

## **TITLE VII: TRAFFIC CODE**

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## CHAPTER 70: GENERAL PROVISIONS

### Section

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*IN GENERAL***§ 70.01 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 access to the rear of lots or buildings, and not used for general traffic circulation. (ILCS Ch. 625, Act 5, § 1-102)

**ARTERIAL STREET.** Any U.S. or state numbered route, controlled-access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways. (ILCS Ch. 70, Act 1205, § 3-9)

**AUTHORIZED EMERGENCY VEHICLE.** Emergency vehicles of city departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the Fire Department; vehicles of a HazMat or technical rescue team authorized by a county board under § 5-1127 of the Counties Code (ILCS Ch. 55, Act 5, § 5-1127); ambulances; vehicles of the Illinois Department of Corrections; vehicles of the Illinois Department of Juvenile Justice; vehicles of the Illinois Emergency Management Agency; vehicles of the Office of the Illinois State Fire Marshal; mine rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois Department of Public Health; vehicles of the Illinois State Toll Highway Authority with a gross vehicle weight rating of 9,000 pounds or more and those identified as Highway Emergency Lane Patrol; vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act. (ILCS Ch. 625, Act 5, § 1-105)

**AUTOCYCLE.** A three-wheel motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride it. (ILCS Ch. 625, Act 5, § 1-104.2)

**BICYCLE.** Every device propelled by human power upon which any person may ride, having two tandem wheels except scooters and similar devices. (ILCS Ch. 625, Act 5, § 1-106)

**BUS.** Every motor vehicle, other than a commuter van, designed for carrying more than ten persons. (ILCS Ch. 625, Act 5, § 1-107)

**BUSINESS DISTRICT.** The territory contiguous to and including a highway when within 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 300 feet of frontage on one side, or 300 feet collectively on both sides of the highway. (ILCS Ch. 625, Act 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, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-112)

**CROSSWALK.**

(1) 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;

(2) 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 ILCS Ch. 625, Act 5, § 11-301. (ILCS Ch. 625, Act 5, § 1-113)

**CUSTOM VEHICLE.** A motor vehicle that is at least 25 years of age and of a model year after 1948 or a custom vehicle manufactured to resemble a vehicle at least 25 years of age and of a model year after 1948 and has been altered from the manufacturer's original design or has a body constructed from non-original materials and which is maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses and which is not used for general daily transportation. (ILCS Ch. 625, Act 5, § 1-113.1)

**DRIVER.** Every person who drives or is in actual physical control of a vehicle. (ILCS Ch. 625, Act 5, § 1-116)

**EXPANDED-USE ANTIQUE VEHICLE.** A motor vehicle that is more than 25 years of age or a bona fide replica thereof and which is registered and driven on the highways in accordance with ILCS Ch. 625, Act 5, § 3-804.01. (ILCS Ch. 625, Act 5, § 1-118.1)

**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. (ILCS Ch. 625, Act 5, § 1-120)

***FIRE DEPARTMENT VEHICLE.*** Any vehicle, bicycle, or electric personal assistive mobility device that is designated or authorized by proper local authorities for Fire Department use. (ILCS Ch. 625, Act 5, § 1-120.7)

***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. (ILCS Ch. 625, Act 5, § 1-123.9)

***GROSS WEIGHT.*** The weight of a vehicle, whether operated singly or in combination, without load, plus the weight of load thereon. (ILCS Ch. 625, Act 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 or located on public school property. (ILCS Ch. 625, Act 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 36,000 pounds, shall be included hereunder. (ILCS Ch. 625, Act 5, § 1-130)

***IMPROVED HIGHWAY.*** Any roadway of concrete, brick, asphalt, macadam and crushed stone, or gravel. (ILCS Ch. 625, Act 5, § 1-131)

***IN-LINE SPEED SKATES.*** A manufactured or assembled device consisting of an upper portion that is intended to be secured to a human foot, with a frame or chassis attached along the length of the bottom of the upper portion, with a frame or chassis holding two or more wheels that are longitudinally aligned and used to skate or glide by means of human foot and leg power while having the device attached to each foot or leg. The upper portion may not extend more than two inches above the wearer's ankle joint. (ILCS Ch. 625, Act 5, § 1-131.5)

#### ***INTERSECTION.***

(1) 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 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.

(2) Where a highway includes two roadways 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.

(3) The junction of an alley with a street or highway does not constitute an intersection.  
(ILCS Ch. 625, Act 5, § 1-132)

***LANE-CONTROL SIGNAL.*** An 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. (ILCS Ch. 625, Act 5, § 1-135)

***LANED ROADWAY.*** A roadway which is divided into two or more clearly marked lanes for vehicular traffic. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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:

(1) Any temporary license or instruction permit;

(2) The privilege of any person to drive a motor vehicle, whether or not the person holds a valid license or permit;

(3) Any nonresident's driving privilege as defined herein.  
(ILCS Ch. 625, Act 5, § 1-138)





**LIMOUSINE.** Any privately owned first division vehicle intended to be used for the transportation of persons for-hire when the payment is not based on a meter charge but is prearranged for a designated destination. (ILCS Ch. 625, Act 5, § 1-139.1)

**LOCAL AUTHORITIES.** Every county, city, village, and other local board or body having authority to enact laws relating to traffic under the constitution and laws of this state and each road district highway commissioner having the authority. (ILCS Ch. 625, Act 5, § 1-140)

**LOW-SPEED VEHICLE.** Any 4-wheeled vehicle with a maximum speed greater than 20 miles per hour but not greater than 25 miles per hour that conforms with the federal motor vehicle safety standards set forth in 49 C.F.R. Part 571.500. (ILCS Ch. 625, Act 5, § 1-140.7)

**MAIL.** To deposit in the United States mail properly addressed and with postage prepaid. (ILCS Ch. 625, Act 5, § 1-141)

**MOTOR VEHICLE.** Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power, motorized wheelchairs, low-speed electric bicycles, and low-speed gas bicycles. For this section, motor vehicles are divided into two divisions:

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

(2) *Second division.* Those motor vehicles which are designed for carrying more than ten persons, those motor vehicles designed or used for living quarters, those motor vehicles which are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the First Division remodeled for use and used as motor vehicles of the second division. (ILCS Ch. 625, Act 5, § 1-146)

**MOTOR-DRIVEN CYCLE.** Every motorcycle and every motor scooter with less than 150 cubic centimeter piston displacement, including motorized pedalcycles. (ILCS Ch. 625, Act 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 wheels in contact with the ground, but excluding an autocycle or tractor. (ILCS Ch. 625, Act 5, § 1-147)

**MOPED.** A moped is a motor-driven cycle, with or without optional power derived from manually operated pedals, whose speed attainable in one mile is at least 20 m.p.h. but not greater than 30 m.p.h., and is equipped with a motor that produces two brake horsepower or less. If an internal combustion engine is used, the displacement shall not exceed 50 cubic centimeter displacement and the power drive system shall not require the operator to shift gears. (ILCS Ch. 625, Act 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 eight m.p.h. on level ground. (ILCS Ch. 625, Act 5, § 1-148.3)

**MULTIFUNCTION SCHOOL ACTIVITY BUS (MFSAB).** A school bus manufactured for the purpose of transporting 11 or more persons, including the driver, whose purposes do not include transporting students to and from home or school bus stops. A MFSAB is prohibited from meeting the special requirements for school buses in ILCS Ch. 625, Act 5, §§ 12-801, 12-803, and 12-805 and subsection (a) of § 12-802. (ILCS Ch. 625, Act 5, § 1-148.3a-5)

**NONCOMMERCIAL VEHICLE.** Any vehicle that is not a commercial vehicle. (ILCS Ch. 625, Act 5, § 1-151)

**NOT-FOR-HIRE.** Operation of a commercial vehicle in furtherance of any commercial or industrial enterprise, but not-for-hire. (ILCS Ch. 625, Act 5, § 1-153)

**OFFICIAL TRAFFIC-CONTROL DEVICES.** All signs, signals, markings, and devices which conform with the state manual, and not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic. (ILCS Ch. 625, Act 5, § 1-154)

**OWNER.** A person who holds legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement, and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of the motor vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this title. (ILCS Ch. 625, Act 5, § 1-155)

**PARK or PARKING.** The standing of a vehicle, whether occupied or not, otherwise than when temporarily and actually engaged in loading or unloading merchandise or passengers. (ILCS Ch. 625, Act 5, § 1-156)

**PASSENGER CAR.** A motor vehicle of the first division, including a multipurpose passenger vehicle, that is designed for carrying not more than ten persons. (ILCS Ch. 625, Act 5, § 1-157)

**PEDESTRIAN.** Any person afoot or wearing in-line speed skates, including a person with a physical, hearing, or visual disability. (ILCS Ch. 625, Act 5, § 1-158)

**PERSON WITH DISABILITIES.** A natural person who, as determined by a licensed physician, by a licensed physician assistant, or by a licensed advanced practice registered nurse:

(1) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;

(2) Is restricted by lung disease to such an extent that his or her forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mm/hg on room air at rest;

(3) Uses portable oxygen;

(4) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV, according to standards set by the American Heart Association;

(5) Is severely limited in the person's ability to walk due to an arthritic, neurological, oncological, or orthopedic condition;

(6) Cannot walk 200 feet without stopping to rest because of one of the above five conditions;  
or

(7) Is missing a hand or arm or has permanently lost the use of a hand or arm.  
(ILCS Ch. 625, Act 5, § 1-159.1)

**POLICE OFFICER.** Every officer authorized to direct or regulate traffic, or to make arrests and issue citations for violations of traffic regulations. (ILCS Ch. 625, Act 5, § 1-162)

**POLICE VEHICLE.** Any vehicle, bicycle, or electric personal assistive mobility device that is designated or authorized by proper local authorities for police use. (ILCS Ch. 625, Act 5, § 1-162.3)

**PRINCIPAL PLACE OF BUSINESS.** The place where any person transacts his principal business, or where he makes up and approves his payroll, maintains a central file of records, and maintains his principal executive offices. In the event that not all of these functions are performed in one place, then that place where a majority of these functions are performed, or the place where the person does in fact principally transact and control his business affairs shall be considered as the principal place of business. (ILCS Ch. 625, Act 5, § 1-162.5)

**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. (ILCS Ch. 625, Act 5, § 1-163)

**RAILROAD.** A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-166.1)

***RAILROAD SIGNS OR SIGNAL.*** Any sign, signal or device, other than an official traffic control signal or device, erected in accordance with the laws governing same and intended to give notice of the presence of railroad tracks or the approach of a railroad train or railroad track equipment. (ILCS Ch. 625, Act 5, § 1-167)

***RAILROAD TRACK EQUIPMENT.*** All vehicles operated upon rails for the purpose of the maintenance of railroads including, but not limited to, all hi-rail vehicles and on-track roadway maintenance machines, as defined in 49 CFR, Part 214.7. (ILCS Ch. 625, Act 5, § 1-167.5)

***RAILROAD TRAIN.*** A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars. (ILCS Ch. 625, Act 5, § 1-168)

***RECREATIONAL OFF-HIGHWAY VEHICLE.*** Any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on four or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers. (ILCS Ch. 625, Act 5, § 1-168.8)

***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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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 registration year. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-171.8)

**RESIDENCE DISTRICT.** The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 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 500 feet apart. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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 acted upon by the secretary after the expiration of at least one year after the date of revocation. (ILCS Ch. 625, Act 5, § 1-176)

**RIGHT-OF-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 precedence to the other. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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 or more separate roadways, the term **ROADWAY** as used herein shall refer to any such roadway separately, but not to all such roadways collectively. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-181)

**SCHOOL BUS.**

(1) Every motor vehicle, except as provided in division (2) 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 such entity:

- (a) Any public or private primary or secondary school;

(b) Any primary or secondary school operated by a religious institution; or

(c) Any public, private or religious nursery school.

(2) This definition shall not include the following:

(a) A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is:

1. On a regularly scheduled route for the transportation of other fare paying passengers;

2. Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or

3. Being used for shuttle service between attendance centers or other educational facilities.

(b) A motor vehicle of the First Division.

(c) A multifunction school-activity bus.

