C) Any police officer is authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a highway when:

- (1) Report has been made that the vehicle has been stolen or taken without the consent of its owner; or
- (2) The person or persons in charge of the vehicle are unable to provide for its custody or removal; or
- (3) When the person driving or in control of the vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay. **(See 625 ILCS Sec. 5/11-1302)**

(D) When any vehicle is parked in any prohibited place, any police officer or other authorized official may cause such improperly parked vehicle to be removed to a garage designated by the Chief of Police and the owner or operator of such vehicle shall be required to pay the cost of its removal as well as any penalty established for parking illegally.

24-3-41 **DUTY OF LESSOR OR VEHICLE ON NOTICE OR VIOLATION OF THIS CHAPTER.** Every person in whose name a vehicle is registered pursuant to law and who leases such vehicle to others, after receiving written notice of a violation of this Chapter involving such vehicle, shall upon request provide such police officers as have authority of the offense, and the court having jurisdiction thereof, with a written statement of the name and address of the lessee at the time of such offense and the identifying number upon the registration plates and registration sticker or stickers of such vehicle. **(See 625 ILCS Sec. 5/11-1305)**

24-3-42 - 24-3-98RESERVED.

DIVISION V – PENALTY

24-3-99 **PENALTY.**

(A) Whoever violates any provision of this Chapter for which no specific penalty is otherwise provided shall be fined as set forth in **Section 24-1-99.**

(B) Whoever violates **Section 24-3-12** shall be fined **Two Hundred Dollars (\$200.00)** in addition to any costs or charges connected with the removal or storage of the motor vehicle. **(See 625 ILCS Sec. 5/11-1301.3)**

ARTICLE IV – MOTORCYCLES AND BICYCLES

DIVISION I - BICYCLES

24-4-1 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES. Every person riding a bicycle upon a highway shall be granted all of the rights, and shall be subject to all of the duties applicable to the driver of a vehicle by this Traffic Code, except as to special regulations in this Traffic Code, and except as to those provisions of this Traffic Code which by their nature can have no application. **(See 625 ILCS Sec. 5/11-1502) (See Section 24-1-99 for Penalty)**

24-4-2 RIDING ON BICYCLES.

(A) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except that an adult rider may carry a child securely attached to his person in a back pack or sling. **(See 625 ILCS Sec. 5/11-1503) (See Section 24-1-99 for Penalty)**

24-4-3 CLINGING TO VEHICLES. No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any vehicle upon a roadway. **(See 625 ILCS Sec. 5/11-1504) (See Section 24-1-99 for Penalty)**

24-4-4 RIDING ON ROADWAYS, BICYCLE PATHS OR SIDEWALKS.

(A) Any person operating a bicycle or motorized pedalcycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except under the following situations:

- (1) When overtaking and passing another bicycle, motorized pedalcycle, or vehicle proceeding in the same direction; or
- (2) When preparing for a left turn at an intersection or into a private road or driveway; or
- (3) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, motorized pedalcycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge. For purposes of this Section, a "substandard width lane" means a lane that is too narrow for a bicycle or motorized pedalcycle and a vehicle to travel safely side by side within the lane.

(B) Any person operating a bicycle or motorized pedalcycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of the roadway as practicable. **(See 625 ILCS Sec. 5/11-1505)**

(C) Persons riding bicycles or motorized pedalcycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for their exclusive use. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane subject to the provisions of paragraphs (A) and (B) above. **(See 625 ILCS Sec. 5/11-1505.1)**

(D)

- (1) No person shall ride any bicycle on any sidewalk in any business district.
- (2) Outside of such business districts riding on the sidewalks is permitted. Any person riding a bicycle on a sidewalk shall yield the right-of-way to every pedestrian and when approaching a pedestrian from the rear shall give a clearly audible warning signal when at least **twenty-five (25) feet** distance from such pedestrian. **(See Section 24-1-99 for Penalty)**

24-4-5 CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle, or article which prevents the use of both hands in the control and operation of the bicycle. A person operating a bicycle shall keep at least one hand on the handlebars at all times. **(See 625 ILCS Sec. 5/11-1506) (See Section 24-1-99 for Penalty)**

24-4-6 LAMPS AND OTHER EQUIPMENT ON BICYCLES.

(A) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least **five hundred (500) feet** to the front, and with a red reflector on the rear of a type approved by the department which shall be visible from all distances from **one hundred (100) feet to six hundred (600) feet** to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of **five hundred (500) feet** to the rear may be used in addition to the red reflector.

(B) A bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren.

(C) Every bicycle shall be equipped with a brake which will adequately control movement of and stop and hold the bicycle.

(D) No person shall sell a new bicycle or pedal for use on a bicycle that is not equipped with a reflex reflector conforming to specifications prescribed by the State Department of Transportation, on each pedal, visible from the front and rear of the bicycle during darkness from a distance of **two hundred (200) feet**.

(E) No person shall sell or offer for sale a new bicycle that is not equipped with side reflectors. The reflectors shall be visible from each side of the bicycle from a distance of **five hundred (500) feet**, and shall be essentially colorless or red to the rear of the center of the bicycle and essentially colorless or amber to the front of the center of the bicycle. The requirements of this Section may be met by reflective materials which shall be at least **three-sixteenths (3/16) inch** wide on each side of each tire or rim to indicate as clearly as possible the continuous circular shape and size of the tires or rims of the bicycle, and which reflective materials may be of the same color on both the front and rear tire or rim. The reflectors shall conform to specifications prescribed by the State Department of Transportation.

(F) No person shall sell or offer for sale a new bicycle that is not equipped with an essentially colorless front-facing reflector. **(See 625 ILCS Sec. 5/11-1507) (See Section 24-1-99 for Penalty)**

24-4-7 LAMPS ON MOTORIZED PEDALCYCLES. Every motorized pedalcycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least **five hundred (500) feet** to the front, and with a red reflector on the rear of a type approved by the State Department of Transportation which shall be visible from all distances from **one hundred (100) feet to six hundred (600) feet** to the rear when in front of lawful, low-powered beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of **five hundred (500) feet** to the rear may be used in addition to the red reflector. **(See 625 ILCS Sec. 5/11-1507.1) (See Section 24-1-99 for Penalty)**

24-4-8 RIDING ON MOTORIZED PEDALCYCLES.

(A) The operator of a motorized pedalcycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit **two (2) persons** to ride thereon at the same time, unless the motorized pedalcycle is designed to carry **two (2) persons**. Any motorized pedalcycle designed for **two (2) persons** must be equipped with a passenger seat and footrests for use of a passenger.

(B) Neither the operator nor any passenger on a motorized pedalcycle shall be required to wear any special goggles, shield, helmet, or glasses.

(C) The provisions of **Sections 24-4-1 through 24-4-7** shall be applicable to the operation of motorized pedalcycles, except for those provisions which by their nature can have no application to motorized pedalcycles. **(See 625 ILCS Sec. 5/11-1403.1) (See Section 24-1-99 for Penalty)**

24-4-9 - 24-4-19 RESERVED.

DIVISION II – MOTORCYCLES

24-4-20 RIDING ON MOTOCYCLES.

