



PARTNERING WITH TOWNSHIPS

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January 12, 2022

Mickey Goral, Member Services Associate  
TOIRMA

**RE: Low Speed Vehicles**

Dear Mr. Goral:

This message is in response to your email regarding Lee County and "low speed vehicles."

As you know, these types of vehicles create liability and exposure. TOIRMA does not recommend that our members authorize such vehicles.

The important thing to remember is that the road district has two choices (1) don't exercise the authority permitted by the statute; or (2) follow the statutory requirements and then decide whether to allow these types of vehicles or not.

[625 ILCS 5/11-1426.1] (a copy of which is attached) outlines the authority for local governments regarding the use of all-terrain vehicles, golf carts etc. on local roads. The statute specifically provides local governments the ability to permit these types of vehicles on local roads, and the rules for the vehicles and operators. However, I call your attention to the second paragraph in Section "(d)" outlining local government considerations that must be done prior to permitting the operation of "non-highway" vehicles on roadways. Ultimately this includes "appropriate signs." It would seem appropriate (and we recommend) the involvement of an engineer in the analysis that is required in Section "(d)" if you choose this option.

Further, Section "(h)" specifically permits the use of "all-terrain vehicles" (as defined by Section 1-101.8) and "recreational off-highway vehicles" (as defined by Section 1-168.8) on a county roadway or township roadway for the purpose of conducting farming operations to and from the home, farm, farm buildings, and any adjacent or nearby farmland.

If any of our members do proceed, please make sure they reach out to us **prior to** moving forward. Again, these types of vehicles create liability and exposure.

Please remember I am not an attorney, and my opinions and statements shall not be considered legal advice. If a member desires a legal opinion, I encourage them to contact their township attorney. Let me know if you need any further information or have questions.

Sincerely,

A handwritten signature in blue ink that reads "James R. Donelan". The signature is stylized and fluid, with a large loop at the beginning.

James R. Donelan  
Executive Director