

TITLE XV: TRAFFIC REGULATIONS - CONTINUEDCHAPTER 152: DRIVING RULES

152-1: ILLINOIS VEHICLE CODE; RULES OF THE ROAD ADOPTED. The Illinois Vehicle Code, Illinois Compiled Statutes, Chapter 625, Section 5/11, entitled "Rules of the Road", as passed, approved and amended by the Illinois General Assembly is hereby adopted by the City and the provisions thereof shall be controlling within the corporate limits of the City except for the following changes, deletions and omissions:

(A) Omissions:

(1) Omit Sections 11-202, 11-204, 11-207, 11-208, 11-208.1, 11-208.2, 11-209, 11-209.1, 11-211, 11-302, 11-303, 11-310(f), 11-313, 11-401 to and including 11-416, 11-500 to and including 11-504, 11-602, 11-603, 11-604, 11-606(b), 11-608, 11-1419.02, and 11-1422.

(B) Changes and Additions:

(1) Change 11-904(a) to read: "Preferential right-of-way at an intersection may be indicated by stop or yield signs as authorized by this Code."

(2) Change 11-1416(a) to read: "Any person who shall willfully and unnecessarily attempt to delay, hinder or obstruct any other person in lawfully driving and traveling upon or along any highway within this State or who shall offer for barter or sale, merchandise on said highway so as to interfere with the effective movement of traffic shall, upon conviction, be guilty of a violation of this Code."

152-2: DRIVING RULES.

(A) Careless Driving. It shall be unlawful to operate a vehicle in the City in a careless manner so as to interfere with the safe or lawful operation of any other vehicle or so as to interfere with or to injure, damage, or endanger persons or property engaged in the lawful use of the street.

(B) Street Racing Unlawful. No person shall be a participant in street racing as defined in 625 ILCS 5/11-506.

(C) Fleeing or Attempting to Elude Police Officer. Any driver or operator of a motor vehicle who, having been given a visual or audible signal by a police officer directing such driver or operator to bring his vehicle to a stop, willfully fails to or refuses to obey such direction, increases his speed, extinguishes his lights or otherwise flees or attempts to elude the officer is guilty of a violation of this Chapter. The signal given by the police officer may be by hand, voice, siren, red or blue light.

Provided, however, the officer giving such signal shall be in police uniform and if driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle.

(D) Unlawful Possession of Highway Sign or Marker. The Department of Local Authorities with reference to traffic control signals, signs or markers owned by the Department of Local Authorities are authorized to indicate the ownership of such signs, signals or markers on the back of such devices in letters not less than three-eighths (3/8) of an inch or more than three-

fourths (3/4) of an inch in height, by use of a metal stamp, etching or other permanent means and except for employees of the Department of Local Authorities, police officers, contractors and their employees engaged in highway construction, contract or work on the highway approved by the Department of Local Authorities, it is a violation of this Chapter for any person to possess such sign, signal or marker so identified.

(E) Special Speed Limitations on Elevated Structures. No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure when such structure is sign-posted.

Upon the trial of any person charged with the violation of this Section, proof of the determination of the maximum speed by the City and the existence of such signs is conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

(F) General Speed Restrictions. The speed limit on City streets shall not exceed thirty miles per hour (30 MPH) unless otherwise posted.

(G) Special Speed Limit While Passing Schools. No person shall drive a motor vehicle at a speed in excess of twenty miles per hour (20 MPH) while passing a school zone or while traveling upon any public thoroughfare on or across which children pass going to and from school during school days when school children are present. Speed limits and school zones are stated in Schedule "S" of this Section.

This Section shall not be applicable unless appropriate signs are posted upon streets and maintained by the City or State wherein the school zone is located.

(H) Failure to Reduce Speed. A vehicle shall be driven upon the streets and alleys of this City at a speed which is reasonable and proper with regard to traffic conditions and the use of the street or alley. The fact that the vehicle does not exceed the applicable maximum speed limit does not relieve the driver of the duty to decrease speed when approaching and crossing an intersection or when special hazard exists with respect to pedestrian 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.

(I) Traffic Lane Usage. Whenever any roadway within the City has been divided into two (2) or more clearly marked lanes for traffic, 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.

(J) U-Turns Prohibited. No driver of a vehicle shall make a "U-turn" on any street or at any intersection of any streets in the City.

152-3: DUTY TO REPORT ACCIDENT. The driver of a vehicle which is in any manner involved in an accident within the City shall, without unnecessary delay, notify the Police Department and shall make a report of such action. Failure to report an accident within the City within twenty-four (24) hours shall result in arrests of the person or persons involved.

