

Jared Anderson  
President  
Jill Haacke  
Village Clerk  
Diane Jensen  
Village Treasurer

# Village of Dwight

209 S. Prairie Ave. • Dwight, Illinois 60420

Email: [villagehall@dwrightillinois.com](mailto:villagehall@dwrightillinois.com)  
[www.dwrightillinois.org](http://www.dwrightillinois.org)  
815-584-3077  
fax 815-584-2680

Board of Trustees:  
Justin Eggenberger  
Marla Kinkade  
Jerry Curtis  
Randy Irvin  
James Mixen  
Jennifer Johnson

## Information for Low Speed Vehicle operation on Village Streets

The intention of the Village of Dwight Low Speed Vehicle Ordinance is to allow Low Speed Vehicle operation on the Village streets. ALL LOW SPEED VEHICLES MUST BE REGISTERED AT THE VILLAGE HALL. It is ultimately your responsibility to learn and verify compliance with the appropriate statute and ordinance.

Attached are a number of helpful resources to assist your compliance. Please, again, understand this is not an all encompassing list of resources as you will see state laws reference federal law and reference NHTSA, ANSI and other codes and specifications. For your convenience the following are attached:

- Village of Dwight Ordinance for Operation of Low Speed Vehicle \_\_\_\_\_
- Illinois Statute on Operation of Non-Highway Vehicles on streets 625 ILCS 5/11-1426.1
- Code of Federal Regulations on low speed vehicles Title 49 CFR 571.500
- Code of Federal Regulations on windshields Title 49 CFR 571.205

\*\*\*Note: A neighborhood vehicle IS also a "Low Speed" vehicle defined by Illinois and separate from a FEDERAL Low Speed vehicle. A Neighborhood Vehicle has a VIN and requires a license plates from the state.

An inspection by the Dwight Police Department is required and will be useful in determining the proper required equipment but in no manner does it exempt you from your legal obligation to certify that your vehicle meets ALL requirements to include all sub reference sections of the aforementioned laws. To make it quite clear, it is YOU that is certifying compliance, not the Village of Dwight.

You are required to obey all traffic regulations and carry insurance proof with you at all times.

Thank you and enjoy your low speed vehicle experience

**ORDINANCE NO. 1314**

**An Ordinance Amending Chapter Ten (10) Traffic of the Municipal Code of the Village of Dwight, Livingston and Grundy Counties, Illinois**

Whereas, the Village of Dwight has the responsibility for the health, safety and welfare of all residents of the community, and

Whereas, due to an amendment to the applicable state statutes, what was previously referred to as "Neighborhood Electric Vehicles" are now generally referred to as "Low Speed Vehicles" and are regulated by the State of Illinois and permitted on public roads unless prohibited by local ordinance under the provisions of 625 ILCS 5/11-1426.2, and Federal Code Title 49 CFR 571.500

Whereas, thereafter the Village of Dwight to enact the provisions of permitting the operation of Low Speed Vehicles as defined therein on roadways under the jurisdiction of the Village, subject to restrictions and limitations imposed by statute and said Ordinance, and

Whereas, as required by 625 ILCS 5/11-1426.1, the Village Board has considered the volume, speed and character of traffic on roadways under the jurisdiction of the Village having a posted speed limit of 35 miles per hour or less and has determined that the public safety will not be jeopardized by the operation of properly equipped Low Speed Vehicles on said roadways in accordance with said statute and this Ordinance, but that other Non-Highway vehicles referred to in said 625 ILCS 5/11-1425.1 namely all-terrain vehicles and off highway motorcycles should not be permitted on said roadways, and

Whereas, the Village Board has determined that it is in the public interest to allow the operation of properly equipped Low Speed Vehicles on roadways under the jurisdiction of the City having a posted speed limit of 35 miles per hour or less in accordance with said statute and this Ordinance shall be ordained by the Village Board of Dwight.

