

**4-O-12**

**AN ORDINANCE**

**Amending Portions of Title 10, Chapter 12, Section 2, “Violation of the Illinois Vehicle Code,” Relating to Seat Belt Use**

**WHEREAS**, the Illinois Vehicle Code, 625 ILCS 5/11-208.3, authorizes municipal administrative adjudication of vehicle compliance violations, defined as the violation of a regulation governing the condition or use of equipment on a vehicle; and

**WHEREAS**, seat safety belts are part of the equipment on a motor vehicle pursuant to 625 ILCS 6/12-101 et seq.; and

**WHEREAS**, the Illinois Vehicle Code, 625 ILCS 5/12-603.1, governs the use of seat safety belts by requiring each driver and passenger of a motor vehicle to wear a properly adjusted and fastened seat safety belt with limited exceptions; and

**WHEREAS**, Title 10, Chapter 12, Section 2, of the Evanston City Code of 1979, as amended (“City Code”), adopts certain provisions of the Illinois Vehicle Code regarding the condition or use of equipment on a vehicle; and

**WHEREAS**, the violation of any provision in Title 10, Chapter 12, Section 2, of the City Code constitutes a vehicle compliance violation; and

**WHEREAS**, the City of Evanston now adopts 625 ILCS 5/12-603.1 of the Illinois Vehicle Code pertaining to the use of seat safety belts,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** Section 10-12-2, “Violation of the Illinois Vehicle Code” of the City Code is hereby further amended to read as follows:

**10-12-2: - VIOLATION OF THE ILLINOIS VEHICLE CODE:**

It shall be unlawful for any person to violate the following sections of the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq.:

Section	Description
5/3-401	No valid registration
5/3-413(a)	No front/rear license plate
5/3-413(b)	Improper display license plates/sticker and tinted/obstructed covers
5/3-413(f)	Display of expired registration
5/3-701	Operation of vehicles without evidence of registration
5/3-702	Operation of vehicle when registration is revoked, canceled or suspended
5/11-1404	Special equipment for persons riding motorcycles
5/11-1405	Required equipment on motorcycles
5/11-1406	Obstruction of driver's view of driving mechanism
5/11-1407	Opening and closing vehicle doors
5/12-101	Operating a motor vehicle which is in an unsafe condition or improperly equipped
5/12-201	When lighted lamps are required
5/12-202	Clearance, identification and side marker lamps
5/12-204	Lamp or flag on projecting load
5/12-205	Lamps on other vehicles and equipment
5/12-208	Signal lamps and signal devices
5/12-210	Use of headlamps
5/12-211	Number of driving lamps required or permitted
5/12-301	Brakes
5/12-401	Restrictions as to tire equipment
5/12-405	Operating condition of pneumatic tires
5/12-502	Mirrors required
5/12-503	Windshields must be unobstructed and equipped with wipers
5/12-601	Horns and warning devices
5/12-602	Prevention of noise with mufflers
5/12-603	Seat safety belts
5/12-603.1	Driver and passenger required to use safety belts
5/12-604.1	Television receivers visible to driver prohibited
5/12-607	Modification of vehicle suspension system restricted
5/12-608	Required bumpers
5/12-610	Use of headset receivers by driver restricted
5/12-610.5	Tinted registration plate covers
5/12-611	Sound amplification systems
25/4 and 25/4(a)	Child passenger protection act

**SECTION 2:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by

the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** This Ordinance 4-O-12 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 5:** If any provision of this Ordinance 4-O-12 or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 4-O-12 that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance 4-O-12 is severable.

Introduced: \_\_\_\_\_, 2012

Approved:

Adopted: \_\_\_\_\_, 2012

\_\_\_\_\_, 2012

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Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Rodney Greene, City Clerk

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W. Grant Farrar, Corporation Counsel