(A) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than **one (1) person**, in which event a passenger may ride upon the permanent and regular seat if designed for **two (2) persons**, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

(B) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

(C) No person shall operate any motorcycle with handlebars higher than the height of the shoulders of the operator when the operator is seated in the normal driving position astride that portion of the seat or saddle occupied by the operator. **(See 625 ILCS Sec. 5/11-1403) (See Section 24-1-99 for Penalty)**

24-4-21 SPECIAL EQUIPMENT FOR PERSONS RIDING MOTORCYCLES.

(A) The operator and every passenger of a motorcycle, motor driven cycle, or motorized pedalcycle shall be protected by glasses, goggles, or a transparent shield.

(B) For the purposes of this Section, glasses, goggles, and transparent shields are defined as follows:

(1) **Glasses.** Ordinary eyepieces such as spectacles or sunglasses worn before the eye, made of shatter-resistant material. ***Shatter-Resistant Material*** as used in this Section, means material so manufactured, fabricated, or created that it substantially prevents shattering or flying when struck or broken.

(2) **Goggles.** A device worn before the eyes, the predominant function of which is protecting the eyes without obstructing peripheral vision. ***Goggles*** shall provide protection from the front and sides, and may or may not form a complete seal with the face.

(3) **Transparent Shield.** A windshield attached to the front of a motorcycle that extends above the eyes when an operator is seated in the normal, upright riding position, made of shatter-resistant material, or a shatter-resistant protective face shield that covers the wearer's eyes and face at least to a point approximately to the tip of the nose.

(C) Contact lenses are not acceptable eye protection devices. **(See 625 ILCS Sec. 5/11-1404) (See Section 24-1-99 for Penalty)**

24-4-22 REQUIRED EQUIPMENT ON MOTORCYCLES. Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for the passenger. **(See 625 ILCS Sec. 5/11-1405) (See Section 24-1-99 for Penalty)**

24-4-23 OPERATING MOTORCYCLE ON ONE WHEEL. Any person who operates a motorcycle on one wheel is guilty of reckless driving as defined in Section 76.06. **(See 625 ILCS Sec. 5/11-1403.2) (See Section 24-1-99 for Penalty)**

ARTICLE V – PEDESTRIANS

24-5-1 PEDESTRIAN OBEDIENCE TO TRAFFIC-CONTROL DEVICES AND TRAFFIC REGULATIONS.

(A) A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to him, unless otherwise directed by a police officer.

(B) Pedestrians shall be subject to traffic and pedestrian-control signals provided in **Section 24-4-31** and **24-4-32** of this Traffic Code; but at all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Chapter. **(See 625 ILCS Sec. 5/11-1001)**

24-5-2 PEDESTRIANS' RIGHT-OF-WAY AT CROSSWALKS.

(A) When traffic-control signals are not in place, or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) No pedestrian shall suddenly leave a curb or other place of safety, and walk or run into the path of a moving vehicle which is so close as to constitute an immediate hazard.

(C) Paragraph (A) shall not apply under the condition stated in **Section 24-5-3(B)**.

(D) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(E) Whenever stop signs or flashing red signals are in place at an intersection or at a plainly marked crosswalk between the intersections, drivers shall yield right-of-way to pedestrians as set forth in Section 71.062. **(See 625 ILCS Sec. 5/11-1002) (See Section 24-1-99 for Penalty)**

24-5-3 CROSSING AT OTHER THAN CROSSWALKS.

(A) Every pedestrian crossing a roadway at any point other than within a marked crosswalk; or within an unmarked crosswalk at an intersection, shall yield the right-of-way to all vehicles upon the roadway.

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(C) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(D) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to the crossing movements.

(E) Pedestrians with disabilities may cross a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk where the intersection is physically inaccessible to them but they shall yield the right-of-way to all vehicles on the roadway. **(See 625 ILCS Sec. 5/11-1003) (See Section 24-1-99 for Penalty)**

24-5-4 DRIVERS TO AVOID COLLIDING WITH PEDESTRIANS.

Notwithstanding other provisions of this Chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian, or any person operating a bicycle or other device propelled by human power and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated, or intoxicated person. **(See 625 ILCS Sec. 5/11-1003.1) (See Section 24-1-99 for Penalty)**

24-5-5 PEDESTRIAN WITH DISABILITIES; RIGHT-OF-WAY. The driver of a vehicle shall yield the right-of-way to any pedestrian with clearly visible disabilities. **(See 625 ILCS Sec. 5/11-1004) (See Section 24-1-99 for Penalty)**

24-5-6 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS. Pedestrians shall move, whenever practicable, upon the right half of crosswalks. **(See 625 ILCS Sec. 5/11-1005) (See Section 24-1-99 for Penalty)**

24-5-7 PEDESTRIANS SOLICITING RIDES OR BUSINESS.

(A) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

(B) No person shall stand on a highway for the purpose of soliciting employment or business from the occupant of any vehicle.

(C) No person shall stand on a highway for the purpose of soliciting contributions from the occupant of any vehicle, unless expressly permitted by this Code. The Village shall determine by ordinance where and when solicitations may take place based on the safety of the solicitors and the safety of motorists. The decision shall also take into account the orderly flow of traffic and may not allow interference with the operation of official traffic-control devices. Any person engaged in the act of solicitation shall be **sixteen (16) years** of age or more and shall be wearing a high visibility vest. The soliciting agency shall be:

- (1) Registered with the Attorney General as a charitable organization as provided by "An Act to regulate solicitation and collection of funds for charitable purposes, provided for violations thereof, and making an appropriation therefor," approved **July 26, 1963**, as amended.
- (2) Engaged in a statewide fund raising activity.
- (3) Liable for any injuries to any person or property during the solicitation which is casually related to an act of ordinary negligence of the soliciting agent.

(D) No person shall stand on or in the proximity of a roadway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway. **(See 625 ILCS Sec. 5/11-1006) (See Section 24-1-99 for Penalty)**

24-5-8 PEDESTRIANS WALKING ON HIGHWAYS.

(A) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(B) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(C) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of a roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.

(D) Except as otherwise provided in this Chapter, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway. **(See 625 ILCS Sec. 5/11-1007) (See Section 24-1-99 for Penalty)**

24-5-9 RIGHT-OF-WAY ON SIDEWALKS. The driver of a vehicle shall yield the right-of-way to any pedestrians on a sidewalk. **(See 625 ILCS Sec. 5/11-1008) (See Section 24-1-99 for Penalty)**

24-5-10 STANDING ON SIDEWALK. It shall be unlawful for a pedestrian to stand upon any sidewalk except as near as is reasonably possible to the building line or curb line, if such standing interferes with the use of the sidewalk by other pedestrians.

24-5-11 PEDESTRIANS YIELD TO AUTHORIZED EMERGENCY VEHICLES. Upon the immediate approach of an authorized emergency vehicle making use of an audible signal and visual signals meeting the requirements of **625 ILCS Sec. 5/12-601**, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle. **(See 625 ILCS Sec. 5/11-1009) (See Section 24-1-99 for Penalty)**

24-5-12 PEDESTRIANS UNDER INFLUENCE OF ALCOHOL OR DRUGS. A pedestrian who is under the influence of alcohol or any drug to a degree which renders himself a hazard shall not walk or be upon a highway, except on a sidewalk. **(See 625 ILCS Sec. 5/11-1010) (See Section 24-1-99 for Penalty)**

24-5-13 BRIDGE AND RAILROAD SIGNALS.

(A) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

(B) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed.