(ILCS Ch. 625, Act 5, § 1-182)

***SEMITRAILER.*** 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. (ILCS Ch. 625, Act 5, § 1-187)

***SERIOUS TRAFFIC VIOLATION.***

(1) A conviction when operating a motor vehicle for:

(a) A violation of § 76.05(A), relating to a motor vehicle accident involving damage to a vehicle;

(b) A violation of § 76.04, relating to failure to stop and exchange information after a motor vehicle collision, property damage only;

(c) A violation of subsection (a) of ILCS Ch. 625, Act 5, § 11-502, relating to illegal transportation, possession, or carrying of alcoholic liquor within the passenger area of any vehicle;

(d) A violation of ILCS Ch. 625, Act 5, § 6-101 relating to operating a motor vehicle without a valid license or permit;

(e) A violation of § 76.04, relating to failure to stop and exchange information or give aid after a motor vehicle collision involving personal injury or death;

(f) A violation relating to excessive speeding, involving a single speeding charge of 26 miles per hour or more above the legal speed limit;

(g) A violation relating to reckless driving;

(h) A violation of § 71.047(D), relating to passing in a no-passing zone;

(i) A violation of § 71.095(B), relating to limitations on backing upon a controlled access highway;

(j) A violation of § 71.047(B), relating to driving on the left side of a roadway in a no-passing zone;

(k) A violation of § 74.02(E), relating to failure to yield the right-of-way to a pedestrian at an intersection;

(l) A violation of § 74.09, relating to failure to yield to a pedestrian on a sidewalk; or

(m) A violation of § 71.080, relating to failure to stop for an approaching railroad train or railroad track equipment or signals; or

(2) Any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation.

(3) A violation of any of these defined serious traffic offenses shall not preclude the defendant from being eligible to receive an order of court supervision under Section 5-6-1 of the Unified Code of Corrections. (ILCS Ch. 625, Act 5, § 1-187.001)

**SHOULDER.** That portion of the highway adjacent to the roadway for accommodating stopped vehicles or for emergency use. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-195)

**STATE HIGHWAYS.** Defined in the Illinois Highway Code as the same may from time to time be amended. (ILCS Ch. 625, Act 5, § 1-196)

**STATE POLICE.** The Illinois state police. (ILCS Ch. 625, Act 5, § 1-197)

**STOP.** The complete cessation from movement. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-201)

**STREET ROD.** A motor vehicle that is a 1948 or older vehicle or a vehicle that was manufactured after 1948 to resemble a vehicle that was manufactured before 1949 and has been altered from the manufacturer's original design or has a body constructed from non-original materials and which is maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses and which is not used for general daily transportation. (ILCS Ch. 625, Act 5, § 1-202.1)

**SUBURBAN DISTRICT.** That portion of any city, village, or incorporated town, other than the business and residence districts. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-205)

**TOW TRUCK.** Every truck designed or altered and equipped for and used to push, tow, or draw vehicles by means of a crane, hoist, towbar, towline, or auxiliary axle, or to render assistance to disabled vehicles. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 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. (ILCS Ch. 625, Act 5, § 1-210.01)

**TRUCK.** Every motor vehicle designed, used, or maintained primarily for the transportation of property. (ILCS Ch. 625, Act 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 constructed to provide temporary living quarters for recreational, travel, or camping use. (ILCS Ch. 625, Act 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, or a power unit that carries as property motor vehicles when operating in combination with a semitrailer in transporting motor vehicles or an other commodity, including cargo or general freight, on a backhaul. (ILCS Ch. 625, Act 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 100 feet for a distance of 1/4 mile or more. (ILCS Ch. 625, Act 5, § 1-214)

**URBAN AREA.** An urban area is any incorporated or unincorporated area developed primarily for residential or business purposes. (ILCS Ch. 625, Act 5, § 1-214.8)

### **VEHICLE.**

(1) Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway or requiring a certificate of title under ILCS Ch. 625, Act 5, § 3-101(d), 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.

(2) 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.

(3) For this section vehicles are divided into two divisions:

(a) First division: those motor vehicles which are designed for the carrying of not more than ten persons;

(b) Second division: those vehicles which are designed for carrying more than ten 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.  
(ILCS Ch. 625, Act 5, § 1-217)

### ***OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS***

#### **§ 70.10 OBEDIENCE TO POLICE OFFICERS.**

No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, fireman, person authorized by a local authority to direct traffic, or school crossing guard invested by law with authority to direct, control, or regulate traffic.  
(ILCS Ch. 625, Act 5, § 11-203) Penalty, see § 70.99

#### **§ 70.11 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 ILCS Ch. 625, Act 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.  
(ILCS Ch. 625, Act 5, § 11-205) Penalty, see § 70.99

#### **§ 70.12 TRAFFIC LAWS APPLY TO PERSONS RIDING ANIMALS OR DRIVING ANIMAL-DRAWN VEHICLES.**

Every person riding an animal or driving an animal-drawn 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.  
(ILCS Ch. 625, Act 5, § 11-206) Penalty, see § 70.99

#### **§ 70.13 FLEEING OR ATTEMPTING TO ELUDE POLICE OFFICER.**

It shall be unlawful for any driver or operator of a motor vehicle who, having been given a visual or audible signal by a police officer directing the driver or operator to bring his vehicle to a stop, willfully fails or refuses to obey that direction, increases his speed, extinguishes his lights, or otherwise flees or attempts to elude the officer. The signal given by the police officer may be by hand, voice, siren, or a red or blue light. However, the officer giving the signal shall be in police uniform and, if driving a vehicle, the vehicle shall be marked showing it to be an official police vehicle.  
Penalty, see § 70.99

***TRAFFIC SIGNS, SIGNALS, AND MARKINGS*****§ 70.30 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, the 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.

(F) Any violation of division (A) that occurs within a designated highway construction zone or maintenance zone shall result in a fine of no less than \$100 and no more than \$1,000.  
(ILCS Ch. 625, Act 5, § 11-305) Penalty, see § 70.99

**§ 70.31 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 or 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 indication, may cautiously enter the intersection only to make the movement indicated by such 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 § 70.32, 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 § 70.32, 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) *Flashing yellow arrow indication.*

(1) Vehicular traffic facing a flashing yellow arrow indication may cautiously enter the intersection only to make the movement indicated by the arrow and shall yield the right-of-way to other vehicles and pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(2) Pedestrians facing a flashing yellow arrow indication, unless otherwise directed by a pedestrian-control signal as provided in § 70.32, may proceed across the roadway within any marked or unmarked crosswalk that crosses the lane or lanes used to depart the intersection by traffic controlled by the flashing yellow arrow indication. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.

(D) *Steady red indication.*

(1) Except as provided in divisions (D)(3) and (D)(4) of this section, 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 crosswalk, then before entering the intersection, and shall remain standing until an indication to proceed is shown.

(2) Except as provided in divisions (D)(3) and (D)(4) of this section, vehicular traffic facing a steady red arrow signal 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 city 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 divisions (D)(1) or (D)(2) of this section. 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 such driver is moving across or within the intersection or junction or roadways. Such driver shall yield the right-of-way to pedestrians within the intersection or an adjacent crosswalk.

(4) After stopping as required by divisions (D)(1) or (D)(2) of this section, the driver of a motorcycle or bicycle, facing a steady red signal which fails to change to a green signal within a reasonable period of time not less than 120 seconds because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle or bicycle due to the vehicle's size or weight, shall have the right to proceed, after yielding the right-of-way to oncoming traffic facing a green signal, subject to the rules applicable after making a stop at a stop sign as required by § 70.41.

(5) Unless otherwise directed by a pedestrian-control signal as provided in § 70.32, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

(E) 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.

(ILCS Ch. 625, Act 5, § 11-306) Penalty, see § 70.99

## **§ 70.32 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 upraised palm symbol shall proceed to a sidewalk or safety island while the “Don't Walk” signal or upraised palm symbol is illuminated, steady, or flashing.  
(ILCS Ch. 625, Act 5, § 11-307) Penalty, see § 70.99

### § 70.33 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.  
(ILCS Ch. 625, Act 5, § 11-308) Penalty, see § 70.99

### § 70.34 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 at railroad grade crossings.  
(ILCS Ch. 625, Act 5, § 11-309) Penalty, see § 70.99

**§ 70.35 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 city 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 city as provided in the Illinois Adopt-A-Highway Act, ILCS Ch. 605, Act 120, §§ 1 et seq. (ILCS Ch. 625, Act 5, § 11-310) Penalty, see § 70.99

#### **§ 70.36 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 \$250 in addition to any other penalties which may be imposed. (ILCS Ch. 625, Act 5, § 11-311)

#### **§ 70.37 UNLAWFUL USE OR DAMAGE TO HIGHWAYS, APPURTENANCES, AND STRUCTURES.**

(A) 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.

(B) Every person who is convicted of a violation of this section shall be punished by a fine of at least \$250 in addition to any other penalty which may be imposed. (ILCS Ch. 625, Act 5, § 11-312) Penalty, see § 70.99

**§ 70.38 UNLAWFUL POSSESSION OF HIGHWAY SIGN OR MARKER.**

The City Street Department, with reference to traffic-control signs, signals, or markers owned by the city, is authorized to indicate the ownership of the signs, signals, or markers in letters not less than  $\frac{3}{8}$  inch, or more than  $\frac{3}{4}$  inch in height, by use of a metal stamp, etching, or other permanent means. Except for employees of the City Street Department, police officers, contractors and their employees engaged in a highway construction contract or work on the highway approved by the city, it is unlawful for any person to possess a sign, signal, or marker so identified.  
(ILCS Ch. 625, Act 5, § 11-313) Penalty, see § 70.99

**§ 70.39 ZONES OF QUIET.**

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.

**§ 70.40 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 travelled by vehicles, no driver of a vehicle shall disobey the directions of the indications.

**§ 70.41 STOP AND YIELD SIGNS.**

(A) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in ILCS Ch. 625, Act 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.

(ILCS Ch. 625, Act 5, § 11-1204) Penalty, see § 70.99

**§ 70.99 PENALTY.**

(A) 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 ILCS Ch. 625, Act 5, §§ 16-101 et seq. shall, upon conviction, be subject to a fine of not less than \$50 nor more than \$750.

(B) Any person convicted of violating § 70.10 is guilty of a petty offense and shall be subject to a mandatory fine of \$150. (ILCS Ch. 625, Act 5, § 11-203)



## **CHAPTER 71: RULES OF OPERATION**

### **Section**

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- 71.002 Special speed limits while passing schools
- 71.003 Maximum attainable operating speed
- 71.004 Minimum speed regulation

#### ***Turning and Starting; Signals***

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- 71.021 Limitations on U-turns
- 71.022 Starting parked vehicle
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- 71.024 Signal by hand and arm or signal device
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#### ***Overtaking and Passing***

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- 71.041 Passing vehicles proceeding in opposite directions
- 71.042 Overtaking vehicles on the left
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### ***Cross-reference:***

*Impoundment of motor vehicle, see Chapter 79*

***SPEED RESTRICTIONS*****§ 71.001 SPEED LIMITS.**

(A) No vehicle may be driven upon any highway of this city 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 divisions (C) and (D) below, by § 71.002, 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 § 70.01) for all vehicles is:

- (1) Thirty miles per hour; and
- (2) Fifteen miles per hour in an alley.

(D) Unless some other speed restriction is established under this chapter, the maximum speed limit shall be as determined under ILCS Ch. 625, Act 5, § 11-601.  
(ILCS Ch. 625, Act 5, § 11-601) Penalty, see § 70.99

***Statutory reference:***

*Authority to regulate speed, see ILCS Ch. 65, Act 5, § 11-40-1 and Ch. 625, Act 5, § 11-604*

**§ 71.002 SPECIAL SPEED LIMITS WHILE PASSING SCHOOLS.**

(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) 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 20 miles per hour while passing a school zone or while traveling on a roadway on public school property or upon any public thoroughfare where children pass going to and from school.

(C) For the purpose of this section a ***SCHOOL DAY*** shall begin at 7:00 a.m. and shall conclude at 4:00 p.m.

(D) This section shall not be applicable unless appropriate signs are posted upon streets and highways under their respective jurisdiction and maintained by the city. 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) Nothing in this section shall prohibit the use of electronic speed-detecting devices within 500 feet of signs within a special school speed zone indicating such zone, as defined in this section, nor shall evidence obtained thereby be inadmissible in any prosecution for speeding provided the use of such device shall apply only to the enforcement of the speed limit in such special school speed zone.

(F) (1) Except as provided in division (F)(2) below, a person who violates this section is guilty of a petty offense. Violations of this section are punishable with a minimum fine of \$150 for the first violation and a minimum fine of \$300 for the second or subsequent violation.

