

ORDNANCE NO: 2016-01-01
SLOW MOVING VEHICLES (SMVs)

SECTION 1. DEFINITIONS

1.1 Slow Moving Vehicle (SMV) means ATV/4 Wheeler; Gas/Electric Scooter; or other motorized mode of transportation that cannot be licensed in the State of Illinois, for use on public streets and highways. This does NOT include snowmobiles and lawnmowers.

1.2 Village Streets means any of the streets within the boundaries of the Village of Andalusia.

SECTION 2. COMPLIANCE. All persons wishing to operate a SMV on the Village streets must ensure compliance with the following requirements:

2.1 Proof of current liability insurance must be presented at time of application for permit.

2.2 Must be certified with the Village and have the vehicles certified with the Village by inspection of Andalusia Village police officer or his/her designee.

2.3 Must display Village decal on the rear of the vehicle.

2.4 Must be eighteen (18) years of age and have a valid Illinois driver's license.

2.5 Must obey all traffic laws of the State of Illinois.

2.6 Must be operated only on the Village streets, except where operation is prohibited.

2.7 Must not be operated in excess of posted speed limit and may not exceed twenty-five (25) miles per hour.

2.8 Must be operated in a reasonable and safe manner.

2.9 A person operating or who is in actual physical control of a SMV is described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 through 11-502).

2.10 SMVs shall not be operated on sidewalks or in Village parks other than parking areas.

2.11 SMVs may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (Route 92) or the County Highway Department.

2.12 Persons driving the SMV are to pull over to the right side of the street and stop, yielding right of way to approaching traffic from behind.

SECTION 3. EQUIPMENT. All SMVs must be equipped as follows:

3.1 Horn.

3.2 Brakes and brake light/tail lamp that emits a red light visible from at least one hundred (100) feet from the rear which must be illuminated when in operation.

3.3 Turn signals. (optional)

3.4 Steering apparatus.

3.5 Tires.

3.6 Rearview and/or side view mirror.

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

3.8 Any additional requirement which may be amended to 65 ILCS 5/11-1428 of the Illinois Motor Vehicle Code.

SECTION 4. PERMITS.

4.1 No person shall operate a qualified SMV without first obtaining a permit from the Village Clerk as provided herein.

(a) Permits shall be granted for a period of one (1) year and renewed annually. It is the sole responsibility of the owner to renew the Permit each and every year.

(b) The cost of the permit is Twenty-Five (\$25.00) Dollars and shall be paid to the Village Clerk at the time of application for permit. Lost, stolen, mutilated, or destroyed permit stickers are the sole responsibility of the Permit holder.

(c) Duplicate Permit stickers are Ten (\$10.00) Dollars.

(d) Permit sticker transferred to a replacement unit is Fifteen (\$15.00) Dollars.

(e) All fees are fully earned at time of Permit and/or Renewal.

(f) Insurance coverage is to be verified to be in effect by the Police Department when obtaining and renewing a permit.

4.2 Every application for a permit shall be made on a form supplied by the Village and shall contain the following information:

(a) Name and address of applicant.

(b) Name of liability insurance carrier and photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit.

(c) The serial number, make, model and description of SMV.

(d) Signed Waiver of liability by applicant releasing the Village and agreeing indemnify and hold the Village harmless from any and all future claims resulting from the operation of their SMV on Village streets.

(e) Such other information as the Village may require.

4.3 No permit shall be granted unless the following conditions are met:

(a) The vehicle must be inspected by the Village of Andalusia Police Department or designated representative to insure that the vehicle is safe to operate on Village streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code.

(b) A physically handicapped applicant must submit a certificate signed by their physician, certifying that the applicant is able to safely operate a qualified SMV on Village Streets.

(c) The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.

(d) The Village may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this Article or there is evidence that permittee cannot safely operate a qualified SMV on the designated roadways.

SECTION 5. PENALTIES.

5.1 Failure to abide by this Ordinance shall result in a fine of One Hundred (\$100) Dollars with each infractions of this ordinance constituting a separate offense bearing a separate fine.

5.2 Administrative Warning Ticket(s) – In the sole discretion of a Village police officer, the officer may issue an Administrative Warning Ticket (AWT), which for purposes of this ordinance is defined as a notice of a violation of the Village ordinance used in lieu of an arrest or Notice to Appear in Circuit Court. If a warning ticket is issued, vehicle must not be operated until police department inspects vehicle for compliance. Persons who have received an AWT for a violation of any provision of this ordinance may settle and compromise the claim by paying to the Village of Andalusia an administrative fee in the amount of Fifty (\$50) Dollars within fifteen (15) days of the date of issuance. In addition to paying an administrative fee, as provided for in this subparagraph, persons issued an AWT will be required, within fifteen (15) days of the date of issuance of the AWT; to correct the violation(s) indicated thereon to the satisfaction of the Village police department. Persons who have been issued an AWT for a violation of this ordinance and who fail to pay the administrative fee in the allotted time, and/or those persons who have been issued an AWT who fail to correct the

violation when required or indicated, within the time allotted, will be issued a Notice to Appear in the Circuit Court of Rock Island County or issued a Notice of Compliant filed in the Circuit Court of Rock Island County, or issued a combination of a notice to Appear and a Notice of Compliant filed in said Court, and shall be subject to the fines and penalties set forth in subparagraph 5.3 of this Section.

5.3 In lieu of an AWT, as defined in subparagraph 5.2 of this Section, or upon failure to timely compromise and/or correct any violation for which an AWT has been issued, a Village police officer may cause the issuance of Notice to Appear and/or cause the issuance of a Notice of Compliant to be filed in the Circuit Court of Rock Island County, which will subject the person to whom the notice or notices have been issued to a fine of not less than Two Hundred (\$200) Dollars and not more than Five Hundred (\$500) Dollars.

5.4 A Permit may be suspended, revoked and/or declined by the Village Board for repeated offences.