

CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

§ 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 village departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the Fire Department; ambulances; vehicles of the Illinois Emergency Management Agency; vehicles of the Illinois Department of Health; and vehicles of the Department of Nuclear Safety. (ILCS Ch. 625, Act 5, § 1-105)

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)

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

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)

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)

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, village, and other local board or body having authority to enact laws relating to traffic under the constitution and laws of this state. (ILCS Ch. 625, Act 5, § 1-140)

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, except for vehicles moved solely by human power, and motorized wheelchairs. For this section, motor vehicles are divided into two divisions:

(1) First division: motor vehicles designed for carrying not more than ten persons.

(2) Second division: motor vehicles designed for carrying more than ten persons, those designed or used for living quarters, and those motor vehicles which are designed for pulling or carrying freight or cargo, 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 a tractor. (ILCS Ch. 625, Act 5, § 1-147)

MOTORIZED PEDALCYCLE. A motor-driven cycle whose speed attainable in one mile is 30 m.p.h. or less, which 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)

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, 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 physician assistant who has been delegated the authority to make this determination by his or her supervising physician, or by an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination:

- (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; or
- (5) Is severely limited in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.
- (6) Cannot walk 200 feet without stopping to rest because of one of the factors listed in subsections (1) through (5) of this definition. (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)

PRINCIPAL PLACE OF BUSINESS. The place where any person transacts his/her principal business, or where he/she makes up and approves his/her payroll, maintains a central file of records, and maintains his/her 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/her 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 the same, and intended to give notice of the presence of railroad tracks or the approach of a railroad train. (ILCS Ch. 625, Act 5, § 1-167)

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 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 the 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 300 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 the entity:

- (a) A public or private primary or secondary school;
- (b) A primary or secondary school operated by a religious institution; or
- (c) Any public, private, or religious nursery school.

(2) This definition does not include the following:

(a) A bus operated by a public utility, village corporation, or common carrier authorized to conduct local or interurban transportation of passengers when the 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 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 motor vehicle designed for the transportation of not less than seven nor more than 16 persons that is operated by or for a public or private primary or secondary school, including any primary or secondary school operated by a religious institution, for the purpose of transporting not more than 15 students to and from interscholastic athletic or other interscholastic or school sponsored activities. (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)

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)

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, except for any truck tractor temporarily

converted to a tow truck by means of a portable wrecker unit attached to the fifth wheel of the truck tractor and used only by the owner to tow a disabled vehicle also owned by him or her and never used for hire. (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. (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 ¼ 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)

§ 70.02 STATE REGULATIONS ADOPTED; CITATIONS.

(A) The following portions of the Illinois Vehicle Code are hereby adopted by reference:

(1) Chapter 1, Title and Definitions: §§ 1-101 through 1-224.

(2) Chapter 3, Certificates of Title and Registration of Vehicles:

(a) Sections 3-401, 3-402, 3-413, 3-414, 3-416;

(b) Sections 3-501 and 3-502;

(c) Sections 3-701 through 3-703, 3-706 and 3-707.

(3) Chapter 6, the Illinois Driver Licensing Law:

(a) Sections 6-101, 6-104, 6-112, 6-113 and 6-116.

- (b) Sections 6-301, 6-301.1, 6-301.2, 6-304 through 6-306.
- (4) Chapter 7, Safety Responsibility Law: Sections 7-601 and 7-602.
- (5) Chapter 11, Rules of the Road:
 - (a) Sections 11-203, 11-204(a), 11-205 and 11-206.
 - (b) Sections 11-305 through 11-313.
 - (c) Sections 11-401 through 11-410.
 - (d) Sections 11-502 through 11-505.
 - (e) Sections 11-601, 11-605, 11-606, 11-608, 11-611.
 - (f) Sections 11-701 through 11-711.
 - (g) Sections 11-801 through 11-806.
 - (h) Sections 11-901 through 11-908.
 - (i) Sections 11-1001 through 11-1011.
 - (j) Section 11-1104.
 - (k) Sections 11-1201 through 11-1205.
 - (l) Sections 11-1301, 11-1301.1, 11-1301.3, 11-1302 through
11- 1305.
 - (m) Sections 11-1401 through 11-1408, 11-1410 through 11-
1421, 11- 1425 through 11-1428.
 - (n) Sections 11-1501 through 11-1514.
- (6) Chapter 12, Equipment of Vehicles:
 - (a) Sections 12-100 and 12-101.
 - (b) Sections 12-201 through 12-217.
 - (c) Sections 12-301 and 12-302.
 - (d) Sections 12-401 through 12-405.