152-4: NON-HIGHWAY VEHICLES ALLOWED. Recreational off-highway vehicles as defined herein, and subject to the regulations herein, shall be allowed to operate on a city street. All-

terrain vehicles, golf carts, low speed vehicles, and off-highway motorcycles are prohibited from operating on any city street.

(A) The following definitions shall apply to this subsection:

“ALL-TERRAIN VEHICLE” Any motorized off-highway device designed to travel primarily off-highway, fifty (50) inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, traveling on three (3) or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.

“CITY STREET” A public way for motor vehicle travel controlled by the City of Red Bud, Illinois. The term "city street" includes a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, court, and similar designations, but excludes an alley or a way for pedestrian use only.

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

“LOW SPEED VEHICLE” Any 4-wheeled vehicle with a maximum speed greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour that conforms with the federal motor vehicle safety standards set forth in 49 C.F.R. Part 571.500.

“OFF-HIGHWAY MOTORCYCLE” Any motorized device designed to travel primarily off-highway on 2 wheels, having a seat or saddle for the use of the operator, upon or by which any person, persons or property may be transported or drawn.

“RECREATIONAL OFF-HIGHWAY VEHICLE” Any motorized off-highway device designed to travel primarily off-highway, sixty-four (64) inches or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers.

(B) Vehicle Equipment Required. All recreational off-highway vehicles must comply with the following vehicle equipment requirements at all times:

- (1)** Brakes and brake lights;
- (2)** Turn signals on the front and rear;
- (3)** Steering wheel apparatus;
- (4)** Tires;
- (5)** Rearview mirror;
- (6)** Red reflectorized warning devices in front and rear;

(7) “Slow Moving Vehicle” emblem on the rear as required by 625 ILCS 5/12-709, as amended;

(8) Headlight that emits a white light visible from a distance of five hundred (500) feet to the front which will illuminate when in operation;

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

(10) Seat belts for each passenger; and

(11) Any additional requirements which may be required by 625 ILCS 5/11-1426.1, as amended, or the Illinois Vehicle Code, 625 ILCS 5/1-100, et seq, as amended.

(C) Vehicle Operation Rules. All operators of a recreational off-highway vehicle must comply with the following requirements at all times:

(1) Operator must comply with mandatory insurance requirements of 625 ILCS 5/7-601, et seq, as amended, and maintain proof of current insurance while operating the vehicle.

(2) Operator must be at least twenty-one (21) years of age.

(3) Operator must have current, valid driver’s license issued in his or her name by the Secretary of State or by a foreign jurisdiction.

(4) Operator must display the City issued decal for the vehicle on the rear.

(5) Operator must illuminate their headlights and tail lights at all times.

(6) Operator must comply with all laws for driving under the influence in 625 ILCS 5/11-500, et seq, as amended, and may not operate the vehicle while under the influence.

(7) Operator may operate their vehicle on any city street with a speed limit of thirty-five (35) miles per hour or less and may not exceed the posted or legal speed limit on any city street.

(8) Operator may not operate their vehicle on any city street with a speed limit greater than thirty-five (35) miles per hour or on any state highway.

(9) Operator may make a direct crossing of any city street with a speed limit greater than thirty-five (35) miles per hour or any state highway only at a point of intersection with another city street.

(10) Operator may not operate their vehicle on sidewalks, walking paths, bike paths, golf paths, any private roadway, any way that is not open to public motor vehicle traffic, or in any city park except for approved parking areas.

(11) Operator may transport the maximum number of people in the vehicle as the vehicle is manufactured to carry at any time and all people must use a seatbelt while in operation. Children must be secured as required by 625 ILCS 25/1, et seq, as amended.

(12) Operator must obey all traffic laws of the State of Illinois and the City of Red Bud, Illinois.

(D) Permits Required. No recreational off-highway vehicle may be operated on a city street without the owner/applicant first obtaining a permit from the city according to the following:

(1) Permits shall be granted for a period of one calendar year and renewed annually. The cost of a permit is seventy-five dollars (\$75) per calendar year. Any permits issued during a calendar year are good for the remainder of the calendar year only and the permit fee shall not be prorated.

(2) Every application for a permit shall be on a form as maintained by the Chief of Police and which shall contain at least the following:

(a) Name, address, and phone number of applicant;

(b) Photocopy of applicant's drivers' license;

(c) Serial number, make, model and description of the recreational off-highway vehicle;

(d) Signed waiver of liability by applicant releasing the City and agreeing to indemnify and hold the city harmless from any and all future claims resulting from the operation of their vehicle on city streets;

(e) Name, address, and phone number of liability insurance carrier; and

(f) Photocopy of liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit.