(C) No pedestrian shall enter, remain upon, or traverse over a railroad grade crossing or pedestrian walkway crossing a railroad track when an audible bell or clearly visible electric or mechanical signal device is operational giving warning of the presence, approach, passage or departure of a railroad train.

(D) A violation of any part of this Section shall result in a mandatory fine of **Five Hundred Dollars (\$500.00)** or **fifty (50) hours** of community service.

(E) Local authorities shall impose fines as established in paragraph (D) of this Section for pedestrians who fail to obey signals indicating the presence, approach, passage or departure of a train. **(See 625 ILCS Sec. 5/11-1011) (See Section 24-1-99 for Penalty)**

24-5-14 **MOTORIZED WHEELCHAIRS.** Every person operating a motorized wheelchair upon a sidewalk or roadway shall be granted all the rights and shall be subject to all the duties applicable to a pedestrian. **(See 625 ILCS Sec. 5/11-1004.1)**

ARTICLE VI – EQUIPMENT LOADS

DIVISION I – EQUIPMENT

24-6-1 SCOPE AND EFFECT OF EQUIPMENT REQUIREMENTS.

(A) It is unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in an unsafe condition as to endanger any person or property, or which does not contain those parts or is not at all times equipped with the lamps and other equipment in proper condition and adjustment as required in **625 ILCS Sec. 5/12-100 et seq.**, or which is equipped in any manner in violation of **625 ILCS Sec. 5/12-100 et seq.**, or for any person to do any act forbidden or fail to perform any act required under **625 ILCS Sec. 5/12-100 et seq.**

(B) The provisions of **625 ILCS Sec. 5/12-100 et seq.**, with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, or to farm-wagon type trailers having a fertilizer spreader attachment permanently mounted thereon, having a gross weight of not to exceed **thirty-six thousand (36,000) pounds** and used only for the transportation of bulk fertilizer, or to farm wagon type tank trailers of not to exceed **two thousand (2,000) gallons** capacity, used during the liquid fertilizer season as field-storage “nurse tanks”, supplying the fertilizer to a field applicator and highways only for bringing the fertilizer to a field applicator from a local source of supply to the farm or field or from one farm or field to another. **(See 625 ILCS Sec. 5/12-101) (See Section 24-1-99 for Penalty)**

24-6-2 - 24-6-9 RESERVED.

DIVISION II – LOADS

24-6-10 SCOPE AND EFFECT OF SIZE, WEIGHT, AND LOAD REGULATIONS.

(A) It is unlawful for any person to drive or move on, upon, or across, or for the owner to cause to knowingly permit to be driven or moved on, upon, or across any highway any vehicle or vehicles of a size and weight exceeding the limitations stated in **625 ILCS Sec. 5/15-100 et seq.**, or otherwise in violation of **625 ILCS Sec. 5/15-100 et seq.**

(B) The provisions of **625 ILCS Sec. 5/15-100 et seq.** governing size, weight, and load do not apply to fire apparatus or equipment for snow and ice removal operations owned or operated by the Village, or to implements of husbandry temporarily operated or towed in a combination upon a highway provided such combination does not consist of more than **three (3) vehicles** or, in the case of hauling fresh, perishable fruits or vegetables from farm to the point of first processing, not more than **three (3) wagons** being towed by an implement of husbandry, or to a vehicle operated under the terms of a special permit. **(See 625 ILCS Sec. 5/15-101)**

(C) No person shall use the highways under the jurisdiction of the Village in violation of weight and location restrictions and commercial vehicle restrictions set forth by the Board of Trustees. See **Schedule "J"** at the conclusion of this Chapter. **(See Section 24-1-99 for Penalty)**

Statutory References. Power of Village to regulate loads, 65 ILCS Sec. 5/11-4-1

24-6-11 PROJECTING LOADS ON PASSENGER VEHICLES. No passenger-type vehicle shall be operated on any street with any load carried thereon extending beyond the line of the fenders on the left side of the vehicle, nor extending more than **six (6) inches** beyond the line of the fenders on the right side thereof. **(See 625 ILCS Sec. 5/15-105) (See Section 24-1-99 for Penalty)**

24-6-12 PROTRUDING MEMBERS OF VEHICLES. No vehicle with boom, arm, drill rig, or other protruding component shall be operated upon the highway unless the protruding component is fastened so as to prevent shifting, bouncing, or moving in any manner. **(See 625 ILCS Sec. 5/15-106) (See Section 24-1-99 for Penalty)**

24-6-13 SPILLING LOADS PROHIBITED.

(A) No vehicle shall be driven or moved on any street unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

(B) No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(C) The State Department of Transportation shall adopt those rules and regulations it deems appropriate which require the securing of steel rolls and other objects on flatbed trucks so as to prevent injury to users of highways and damage to property. Any person who operates a flatbed truck on any highway in violation of the rules and regulations promulgated by the State Department of Transportation under this Division shall be punished as provided in **Section 24-1-99. (See 625 ILCS Sec. 5/15-109) (See Section 24-1-99 for Penalty)**

24-6-14 PUSHING OF DISABLED VEHICLES. It is unlawful under any circumstances for any vehicle to push any other vehicle on or along any highway outside an urban area in this Village, except in an extreme emergency, and then the vehicle shall not be pushed farther than is reasonably necessary to remove it from the roadway or from the immediate hazard that exists. **(See 625 ILCS Sec. 5/15-114) (See Section 24-1-99 for Penalty)**

ARTICLE VII – MOTOR VEHICLE OFFENSES

24-7-1 RECKLESS DRIVING. No person shall drive any vehicle with a willful or wanton disregard for the safety of persons or property. **(See 625 ILCS Sec. 5/11-503(a)) (See Section 24-1-99 for Penalty)**

24-7-2 DRAG RACING.

(A) Any person who, as an operator of a motor vehicle, is convicted of being a participant in drag racing shall be subject to the penalties provided in this Chapter.

(B) **Drag Racing** means the act of **two (2)** or more individuals competing or racing on any street or highway in this Village in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver, and the one driver attempts to prevent the competing driver from passing or overtaking, either by acceleration or maneuver, or one or more individuals competing in a race against time on any street in this Village. **(See 625 ILCS Sec. 5/11-504) (See Section 24-1-99 for Penalty)**

24-7-3 ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES.

(A) The driver of any vehicle involved in a motor vehicle accident resulting in personal injury to or death of any person shall immediately stop the vehicle at the scene of the accident, or as close thereto as possible, and shall then forthwith return to, and in every event shall remain at the scene of the accident until the requirements of **Section 24-7-4** have been fulfilled. Every such stop shall be made without obstructing traffic more than is necessary.

(B) Any person who has failed to stop or to comply with these requirements shall, within **three (3) hours** after the motor vehicle accident, or, if hospitalized and incapacitated from reporting at any time during such period, within **forty-eight (48) hours** after being discharged from the hospital, report the place of the accident, the date, the approximate time, the driver's name and address, the registration number of the vehicle driven, and the names of all other occupants of the vehicle, at the police station or sheriff's office near the place where the accident occurred. No report made as required under this Section shall be used, directly or indirectly, as a basis for the prosecution of any violation of paragraph (A).

(C) For purposes of this Section, **personal injury** shall mean any injury requiring immediate professional treatment in a medical facility or doctor's office. **(See 625 ILCS Sec. 5/11-401) (See Section 24-1-99 for Penalty)**

24-7-4 DUTY TO GIVE INFORMATION AND RENDER AID.