(2) A person committing a violation of this section is guilty of aggravated special speed limit while passing schools when he or she drives a motor vehicle at a speed that is:

(a) Twenty-six miles per hour or more but less than 35 miles per hour in excess of the applicable special speed limit established under this section and is guilty of a Class B misdemeanor;

(b) Thirty-five miles per hour or more in excess of the applicable special speed limit established under this section and is guilty of a Class A misdemeanor.

(ILCS Ch. 625, Act 5, § 11-605) Penalty, see § 70.99



**§ 71.003 MAXIMUM ATTAINABLE OPERATING SPEED.**

No person shall drive or operate any motor vehicle on any street or highway in this city 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.  
(ILCS Ch. 625, Act 5, § 11-611) Penalty, see § 70.99

**§ 71.004 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.  
(ILCS Ch. 625, Act 5, § 11-606(a)) Penalty, see § 70.99

***TURNING AND STARTING; SIGNALS***

**§ 71.020 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. (ILCS Ch. 625, Act 5, § 11-801) Penalty, see § 70.99

#### **§ 71.021 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 500 feet. (ILCS Ch. 625, Act 5, § 11-802) Penalty, see § 70.99

#### **§ 71.022 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. (ILCS Ch. 625, Act 5, § 11-803) Penalty, see § 70.99

#### **§ 71.023 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 § 71.020, 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 with 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 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 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 ILCS Ch. 625, Act 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 flashed 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.  
(ILCS Ch. 625, Act 5, § 11-804) Penalty, see § 70.99

#### **§ 71.024 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 ILCS Ch. 625, Act 5, § 12-208.  
(ILCS Ch. 625, Act 5, § 11-805) Penalty, see § 70.99

#### **§ 71.025 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, except that a person operating a bicycle may extend the right hand and arm horizontally and to the right side of the bicycle.

(C) *Stop or decrease of speed.* Hand and arm extended downward.  
(ILCS Ch. 625, Act 5, § 11-806) Penalty, see § 70.99

***OVERTAKING AND PASSING*****§ 71.040 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 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 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 a two lane roadway, providing for two-way movement of traffic, a vehicle 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 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 division (A)(2). However, this division 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.

(D) Upon an interstate highway or fully access controlled freeway, a vehicle may not be driven in the left lane, except when overtaking and passing another vehicle.

(E) Division (D) of this section does not apply:

(1) When no other vehicle is directly behind the vehicle in the left lane;

(2) When traffic conditions and congestion make it impractical to drive in the right lane;

(3) When snow and other inclement weather conditions make it necessary to drive in the left lane;

(4) When obstructions or hazards exist in the right lane;

(5) When a vehicle changes lanes to comply with ILCS Ch. 625, Act 5, §§ 11-907, 11-907.5 and 11-908;

(6) When, because of highway design, a vehicle must be driven in the left lane when preparing to exit;

(7) On toll highways when necessary to use I-Pass, and on toll and other highways when driving in the left lane is required to comply with an official traffic control device; or

(8) To law enforcement vehicles, ambulances and other emergency vehicles engaged in official duties and vehicles engaged in highway maintenance and construction operations.  
(ILCS Ch. 625, Act 5, § 11-701) Penalty, see § 70.99

#### **§ 71.041 PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS.**

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 1/2 of the main traveled portion of the roadway as nearly as possible.  
(ILCS Ch. 625, Act 5, § 11-702) Penalty, see § 70.99

#### **§ 71.042 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 such 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 such passing maneuver safely.

(D) The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on a highway shall leave a safe distance, but not less than three feet, when passing the bicycle or individual and shall maintain that distance until safely past the overtaken bicycle or individual.

(E) A driver of a motor vehicle overtaking a bicycle proceeding in the same direction on a highway may, subject to the provisions in division (D) and ILCS Ch. 625, Act 5, § 11-706, pass to the left of the bicycle on a portion of the highway designated as a no-passing zone under ILCS Ch. 625, Act 5, § 11-707 if the driver is able to overtake and pass the bicycle when:

(1) The bicycle is traveling at a speed of less than half of the posted speed limit of the highway;

(2) The driver is able to overtake and pass the bicycle without exceeding the posted speed limit of the highway; and

(3) There is sufficient distance to the left of the centerline of the highway for the motor vehicle to meet the overtaking and passing requirements under this section.

(F) A person driving a motor vehicle shall not, in a reckless manner, drive the motor vehicle unnecessarily close to, toward, or near a bicyclist, pedestrian, or a person riding a horse or driving an animal drawn vehicle.

(G) Every person convicted of division (F) of this section shall be guilty of a Class A misdemeanor if the violation does not result in great bodily harm or permanent disability or disfigurement to another. If the violation results in great bodily harm or permanent disability or disfigurement to another, the person shall be guilty of a Class 3 felony, to be prosecuted under appropriate state law. (ILCS Ch. 625, Act 5, § 11-703) Penalty, see § 70.99

#### **§ 71.043 WHEN OVERTAKING ON THE RIGHT IS PERMITTED.**

(A) The driver of a vehicle with three 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 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 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 feet. This division (B) does not apply to devices propelled by human power.

(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.

(ILCS Ch. 625, Act 5, § 11-704) Penalty, see § 70.99

#### **§ 71.044 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 200 feet of any vehicle approaching from the opposite direction.

(ILCS Ch. 625, Act 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 100 feet of or traversing any intersection or railroad grade crossing.

(c) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel.

(2) The limitations in division (B)(1) above do not apply upon a one-way roadway, nor upon a roadway with unobstructed pavement of sufficient width for two 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.

(ILCS Ch. 625, Act 5, § 11-706) Penalty, see § 70.99

**§ 71.045 MEETING OR OVERTAKING SCHOOL BUS.**

(A) The driver of a vehicle shall stop such vehicle before meeting or overtaking, from either direction, any school bus stopped on a highway, roadway, private road, parking lot, school property, or at any other location, including, without limitation, a location that is not a highway or roadway for the purpose of receiving or discharging pupils. Such stop is required before reaching the school bus when there is in operation on the school bus the visual signals as specified in ILCS Ch. 625, Act 5, §§ 12-803 and 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 ILCS Ch. 625, Act 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 school 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-lamp flashing signal system required by ILCS Ch. 625, Act 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 division (D) of this section.

(D) (1) The alternately flashing amber signal lamps of an eight-lamp flashing signal system required by ILCS Ch. 625, Act 5, § 12-805 shall be actuated continuously during not less than the last 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 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.

(2) The alternately flashing head lamps permitted by ILCS Ch. 625, Act 5, § 12-805 may be operated while the alternately flashing red or amber signal lamps required by that section are actuated.

(E) The driver of a vehicle upon a highway having four or more lanes which permits at least two lanes of traffic to travel in opposite directions need not stop such vehicle upon meeting a school bus which is stopped in the opposing roadway; and need not stop such 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) (1) The Secretary of State shall suspend for a period of three months the driving privileges of any person convicted of a violation of division (A) of this section or a similar provision of a local ordinance; the Secretary shall suspend for a period of one year the driving privileges of any person convicted of a second or subsequent violation of division (A) of this section or a similar provision of a local ordinance if the second or subsequent violation occurs within five years of a prior conviction for the same offense. In addition to the suspensions authorized by this section, any person convicted of violating this section or a similar provision of a local ordinance shall be subject to a mandatory fine of \$300 or, upon a second or subsequent violation, \$1,000. The Secretary may also grant, for the duration of any suspension issued under this division, a restricted driving permit granting the privilege of driving a motor vehicle between the driver's residence and place of employment or within other proper limits that the Secretary of State shall find necessary to avoid any undue hardship. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of the restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require

the applicant to participate in a designated driver remedial or rehabilitative program. Any conviction for a violation of this division shall be included as an offense for the purposes of determining suspension action under any other provision of this chapter, provided however, that the penalties provided under this division shall be imposed unless those penalties imposed under other applicable provisions are greater.

(2) The owner of any vehicle alleged to have violated division (A) of this section shall, upon appropriate demand by the State's Attorney or other designated person acting in response to a signed complaint, provide a written statement or deposition identifying the operator of the vehicle if such operator was not the owner at the time of the alleged violation. Failure to supply such information shall result in the suspension of the vehicle registration of the vehicle for a period of three months. In the event the owner has assigned control for the use of the vehicle to another, the person to whom control was assigned shall comply with the provisions of this division and be subject to the same penalties as herein provided.

(ILCS Ch. 625, Act 5, § 11-1414) Penalty, see § 70.99

#### **§ 71.046 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.

(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 or more roadways by leaving an intervening space or by a physical barrier or a clearly indicated dividing section so 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 noncurbed dividing space unless prohibited by an official traffic-control device.

(ILCS Ch. 625, Act 5, § 11-708) Penalty, see § 70.99

#### **§ 71.047 NO-PASSING ZONES.**

(A) The City Council is authorized to determine those portions of any highway within the city where overtaking and passing or driving on the left of the roadway would be especially hazardous, and may by 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 division (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 § 71.040 (A)(2), § 71.042(E), 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. (ILCS Ch. 625, Act 5, § 11-707) Penalty, see § 70.99

#### **§ 71.048 DRIVING ON ROADWAYS LANED FOR TRAFFIC.**

Whenever any roadway has been divided into two 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 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.

(E) A person is not in violation of this section if he or she is complying with ILCS Ch. 625, Act 5, §§ 11-907, 11-907.5 or 11-908.  
(ILCS Ch. 625, Act 5, § 11-709) Penalty, see § 70.99

***RIGHT-OF-WAY*****§ 71.060 VEHICLES APPROACHING OR ENTERING INTERSECTION.**

When two 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.

(ILCS Ch. 625, Act 5, § 11-901) Penalty, see § 70.99

**§ 71.061 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.

(ILCS Ch. 625, Act 5, § 11-902) Penalty, see § 70.99

**§ 71.062 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.

(ILCS Ch. 625, Act 5, § 11-903) Penalty, see § 70.99

**§ 71.063 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.

(ILCS Ch. 625, Act 5, § 11-904) Penalty, see § 70.99

#### **§ 71.064 MERGING TRAFFIC.**

Notwithstanding the right-of-way provision in § 71.060, 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.

(ILCS Ch. 625, Act 5, § 11-905) Penalty, see § 70.99

#### **§ 71.065 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.

(ILCS Ch. 625, Act 5, § 11-906) Penalty, see § 70.99

#### **§ 71.066 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 such 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.

(C) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights or amber or yellow warning lights, a person who drives an approaching vehicle shall:

(1) Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) If changing lanes would be impossible or unsafe, proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions and leaving a safe distance until safely past the stationary vehicles.

(D) As used in division (C) of this section, **AUTHORIZED EMERGENCY VEHICLE** includes any vehicle authorized by law to be equipped with oscillating, rotating, or flashing lights under ILCS Ch. 625, Act 5, § 12-215, while the owner or operator of the vehicle is engaged in his or her official duties.

(E) A person who violates division (C) of this section commits a business offense punishable by a fine of not less than \$100 or more than \$10,000. It is a factor in aggravation if the person committed the offense while in violation of ILCS Ch. 625, Act 5, § 11-501. Imposition of the penalties authorized by this division for a violation of division (C) of this section that results in the death of another person does not preclude imposition of appropriate additional civil or criminal penalties.

(F) If a violation of division (C) of this section results in damage to the property of another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for a fixed period of not less than 90 days and not more than one year.

(G) If a violation of division (C) of this section results in injury to another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for a fixed period of not less than 180 days and not more than two years.

(H) If a violation of division (C) of this section results in the death of another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for two years.

(I) The Secretary of State shall, upon receiving a record of a judgment entered against a person under division (C) of this section:

(1) Suspend the person's driving privileges for the mandatory period; or

(2) Extend the period of an existing suspension by the appropriate mandatory period.  
(ILCS Ch. 625, Act 5, § 11-907) Penalty, see § 70.99

**§ 71.067 FUNERAL PROCESSIONS.**

(A) Funeral processions have the right-of-way at intersections when vehicles comprising such procession have their headlights and hazard lights 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 such signal or after stopping as required by the stop sign, all vehicles in such 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 or hazard lights or both 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 or flashing hazard warning signal flashers to identify the individual vehicles in such a procession.