(3) No permit shall be granted unless the following conditions are met:

(a) The application must be completed in full;

(b) The application fee must be paid in full;

(c) The vehicle must be inspected and passed by the Chief of Police, or their designee, to ensure that the vehicle has all required equipment and complies with the Illinois Vehicle Code, 625 ILCS 5/1-100, et seq, as amended;

(d) The applicant must provide proof of insurance as required by law showing compliance with insurance requirements of state law and this section;

(e) The applicant must have a valid drivers' license as required by law showing compliance with state law and this section; and

(f) The applicant must agree to and sign a waiver of liability releasing the City and agreeing to indemnify and hold the city harmless from any all future claims resulting from the operation of the vehicle.

(4) After granting the permit, the City shall issue the owner/applicant a decal for the vehicle for that calendar year which must be affixed to the rear of the vehicle before it may be operated on a city street.

(E) Permit Suspension, Non-Renewal, and Revocation. Any operator of a recreational off-highway vehicle that pleads guilty or is found guilty of violating any provision of this section may have their permit, and the vehicle owner's permit, suspended for the remainder of the calendar year or not renewed for the next calendar year at the sole discretion and determination of the Chief of Police and the Mayor. Any operator of a recreational off-highway vehicle that pleads guilty or is found guilty of a second violation of any provision of this section within the previous one year period may have their permit, and the vehicle owner's permit, revoked for a period of time to be not less than three years but no more than five years at the sole discretion and determination of the Chief of Police and the Mayor.

(F) Penalty. Any operator of a recreational off-highway vehicle who pleads guilty or is found guilty of a violation of this section shall be punished by a fine of not less than one hundred dollars (\$100) nor more than seven hundred fifty dollars (\$750.00) exclusive of costs. Any person who has been previously convicted of an offense for the violation of any of the provisions of this section within a previous one year period shall constitute a repeat offender. Repeat offenders shall be punished by a fine of not less than one hundred fifty dollars (\$150.00) nor more than seven hundred fifty dollars (\$750.00) exclusive of costs.

EQUIPMENT OF VEHICLES

152-5: ILLINOIS VEHICLE CODE; EQUIPMENT OF VEHICLES ADOPTED. The Illinois Vehicle Code, Chapter 12, entitled "Equipment of Vehicles", as passed, approved, and amended by the Illinois General Assembly is hereby adopted by the City and the provisions thereof shall be controlling within the corporate limits of the City, except for the last sentence of Sections 12-205, beginning with "the" and ending with "act", 12-605, and 12-605.1.

152-6: EXCESSIVE NOISE - STOPPED VEHICLE. No operator of a motor vehicle shall, when the motor vehicle is stopped, unreasonably accelerate the engine thereof with the gears of the vehicle in neutral, thereby causing an unreasonably loud or excessive noise.

152-7: EXCESSIVE NOISE - WHEELS. No operator of a motor vehicle shall, when the motor vehicle is stopped, accelerate the engine with the gears of such vehicle in neutral and while so accelerating the engine, shift the gears of the vehicle into a forward or reverse movement, thereby causing an unreasonably loud noise with the drive wheels of the vehicle.

152-8: EXCESSIVE NOISE - SQUEALING TIRES. No operator of a motor vehicle shall accelerate the engine thereof when shifting the gears of such vehicle in such a manner as to cause the rear wheels of such vehicle to spin violently, thereby causing an unreasonably loud or excessive noise.

152-9: MUFFLER. No motor vehicle shall be operated on any street unless such vehicle is provided with a muffler in efficient actual working condition; and the use of a cut-out is prohibited. No muffler shall cause an unreasonably loud or excessive noise.

152-10: RECKLESS, NEGLIGENT OR CARELESS DRIVING. It shall be unlawful to operate any vehicle in the City in a careless, reckless, negligent or wanton manner, or carelessly so as to endanger life or property.

152-11: EXCESSIVE NOISE WHILE DRIVING. No operator of a motor vehicle shall, when operating the vehicle, accelerate the vehicle or rapidly stop the vehicle causing an unreasonably loud noise.

152-12: SOUND AMPLIFICATION SYSTEMS. No driver of any motor vehicle within the City shall operate or permit operation of any sound amplification system which can be heard outside the vehicle from seventy-five (75) feet or more when the vehicle is being operated upon a highway, unless such system is being operated to request assistance or warn of a hazardous situation.

152-13: EXCESSIVE ENGINE BRAKING NOISE PROHIBITED. It shall be unlawful for the operator of a commercial vehicle to operate or actuate any engine braking system within the City that emits excessive noise unless it is an emergency. The City Superintendent is authorized and directed to post signs stating: "EXCESSIVE ENGINE BRAKING NOISE PROHIBITED" at appropriate locations.

152-14 to 152-15: RESERVED.