(A) The driver of any vehicle involved in a motor vehicle accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give the driver's name, address, registration number, and owner of the vehicle the driver is operating, and shall upon request and if available, exhibit the driver's license to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in the accident reasonable assistance, including the carrying or the making of arrangements for the caring of the person to a physician, surgeon, or hospital for medical or surgical treatment, if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

(B) If none of the persons entitled to information pursuant to this Section is in condition to receive and understand the information and no police officer is present, the driver, after rendering reasonable assistance, shall forthwith report the accident at the Police Department, disclosing the information required by this Section. **(See 625 ILCS Sec. 5/11-403) (See Section 24-1-99 for Penalty)**

24-7-5 ACCIDENT INVOLVING DAMAGE TO VEHICLE.

(A) The driver of any vehicle involved in a motor vehicle accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop the vehicle at the scene of the motor vehicle accident or as close thereto as possible, but shall forthwith return to and in every event shall remain at the scene of the motor vehicle accident until the requirements of this Chapter have been fulfilled. Every stop shall be made without obstructing traffic more than is necessary.

(B) Upon conviction of a violation of this Section, the court shall make a finding as to whether the damage to a vehicle is in excess of **One Thousand Dollars (\$1,000.00)**, and in such case a statement of this finding shall be reported to the Secretary of State with the report of conviction. **(See 625 ILCS Sec. 5/11-402) (See Section 24-1-99 for Penalty)**

24-7-6 DUTY UPON DAMAGING UNATTENDED VEHICLE OR OTHER PROPERTY. The driver of any vehicle which collides with or is involved in a motor vehicle accident with any vehicle which is unattended, or other property, resulting in any damage to such other vehicle or property shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle or other property of the driver's name, address, registration number, and owner of the vehicle the driver was operating or shall attach securely in a conspicuous place on or in the vehicle or other property struck a written notice giving the driver's name, address, registration number, and owner of the vehicle the driver was driving and shall without unnecessary delay notify the Police Department and shall make a written report of such accident when and as required in **Section 24-7-7**. Every such stop shall be made without obstructing traffic more than is necessary. **(See 625 ILCS Sec. 5/11-404) (See Section 24-1-99 for Penalty)**

24-7-7 DUTY TO REPORT ACCIDENT.

(A) The driver of a vehicle which is in any manner involved in an accident within this Village, resulting in injury to or death of any person or in which damage to the property of any one person, including himself, in excess of **Five Hundred Dollars (\$500.00)** is sustained shall, as soon as possible but not later than **ten (10) days** after the accident, file with the Police Department a copy of the written report required to be filed with the State under **625 ILCS Sec. 5/11-406(a)**.

(B) Whenever a school bus is involved in an accident in this Village, caused by a collision, a sudden stop, or otherwise, resulting in any property damage, personal injury, or death, and whenever an accident occurs within **fifty (50) feet** of a school bus in this Village resulting in personal injury to or the death of any person while awaiting or preparing to board the bus or immediately after exiting the bus, the driver shall as soon as possible, but not later than **ten (10) days** after the accident, file with the Police Department a copy of the written

report required to be filed with the State under **625 ILCS Sec. 5/11-406(b)**. If a report is also required under paragraph (A) above, that report and the report required by this paragraph (A) shall be submitted on a single form.

(C) The Chief of Police may require any driver, occupant, or owner of a vehicle involved in an accident of which report must be made as provided in this Section or **Section 24-7-9** to file supplemental reports whenever the original report is insufficient in the opinion of the Chief of Police and may require witnesses of the accident to submit written reports. The report may include photographs, charts, sketches, and graphs.

(D) Should the Police Department learn through other reports of accidents required by law of the occurrence of an accident reportable under **Section 24-7-3** through **Section 24-7-9** and the driver, owner, or witness has not reported as required under (A) through (C) above or **Section 24-7-9** within the time specified, the person is not relieved of the responsibility and the Police Department shall notify the person by first class mail directed to his last known address of his legal obligation. However, the notification is not a condition precedent to impose the penalty for failure to report as provided in (E) below.

(E) The Secretary of State shall suspend the driver's license or any non-resident's driving privilege of any person who fails or neglects to make report of a traffic accident as herein required or as required by any other law of this State. **(See 625 ILCS Sec. 5/11-406)**

Statutory Reference. Authorization for Village to require accident reports, 625 ILCS Sec. 5/11-415

24-7-8 **FALSE REPORTS.** Any person who provides information in an oral or written report required by **Section 24-5-3** through **24-5-9** with knowledge or reason to believe that the information is false shall be fined as provided in **Section 24-1-99**. **(See 625 ILCS Sec. 5/11-409)**

24-7-9 **WHEN DRIVER FAILS TO REPORT.** Whenever the driver of a vehicle is physically incapable of making a required written accident report and if there was another occupant in the vehicle at the time of the motor vehicle accident capable of making a written report, the occupant shall make or cause the written report to be made. If the driver fails for any reason to make the report the owner of the vehicle involved in the motor vehicle accident shall, as soon as practicable, make the report to the Police Department. **(See 625 ILCS Sec. 5/11-410)**

24-7-10 **NEGLIGENT DRIVING.** It shall be unlawful for any person, firm or corporation to operate any motor vehicle upon a public way in a negligent manner and without due caution or in a manner so as to endanger or be likely to endanger any person or any property. **(See Section 24-1-99 for Penalty)**

24-7-11 OPERATION OF VEHICLES WITHOUT EVIDENCE OF REGISTRATION.

No person shall operate, nor shall an owner knowingly permit to be operated, any motor vehicle upon any street within the Village, unless there shall be attached thereto and displayed thereon when and as required by law, proper evidence of registration in Illinois, as follows:

(A) **A Vehicle Required to be Registered in Illinois.** A current and valid Illinois registration sticker or stickers and plate or plates, or an Illinois temporary registration permit, or a drive-away decal or in-transit permit, issued therefor by the Secretary of State.

(B) **A Vehicle Eligible for Reciprocity.** A current and valid reciprocal foreign registration plate or plates properly issued to such vehicle or a temporary registration issued therefor, by the reciprocal state, and, in addition, when required by the Secretary, a current and valid Illinois Reciprocity Permit or Prorate Decal issued therefor by the Secretary of State.

(C) It shall be unlawful to drive or move, or for an owner of a vehicle to knowingly permit to be driven or moved, upon any street within the Village, any motor vehicle required to be registered under the Illinois Motor Vehicle Code which is not registered and for which the appropriate fee has not been paid when it is required therein; except that when application accompanied by proper fee has been made for registration of a vehicle, it may be operated temporarily pending completed registration upon displaying a duplicate application duly verified, or other evidence of such application or otherwise permissible under the rules and regulations promulgated by the Secretary of State. **(See Section 24-1-99 for Penalty)**

24-7-12 OPERATION OF VEHICLE WITH EXPIRED REGISTRATION. No person shall operate a vehicle, nor permit the operation of a vehicle, within the Village, upon which is displayed an Illinois registration plate, plates or registration stickers, after the termination of the registration period for which issued or after the expiration date set pursuant to law. **(See Section 24-1-99 for Penalty)**

24-7-13 TRANSPORTATION OR POSSESSION OF ALCOHOLIC LIQUOR IN A MOTOR VEHICLE.