(F) In the absence of law enforcement traffic control assistance for a funeral procession, a funeral director or his or her designee may direct traffic during a funeral procession.  
(ILCS Ch. 625, Act 5, § 11-1420) Penalty, see § 70.99

***SPECIAL STOPS REQUIRED*****§ 71.080 OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN OR RAILROAD TRACK EQUIPMENT.**

(A) Whenever any person driving a vehicle approaches a railroad grade crossing where the driver is not always required to stop, the 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 50 feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until the tracks are clear and he or she 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 or railroad track equipment;

(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 or railroad track equipment;

(3) A railroad train or railroad track equipment approaching a highway crossing emits a warning signal and such railroad train or railroad track equipment, by reason of its speed or nearness to such crossing, is an immediate hazard;

(4) An approaching railroad train or railroad track equipment is plainly visible and is in hazardous proximity to such crossing; or

(5) A railroad train or railroad track equipment is approaching so closely that an immediate hazard is created.

(B) Whenever a person driving a vehicle approaches a railroad grade crossing where the driver is not always required to stop but must slow down, the 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 slow down within 50 feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until he or she checks that the tracks are clear of an approaching train or railroad track equipment.

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

(D) The Department, and local authorities with the approval of the Department, are hereby authorized to designate particularly dangerous highway grade crossings of railroads and to erect stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and shall proceed only upon exercising due care.



(E) 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 or railroad track equipment, 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 50 feet but not less than 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 or railroad track equipment 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.

(F) No person shall, while driving a commercial motor vehicle, fail to negotiate a railroad-highway grade railroad crossing because of insufficient undercarriage clearance.

(G) It is unlawful to violate any part of this section.

(1) A violation of this section is a petty offense for which a fine of \$500 shall be imposed for a first violation, and a fine of \$1,000 shall be imposed for a second or subsequent violation. The court may impose 25 hours of community service in place of the \$500 fine for the first violation.

(2) For a second or subsequent violation, the Secretary of State may suspend the driving privileges of the offender for a minimum of six months.

(H) Corporate authorities of municipal corporations regulating operators of vehicles that fail to obey signals indicating the presence, approach, passage, or departure of a train or railroad track equipment shall impose fines as established in division (G) of this section.

(ILCS Ch. 625, Act 5, § 11-1201) Penalty, see § 70.99

## **§ 71.081 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 such vehicle within 50 feet but not less than 15 feet from the nearest rail and, while so stopped, shall listen and look for the approach of a train or railroad track equipment and shall not proceed until such 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 ILCS Ch. 625, Act 5, §§ 12-801, 12-803, and 12-805. The driver of the bus, in addition to complying with all other applicable requirements of this division (A), must also turn off all noise producing accessories, including heater blowers, defroster fans, auxiliary fans, and radios, and open the service door and driver's window, before crossing a railroad track or tracks;

(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 the "Illinois Hazardous Materials Transportation Act". 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 division (A) of this section 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 on Uniform Traffic Control Devices for Streets and Highways.

(ILCS Ch. 625, Act 5, § 11-1202) Penalty, see § 70.99

#### **§ 71.082 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.

(ILCS Ch. 625, Act 5, § 11-1205) Penalty, see § 70.99

#### **§ 71.083 STOP WHEN TRAFFIC OBSTRUCTED.**

(A) 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.

(B) No driver shall enter a highway rail grade crossing unless there is sufficient space on the other side of the highway rail grade crossing to accommodate the vehicle being operated without obstructing the passage of a train or other railroad equipment using the rails, notwithstanding any traffic-control signal indication to proceed.

(C) The Secretary of State shall suspend for a period of one month the driving privileges of any person convicted of a violation of division (B) of this section or a similar provision of a local ordinance; the Secretary shall suspend for a period of three months the driving privileges of any person convicted of a second or subsequent violation of division (B) of this section or a similar provision of a local ordinance if the second or subsequent violation occurs within five years of a prior conviction for the same offense. In addition to the suspensions authorized by this section, any person convicted of violating division (B) of this section or a similar provision of a local ordinance shall be subject to a mandatory fine of \$500 or 50 hours of community service. Any person given a disposition of court supervision for violating division (B) of this section or a similar provision of a local ordinance shall also be subject to a mandatory fine of \$500 or 50 hours of community service. Upon a second or subsequent violation, in addition to the suspensions authorized by this section, the person shall be subject to a mandatory fine of \$500 and 50 hours community service. The Secretary may also grant, for the duration of any suspension issued under this division, a restricted driving permit granting the privilege of driving a motor vehicle between the driver's residence and place of employment or within other proper limits that the Secretary of State shall find necessary to avoid any undue hardship. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of the restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. Any conviction for a violation of this division shall be included as an offense for the purposes of determining suspension action under any other provision of this Code, provided however, that the penalties provided under this division shall be imposed unless those penalties imposed under other applicable provisions are greater. (ILCS Ch. 625, Act 5, § 11-1425) Penalty, see § 70.99



***PROHIBITIONS***

**§ 71.095 BACKING.**

(A) The driver of a vehicle shall not back the same unless the movement can be made with safety and without interfering with other traffic.

(B) The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway.

(ILCS Ch. 625, Act 5, § 11-1402) Penalty, see § 70.99

**§ 71.096 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.

(ILCS Ch. 625, Act 5, § 11-710) Penalty, see § 70.99

**§ 71.097 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.

(ILCS Ch. 625, Act 5, § 11-1406) Penalty, see § 70.99

**§ 71.098 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.

(ILCS Ch. 625, Act 5, § 11-1407) Penalty, see § 70.99

**§ 71.099 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.

(ILCS Ch. 625, Act 5, § 11-1410) Penalty, see § 70.99

**§ 71.100 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 500 feet or stop the vehicle within 500 feet of any fire apparatus stopped in answer to a fire alarm. (ILCS Ch. 625, Act 5, § 11-1411)

(B) No vehicle shall be driven over any 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. (ILCS Ch. 625, Act 5, § 11-1412)

Penalty, see § 70.99

**§ 71.101 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.

(ILCS Ch. 625, Act 5, § 11-1412.1) Penalty, see § 70.99

**§ 71.102 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 and except upon streets set aside as play streets when authorized by the traffic authority.

**§ 71.103 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 the Litter Control Act, ILCS Ch. 415, Act 105, § 3.

(B) Any person who violates division (A) upon any highway shall immediately remove the 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 ILCS Ch. 415, Act 5, § 3.215, hazardous waste as defined in ILCS Ch. 415, Act 5, § 3.220, and potentially infectious medical waste as defined in ILCS Ch. 415, Act 5, § 3.360, dropped upon the highway from such vehicle.  
(ILCS Ch. 625, Act 5, § 11-1413) Penalty, see § 70.99

**§ 71.104 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 city, or offer for barter or sale merchandise on the highway so as to interfere with the effective movement of traffic.  
(ILCS Ch. 625, Act 5, § 11-1416) Penalty, see § 70.99

**§ 71.105 FARM TRACTOR OPERATION.**

(A) No person shall operate a farm tractor on a highway in this city 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 8,000 pounds for use as return transportation after the tractor is left at the place of work or repair.  
(ILCS Ch. 625, Act 5, § 11-1418) Penalty, see § 70.99

**§ 71.106 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.  
(ILCS Ch. 625, Act 5, § 11-711) Penalty, see § 70.99

***PARADES*****§ 71.120 DEFINITIONS.**

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***CRUISING.*** The repeated operation of two 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 city, or ***CRUISING*** as defined above.

***PARADE PERMIT.*** A permit required by this subchapter.

***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.

**§ 71.121 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 city official.

(B) This subchapter 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.

Penalty, see § 70.99

**§ 71.122 APPLICATION FOR PERMIT.**

(A) *Procedure.* A person seeking issuance of a parade permit shall file an application with the Chief of Police or other authorized city official on forms provided by such officer.

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

(C) *Contents.* 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.

(D) Fee. There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by the City Council from time to time.

#### **§ 71.123 STANDARDS FOR ISSUANCE OF PERMIT.**

The Chief of Police or other authorized city 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 city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;

(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 city 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 firefighting 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.  
Penalty, see § 70.99

#### **§ 71.124 NOTICE OF REJECTION OF PERMIT APPLICATION.**

The Chief of Police or other authorized city official shall act on the application for a parade permit within three days, Saturdays, Sundays, and holidays excepted, after filing thereof. If he disapproves the application, he shall mail to the applicant within the three 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.

#### **§ 71.125 APPEAL PROCEDURE WHEN PERMIT DENIED.**

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within 30 days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.

**§ 71.126 ALTERNATIVE PERMIT.**

The Chief of Police or other authorized city 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 subchapter.

**§ 71.127 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.**

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the Mayor and the Fire Chief.

**§ 71.128 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 subchapter.

**§ 71.129 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.

Penalty, see § 70.99

**§ 71.130 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 city 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.

Penalty, see § 70.99

**§ 71.131 REVOCATION OF PERMIT.**

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

## **CHAPTER 72: PARKING REGULATIONS**

### **Section**

#### ***Method of Parking***

- 72.01 General parking regulations
- 72.02 Unattended motor vehicles

#### ***Restrictions on Stopping, Standing, and Parking***

- 72.10 Stopping, standing, or parking prohibited in specified places
- 72.11 Stopping, standing, or parking outside business or residence district
- 72.12 Unauthorized use of parking spaces reserved for persons with disabilities

#### ***Snow Emergencies***

- 72.25 Announcement of snow emergency
- 72.26 Termination of emergency
- 72.27 Snow emergency routes

#### ***Violations***

- 72.40 Officers authorized to remove vehicles
- 72.41 Duty of lessor of vehicle on notice of violation of this chapter
  
- 72.99 Penalty

### ***METHOD OF PARKING***

#### **§ 72.01 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 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 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 12 inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(C) No angle parking shall be permitted except as set forth by ordinance.

(D) 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.

(ILCS Ch. 625, Act 5, § 11-1304) Penalty, see § 72.99

## **§ 72.02 UNATTENDED MOTOR VEHICLES.**

Except for a law enforcement officer or an operator of an authorized emergency vehicle performing his or her official duties, 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. An unattended motor vehicle shall not include an unattended locked motor vehicle with the engine running after being started by a remote starter system.

(ILCS Ch. 625, Act 5, § 11-1401) Penalty, see § 72.99

## ***RESTRICTIONS ON STOPPING, STANDING, AND PARKING***

### **§ 72.10 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 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;

(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 digital 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 15 feet of a fire hydrant;

(c) Within 20 feet of a crosswalk at an intersection;

(d) Within 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 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 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 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.

(ILCS Ch. 625, Act 5, § 11-1303) Penalty, see divisions (A) and (C) of § 72.99

**§ 72.11 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 200 feet in each direction upon the highway.

(B) The city, 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 city 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.

(C) This section, and § 72.10 and ILCS Ch. 625, Act 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 by ILCS Ch. 625, Act 5, § 12-215(b).  
(ILCS Ch. 625, Act 5, § 11-1301) Penalty, see § 72.99

**§ 72.12 UNAUTHORIZED USE OF PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES.**

(A) (1) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities, as defined by § 70.01, pursuant to ILCS Ch. 625, Act 5, §§ 3-616, 11-1301.1, or 11-1301.2, or to a veteran with a disability pursuant to ILCS Ch. 625, Act 5, § 3-609, as evidence that the vehicle is operated by or for a person with disabilities or a veteran with a disability, 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 ILCS Ch. 625, Act 5, § 11-301, for motor vehicles displaying such registration plates. It shall be prohibited to park any motor vehicle in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities, by the posting of an official sign as designated under ILCS Ch. 625, Act 5, § 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly



visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. Disability license plates and parking decals and devices are not transferable from person to person. Proper usage of the disability license plate or parking decal or device requires the authorized holder to be present and enter or exit the vehicle at the time the parking privileges are being used. It is a violation of this section to park in a space reserved for a person with disabilities if the authorized holder of the disability license plate or parking decal or device does not enter or exit the vehicle at the time the parking privileges are being used. Any motor vehicle properly displaying a disability license plate or a decal or device containing the international symbol of access issued to persons with disabilities by any local authority, state, district, territory, or foreign country shall be recognized as a valid license plate or device and receive the same parking privileges as residents of the village.

(2) An individual with a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under ILCS Ch. 625, Act 5, §§ 3-616, 11-1301.1 or 11-1301.2 or to a veteran with a disability under ILCS Ch. 625, Act 5, § 3-609 is in violation of this section if; (a) the person using the disability license plate or parking decal or device is not the authorized holder of the disability license plate or parking decal or device or is not transporting the authorized holder of the disability license plate or parking decal or device to or from the parking location and; (b) the person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this title.