**Now, Therefore Be It Ordained** by the Village Board of the Village of Dwight, Livingston and Grundy Counties, Illinois to amend Chapter Ten (10), Traffic, as follows:

Section 1. That Chapter Ten (10) of the Municipal Code of the Village of Dwight, Illinois, shall be amended by adding Article Ten, Low Speed Vehicles as follows:

**Article 1. Properly Equipped Low Speed Vehicles**

**Sec. 1-1 Definition of Properly Equipped Low Speed Vehicle**

As used in this article, the term Properly equipped Low Speed Vehicle shall be the definition as currently set forth in Section 11-1426.1 of the Illinois Vehicle Code, 625 ILCS 5/11-1426.1 and shall be equipped with all safety systems and equipment as required by said statute, together

with seatbelts and windshield. To be operated on a roadway in the Village, a Low Speed Vehicle must have at the Minimum brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the golf cart, a headlight that emits a white visible light from a distance of 500 feet to the front, a tall light that emits a red light visible at least 100 feet from the rear, brake lights, turn signals, a windshield and seat belts.

### **Section 2-1. Operation of Properly Equipped Low Speed Vehicle**

Subject to the requirements of Sections 11-1426.1 of the Illinois Vehicle Code, 625 ILCS 5/11-1426.1 which are hereby adopted by the Village of Dwight to Properly Equipped Low Speed Vehicles as defined in this article, and any other requirements imposed by this article, drivers properly licensed to operate motor vehicles on the roadways of the Village shall be authorized to operate a Properly Equipped Low Speed Vehicle on the roadways of the Village having a posted speed limit 35 miles per hour or less. A properly equipped Low Speed Vehicle shall be permitted to cross a State highway on State Route 17 at Clinton and Chicago Streets, and On State Highway 47 at all intersections to gain east-west access. These stated State Highways have a traffic speed of 35 miles per hour or less in accordance with Illinois vehicle code, 625 ILCS 5/11-1426.1, no Non-Highway Vehicles as defined in said section of 11-1426.1 shall be permitted to be operated on the roadways of the Village.

### **Sec.2-2. Annual Registration of Properly equipped Low Speed Vehicles**

No Properly Equipped Low Speed Vehicle shall be operated on any roadway of Village unless the owner(s) thereof shall have first registered the Properly Equipped Low Speed Vehicle with the Village in accordance to the following:

- a. Registration of Low Speed Vehicle shall be administered by the Chief of Police, and his designees, and applications for registration shall be made on a form prescribed by the Village, said form to include a statement under oath or penalties of perjury that the Properly Equipped Low Speed Vehicle meets the definition of this article, and shall be accompanied by an annual registration fee of \$35.00 and proof of liability insurance for said Properly Equipped Low Speed Vehicle having at limits of not less than \$250,000 as required from time to time for motor vehicles under mandatory insurance law of State of Illinois.
- b. Registered Low Speed Vehicles shall be issued a sticker which shall be affixed to the registered vehicle in a prominent visible location as directed by the Chief of Police, or his designees.
- c. Registrations shall be effective from the date of issuance after March 31<sup>st</sup> until October 20<sup>th</sup>, shall be renewed annually in the same manner as original registration. The annual fee will not be prorated to adjust for partial months or parts of months, the registration will be effective date of issuance.
- d. Registrations shall not be transferable in event of change of ownership.
- e. Registrations shall be subject to REVOCATION by the Chief of Police in the event of a violation of the requirements of Section 11-1426.1 of Illinois Vehicle Code, 625 ILCS 5/11-1426.1 and Federal Regulations on Low Speed Vehicles title 49 CFR 571.500 or any

provisions of this article. A REVOCATION shall be made in writing and shall set forth the provision(s) of statute or ordinance found to be violated. Revocations may be appealed in writing to the Village Board 14 days of issuance of the revocation, and if appealed the Village Board shall hold a public hearing at which the affected owner may appear, present witnesses and evidence and be represented by an attorney. The Village Board shall uphold the REVOCATION if it determines by a preponderance of the evidence presented at the hearing that the violation which was the basis for the REVOCATION occurred. During the Appeal process, the REVOCATION shall remain in full force.