(A) Except as provided in paragraph (C) below, no driver may transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle upon a street within the Village except in the original container and with the seal unbroken.

(B) Except as provided in paragraph (C) below, no passenger may carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle upon a street within the Village except in the original container and with the seal unbroken.

(C) This Section shall not apply to the passengers in a limousine when it is being used for purposes for which a limousine is ordinarily used, the passengers on a chartered bus when it is being used for purposes for which a chartered bus is ordinarily used, or on a motor home. However, the driver of any such vehicle is prohibited from consuming or having any alcoholic liquor in or about the driver's area. Any evidence of alcoholic consumption by the driver shall be prima facie evidence of such driver's failure to obey this Section. **(See Section 24-1-99 for Penalty)**

24-7-14 DRIVING TOO FAST FOR CONDITIONS; FAILURE TO REDUCE SPEED TO AVOID AN ACCIDENT.

(A) No vehicle may be driven upon a street within the Village which is greater than is reasonable and proper with regard to traffic conditions and the use of the street, or endangers the safety of any person or property.

(B) The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle or entering the street in compliance with legal requirements and the duty of all persons to use due care. **(See Section 24-1-99 for Penalty)**

24-7-15 DRIVING WITHOUT LIGHTS WHEN REQUIRED.

(A) All motor vehicles shall exhibit at least **two (2)** lighted head lamps, with at least one on each side of the front of the vehicle, showing white lights, or lights of a yellow or amber tint, during the period from a half hour after sunset to a half hour before sunrise, at times when rain, snow, fog, or other atmospheric conditions require the use of windshield wipers, and at any other times when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets within the Village are not clearly discernible at a distance of **one thousand (1,000) feet**.

(B) Every motor vehicle, trailer or semi-trailer shall also exhibit at least **two (2)** lighted lamps, commonly known as tail lamps, which shall be mounted on the left rear and right rear of the vehicle so as to throw a red light visible for at least **five hundred (500) feet** in the reverse direction. **(See Section 24-1-99 for Penalty)**

24-7-16 NO REAR REGISTRATION LIGHT. All motor vehicles shall exhibit a tail lamp or separate lamp placed so as to illuminate with a white light a rear registration plate when required and render it clearly legible from a distance of **fifty (50) feet** to the rear. **(See Section 24-1-99 for Penalty)**

24-7-17 FAILURE TO DIM HEADLIGHTS.

(A) Whenever the driver of any vehicle equipped with an electric driving head lamp, driving head lamps, auxiliary driving lamp or auxiliary driving lamps, is within **five hundred (500) feet** of another vehicle approaching from the opposite direction, the driver shall dim or drop such head lamp or lamps and shall extinguish all auxiliary driving lamps.

(B) The driver of any vehicle equipped with an electric driving head lamp, driving head lamps, auxiliary driving lamp or auxiliary driving lamps, shall dim or drop such head lamp or head lamps and shall extinguish all auxiliary driving lamps when there is another vehicle traveling in the same direction less than **three hundred (300) feet** to the front of said vehicle. **(See Section 24-1-99 for Penalty)**

24-7-18 IMPROPER LIGHTING – ONE HEAD LAMP. At all times as required in **Section 24-7-15**, at least **two (2)** lighted driving lamps shall be displayed, one on each side of the front of every motor vehicle other than a motorcycle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles. **(See Section 24-1-99 for Penalty)**

24-7-19 BRAKES.

(A) Every motor vehicle, other than a motor-driven cycle and an antique vehicle displaying an antique plate, when operated upon any street within the Village, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least one wheel on a motorcycle and at least two wheels on all other vehicles. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes.

(B) The service brakes upon any motor vehicle or combination of motor vehicles operating on a level surface shall be adequate to stop such vehicle or vehicles when traveling **20 MPH** within a distance of **thirty (30) feet** when upon dry asphalt or concrete pavement surface free from loose material.

(C) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. **(See Section 24-1-99 for Penalty)**

24-7-20 USE OF UNSAFE TIRES. No person shall place, drive, move or cause or allow to be placed, driven or moved, on a street within the Village, any vehicle equipped with one or more pneumatic tires deemed to be unsafe. A pneumatic tire shall be deemed to be unsafe if it has:

(A) Any part of a ply or cord exposed;

(B) A tread or sidewall crack, cut, snag or other surface interruption deep enough to expose a ply or cord;

(C) Any bulge, knot or separation;

(D) Tread wear indicators flush with the tread outer surface in any **two (2)** or more adjacent tread grooves at three locations approximately equally spaced around the circumference of the tire;

(E) A depth of tread groove less than **two-thirty-seconds (2/32) of an inch**, or less than **one-thirty-second (1/32) of an inch** if on a motorcycle or truckster, measured in any **two (2)** or more adjacent tread grooves at three locations approximately equally spaced around the circumference of the tire, at least one of which, in the judgment of the inspecting officer, is a location at which the tread is thinnest, providing that any measurement over a tie bar, tread wear indicator, hump or fillet is excluded;

(F) A depth of tread groove less than **four-thirty-seconds (4/32) of an inch** at any one location and the tire is mounted on the front wheel of a motor vehicle subject to the provisions of the Illinois Motor Vehicle Code, provided that any measurement over a tie bar, tread wear indicator, hump or fillet is excluded;

(G) A marking which indicates that the tire is not intended for use on a public highway;

(H) Been regrooved or recut below the bottom of an original tread groove, except in the case of a special "regroovable" tire that was manufactured or retread with thick undertread, identified and regrooved in compliance with the applicable federal standard in Title 49 of the Code of Federal Regulations, and in compliance with each applicable section of this Code; or

(I) Other condition, marking or lack of marking that may be reasonably demonstrated to identify the tire as unsuitable for highway use, including inflation, load, speed or installation condition seriously incompatible with the tire size, construction, or other pertinent marking or feature. **(See Section 24-1-99 for Penalty)**

24-7-21 OBSTRUCTED WINDSHIELDS OR FRONT SIDE WINDOWS; WINDSHIELD WIPERS REQUIRED; DEFECTIVE WINDSHIELD, SIDE OR REAR WINDOWS.

(A) No person shall drive a motor vehicle with any sign, poster, window application, reflective material, non-reflective material or tinted film upon the front windshield, side wings or side windows immediately adjacent to each side of the driver. A non-reflective tinted film may be used along the uppermost portion of the windshield if such material does not extend more than **six (6) inches** down from the top of the windshield. This paragraph (A) shall not apply to any motor vehicles:

- (1) Manufactured prior to **January, 1982;**
- (2) Properly registered in another jurisdiction;
- (3) That are owned and operated by a person afflicted with or suffering from a medical illness, ailment or disease which would require that person to be shielded from the direct rays of the sun;
- (4) That are used in transporting a person when such person resides at the same address as the registered owner of the vehicle and such person is afflicted with or suffering from a medical illness, ailment or disease which would require that person to be shielded from the direct rays of the sun;

This paragraph (A) shall also not apply to motor vehicle stickers or other certificates issued by state or local authorities which are required to be displayed upon motor vehicle windows to evidence compliance with requirements concerning motor vehicles.

(B) No person shall drive a motor vehicle with any objects placed or suspended between the driver and the front windshield, rear window, side wings or side windows immediately adjacent to each side of the driver which materially obstructs the driver's view.