- (e) Sections 12-500 through 12-503.
- (f) Sections 12-600 through 12-604, 12-606 through 12-608, 12-610 and 12-611.
- (g) Sections 12-701 through 12-711.
- (7) Chapter 15, Size, Weight and Permits:
 - (a) Sections 15-100 through 15-114.
 - (b) Sections 15-317 and 15-318.

(B) Citations written under this section shall employ format, identifying the appropriate section of the Illinois Vehicle Code, preceded by "L." As such, a local speeding offense would be written "L 11-601." (Ord. 1550, passed 2-22-94) Penalty, see § 70.99

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, or uniformed adult 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/she 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/her 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/her vehicle to a stop, willfully fails or refuses to obey that direction, increases his/her speed, extinguishes his/her 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. (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 the 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) *Steady red indication.*

(1) Except as provided in division (C)(3) 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 division (C)(3) 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 the village 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 division (C)(1) or (C)(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 the driver is moving across or within the intersection or junction or roadways. The driver shall yield the right-of-way to pedestrians within the intersection or an adjacent crosswalk.

(4) 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.

(D) 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/her 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/she 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/she 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 village 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 village 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 Village Street Department, with reference to traffic-control signs, signals, or markers owned by the village, is authorized to indicate the ownership of the signs, signals, or markers in letters not less than $\frac{1}{4}$ inch, or more than $\frac{1}{2}$ inch in height, by use of a metal stamp, etching, or other permanent means. Except for employees of the Village Street Department, police officers, contractors and their employees engaged in a highway construction contract or work on the highway approved by the village, 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

LICENSING

§ 70.55 DEFINITIONS.

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

CLASS A MOTOR VEHICLES. Those motor vehicles which are designed and used for the carrying of not more than nine persons.

CLASS B MOTOR VEHICLES. Those motor vehicles which are designed and used for pulling or carrying freight and those designed and used for the carrying of more than nine persons.

('79 Code, § 81.01) (Ord. 817, passed 3-5-73)

§ 70.56 LICENSE REQUIRED.

It shall be unlawful for any person residing in the village or for any firm, corporation or association having its principal office or place of business in the village to own or use any motor vehicle in the transportation of persons or property for the conveyance of loads upon the streets, avenues or alleys of the village, unless such motor vehicle is licensed as provided in this subchapter.

('79 Code, § 81.02) (Ord. 817, passed 3-5-73; Am. Ord. 1574, passed 10-17-94) Penalty, see § 70.99

§ 70.57 APPLICATION FOR LICENSE.

Any person, firm, or corporation desiring a license for any such motor vehicle, motorcycle, motor-driven cycle, motor scooter, or motor bicycle shall file an application with the Village Clerk setting forth the name and address of the applicant, a description of the motor vehicle, motorcycle, motor-driven cycle, motor scooter, or motor bicycle for which the license is desired; the place where such vehicle is usually kept when not in use; the number and kinds of other motor vehicles, motorcycles, motor-driven cycles, motor

scooters, or motor bicycles kept by the applicant at such place; and such other information as may be prescribed. The application shall be transmitted to the President of the village, and, on the payment by the applicant of the license fee hereinafter provided to the Municipal Collector, the President of the Village Board shall issue or cause to be issued a license, attested by the Village Clerk, authorizing the use of such motor vehicle, motorcycle, motor-driven cycle, motor scooter, or motor bicycle within the municipality until the expiration of such license.

(79 Code, § 81.03) (Ord. 817, passed 3-5-73) Penalty, see § 70.99

§ 70.58 LICENSE FEE.

License fees to be paid annual to the Municipal Collector shall be as follows:

	<i>Prior to April 1</i>	<i>During April</i>	<i>During May</i>	<i>After May</i>
Class A:				
Passenger cars	\$30	\$60	\$90	\$120
Passenger cars licensed to driver and owner 65 years or older and/or any person who is receiving Social Security Disability Benefits (one per household)	\$5	\$10	\$15	\$20
Motorcycles, motor-driven cycles, motor scooters, motor bicycles	\$20	\$40	\$60	\$80
Class B:				
Vehicles having a gross weight of 8,000 lbs. or less, including the weight of the vehicle and maximum load	\$50	\$100	\$150	\$200
Class B Vehicles licensed to driver and owner 65 years or older and/or any person who is receiving Social Security Disability Benefits (one per household)	\$5	\$10	\$15	\$20
Vehicles having a gross weight of more than 8,000 lbs. including the weight of the vehicle and maximum load	\$60	\$120	\$180	\$240
Recreational vehicles	\$50	\$100	\$150	\$200
Transfers	\$5	\$10	\$15	\$20

(79 Code, § 81.04) (Ord. 817, passed 3-5-73; Am. Ord. 1072, passed 8-18-80; Am. Ord. 1350, passed 6-6-88; Am. Ord. 1624, passed 2-7-96; Am. Ord. 1905, passed 4-21-2003; Am. Ord. 1951, passed 1-20-2004; Am. Ord. 1957, passed 2-2-2004; Am. Ord. 2007, passed 12-6-2004)

§ 70.59 ISSUANCE; TIME OF PAYMENT; LICENSE YEAR; PRORATING.