- f. In the event a registration is revoked due to a failure to maintain the required liability insurance or a failure to maintain a condition of the Low Speed Vehicle in compliance with this article, including but not limited to, maintaining the required safety systems, the Chief of Police, in his discretion, may reinstate the registration upon documentation of reinstatement of the required insurance or of the repair or modification of the Properly Equipped Low Speed Vehicle to cure any deficiencies, as applicable, if the Chief of Police determines that the violation was not intentional and is not likely to recur.

#### **Sec. 2-3 Inspection of Properly Equipped Low Speed Vehicle.**

Properly Equipped Low Speed Vehicles registered, or proposed to be registered, pursuant to this article shall be subject to inspection by the Chief of Police, or his designees, at any time to determine the said Low Speed Vehicle meets, and continues to meet, the definition thereof as set forth in this article, particularly the provisions for maintenance in operating condition of the required safety systems and equipment.

#### **Sec. 2-4 Mandatory Insurance.**

The owner of any Properly Equipped Registered Low Speed Vehicle under this article shall continuously maintain liability insurance for said vehicle at the minimum limits of \$250,000 set forth by Village of Dwight and as required from time to time for motor vehicles under the mandatory insurance law of the State of Illinois.

#### **Sec. 2-5 Operation Limited to those of Licensed Drivers and Age 18**

No person who is not properly licensed to operate motor vehicles on the roadways of the Village shall operate a Properly Equipped Low Speed Vehicle within the Village, provisions of Section 6-107 of the Illinois Vehicle Code, 625 ILCS 5/6-107 providing for graduated licenses for young drivers shall be fully applicable to the operation of Low Speed Vehicle. All operators of Properly Equipped Low Speed Vehicle will have a minimum age of 18 at time of operation of Low Speed Vehicle.

#### **Sec 2-6 Other Laws, Regulation and Ordinances**

Properly Equipped Low Speed Vehicle shall be operated at all times in accordance with the provisions of the Illinois Vehicle Code, the rules of the road contained therein, and any other laws, regulations or ordinances governing the operation of motor vehicles in the Village, as well

as any laws, regulations or ordinances specifically pertaining to Non-Highway Vehicles and the operation thereof.

### Sec 2-8 Violations

In addition to the revocation of the registration for a Properly Equipped Low Speed Vehicle as provided in this article, any person violating the provisions of this article shall be subject to punishment as provided in the Village of Dwight Ordinance code. The provisions hereof for the prosecuting violations of this article are not intended to super cede the Illinois Vehicle Code, or to in any way impair prosecution of violations the Illinois Vehicle Code involving the operation of Low Speed Vehicles.

### Sec. 2-9 Severability

The provisions and sections of this Article shall be deemed separable and the invalidity of any portion of this article shall not affect the validity of the remainder.

### Section 2.

This Ordinance shall be effective fifteen (15) days from and after passage, approval and publication in pamphlet form as required by law, and all ordinances in conflict herewith and hereby repealed; provided, however, that the repeal of any other ordinance by this Ordinance shall not affect any offense or act committed or done, any penalty or forfeiture incurred, any causes of action, any contract or right established, or any pending litigation occurring or instituted prior to the effective date of this Ordinance.

Passed and Approved by the Dwight Village Board of Trustees, Livingston and Grundy Counties, Illinois, on this 9<sup>th</sup> day of April, 2012. Motion made by Eggenberger, seconded by Kester that the above ordinance is passed.

Signed by Village President Bill Wilkey this 10<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
Bill Wilkey, Village President

ATTEST:

\_\_\_\_\_  
Patricia E. Drechsel, Village Clerk

AYES: 6 - Kinkade, Kester, Dougherty, Woods, Eggenberger, Anderson

NAYS: 0

ABSENT: 0