(C) Every motor vehicle, except motorcycles, shall be equipped with a device, controlled by the driver, for cleaning rain, snow, moisture or other obstructions from the windshield; and no person shall drive a motor vehicle with snow, ice, moisture or other material on any of the windows or mirrors which materially obstructs the driver's clear view of the highway.

(D) No person shall drive a motor vehicle when the windshield, side or rear windows are in such defective condition or repair as to materially impair the driver's view to the front, rear or side. **(See Section 24-1-99 for Penalty)**

24-7-22 **MUFFLERS; PREVENTION OF NOISE.** Every motor vehicle driven or operated upon a street within the Village shall at all times be equipped with an adequate muffler or exhaust system in constant operation and properly maintained to prevent any excessive or unusual noise. **(See Section 24-1-99 for Penalty)**

24-7-23 **FAILURE TO WEAR SEAT SAFETY BELT.**

(A) Each driver and front seat passenger of a motor vehicle operated upon a street within the Village shall wear a properly adjusted and fastened seat safety belt; except that a child less than **six (6) years** of age shall be protected as required pursuant to the Illinois Child Passenger Protection Act **(625 ILCS Sec. 25/1 et seq.)** Each driver of a motor vehicle transporting a child **six (6) years** of age or more, but less than **sixteen (16) years** of age, in the front seat of a motor vehicle shall secure the child in a properly adjusted and fastened seat safety belt. This paragraph (A) shall not apply to any of the following:

- (1) A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed **15 MPH**;
- (2) A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt;
- (3) A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or county indicating that the driver is unable for medical, physical, or other valid reasons to wear a safety belt.
- (4) A driver operating a motor vehicle in reverse;
- (5) A motor vehicle with a model year prior to 1965;
- (6) A motorcycle or motor-driven cycle;
- (7) A motorized pedalcycle;
- (8) A motor vehicle which is not required to be equipped with seat safety belts under federal law;
- (9) A motor vehicle operated by a rural letter carrier of the United States postal service while performing duties as a rural letter carrier.

(B) No motor vehicle, or driver or passenger of such vehicle, shall be stopped or searched by any law enforcement officer solely on the basis of a violation or suspected violation of this Section. **(See Section 24-1-99 for Penalty)**

24-7-24 **SUSPENSION SYSTEM.** It shall be unlawful to operate a motor vehicle on any street within the Village when the suspension system has been modified from the original manufactured design by lifting the body from the chassis in excess of **three (3) inches** or to cause the horizontal line from the front of the rear bumper to vary over **three (3) inches** in height when measured from a level surface of the highway to the lower edge of the bumper. **(See Section 24-1-99 for Penalty)**

24-7-25

BUMPERS.

(A)

- (1) It shall be unlawful to operate any motor vehicle with a gross vehicle weight rating of **nine thousand (9,000) pounds** or less, or any motor vehicle registered as a recreational vehicle under the Illinois Motor Vehicle Code, on any street within the Village unless such motor vehicle is equipped with both a front and rear bumper.
- (2) Except as indicated below, maximum bumper heights of such motor vehicles shall be determined by weight category of gross vehicle weight rating (GVWR) measured from a level surface to the highest point of the bottom of the bumper when the vehicle is unloaded and the tires are inflated to the manufacturer's recommended pressure.

Maximum bumper heights are as follows:

	Maximum Front Bumper Height	Maximum Rear Bumper Height
All motor vehicles of the first division except multi-purpose passenger vehicles:	22 inches	22 inches
Multipurpose passenger Vehicles and all other Motor vehicles		
4500 lbs and under GVWR	24 inches	26 inches
4501 lbs through 7500 lbs GVWR	27 inches	29 inches
7501 lbs through 9000 lbs GVWR	28 inches	30 inches

- (3) For any vehicle with bumpers or attaching components which have been modified or altered from the original manufacturer's design in order to conform with the maximum bumper requirements of this Section, the bumper height shall be measured from a level surface to the bottom of the vehicle frame rail at the most forward and rearward points of the frame rail. The bumper on any vehicle so modified or altered shall be at least **four and one-half (4 ½) inches** in vertical height and extend no less than the width of the respective wheel tracks outermost distance.
 - (4) Nothing in this Section shall prevent the installation of bumper guards.
- (B)
- (1) This Section shall not apply to motor vehicles designed or modified primarily for off-highway purposes while such vehicles are in tow or to motorcycles or motor-driven cycles, nor to motor vehicles registered as antique vehicles when the original design of such vehicles did not include bumpers. The provisions of this Section shall not apply to any motor vehicle driven during the first **one thousand (1,000) recorded miles** of that vehicle, when

such vehicle is owned or operated by a manufacturer, dealer or transporter displaying a special plate or plates as described in the Illinois Motor Vehicle Code while such vehicle is:

- (a) Being delivered from the manufacturing or assembly plant directly to the purchasing dealer or distributor, or from one dealership or distributor to another;
 - (b) Being moved by the most direct route from one location to another for the purpose of installing special bodies or equipment; or
 - (c) Being driven for purposes of demonstration by a prospective buyer with the dealer or his agent present in the cab of the vehicle during the demonstration.
- (2) The dealer shall, prior to the receipt of any deposit made or any contract signed by the buyer to secure the purchase of a vehicle, inform such buyer, by written statement signed by the purchaser to indicate acknowledgements of the contents thereof, of the legal requirements of this Section regarding front and rear bumpers if such vehicle is not to be equipped with bumpers at the time of delivery. **(See Section 24-1-99 for Penalty)**

24-7-26 SOUND AMPLIFICATION SYSTEM.

(A) No driver of any motor vehicle within the Village shall operate or permit operation of any sound amplification system which can be heard outside the vehicle from **seventy-five (75)** or more feet when the vehicle is being operated upon a street, unless such system is being operated to request assistance or warn of a hazardous situation.

(B) This Section does not apply to authorized emergency vehicles or vehicles engaged in advertising. **(See Section 24-1-99 for Penalty)**

ARTICLE VIII – ABANDONED VEHICLES

24-8-1 ABANDONMENT OF VEHICLES PROHIBITED.

(A) The abandonment of a vehicle or any part thereof on any street or highway in the Village is unlawful and subject to the penalties as set forth in **Section 24-8-13.**

(B) The abandonment of a vehicle or any part thereof on private or public property, other than a street or highway, in view of the general public anywhere in this Village is unlawful except on property of the owner or bailee of the abandoned vehicle. A vehicle or any part thereof so abandoned on private property shall be authorized for removal by the Chief of Police of the Village or any member of the Police Department designated by him, after a waiting period of **seven (7) days** or more or may be removed immediately if determined to be a hazardous, dilapidated motor vehicle under Section 11-40-3.1 of the Illinois Municipal Code, i.e., **65 ILCS Sec. 5/44-10-3.11.**

(C) When a motor vehicle or other vehicle or any part thereof is abandoned on private property for **seven (7) days** or more, its removal by a towing service may be authorized by the order of the Chief of Police of the Village or by any member of the Police Department designated by him. **(See Section 24-8-13 for Penalty)**

24-8-2 NOTIFICATION OF ABANDONED, LOST, STOLEN OR UNCLAIMED MOTOR VEHICLE. When an abandoned, lost, stolen or unclaimed motor vehicle, or any part thereof, or other vehicle comes into the temporary possession or custody of a person in this Village not the owner of the vehicle, the person shall immediately notify the Police Department when the vehicle is in the corporate limits of the Village.