(3) A driver of a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under ILCS Ch. 625, Act 5, §§ 3-616, 11-1301.1 or 11-1301.2 or to a veteran with a disability under ILCS Ch. 625, Act 5, § 3-609 is in violation of this section if:

(a) The person to whom the disability licensed plate or parking decal or device was issued is deceased; and

(b) The driver uses the disability license plate or parking decal or device to exercise any privileges granted through a disability license plate or parking decal or device under this title.

(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 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 division (A) shall be fined as set forth in § 72.99 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this section. The village shall display signs indicating the fine imposed, and if the amount of the fine is subsequently changed, the village shall change the sign to indicate the current amount of the fine. It shall not be a defense to a charge under this section that either the sign posted pursuant to this section or the intended accessible parking place does not comply with the technical requirements of ILCS Ch. 625, Act 5, § 11-301, Department regulations, or local ordinances if a

reasonable person would be made aware by the sign or notice on or near the parking place that the place is reserved for a person with disabilities.

(D) As used in this section, ***AUTHORIZED HOLDER*** means an individual issued a disability license plate under ILCS Ch. 625, Act 5, § 3-616, an individual issued a parking decal or device under ILCS Ch. 625, Act 5, § 11-1301.2, or an individual issued a license plate for veterans with disabilities under ILCS Ch. 625, Act 5, § 3-609.

(ILCS Ch. 625, Act 5, § 11-1301.3(a), (a-1), (a-2), (b), (c), (e)) Penalty, see § 72.99

### ***SNOW EMERGENCIES***

#### **§ 72.25 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 parked 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.

Penalty, see § 72.99

#### **§ 72.26 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.

#### **§ 72.27 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.

***VIOLATIONS***

**§ 72.40 OFFICERS AUTHORIZED TO REMOVE VEHICLES.**

(A) Whenever any police officer finds a vehicle in violation of any of the provisions of § 72.11 or any other applicable section of this traffic code or ordinance of the city, 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) 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; or

(4) The registration of the vehicle has been suspended, cancelled, or revoked.  
(ILCS Ch. 625, Act 5, § 11-1302)

**§ 72.41 DUTY OF LESSOR OF VEHICLE ON NOTICE OF 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 or digital registration plates and registration sticker or stickers or digital registration sticker or stickers of such vehicle.  
(ILCS Ch. 625, Act 5, § 11-1305)

**§ 72.99 PENALTY.**

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be fined as set forth in § 70.99.

(B) (1) Whoever violates § 72.12(A)(1) shall be fined \$250 in addition to any costs or charges connected with the removal or storage of the motor vehicle.

(2) (a) Any person found guilty of violating the provisions of § 72.12(A)(2) a first time shall be fined \$600. Any person found guilty of violating § 72.12(A)(2) a second or subsequent time shall be fined \$1,000. Any person who violates § 72.12(A)(3) is guilty of a Class A misdemeanor and shall be fined \$2,500. The circuit clerk shall distribute 50% of the fine imposed on any person who is found guilty of or pleads guilty to violating this § 72.12, including any person placed on court supervision for violating § 72.12, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, the 50% of the fine imposed shall be shared equally. If an officer of the Secretary of State Department of Police arrested a person for a violation of § 72.12, 50% of the fine imposed shall be deposited into the Secretary of State Police Services Fund.

(b) Any person who commits a violation of § 72.12(A)(2) may have his or her driving privileges suspended or revoked by the Secretary of the State for a period of time determined by the Secretary of the State. Any person who commits a violation of § 72.12(A)(3) shall have his or her driving privileges revoked by the Secretary of State. The Secretary of the State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of the State.

(ILCS Ch. 625, Act 5, §§ 11-1301.3(c), (c-1), and (f))

(C) A violation of any part of § 72.10(A)(1)(h) shall result in a mandatory fine of \$500 or 50 hours of community service. (ILCS Ch. 625, Act 5, § 11-1303)

## **CHAPTER 73: MOTORCYCLES AND BICYCLES**

### **Section**

#### ***Bicycles***

- 73.01 Traffic laws apply to persons riding bicycles
- 73.02 Riding on bicycles
- 73.03 Clinging to vehicles
- 73.04 Riding on roadways and bicycle paths
- 73.05 Carrying articles
- 73.06 Lamps and other equipment on bicycles
- 73.07 Lamps on mopeds
- 73.08 Riding on mopeds
- 73.09 Registering bicycles

#### ***Motorcycles***

- 73.20 Riding on motorcycles
- 73.21 Special equipment for persons riding motorcycles, motor driven cycles or mopeds
- 73.22 Required equipment on motorcycles
- 73.23 Operating motorcycle, motor driven cycle, or moped on one wheel

#### ***Golf Carts***

- 73.30 Definitions
- 73.31 Requirements
- 73.32 Permits

### ***BICYCLES***

#### **§ 73.01 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES.**

Every person riding a bicycle upon a highway shall be granted all of the rights, including, but not limited to, rights under ILCS Ch. 625, Act 5, §§ 11-901 et seq., 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 those provisions of this traffic code which by their nature can have no application. (ILCS Ch. 625, Act 5, § 11-1502) Penalty, see § 70.99

**§ 73.02 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.

(ILCS Ch. 625, Act 5, § 11-1503) Penalty, see § 70.99

**§ 73.03 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.

(ILCS Ch. 625, Act 5, § 11-1504) Penalty, see § 70.99

**§ 73.04 RIDING ON ROADWAYS AND BICYCLE PATHS.**

(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 division (A)(3), 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; or

(4) When approaching a place where a right turn is authorized.

(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.

(ILCS Ch. 625, Act 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 divisions (A) and (B) above. (ILCS Ch. 625, Act 5, § 11-1505.1)

Penalty, see § 70.99

### **§ 73.05 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.

(ILCS Ch. 625, Act 5, § 11-1506) Penalty, see § 70.99

### **§ 73.06 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 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 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in addition to or instead of the red reflector.

(B) A bicycle shall not be equipped with nor shall any person use upon a bicycle any siren. This division (B) does not apply to a bicycle that is a police vehicle or Fire Department vehicle.

(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 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 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 division may be met by reflective materials which shall be at least 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.

(ILCS Ch. 625, Act 5, § 11-1507) Penalty, see § 70.99

### **§ 73.07 LAMPS ON MOPEDS.**

Every moped, 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 500 feet to the front, and with a red reflector on the rear of a type approved by the Department of Transportation which shall be visible from all distances from 100 feet to 600 feet to the rear when in front of lawful, low-powered beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(ILCS Ch. 625, Act 5, § 11-1507.1) Penalty, see § 70.99

### **§ 73.08 RIDING ON MOPEDS.**

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

(B) The provisions of §§ 73.01 through 73.07 shall be applicable to the operation of mopeds, except for those provisions which by their nature can have no application to mopeds.

(ILCS Ch. 625, Act 5, § 11-1403.1) Penalty, see § 70.99

### **§ 73.09 REGISTERING BICYCLES.**

(A) Any person who owns a bicycle or bicycles within the corporate limits of the City of Grayville shall register the bicycle(s) with the Grayville Police Department; said registration shall not be required for any person, business or corporation which has bicycle(s) on its premises for repair or sale.

(B) The registration will be done at the Grayville Police Department, 102 S. Main Street, Grayville, IL 62844, between the hours of 4:00 p.m. and 8:00 p.m., Tuesday through Saturday.

(C) The registration fee is one dollar, and shall be due upon registration.

(D) Any person who is a resident of the City of Grayville who is riding, possessing, transporting, or carrying a bicycle shall have a registration sticker/tag, that has been previously issued by the Grayville Police Department affixed to the bicycle, and visible at all times to a police officer or their agent.



(E) When requested by a police officer, or their agent, any person in possession of a bicycle shall provide proof of registration.

(F) Any bicycle with a defaced, missing, or altered registration shall be subject to seizure by the Grayville Police Department.

(G) The owner of any bicycle with a defaced, missing, or altered registration, shall immediately re-register the bicycle with the Grayville Police Department.

(H) After the initial registration, any person who resides within the City of Grayville and assumes ownership of a registered bicycle by purchase, trade or transfer of ownership, shall within ten days, re-register the bicycle with the Grayville Police Department.

(I) All rules and regulations that are applicable in the Illinois Vehicle Code (ILCS Ch. 625, Act 5, §§ 11-1501 through 11-1515) shall be enforced as part of this section.

(J) Any person violating any of the provisions of this section for the first time shall, upon conviction thereof, be fined not less than ten dollars nor more than \$50 for each unregistered bicycle. Thereafter, he or she shall be subject to the standard City of Grayville schedule of fines.

(K) Any person who is convicted of a violation of any provision of this section for the third time shall be guilty of a Class C Misdemeanor.  
(Ord. 882, passed 11-25-19)

## ***MOTORCYCLES***

### **§ 73.20 RIDING ON MOTORCYCLES.**

(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 person, in which event a passenger may ride upon the permanent and regular seat if designed for two 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 handlebar grips higher than the height of the head 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.

(D) The operator or any motorcycle shall keep at least one hand on a handlebar grip at all times the motorcycle is in motion.

(ILCS Ch. 625, Act 5, § 11-1403) Penalty, see § 70.99

### **§ 73.21 SPECIAL EQUIPMENT FOR PERSONS RIDING MOTORCYCLES, MOTOR DRIVEN CYCLES OR MOPEDS.**

(A) The operator of a motorcycle, motor driven cycle or moped and every passenger thereon 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 eye pieces 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.

(ILCS Ch. 625, Act 5, § 11-1404) Penalty, see § 70.99

### **§ 73.22 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.

(ILCS Ch. 625, Act 5, § 11-1405) Penalty, see § 70.99

**§ 73.23 OPERATING MOTORCYCLE, MOTOR DRIVEN CYCLE, OR MOPED ON ONE WHEEL.**

(A) No person shall operate a motorcycle, motor driven cycle, or moped on one wheel.

(B) A person commits aggravated operating a motorcycle, motor driven cycle, or moped on one wheel when he or she violates division (A) above while committing a violation of § 71.001(A). A violation of this division (B) is a petty offense with a minimum fine of \$100, except a second conviction of a violation of this division (B) is a Class B misdemeanor and a third or subsequent conviction of a violation of this division (B) is a Class A misdemeanor.

(ILCS Ch. 625, Act 5, § 11-1403.2) Penalty, see § 70.99

***GOLF CARTS*****§ 73.30 DEFINITIONS.**

As used in this subchapter:

***CITY STREETS.*** Any of the streets within the boundaries of the city, except for state and county roads.

***COUNTY ROADS.*** Includes County Road 2600N, which is known as West North Street.

***GOLF CART.*** Includes those vehicles defined in ILCS Ch. 625, Act 5, § 1-123.9, being 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, and for the sole and limited purpose of this subchapter, shall also include those vehicles that would otherwise be defined as “recreational off-highway vehicle” in ILCS Ch. 625, Act 5, § 1-168.8, being any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer’s dry weight of 2,000 pounds or less, traveling on four or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers. The definition of a ***GOLF CART*** for purposes of this subchapter specifically excludes all-terrain vehicles (ATVs), off-highway motorcycles, and any other vehicle that is not otherwise defined herein as a ***GOLF CART***.

***STATE ROADS.*** Includes Illinois Route 1 (N. Court Street) and Illinois Route 130 (Hagedorn Road).

(Ord. 689, passed 8-13-07; Am. Ord. 766, passed 10-8-12)

**§ 73.31 REQUIREMENTS.**

All persons wishing to operate a golf cart on the streets of the City of Grayville must ensure compliance with the following requirements:

- (A) Proof of liability insurance;
- (B) Must display city decal front and rear;
- (C) Must be inspected by city police or designated representative;
- (D) Must have a valid Illinois driver's license;

(E) Must be equipped with windshield, seat belts for driver and each passenger, horn, brakes, a steering wheel apparatus, tires, a rearview mirror, an approved slow moving vehicle emblem on the rear of the golfcart, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals. When operated on a roadway, a golf cart shall have its headlight and tail lamps lighted (see 625 ILCS Ch. 625, Act 5 § 11-1428);

(F) Must obey all traffic laws of the State of Illinois and City of Grayville;

(G) Passengers under age eight must be secured by an appropriate child restraint system as covered by the Child Passenger Protection Act;

(H) Operator must be 16 years of age or older;

(I) Must not exceed 20 miles per hour;

(J) May only operate on city streets with the exception of authorized crossing of state or county roads;

(K) Those golf carts that would constitute vehicles as defined in ILCS Ch. 625, Act 5 § 1-123.9, used for golfing purposes, shall not be operated in inclement weather, nor when visibility is impaired by weather, smoke, fog, or other conditions. Those golf carts that would otherwise constitute "recreational off-highway vehicles" as defined in ILCS Ch. 625, Act 5, § 1-168.8, being motorized off-highway devices, can be operated in such weather conditions.