(A) All licenses issued hereunder during the period from April 1, 1994,

through and including March 31, 1995, shall be valid until March 31, 1996. After March 31, 1995, all licenses issued hereunder shall be annual licenses. The above stated licenses, as well as all licenses issued on or after April 1, 1995, shall be valid until March 31, 1996, after which all subsequent licenses shall expire on March 31 following their issuance. When such license is issued for less than one year, then such license fee shall be reduced 50%, if payable during the second half of the 12-month period.

(B) New residents moving into this municipality having a sticker indicating that they paid a license fee in some other municipality shall, within 30 days of moving to this municipality, apply for the replacement of their sticker. The fee for such replacement shall be \$2. In the case of new residents not having a sticker from any other community, they shall pay the amounts as provided for in § 70.58 and this section. ('79 Code, § 81.05) (Ord. 817, passed 3-5-73; Am. Ord. 1350, passed 6-6-88; Am. Ord. 1586, passed 3-6-95) Penalty, see § 70.99

§ 70.60 ISSUANCE OF STICKER; DUTY TO AFFIX TO VEHICLE.

On the issuance of a license, the Village Clerk shall deliver to the applicant of a passenger car or truck a gummed tag or sticker on which shall be shown the name of the class to which the license is issued. It shall be the duty of the applicant to affix such gummed tag or sticker, no later than February 1, 1989 and April 1 of each year, on the lower right-hand corner of the windshield of the motor vehicle where it can readily be seen. The Village Clerk shall deliver to the applicant of a motorcycle, motor-driven cycle, motor scooter, or motor bicycle an aluminum band on which shall be shown the name of the class to which the license is issued, and the applicant shall affix the aluminum band, no later than February 1, 1989 and April 1 of each year, on the motorcycle, motor-driven cycle, motor scooter, or motor bicycle where it can readily be seen. It shall be unlawful for any motor vehicle, motorcycle, motor-driven cycle, motor scooter, or motor bicycle, although duly licensed, to be used on the streets, avenues, or alleys of the municipality unless such tag, sticker, or metal band is attached thereto. ('79 Code, § 81.06) (Ord. 817, passed 3-5-73; Am. Ord. 1072, passed 8-18-80; Am. Ord. 1350, passed 6-6-88) Penalty, see § 70.99

§ 70.61 DISPOSITION OF PROCEEDS.

All revenues derived from such license fees shall be kept in a separate fund and used only for improving, paving, repairing, or maintaining the streets and other public roadways in the village. ('79 Code, § 81.07) (Ord. 817, passed 3-5-73; Am. Ord. 1218, passed 6-18-84) 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 more than \$750.

(B) Alternative penalties; compliance tickets.

(1) Notwithstanding any other provisions of this code, any person accused of a violation of any section of Title VII of this code in relation to which the violation can be rectified by correction of the violation alleged, or failing to purchase, obtain and/or display any permit or license required pursuant to any other provision of this code which requires the purchase of a license or permit, or failing to wear a seatbelt when required to do so, pursuant to the issuance of a compliance ticket, except a traffic offense for which a court appearance is required pursuant to state Supreme Court Rule 551 and except § 72.02(F), entitled “Parking Prohibitions,” concerning only violations of parking in “Fire Lanes”; and also § 72.13, entitled “Handicapped Parking Zone Restrictions,” of this code, may settle and compromise that ticket by paying to the village a fee of \$20 and showing proof of the correction of the violation (that is, replacement of the faulty equipment, purchase of the required license or permit) within ten days from the date such alleged violation was committed or by paying to the village the sum of \$40, subsequent to said ten-day period and prior to 30 days from the date such alleged violation was committed, and showing proof of the correction of the violation.

(2) Compliance tickets shall be issued as a courtesy in lieu of instituting a prosecution for the alleged offense. If the person accused of the violation does not settle the claim, the compliance ticket will be converted to a complaint, or a uniform traffic complaint or notice to appear will be issued for that violation, and that person shall be subject to the general penalties set forth in this code.
(Ord. 1513, passed 11-16-92)