

## GOLF CART AND UTV INFORMATION/SPECIFICATIONS/REQUIREMENTS DEFINITIONS:

Per Chapter 8 Article X of the Village of Downs Code

### Article X. Golf Cart and Utility-Terrain Vehicles

#### Sec. 1. DEFINITIONS:

The following definitions shall apply to this section and if in conflict with definitions otherwise provided in this Municipal Code, the following definitions shall be deemed to apply rather than those otherwise contained in this Code:

a. **Golf Cart:** A “golf cart” is a motorized vehicle with three or four wheels that is not designed to be operated at a speed of more than twenty-five miles per hour (25 m.p.h.) whose purpose can include, but is not limited to, the playing of golf and is generally designed to carry persons including the driver.

b. **Utility-Terrain Vehicle:** A “utility-terrain vehicle” is a self-propelled electrically powered four-wheel motor vehicle or a self-propelled gasoline or diesel powered four wheeled motor vehicles with an engine displacement under 1,200 cubic centimeters which is capable of attaining in one-mile speed of more than fifteen miles per hour (15 m.p.h.) but not more than twenty-five miles per hour (25 m.p.h.) and has a side-by-side seat configuration similar to a golf cart and which conforms to the federal regulations under Title 49 C.F.R. Part 571.500.

c. **Village Streets:** The “village streets” consist of any of the streets within the boundaries of the Village of Downs.

#### Sec. 2. REQUIREMENTS FOR OPERATION:

a. All persons wishing to operate a golf cart or a utility-terrain vehicle on the Village streets must ensure compliance with the following requirements:

1) Apply for and receive a permit issued by the Village of Downs.

2) Have and maintain proof of current liability insurance.

3) Must have a Village issues permit decal visible on the vehicle.

4) Must have a current, valid Illinois driver’s license.

5) Must be at least sixteen (16) years of age.

6) Golf carts and/or utility terrain vehicles must, at a minimum, be equipped with the following properly operating equipment:

a. Horn;

b. Brakes and brake lights;

c. Turn signals;

d. A steering wheel apparatus

e. Tires;

f. Rearview mirror

g. Seat belts;

- h. Approved “Slow Moving Vehicle” emblem on the rear of the vehicle (625 ILCS 5/12-709);**
- i. Headlight that emits a white light from a distance of 300 feet to the front of which illuminate when in operation;**
- j. Tail lamp that emits red light visible from at least 100 feet from the rear which must be illuminated when in operation; and**
- k. Any additional requirements which may be required by the Illinois Vehicle Code. (see 65 ILCS 5/11-1428 & 65 ILCS 5/11-1426).**

**7) Must obey all traffic laws of the State of Illinois and the Village of Downs.**

**8) Must be operated only on Village streets, except where prohibited.**

**9) May not be operated on any county highway or any other Illinois Department of Transportation road except to cross the roadways at any intersection.**

**10) Must not be operated in excess of posted speed limits and, with respect to utility terrain vehicles, may not exceed twenty-five miles per hour (25 mph).**

**11) A person operating or is in actual physical control of a golf cart or utility terrain vehicle as described herein on a roadway while under the influence of alcohol or drugs is subject to Sections 11-500 through 11-502 et al. of the Illinois Compiled Statutes (625 ILCS 5/11-550 – 625 ILCS 5/11-502).**

**12) Golf carts and utility-terrain vehicles shall not be operated on sidewalks or in the Village parks other than parking areas.**

**13) All golf carts and utility vehicles shall be limited to the number of passengers permitted per the manufacturer’s requirements.**

**14) Must comply with all other standards and requirements set forth by the manufacture**

### **Sec. 3. REQUIREMENTS FOR OBTAINING A PERMIT:**

**a. No person shall operate a qualified golf cart or utility-terrain vehicle without first obtaining a permit from the Village of Downs. Applications for permit can be found at [www.villageofdowns.org](http://www.villageofdowns.org) in the quick link section entitled “Forms and Applications”.**

**Permits shall be granted for a period of one (1) year and renewed annually (May 1 – April 30).**

**b. No permit shall be granted unless the following conditions are met:**

**1) The vehicle must be inspected by the Village of Downs Police Department to ensure that the vehicle is safe to operate on Village streets and is in compliance with this ordinance and with the State of Illinois Motor Vehicle Code.**

**c. Fees: The cost of the permit is per the Village of Downs Fee Schedule.**

**d. Exception:**

**1) The permit fee shall be waived for all governmental or recognized not for profit entity.**

**2) The Village may issue a temporary special event permit for use of golf carts or utility-terrain vehicles that may not be in compliance with the requirements of this chapter and that are valid and issued only during that event.**