(L) A person who drives or is in actual physical control of a golf cart on a roadway while under the influence is subject to §§ 11-500 through 11-502 of the Illinois Compiled Statutes (ILCS Ch. 625, Act 5, §§ 11-500 through 11-502);

(M) Golf carts shall not be operated on sidewalks or in city parks other than paved areas;

(N) Golf carts may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (Illinois Route 1 or Illinois Route 130) or the county highway department, absent prior approval from the appropriate government authority;

(O) Golf carts may not be operated on state or county roads except to cross at designated streets when authorized by the State of Illinois Department of Transportation, or such other controlling department of government, as applicable. The city will ensure that signs are erected to designate authorized crossing points, with crossings to be authorized for State Route No.1 (N. Court Street), at North Street and Martin Street, Highway 130 North, at North 151 Street, and North State Road, at its intersection with North 3rd Street and Carothers Street.

(Ord. 689, passed 8-13-07; Am. Ord. 892, passed 8-10-20; Am. Ord. 912, passed - -)

### **§ 73.32 PERMITS.**

(A) No person shall operate a motorized golf cart without obtaining a permit from the City Clerk as provided in this section. Permits shall be granted for a period of one year and may be renewed annually. The cost of a permit is \$35. Insurance coverage is to be verified in effect by the City Clerk when issuing or renewing the permit.

(B) Every application for a permit shall be made on a form supplied by the city and shall contain the following information:

(1) The name and address of the applicant;

(2) Name of liability insurance carrier;

(3) The serial number, make, model and description of the golf cart;

(4) Signed waiver of liability by applicant releasing the city from any and all future claims resulting from the operation of their golf cart on city streets; and

(5) Photostatic copy of applicable liability insurance coverage card specifically for the golf cart to be operated on city streets. When operated on a roadway, a golf cart shall have its headlight and tail lamps lighted.

(Ord. 689, passed 8-13-07)



## **CHAPTER 74: PEDESTRIANS**

### **Section**

- 74.01 Pedestrian obedience to traffic control devices and traffic regulations
- 74.02 Pedestrian right-of-way at crosswalks
- 74.03 Crossing at other than crosswalks
- 74.04 Drivers to avoid colliding with pedestrians
- 74.05 Blind, hearing impaired, or physically handicapped pedestrian right-of-way
- 74.06 Pedestrians to use right half of crosswalks
- 74.07 Pedestrians soliciting rides or business
- 74.071 Person standing on a public highway
- 74.08 Pedestrians walking on highways
- 74.09 Right-of-way on sidewalks
- 74.10 Pedestrians yield to authorized emergency vehicles
- 74.11 Pedestrians under influence of alcohol or drugs
- 74.12 Bridge and railroad signals
- 74.13 Motorized wheelchairs
  
- 74.99 Penalty

### **§ 74.01 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 §§ 70.31 and 70.32 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.

(ILCS Ch. 625, Act 5, § 11-1001)

### **§ 74.02 PEDESTRIAN RIGHT-OF-WAY AT CROSSWALKS.**

(A) When traffic control signals are not in place or not in operation the driver of a vehicle shall stop and yield the right-of-way 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) Division (A) of this section shall not apply under the condition stated in § 74.03(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 such stopped vehicle.

(E) Whenever stop signs or flashing red signals are in place at an intersection or at a plainly marked crosswalk between intersections, drivers shall yield right-of-way to pedestrians as set forth in § 71.063. (ILCS Ch. 625, Act 5, § 11-1002) Penalty, see § 70.99

#### **§ 74.03 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 upon the roadway. (ILCS Ch. 625, Act 5, § 11-1003) Penalty, see § 70.99

#### **§ 74.04 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. (ILCS Ch. 625, Act 5, § 11-1003.1) Penalty, see § 70.99



**§ 74.05 BLIND, HEARING IMPAIRED, OR PHYSICALLY HANDICAPPED PEDESTRIAN RIGHT-OF-WAY.**

The driver of a vehicle shall yield the right-of-way to any blind, hearing-impaired, or physically handicapped pedestrian carrying a clearly visible white cane or accompanied by a support or guide dog. (ILCS Ch. 625, Act 5, § 11-1004) Penalty, see § 70.99

**§ 74.06 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS.**

Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (ILCS Ch. 625, Act 5, § 11-1005) Penalty, see § 70.99

**§ 74.07 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. Solicitation on highways within this city shall be allowed only at intersections where all traffic is required to come to a full stop. Any person engaged in the act of solicitation shall be 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, providing 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. (ILCS Ch. 625, Act 5, § 11-1006) Penalty, see § 70.99

***Cross-reference:***

*Person standing on public highway, see § 74.071*

**§ 74.071 PERSON STANDING ON PUBLIC HIGHWAY.**

(A) No person shall stand on a public highway, as defined in the Illinois Motor Vehicle Code, within the corporate limits of the city, for the purposes of soliciting contributions from the occupant of any vehicle, unless that person is a member of an organization that has satisfied the following conditions before engaging in solicitation activities:

(1) Has registered with the Attorney General as a charitable organization as provided by "*an Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefore,*" approved July 26, 1963, as amended.

(2) Is engaged in a statewide fund raising activity.

(3) Has submitted an application, approved by the City Council, describing the fund raising event, as well as the date, time, location of the solicitation, and names of all scheduled participants.

(4) Has agreed in writing that the organization accepts responsibility 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.

(B) An authorized solicitor shall be 16 years of age, or more, and shall wear a highly visible vest or like article of clothing.

(Ord. 578, passed 6-8-98)

**§ 74.08 PEDESTRIANS WALKING ON HIGHWAYS.**

(A) Except as provided in division (E) below, 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.

(E) Upon highways where the maximum posted speed limit is 45 miles per hour or less, and during the period from sunrise to sunset, a pedestrian who is 18 years of age or older and wearing in-line speed skates may travel upon the roadway as near as practicable to an outside edge of the roadway. Pedestrians

wearing in-line speed skates upon a roadway may not impede or obstruct other vehicular traffic. Pedestrians wearing in-line speed skates shall be subject to all other rights and duties under this chapter. Nothing in this title shall be construed to prevent a pedestrian wearing in-line speed skates from using a lane designated for bicycles.

(ILCS Ch. 625, Act 5, § 11-1007) Penalty, see § 70.99

#### **§ 74.09 RIGHT-OF-WAY ON SIDEWALKS.**

The driver of a vehicle shall yield the right-of-way to any pedestrians on a sidewalk.  
(ILCS Ch. 625, Act 5, § 11-1008) Penalty, see § 70.99

#### **§ 74.10 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 ILCS Ch. 625, Act 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.

(ILCS Ch. 625, Act 5, § 11-1009) Penalty, see § 70.99

#### **§ 74.11 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.

(ILCS Ch. 625, Act 5, § 11-1010) Penalty, see § 70.99

#### **§ 74.12 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 such 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 or railroad track equipment.

(D) A violation of any part of this section is a petty offense for which a \$250 fine shall be imposed for a first violation, and a \$500 fine shall be imposed for a second or subsequent violation. The court may impose 25 hours of community service in place of the \$250 fine for a first violation.

(E) Local authorities shall impose fines as established in division (D) of this section for pedestrians who fail to obey signals indicating the presence, approach, passage, or departure of a train or railroad track equipment.

(ILCS Ch. 625, Act 5, § 11-1011) Penalty, see § 70.99

### **§ 74.13 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.

(ILCS Ch. 625, Act 5, § 11-1004.1)

### **§ 74.99 PENALTY.**

(A) Whoever violates any provision of this chapter for which another penalty is not already otherwise provided by ordinance or by appropriate statutory penalty as generally set forth in ILCS Ch. 625, Act 5, §§ 16-101 et seq. shall, upon conviction, be subject to a fine of not less than \$50 nor more than \$750.

(B) Any person found in violation of § 74.071 shall be enjoined from further solicitation activities, and shall be subject to a fine of not less than \$25 nor more than \$100 for each offense. (Ord. 578, passed 6-8-98)

## CHAPTER 75: EQUIPMENT; LOADS

### Section

#### *Equipment*

- 75.01 Scope and effect of equipment requirements

#### *Loads*

- 75.10 Scope and effect of size, weight, and load regulations  
75.11 Projecting loads on passenger vehicles  
75.12 Protruding members of vehicles  
75.13 Spilling loads prohibited  
75.14 Pushing of disabled vehicles

### ***EQUIPMENT***

#### **§ 75.01 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 ILCS Ch. 625, Act 5, §§ 12-101 et seq., or which is equipped in any manner in violation of ILCS Ch. 625, Act 5, §§ 12-101 et seq., or for any person to do any act forbidden or fail to perform any act required under ILCS Ch. 625, Act 5, §§ 12-101 et seq.

(B) The provisions of ILCS Ch. 625, Act 5, §§ 12-101 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 36,000 pounds and used only for the transportation of bulk fertilizer, or to farm-wagon type tank trailers of not to exceed 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.

(ILCS Ch. 625, Act 5, § 12-101) Penalty, see § 70.99

***LOADS*****§ 75.10 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 or 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 ILCS Ch. 625, Act 5, §§ 15-100 et seq. or otherwise in violation of ILCS Ch. 625, Act 5, §§ 15-100 et seq., and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter such limitations except as express authority may be granted in ILCS Ch. 625, Act 5, §§ 15-100 et seq.

(B) The provisions of ILCS Ch. 625, Act 5, §§ 15-100 et seq. governing size, weight and load do not apply to equipment for snow and ice removal operations owned or operated by any governmental body, or to implements of husbandry, as defined in ILCS Ch. 625, Act 5, §§ 1-100 et seq., temporarily operated or towed in a combination upon a highway provided such combination does not consist of more than three vehicles or, in the case of hauling fresh, perishable fruits or vegetables from farm to the point of first processing, not more than three wagons being towed by an implement of husbandry, or to a vehicle operated under the terms of a special permit issued hereunder. Except for weight limits on Class I highways under ILCS Ch. 625, Act 5, §§ 15-100 et seq., the provisions of ILCS Ch. 625, Act 5, §§ 15-100 et seq. governing size, weight, and load do not apply to fire apparatus or emergency vehicles.

(C) (1) The provisions of ILCS Ch. 625, Act 5, §§ 15-100 et seq. governing size, weight, and load do not apply to any snow and ice removal equipment that is no more than 12 feet in width, if the equipment displays flags at least 18 inches square mounted on the driver's side of the snow plow.

(2) These vehicles must be equipped with an illuminated rotating, oscillating, or flashing amber light or lights, or a flashing amber strobe light or lights, mounted on the top of the cab and of sufficient intensity to be visible at 500 feet in normal sunlight. If the load on the transport vehicle blocks the visibility of the amber lighting from the rear of the vehicle, the vehicle must also be equipped with an illuminated rotating, oscillating, or flashing amber light or lights, or a flashing amber strobe light or lights, mounted on the rear of the load and of sufficient intensity to be visible at 500 feet in normal sunlight. (ILCS Ch. 625, Act 5, § 15-101)

(D) No person shall use the highways under the jurisdiction of the city in violation of weight and location restrictions and commercial vehicle restrictions set forth in any applicable ordinance.

Penalty, see § 70.99

***Statutory reference:***

*Power of city to regulate loads, see ILCS Ch. 65, Act 5, § 11-40-1*

**§ 75.11 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 inches beyond the line of the fenders on the right side thereof.

(ILCS Ch. 625, Act 5, § 15-105) Penalty, see § 70.99

**§ 75.12 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. (ILCS Ch. 625, Act 5, § 15-106) Penalty, see § 70.99

**§ 75.13 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 § 70.99.

(ILCS Ch. 625, Act 5, § 15-109) Penalty, see § 70.99

**§ 75.14 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 city, 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.