24-8-3 REMOVAL OF MOTOR VEHICLES OR OTHER VEHICLES.

(A) When a motor vehicle or other vehicle is abandoned on any street in the Village **ten (10) hours** or more, its removal by a towing service may be authorized by order of the Chief of Police of the Village or by any member of the Police Department designated by him.

(B) When an abandoned, unattended, wrecked, burned or partially dismantled motor vehicle or other vehicle is creating a traffic hazard because of its position in relation to the highway or street, or its physical appearance is causing the impeding of traffic, its immediate removal from the street or highway by a towing service may be authorized by order of the Chief of Police of the Village or any member of the Police Department designated by him.

(C) When a vehicle removed from either public or private property or street or highway is authorized by order of the Chief of Police of the Village or by a member of the Police Department designated by him, the owner of the vehicle will be responsible for all towing costs.

24-8-4 INOPERABLE MOTOR VEHICLES.

(A) (1) As used in this Section, ***inoperable motor vehicle*** means:
(a) Any motor vehicle which does not possess current state registration, license plates or valid application therefor; or

- (b) Any motor vehicle from which, for a person of at least **seven (7) days**, the engine, wheels or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged or otherwise disassembled that the vehicle is incapable of being driven or moved under its own power.
- (2) Inoperable motor vehicles shall not include:
 - (a) Motor vehicles which have been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repairs;
 - (b) Motor vehicles that are kept within a totally enclosed building when not in use;
 - (c) Motor vehicles displayed for sale by persons engaged in the business of selling new or used vehicles within Industrial or Commercial Zones; or
 - (d) Motor vehicles on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

(B) All inoperable vehicles, whether on public or private property, or on any street or highway within the Village, and in view of the general public, are hereby declared to be a nuisance, and any person failing to obey a notice received from the Village which states that the person is to dispose of the inoperable motor vehicles under his control and to remove the inoperable vehicle or parts thereof after **seven (7) days** from the issuance of the notice shall be subject to the penalties provided by **Section 24-8-13**.

(C) The Chief of Police of the Village or any member of the Police Department designated by him is hereby authorized to remove any inoperable motor vehicle or any parts thereof after **seven (7) days** from the issuance by the Village of notice to dispose of the inoperable motor vehicle under his control. The vehicle shall be impounded until lawfully claimed or disposed of as hereinafter provided. **(See Section 24-8-13 for Penalty)**

24-8-5 **RECORD SEARCHES.** When the Village Police Department impounds any motor vehicle under the authority of this Chapter and does not know the identity of the registered owner, lienholder or other legally entitled person, the Chief of Police of the Village or any member of the Police Department designated by him will cause the vehicle registration records of the State to be searched by the Secretary of State for the purpose of obtaining the required ownership information. In addition, he shall cause the National Crime Information Center (NCIC) files to be searched by a directed communication to the State Police for stolen or wanted information on the vehicle.

24-8-6 **RECLAIMED VEHICLES.** Any time before a vehicle is sold at public sale or disposed of as hereinafter provided, the owner, lienholder, or other person legally entitled to possession may reclaim the vehicle by presenting to the Police Department or other person having custody of the vehicle proof of ownership or proof of right of possession of the vehicle. No vehicle shall be released to the owner, lienholder, or other person under this Section until all towing, storage charges, and processing costs have been paid in full.

24-8-7 NOTIFICATION OF IMPOUNDED VEHICLE. Based on the information determined from the record searches as provided in **Section 24-8-5**, the Chief of Police or any member of the Police Department designated by him shall send a notification by certified mail to the registered owner, lienholder or other legally entitled person advising where the vehicle is held, requesting a disposition to be made, and setting forth public sale information. Notification shall be sent no later than **ten (10) days** after the date of impoundment, provided that if the Police Department is unable to determine the identity of the registered owner, lienholder or other person legally entitled to ownership of the vehicle within the **ten (10) day** period after impoundment, then notification shall be sent no later than **two (2) days** after the date of the identity of the registered owner, lienholder or other person legally entitled to ownership of the impounded vehicle is determined.

24-8-8 DISPOSAL OF UNCLAIMED VEHICLES. When an abandoned, lost, stolen, inoperable, or other unclaimed vehicle **seven (7) years** of age or newer remains unclaimed by the registered owner, lienholder, or other person legally entitled to its possession for a period of **thirty (30) days** after notice has been given as provided in **Section 24-9-7**, the Police Department or towing service having possession of the vehicle shall cause it to be sold at public auction to a person licensed as an automotive parts recycler, rebuilder or scrap processor under Chapter 5 of the Illinois Vehicle Code (**625 ILCS Sec. 5/5-100 et seq.**). Notice of the time and place of the sale shall be posted in a conspicuous place for at least **ten (10) days** prior to the sale on the premises where the vehicle has been impounded. At least **ten (10) days** prior to the sale, the Police Department or the towing service where the vehicle is impounded shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner, lienholder, and other person known by the Police Department or towing service to be legally entitled to the possession of the vehicle. The notice shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle. If any notice is returned by the postal authorities to the Police Department or towing service due to the addressee having moved or being unknown at the address obtained from the registration records of this State, the sending of a second certified notice will not be required.

24-8-9 DISPOSAL OF UNCLAIMED VEHICLES WITHOUT NOTICE.
 (A) When an abandoned or inoperable vehicle of more than **seven (7) years** of age is impounded as provided in this Section, it will be kept in custody for a minimum of **ten (10) days** for the purpose of obtaining the identity of the registered owner and lienholder and contacting the registered owner and lienholder by U.S. Mail, public service, or in person for a determination of disposition. At the expiration of the **ten (10) day** period without the benefit of disposition information being received from the registered owner or lienholder, the Police Department having jurisdiction will authorize the disposal of the vehicle as junk, provided a vehicle classified as an antique vehicle may, however, be sold to a person desiring to restore it.

(B) When the identity of the registered owner, lienholder or other person legally entitled to possession of an abandoned, lost or unclaimed vehicle of **seven (7) years** of age or newer cannot be determined by any means provided for in this Chapter, the vehicle may be sold as herein provided without notice to any person whose identity cannot be determined.

24-8-10 RECORDS.

(A) When a motor vehicle is authorized to be towed away, the Police Department shall keep and maintain a record of the vehicle towed listing the color, year, manufacturer, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number, and license plate year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing, and the name of the officer authorizing the tow.

(B) When a vehicle in the custody of the Police Department is reclaimed by the registered owner, lienholder or other legally entitled person or when the vehicle is sold at public sale or otherwise disposed of as provided in this Chapter, a report of the transaction will be maintained by the Police Department for a period of **one (1) year** from the date of the reclamation, sale or disposal.

24-8-11 DISPOSITION OF PROCEEDS FROM SALE OF UNCLAIMED VEHICLES. The proceeds from the public sale or disposition after the deducting of towing, storage, and processing charges shall be deposited into the municipal treasury of the Village.

24-8-12 LIABILITY. The Chief of Police of the Village or any member of the Police Department designated by him or any other officer or of the Police Department, towing service owner, operator or employee, shall not be held to answer or be liable for any damages in any action brought by the registered owner, former registered owner, or his legal representative, lienholder, or any other person legally entitled to the possession of the vehicle when the vehicle was processed and sold or disposed of as provided by this Chapter.