**Sec. 4. VIOLATIONS:**

**It is unlawful for any person to drive or operate any golf cart or all-terrain vehicle in the following ways:**

- a. In violation of any requirement of this Ordinance.**
- b. Careless Operation: No person shall operate any golf cart or utility-terrain vehicle in a careless or heedless manner so as to be grossly indifferent to the person or property of other persons, or at a rate of speed greater than will permit him in the exercise of reasonable care to bring the golf cart or utility-terrain vehicle to a stop with the assured clear distance ahead.**
- c. Reckless Operation: No person shall operate any golf cart or utility-terrain vehicle in such a manner as to endanger the life, or limb or property of any person.**
- d. Within any nature preserve as defined in Section 3.11 of the Illinois Natural Areas Preservation Act. (see 525 ILCS 30/3.11)**
- e. On the tracks or right of way of an operating railroad.**
- f. In any tree nursery or planting in a manner which damages or destroys growing stock, or creates a substantial risk thereto.**
- g. On private property, without the written or verbal consent of the owner or lessee thereof. Any person operating a golf cart, utility-terrain vehicle, or off-highway motorcycle upon lands or another shall stop and identify himself upon the request of the landowner or his duly authorized representative, and, if requested to do so by the landowner shall promptly remove the utility-terrain vehicle or off-highway motorcycle from the premises.**
- h. Notwithstanding any other law to the contrary, an owner, lessee, or occupant of premises owes no duty of care to keep the premises safe for entry or use by others for use by an utility-terrain vehicle or off-highway motorcycle, or to give warning of any condition, use, structure or activity on such premises. This subsection does not apply where permission to drive or operate an utility-terrain vehicle or off-highway motorcycle is given for a valuable consideration other than to this State, any political subdivision or municipality of this State, or any landowner who is paid with funds from the Off-Highway Vehicle Trails Fund. In the case of land leased to the State or a subdivision of the State, any consideration received is not valuable consideration within the meaning of this Section.**
- i. Nothing in this subsection limits in any way liability which otherwise exists for willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.**
- j. On publicly owned lands unless such lands are designated for use by utility-terrain vehicles or off-highway motorcycles. For publicly owned lands to be designated for use by utilityterrain vehicles or off-highway motorcycles a public hearing shall be conducted by the governmental entity that has jurisdiction over the designation.**
- k. The Village may suspend or revoke a permit granted hereunder upon finding that the holder thereof has violated any provision of this ordinance or there is evidence that the permittee cannot safely operate a qualified golf cart or utility-terrain vehicle on the designated roadways.**

**l. Nothing in this subsection limits in any way liability which otherwise exists for willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.**

**1) At a rate of speed too fast for conditions, and the fact that the speed of the utility-terrain vehicle or off-highway motorcycle does not exceed the applicable maximum speed limit allowed does not relieve the driver from the duty to decrease speed as may be necessary to avoid colliding with any person, vehicle, or object within legal requirements and the duty of all persons to use due care.**

**2) On the frozen surface of public waters of this State within 100 feet of a person, including a skater, not in or upon an utility-terrain vehicle or off-highway motorcycle; within 100 feet of a person engaged in fishing, except at the minimum speed required to maintain forward movement of the utility-terrain vehicle or offhighway motorcycle; on an area which has been cleared of snow for skating purposes unless the area is necessary for access to the frozen waters of this State.**

**3) Within 100 feet of a dwelling between midnight and 6 a.m. at a speed greater than the minimum required to maintain forward movement of the utility-terrain vehicle or off-highway motorcycle. This subdivision does not apply on private property where verbal or written consent of the owner or lessee has been granted to drive or operate an utility-terrain vehicle or off-highway motorcycle upon the private property or frozen waters of this State.**

**m. Other Provisions:**

**1) No persons, except persons by law, shall operate or ride any utility-terrain vehicle or off-highway motorcycle with any firearm in his or her possession unless he or she is in compliance with Section 2.33 of the Wildlife Code. (see 520 ILCS 5/2.33).**

**2) No person shall operate any utility-terrain vehicle or Off-highway motorcycle emitting pollutants in violation of Standards established pursuant to the Environmental Protection Act. (see 415 ILCS 5/1 et seq.).**

**3) No person shall deposit from an utility-terrain vehicle or off-highway motorcycle on the snow, ice or ground surface, trash, glass, garbage, insoluble material, or other offensive matter.**

## **Sec. 5. PENALTIES**

**Any person who violates this Section shall be guilty of a petty misdemeanor and shall be punished by a fee established on the Village of Downs Fee Schedule. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than three (3) nor more than five (5) years. To the extent that any violation of this Ordinance also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.**

**Adopted: November 2, 1995 via Ordinance 1995-06  
Revised: December 2, 1999 via Ordinance 1999-28  
Revised: February 4, 2016 via Ordinance 2016-06  
Revised: June 7, 2018 via Ordinance 2018-12  
Revised: July 11, 2024 via Ordinance 2024-11**

**Revised: November 6, 1997 via Ordinance 1997-14  
Revised: November 5, 2009 via Ordinance 2009-16  
Revised: March 1, 2018 via Ordinance 2018-05  
Revised: September 5, 2019 via Ordinance 2019-11  
Revised: March 12, 2026 via Ordinance 2026-12**