(ILCS Ch. 625, Act 5, § 15-114) Penalty, see § 70.99





## CHAPTER 76: MOTOR VEHICLE OFFENSES

### Section

- 76.01 Reckless driving
- 76.02 (Reserved)
- 76.03 Accidents involving death or personal injuries
- 76.04 Duty to give information and render aid
- 76.05 Accident involving damage to vehicle
- 76.06 Duty upon damaging unattended vehicle or other property
- 76.07 Duty to report accident
- 76.08 False reports
- 76.09 When driver fails to report

### ***Cross-reference:***

*Impoundment of motor vehicle, see Chapter 79*

### **§ 76.01 RECKLESS DRIVING.**

A person commits reckless driving if he or she:

(A) Drives any vehicle with a willful or wanton disregard for the safety of persons or property; or

(B) Knowingly drives a vehicle and uses an incline in a roadway, such as a railroad crossing, bridge approach, or hill, to cause the vehicle to become airborne.

(ILCS Ch. 625, Act 5, § 11-503(a)) Penalty, see § 70.99

### **§ 76.02 (RESERVED)**

### **§ 76.03 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 such vehicle at the scene of such 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 § 76.04 have been fulfilled. Every such stop shall be made without obstructing traffic more than is necessary.

(B) (1) Any person who has failed to stop or to comply with the requirements of division (A) of this section shall, as soon as possible but in no case later than one-half hour after such motor vehicle accident, or, if hospitalized and incapacitated from reporting at any time during such period, as soon as possible but in no case later than one-half hour 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 such vehicle, at a police station or sheriff's office near the place where such accident occurred. No report made as required under this division (B) shall be used, directly or indirectly, as a basis for the prosecution of any violation of division (A) of this section.

(2) Any person arrested for violating this section is subject to chemical testing of his or her blood, breath, other bodily substance, or urine for the presence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, as provided in ILCS Ch. 625, Act 5, § 11-501.1, if the testing occurs within 12 hours of the time of the occurrence of the accident that led to his or her arrest. The person's driving privileges are subject to statutory summary suspension under ILCS Ch. 625, Act 5, § 11-501.1 if he or she fails testing or statutory summary revocation under ILCS Ch. 625, Act 5, § 11-501.1 if he or she refuses to undergo the testing.

(C) For purposes of this section, **PERSONAL INJURY** shall mean any injury requiring immediate professional treatment in a medical facility or doctor's office.

(D) The Secretary of State shall revoke the driving privilege of any person convicted of a violation of this section.  
(ILCS Ch. 625, Act 5, § 11-401) Penalty, see § 70.99

#### **§ 76.04 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 carrying 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. (ILCS Ch. 625, Act 5, § 11-403) Penalty, see § 70.99

**§ 76.05 ACCIDENT INVOLVING DAMAGE TO VEHICLE.**

(A) (1) 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 such vehicle at the scene of such motor vehicle accident or as close thereto as possible, but shall forthwith return to and in every event shall remain at the scene of such motor vehicle accident until the requirements of § 76.04 have been fulfilled. A driver does not violate this section if the driver moves the vehicle as soon as possible off the highway to the nearest safe location on a exit ramp shoulder, frontage road, the nearest suitable cross street, or other suitable location that does not obstruct traffic and remains at that location until the driver has fulfilled the requirements of § 76.04. Every such stop shall be made without obstructing traffic more than is necessary. If a damaged vehicle is obstructing traffic lanes, the driver of the vehicle must make every reasonable effort to move the vehicle or have it moved so as not to block the traffic lanes.

(2) Any person failing to comply with this section shall be guilty of a Class A misdemeanor.

(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 \$1,000, and in such case a statement of this finding shall be reported to the Secretary of State with the report of conviction as required by ILCS Ch. 625, Act 5, § 6-204. Upon receipt of such report of conviction and statement of finding that the damage to a vehicle is in excess of \$1,000, the Secretary of State shall suspend the driver's license or any nonresident's driving privilege.

(C) If any peace officer or highway authority official finds a vehicle standing upon a highway or toll highway in violation of a prohibition, limitation, or restriction on stopping, standing, or parking imposed under this Code or a disabled vehicle that obstructs the roadway of a highway or toll highway, the peace officer or highway authority official is authorized to move the vehicle or to require the operator of the vehicle to move the vehicle to the shoulder of the road, to a position where parking is permitted, or to public parking or storage premises. The removal may be performed by, or under the direction of, the peace officer or highway authority official or may be contracted for by local authorities. After the vehicle has been removed, the peace officer or highway authority official shall follow appropriate procedures, as provided in ILCS Ch. 625, Act 5, § 4-203.

(D) A towing service, its officers, and its employees are not liable for loss of or damages to any real or personal property that occurs as the result of the removal or towing of any vehicle under division (C) of this section, as provided in subsection (b) of ILCS Ch. 625, Act 5, § 4-213.  
(ILCS Ch. 625, Act 5, § 11-402) Penalty, see § 70.99

**§ 76.06 DUTY UPON DAMAGING UNATTENDED VEHICLE OR OTHER PROPERTY.**

(A) 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 nearest office of a duly authorized police authority and shall make a written report of such accident when and as required in § 76.07. Every such stop shall be made without obstructing traffic more than is necessary. If a damaged vehicle is obstructing traffic lanes, the driver of the vehicle must make every reasonable effort to move the vehicle or have it moved so as not to block the traffic lanes.

(B) Any person failing to comply with this section shall be guilty of a Class A misdemeanor.

(C) If any peace officer or highway authority official finds a vehicle standing upon a highway or toll highway in violation of a prohibition, limitation, or restriction on stopping, standing, or parking imposed under this Code or a disabled vehicle that obstructs the roadway of a highway or toll highway, the peace officer or highway authority official is authorized to move the vehicle or to require the operator of the vehicle to move the vehicle to the shoulder of the road, to a position where parking is permitted, or to public parking or storage premises. The removal may be performed by, or under the direction of, the peace officer or highway authority official or may be contracted for by local authorities. After the vehicle has been removed, the peace officer or highway authority official shall follow appropriate procedures, as provided in ILCS Ch. 625, Act 5, § 4-203.

(D) A towing service, its officers, and its employees are not liable for loss of or damages to any real or personal property that occurs as the result of the removal or towing of any vehicle under division (C) of this section, as provided in subsection (b) of ILCS Ch. 625, Act 5, § 4-213.  
(ILCS Ch. 625, Act 5, § 11-404) Penalty, see § 70.99

#### **§ 76.07 DUTY TO REPORT ACCIDENT.**

(A) The driver of a vehicle that is in any manner involved in an accident within this city, 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 \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to ILCS Ch. 625, Act 5, § 7-601 but is not covered by a liability insurance policy in accordance with ILCS Ch. 625, Act 5, § 7-601) is sustained, shall, as soon as possible but not later than ten days after the accident, forward a written report of the accident to the Police Department.

(B) Whenever a school bus is involved in an accident in this city, caused by a collision, a sudden stop or otherwise, resulting in any property damage, personal injury or death and whenever an accident occurs within 50 feet of a school bus in this city 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 days after the accident, forward a written report to the Department of Transportation. If a report is also required under division (A) of this section, that report and the report required by this division (B) 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 § 76.09 to file supplemental reports whenever the original report is insufficient in the opinion of the Secretary of State or the Chief of Police, and may require witnesses of the accident to submit written reports to the Chief of Police. The report may include photographs, charts, sketches, and graphs.

(D) Should the Chief of Police learn through other reports of accidents required by law of the occurrence of an accident reportable under this chapter and the driver, owner, or witness has not reported as required under divisions (A), (B) or (C) of this section or § 76.09, within the time specified, the person is not relieved of the responsibility and the Chief of Police 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 division (E) of this section.

(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 required or as required by any other law of this state.

(ILCS Ch. 625, Act 5, § 11-406)

***Statutory reference:***

*Authorization for city to require accident reports, see ILCS Ch. 625, Act 5, § 11-415*

**§ 76.08 FALSE REPORTS.**

Any person who provides information in an oral or written report required by §§ 76.08 through 76.14 with knowledge or reason to believe that the information is false shall be fined as provided in § 70.99.

(ILCS Ch. 625, Act 5, § 11-409)

**§ 76.09 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.

(ILCS Ch. 625, Act 5, § 11-410)



## CHAPTER 77: TRAFFIC SCHEDULES

### Schedule

- I. Through streets
- II. Stop intersections
- III. Traffic lights
- IV. Speed regulations
- V. One-way streets

### SCHEDULE I. THROUGH STREETS.

(A) Before entering upon or crossing any of the through streets, all vehicles shall come to a full stop and give traffic moving along such through streets the right-of-way, except at the intersection of North Street and Court Street, where two through streets intersect, all vehicles on each street shall come to a full stop before proceeding across the other street and traffic approaching from the driver's right shall have the right-of-way at the intersection of the through streets. The following streets are hereby designated as through streets:

<i>Street</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Court Street (State Highway No. 1)	148	8-18-52
Mill Street (except as to traffic moving to Court Street)	148	8-18-52
North State Road (State Highway No. 130)	148	8-18-52
North Street	148	8-18-52
South Street (except as to traffic moving on Main Street and on Court Street)	148	8-18-52
South Water Street	—	1-6-58

(B) Any person violating any of the provisions of this chapter or failing to comply with any provision thereof, shall be subject to a penalty of not less than \$1 nor more than \$200 and costs.  
(Ord. 148, passed 8-18-52)

**SCHEDULE II. STOP INTERSECTIONS.**

All vehicles shall come to a full stop before a stop intersection and opposing traffic shall have the right of way over such vehicles.

<i>Street</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Alexander Lane	Intersection of First Street	661	12-22-03
Bishop Street	West Side of South Water Street to make the intersection a four-way stop	776	6-24-13
Court Street	Intersection of North Street	148	8-18-52
East Martin	Intersection of North Main Street	—	1-6-58
First Street	Intersection of Plum Street	148	8-18-52
North First Street	Intersection of West Fair Street for northbound traffic	751	8-22-11
North First Street	Intersection at West Martin Street for both northbound and southbound traffic	762	5-29-12
Hilltop Drive	Intersection of Loren Drive	661	12-22-03
Loren Drive	Intersection of Alexander Lane	661	12-22-03
Loren Drive	Intersection of First Street	661	12-22-03
South Middle Street	Intersection of East Commerce Street for both eastbound and westbound traffic	769	2-11-13
South Middle Street	Intersection of East Commerce Street for both northbound and southbound traffic	814	3-28-16
Mill Street	Intersection of First Street	629	2-25-02
North Street	Intersection of Court Street	148	8-18-52
South Second Street	Intersection of West Commerce Street	—	7-6-53
Sycamore Street	Intersection of First Street	148	8-18-52
Terrace Road	Intersection of Fisk Avenue	661	12-22-03
Walnut Street	Intersection of Water Street	148	8-18-52
Washington Street	Intersection of East North Street	—	7-6-53
South Water Street	Intersection of Bishop Street for both northbound and southbound traffic	776	6-24-13

Penalty, see Chapter 77, Schedule I. (B)



**SCHEDULE III. TRAFFIC LIGHTS.**

All vehicles shall come to a full stop on a red light or signal on the traffic lights at the intersections; pedestrians using the cross walks at the intersections identified by painted lines on the pavement, while the red light or signal is on, shall have the right-of-way over vehicles.

<i>Intersection</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Court Street (State Highway No. 1) and Martin Street	148	8-18-52
Court Street (State Highway No. 1) and Butler Street	148	8-18-52

Penalty, see Chapter 77, Schedule I. (B)

**SCHEDULE IV. SPEED REGULATIONS.**

It shall be unlawful to drive any motor vehicle at a speed in excess of the speed limit as set forth on the following streets of the city:

<i>Street</i>	<i>Location</i>	<i>Speed</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Helck Street	All	25 mph	885; 913	5-11-20; 5-10-21
Koehler Street	All	25 mph	885; 913	5-11-20; 5-10-21
North Street	Court Street to west city limits	20 mph	—	12-6-54
Stephenson Street	All	25 mph	885; 913	5-11-20; 5-10-21
South Water Street	All	25 mph	762	5-29-12

Penalty, see Chapter 77, Schedule I. (B)

**SCHEDULE V. ONE-WAY STREETS.**

The following streets and/or alleys are hereby designated as one-way.