24-8-13 PENALTY.

(A) Any person who violates or aids and abets in the violation of any section of this Chapter:

- (1) Shall be fined not less than **Fifty Dollars (\$50.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)**; and
- (2) Shall be required by the court to make a disposition of the abandonment or unclaimed vehicle and pay all towing and storage charges and processing costs incurred in respect to the vehicle.

(B) Each day an inoperable vehicle remains after **seven (7) days** from issuance of the notice to remove the same shall constitute a separate offense.

ARTICLE IX – ENGINE BRAKES

24-9-1 **DEFINITION OF ENGINE BRAKES.** Engine brakes are brakes which are activated or operated by the compression of the engine of any motor vehicle or any unit thereof.

24-9-2 **PROHIBITION TO USE.** No person shall use engine brakes within the Village limits which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof.

24-9-3 **PENALTY.** Any person violating the provisions of this Article shall have committed a traffic offense and a penalty shall be imposed as provided in **Section 24-1-99.**

24-9-4 **SIGNS.** The Superintendent of Streets is authorized and directed to post appropriate signs consistent with the provisions of this Article.

[Unless Otherwise Noted, This Chapter Ord. No. 09-06; 09-14-09)

ARTICLE X - GOLF CARTS AND UTILITY-TERRAIN VEHICLES

24-10-1 **GENERALLY.** Golf carts and utility-terrain vehicles (not intended for 4 wheelers), as defined and qualified herein shall be allowed on Village streets under the conditions as stated herein.

24-10-2 **DEFINITIONS.**

(A) A **"Golf Cart"** is defined as a motorized vehicle with **three (3) or four (4) wheels** that is not designed to be operated at a speed of more than **twenty-five miles per hour (25 MPH)** whose purpose can include, but is not limited to, the playing of golf and is generally designed to carry persons including the driver.

(B) **"Utility-Terrain Vehicle"** (not intended for 4 wheelers) shall mean a self-propelled, electrically powered four-wheel motor vehicle or a self-propelled gasoline or diesel powered four wheeled motor vehicle with an engine displacement under **one thousand two hundred (1,200) cubic centimeters** which is capable of attaining in **one (1) mile**, a speed of not more than **twenty-five miles per hour (25 MPH)** and which conforms to the federal regulations under Title 49 C.F.R. Part 571.500.

(C) **"Village Streets"** means any of the streets within the boundaries of the Village.

24-10-3 **REQUIREMENTS.** All persons wishing to operate a golf cart or a utility-terrain vehicle on the Village streets must ensure compliance with the following requirements:

(A) Proof of current liability insurance.

(B) Must be certified with the Village and have the vehicles certified with the Village by inspection by the Chief of Police or designated representative.

(C) Must comply with the published "Rules Concerning Alternate Transportation for the Village of Evansville" as periodically updated.

(D) Must have Village decal on the rear of the vehicle.

(E) Must have current, valid Illinois driver's license.

(F) Golf carts must be equipped as follows:

(1) Horn;

(2) Brake and brake lights;

(3) Turn signals;

(4) A steering wheel apparatus;

(5) Tires;

(6) Rearview mirror;

(7) Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (**625 ILCS 5/12-709**);

(8) Headlight that emits a white light visible from a distance of **three hundred (300) feet** to the front of which illuminate when in operation;

(9) Tail lamp that emits red light visible from at least **one hundred (100) feet** from the rear which must be illuminated when in operation;

- (10) Any additional requirements which may be amended to **65 ILCS 5/11-1428** or the Illinois Vehicle Code.
- (G) Utility-terrain vehicles must be equipped as follows:
 - (1) Brake and brake lights;
 - (2) Turn signals on the front and rear;
 - (3) A steering wheel apparatus;
 - (4) Tires;
 - (5) Rearview mirror;
 - (6) Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (**625 ILCS 5/12-709**);
 - (7) Headlight that emits a white light visible from a distance of **three hundred (300) feet** to the front of which illuminate when in operation;
 - (8) Tail lamp that emits red light visible from at least **one hundred (100) feet** from the rear which must be illuminated when in operation;
 - (9) Any additional requirements which may be amended to **65 ILCS 5/11-1426** or the Illinois Vehicle Code.
- (H) Must obey all traffic laws of the State of Illinois and the Village.
- (I) Must be **twenty-one (21) years** of age.
- (J) Must be operated only on Village streets, except where prohibited.
- (K) **May not** be operated on County Road 4 (also known as "Broad Street") or Liberty Street except to cross highway at any intersection.
- (L) Must not be operated in excess of posted speed limit and, with respect to utility-terrain vehicles, may not exceed **twenty-five miles per hour (25 MPH)**.
- (M) A person operating or is in actual physical control of a golf cart or utility-terrain vehicle as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (**625 ILCS 5/11-500 - 11-502**).
- (N) Golf carts and utility-terrain vehicles shall not be operated on sidewalks or in Village parks other than parking areas.
- (O) Golf carts and utility-terrain vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (US Highway and Scenic Byway Illinois State Route 3).

24-10-4 PERMITS.

- (A) No person shall operate a qualified golf cart or utility-terrain vehicle without first obtaining a permit from the Village Clerk as provided herein. Permits shall be granted for a period of **one (1) year** and renewed annually. The cost of the permit is **Thirty-Five Dollars (\$35.00)**. Insurance coverage to be verified by the Police Department when obtaining or renewing a permit.
- (B) Every application for a permit shall be made on a form supplied by the Village and shall contain the following:
 - (1) Name and address of applicant;
 - (2) Name and liability insurance carrier;
 - (3) The serial number, make, model and description of golf cart or utility-terrain vehicle;

- (4) Signed Waiver of Liability by applicant releasing the Village and agreeing to indemnify and hold the Village harmless from any and all future claims resulting from the operation of their golf cart or utility-terrain vehicle on the Village streets;
 - (5) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
 - (6) Such other information as the Village may require.
- (C) No permit shall be granted unless the following conditions are met:
- (1) The vehicle must be inspected by the Chief of Police (or designee) to insure that the vehicle is safe to operate on Village streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code;
 - (2) A physically handicapped applicant must submit a certificate signed by a physician certifying that the applicant is able to safely operate a qualified golf cart or utility-terrain vehicle on Village streets.
 - (3) The applicant must provide evidence of insurance in compliance with provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicle to be operated on the roads of the State of Illinois.

(D) The Village may suspend or revoke a permit granted hereunder upon finding that the holder there of has violated any provision of this Article or there is evidence that permittee cannot safely operate a qualified golf cart or utility-terrain vehicle on the designated roadways.

24-10-5 **VIOLATIONS.** Any person who violates any provisions of this Article shall be guilty of a petty misdemeanor and shall be punished by a fine of **Seventy-Five Dollars (\$75.00)**. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than **three (3)** nor more than **five (5) years**. To the extent that any violation of this Article also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.

- 24-10-6** **MISCELLANEOUS.**
- (A) 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 to be valid and enforceable. The invalidity of any part of this Article shall not affect any part or parts thereof.
 - (B) This Article shall be in full force and effect from and after passage and approval by law.
 - (C) Any ordinance or portion thereof, of the Village which is contrary to this Article shall be deemed to be repealed.

(Ord. No. 08-15; 12-08-08)