<i>Street</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Butler Street	South Second Street to South Court Street	148	8-2-52

Penalty, see Chapter 77, Schedule I. (B)



## CHAPTER 78: PARKING SCHEDULES

### Schedule

#### I. Parking prohibited

### SCHEDULE I. PARKING PROHIBITED.

Parking shall be prohibited on the following streets:

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Butler Street	South	Between South Second Street to South Court Street	—	8-2-54
West Butler Street			751	8-22-11
East Commerce Street	North	Between Main Street and Middle Street	816	4-11-16
First Street	East	Between North Street to South Street	—	9-4-56
Helck Street	East and West	Entire street	913	5-10-21
Illinois Route 1	Both	From North Street to Illinois Route 130	663	3-22-04
Illinois Route 130	Both	Between Illinois Route 1 and North Corporate City Limits	391-A	12-27-79
Koehler Street	North and South	Entire street	913	5-10-21
Mill Street	North	Between North (State Highway No. 1) and Main Street	148	8-18-52
North Street	South	Between Third Street to the West City Limits	—	9-17-55

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
West North Street	North	Between First Street and Second Street	815	3-28-16
Oxford Street	West	Between the intersections of Oxford Street with Bishop Street and Park Street	727	4-27-09
Second Street	West	Between South Street and Commerce Street	148	8-18-52
South Street	South	Between Court Street and Main Street	148	8-18-52
South Third Street	East	Entire street	—	12-17-56
Spring Street	North	Between North First Street and Old State Road	652	5-27-03
Stephenson Street	North and South	Entire street	913	5-10-21
West Martin Street	North	Between Third Street and North State Road	885	5-11-20
West North Street	North and South	Between Court Street (IL Rt. 1) and First Street; except parking will be allowed on the south side of West North Street on Sundays between 8:00 a.m. and Noon	903	12-28-20
West Sycamore Street	North	Between First Street and North State Road	781	4-14-14

(B) (1) Any person violating any of the provisions of this table or failing to comply with any provision thereof, except pertaining to Illinois Route 1, shall be subject to a penalty of not less than \$1 nor more than \$200 and costs.

(2) Any person who violates the parking provision pertaining to Illinois Route 1 is guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$50 nor more than \$200 for each offense.

(Ord. 148, passed 8-18-52; Am. Ord. 663, passed 3-22-04)

## CHAPTER 79: IMPOUNDMENT OF MOTOR VEHICLE

### Section

- 79.01 Definitions
- 79.02 Violations authorizing impoundment
- 79.03 Seizure and impoundment
- 79.04 Administrative hearing
- 79.05 Disposition of impounded motor vehicle
- 79.06 Motor vehicle possession
- 79.07 Towing agency
- 79.08 Refund of administrative fee

### ***Cross-reference:***

*Motor vehicle offenses, see Chapter 76*

### **§ 79.01 DEFINITIONS.**

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BUSINESS DAY.*** Any day in which the offices of City Hall are open to the public for a minimum of eight hours.

***LEVEL 1 ADMINISTRATIVE FEE.*** Means and shall be \$200.

***LEVEL 2 ADMINISTRATIVE FEE.*** Means and shall be \$100.

***MOTOR VEHICLE.*** Every vehicle which is self-propelled, including but not limited to automobiles, trucks, vans, motorcycles, and motor scooters.

***OWNER OF RECORD.*** The record title holder(s) of the motor vehicle as registered with the Secretary of State, State of Illinois; or if not registered in Illinois, the particular state where the motor vehicle is registered.

(Ord. 813, passed 2-8-16)

**§ 79.02 VIOLATIONS AUTHORIZING IMPOUNDMENT.**

(A) Any motor vehicle, operated with the express or implied permission of the owner of record, that is used in connection with the following violations, or any amendments or revisions to the listed statutory provisions, shall be subject to seizure and impoundment by the city, and the owner of record of the motor vehicle shall be liable to the city for a Level 1 administrative fee, as provided for in this chapter, in addition to any towing and storage fees as hereinafter provided.

<i>State Statute</i>	<i>Violation</i>
ILCS Ch. 625, Act 5, § 6-303	Driving while license revoked
ILCS Ch. 625, Act 5, § 11-204	Fleeing or attempting to elude a peace officer
ILCS Ch. 625, Act 5, § 11-501	Driving under the influence alcohol/drugs
ILCS Ch. 625, Act 5, § 11-503	Reckless driving or aggravated reckless driving
ILCS Ch. 625, Act 5, § 11-506	Street racing; aggravated street racing
ILCS Ch. 625, Act 5, § 11-601.5	Speeding in excess of 40 mph Class A misdemeanor
ILCS Ch. 720, Act 5, § 11-6	Indecent solicitation of a child
ILCS Ch. 720, Act 5, § 12-2	Aggravated assault
ILCS Ch. 720, Act 5, § 12-3.05	Aggravated battery
ILCS Ch. 720, Act 5, § 12-3.05(a)(4)	Aggravated batter of a senior citizen
ILCS Ch. 720, Act 5, § 12-3.05(b)	Aggravated battery of a child
ILCS Ch. 720, Act 5, § 12-3.05(e)	Aggravated battery with a firearm
ILCS Ch. 720, Act 5, § 16-25	Retail theft of merchandise exceeding \$150.00 value
ILCS Ch. 720, Act 5, § 18-1	Robbery
ILCS Ch. 720, Act 5, § 18-2	Armed robbery
ILCS Ch. 720, Act 5, § 19-1	Burglary
ILCS Ch. 720, Act 5, § 19-3	Residential burglary
ILCS Ch. 720, Act 5, § 20-1	Arson
ILCS Ch. 720, Act 5, § 20-1.1	Aggravated arson
ILCS Ch. 720, Act 5, § 20-2	Possession of explosives or incendiary devices
ILCS Ch. 720, Act 5, § 21-1	Criminal damage to property
ILCS Ch. 720, Act 5, § 21-1.01	Criminal damage to government property
ILCS Ch. 720, Act 5, § 24-1	Unlawful use of weapons
ILCS Ch. 720, Act 5, § 24-3.1	Unlawful possession of firearms and firearm ammunition



<i>State Statute</i>	<i>Violation</i>
ILCS Ch. 720, Act 5, § 24-3.3	Unlawful sale or delivery of firearms on the premises of a school
ILCS Ch. 720, Act 5, § 25-1	Mob action
ILCS Ch. 720, Act 550, § 4	Possession of more than 10 grams of any substances containing cannabis
ILCS Ch. 720, Act 550, § 5	Manufacture or delivery of cannabis
ILCS Ch. 720, Act 550, § 5.1	Cannabis trafficking
ILCS Ch. 720, Act 550, § 8	Unauthorized production or possession of Cannabis Sativa plant
ILCS Ch. 720, Act 550, § 15.2	Delivery of cannabis on school grounds
ILCS Ch. 720, Act 570, § 401	Manufacture or delivery of unauthorized controlled substance
ILCS Ch. 720, Act 570, § 401.1	Controlled substance trafficking
ILCS Ch. 720, Act 570, § 402	Unauthorized possession under the Controlled Substance Act

(B) For any motor vehicle, operated with the express or implied permission of the owner of record, that is used in connection with any custodial violations not listed in division (A) above, but still results in seizure and impoundment by the city, the owner of record of the motor vehicle shall be liable to the city for a Level 2 administrative fee, as provided for in this chapter, in addition to any towing and storage fees as hereinafter provided.

(Ord. 813, passed 2-8-16)

### **§ 79.03 SEIZURE AND IMPOUNDMENT.**

(A) Whenever a police officer has reason to believe that a motor vehicle is subject to seizure and impoundment pursuant to this chapter, the police officer shall provide for the towing of the motor vehicle to a facility approved by the city. This chapter shall not apply if the motor vehicle used in the violation was stolen at the time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered.

(B) The police officer shall notify any person identifying himself as the owner of the motor vehicle or any person who is found to be in control of the motor vehicle at the time of the alleged violation, if there is such a person, of the fact of the seizure and of the motor vehicle owner's right to request an administrative hearing to be conducted under this chapter.

(Ord. 813, passed 2-8-16)

**§ 79.04 ADMINISTRATIVE HEARING.**

(A) At the time of impoundment or within five business days after a motor vehicle is seized and impounded pursuant to this chapter, the city shall notify by personal service or by certified mail to the owner of record of the owner's right to request a hearing to challenge whether a violation of this chapter has occurred. The owner of record seeking a hearing must file a written request for a hearing with the Chief of Police, or his or her designee, no later than five business days after notice was mailed. The hearing date must be scheduled no more than ten business days after the request for a hearing has been filed. All interested persons shall be given a reasonable opportunity to be heard at the hearing. The formal rules of evidence shall not apply at the hearing and hearsay evidence shall be admissible.

(B) If, after the hearing, the hearing officer determines by a preponderance of the evidence that the motor vehicle was used in violation of this chapter, then the hearing officer shall enter an order finding the owner of record of the motor vehicle liable to the city for the applicable administrative fee.

(C) If, after a hearing, the hearing officer does not determine by a preponderance of the evidence that the motor vehicle was used in such violation, the hearing officer shall enter an order finding for the owner and for the return of the motor vehicle.

(D) If the owner of record requests a hearing but fails to appear at the hearing or fails to request a hearing in a timely manner, the owner of record shall be deemed to have waived his or her right to a hearing and the hearing officer shall enter a default order in favor of the city in the amount of the administrative fee. However, if the owner of record pays such administrative fee and the motor vehicle is returned to the owner, no default order needs to be entered if the owner is informed of his or her right to a hearing, in which case an order of liability shall be deemed to have been made when the city receives proof of notification.

(E) If a bond in the amount equal to the applicable administrative fee is posted with the Police Department, the impounded motor vehicle shall be released to the owner of record. The owner of the motor vehicle shall still be liable to the towing agent for any applicable towing fees.

(F) If an administrative fee is imposed for a violation of this chapter, the bond will be forfeited to the city; however if a violation of this chapter is not proven by a preponderance of the evidence, the bond will be returned to the person posting the bond. All bond money posted pursuant to this chapter shall be held by the city until the hearing officer issues a decision, or, if there is a judicial review, until the court of jurisdiction issues its orders.

(Ord. 813, passed 2-8-16)

**§ 79.05 DISPOSITION OF IMPOUNDED MOTOR VEHICLE.**

An administrative fee imposed pursuant to this chapter shall constitute a debt due and owing to the city. A motor vehicle impounded pursuant to this chapter shall remain impounded until:

(A) The administrative fee is paid to the city and all applicable towing fees are paid to the towing agent, in which case the owner of record shall be given possession of the motor vehicle; or

(B) A bond in an amount equal to the applicable administrative towing fee is posted with the Police Department and all applicable towing fees are paid to the towing agent, at which time the motor vehicle will be released to the owner or record; or

(C) The motor vehicle is deemed abandoned, in which case the motor vehicle shall be disposed of in the manner provided by law for the disposition of abandoned motor vehicles.

(Ord. 813, passed 2-8-16)

#### **§ 79.06 MOTOR VEHICLE POSSESSION.**

Any motor vehicle that is not reclaimed within 30 days after the expiration of the time during which the owner of record may seek judicial review of the city's action under this chapter, or the time at which a final judgment is rendered against an owner of record who is in default, may be disposed of as an unclaimed motor vehicle as provided by law, provided, however, that where proceedings have been instituted under state and federal drug asset forfeiture laws, the subject motor vehicle may not be disposed of by the city except as consistent with those proceedings.

(Ord. 813, passed 2-8-16)

#### **§ 79.07 TOWING AGENCY.**

(A) It shall be the duty of the towing or storage company in possession of the motor vehicle to obtain documentation issued by the Police Department confirming compliance with the foregoing requirements, and retain photocopies of that documentation in their files for a period of not less than six months following release of the motor vehicle. The foregoing information shall be made available to the authorities of the city for inspection and copying, upon their request, by the towing or storage company. The towing or storage company is prohibited from releasing any motor vehicle they may tow within the city until and unless they obtain documentation as aforesaid.

(B) The towing or storage company shall be entitled to receive a reasonable fee from the owner or person entitled to possession of any such motor vehicle for each day or fraction thereof that the motor vehicle shall have remained stored.

(C) The fees in this section shall be in addition to any fee levied or assessed against the owner or operator of the motor vehicle by reason of violation of any ordinance or statute and any arrest which may have resulted from such violation.

(Ord. 813, passed 2-8-16)

**§ 79.08 REFUND OF ADMINISTRATIVE FEE.**

In the event a judgment of “not guilty” is entered by a court of competent jurisdiction on all underlying charges that could have resulted in the impoundment of a motor vehicle, then within 30 days of presentation of a certified copy of the judgment to the city Police Department, any administrative fees or posted bonds obtained by the city shall be refunded to the paying party.

(Ord. 813, passed 2-8-16)