

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 11-208 and by adding Sections 1-144.01, 1-144.02, and
6 11-1412.3 as follows:

7 (625 ILCS 5/1-144.01 new)

8 Sec. 1-144.01. Mobile carrying device.

9 (a) An electrically powered device that:

10 (1) is operated by a mobile carrying device operator on
11 sidewalks and crosswalks and intended primarily for
12 transporting personal property;

13 (2) weighs less than 90 pounds, excluding cargo;

14 (3) has a maximum speed of 12.5 miles per hour;

15 (4) is equipped with a technology to transport personal
16 property with the active monitoring of a property owner;
17 and

18 (5) is primarily designed to remain within 10 feet of
19 the personal property owner.

20 (b) A mobile carrying device is not considered a vehicle
21 unless expressly defined by law as a vehicle.

22 (625 ILCS 5/1-144.02 new)

1 Sec. 1-144.02. Mobile carrying device operator. A person
2 exercising control over the mobile carrying device.

3 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

4 Sec. 11-208. Powers of local authorities.

5 (a) The provisions of this Code shall not be deemed to
6 prevent local authorities with respect to streets and highways
7 under their jurisdiction and within the reasonable exercise of
8 the police power from:

9 1. Regulating the standing or parking of vehicles,
10 except as limited by Sections 11-1306 and 11-1307 of this
11 Act;

12 2. Regulating traffic by means of police officers or
13 traffic control signals;

14 3. Regulating or prohibiting processions or
15 assemblages on the highways; and certifying persons to
16 control traffic for processions or assemblages;

17 4. Designating particular highways as one-way highways
18 and requiring that all vehicles thereon be moved in one
19 specific direction;

20 5. Regulating the speed of vehicles in public parks
21 subject to the limitations set forth in Section 11-604;

22 6. Designating any highway as a through highway, as
23 authorized in Section 11-302, and requiring that all
24 vehicles stop before entering or crossing the same or
25 designating any intersection as a stop intersection or a

1 yield right-of-way intersection and requiring all vehicles
2 to stop or yield the right-of-way at one or more entrances
3 to such intersections;

4 7. Restricting the use of highways as authorized in
5 Chapter 15;

6 8. Regulating the operation of mobile carrying
7 devices, bicycles, low-speed electric bicycles, and
8 low-speed gas bicycles, and requiring the registration and
9 licensing of same, including the requirement of a
10 registration fee;

11 9. Regulating or prohibiting the turning of vehicles or
12 specified types of vehicles at intersections;

13 10. Altering the speed limits as authorized in Section
14 11-604;

15 11. Prohibiting U-turns;

16 12. Prohibiting pedestrian crossings at other than
17 designated and marked crosswalks or at intersections;

18 13. Prohibiting parking during snow removal operation;

19 14. Imposing fines in accordance with Section
20 11-1301.3 as penalties for use of any parking place
21 reserved for persons with disabilities, as defined by
22 Section 1-159.1, or veterans with disabilities by any
23 person using a motor vehicle not bearing registration
24 plates specified in Section 11-1301.1 or a special decal or
25 device as defined in Section 11-1301.2 as evidence that the
26 vehicle is operated by or for a person with disabilities or

1 a veteran with a disability;

2 15. Adopting such other traffic regulations as are
3 specifically authorized by this Code; or

4 16. Enforcing the provisions of subsection (f) of
5 Section 3-413 of this Code or a similar local ordinance.

6 (b) No ordinance or regulation enacted under paragraph 1,
7 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be effective
8 until signs giving reasonable notice of such local traffic
9 regulations are posted.

10 (c) The provisions of this Code shall not prevent any
11 municipality having a population of 500,000 or more inhabitants
12 from prohibiting any person from driving or operating any motor
13 vehicle upon the roadways of such municipality with headlamps
14 on high beam or bright.

15 (d) The provisions of this Code shall not be deemed to
16 prevent local authorities within the reasonable exercise of
17 their police power from prohibiting, on private property, the
18 unauthorized use of parking spaces reserved for persons with
19 disabilities.

20 (e) No unit of local government, including a home rule
21 unit, may enact or enforce an ordinance that applies only to
22 motorcycles if the principal purpose for that ordinance is to
23 restrict the access of motorcycles to any highway or portion of
24 a highway for which federal or State funds have been used for
25 the planning, design, construction, or maintenance of that
26 highway. No unit of local government, including a home rule

1 unit, may enact an ordinance requiring motorcycle users to wear
2 protective headgear. Nothing in this subsection (e) shall
3 affect the authority of a unit of local government to regulate
4 motorcycles for traffic control purposes or in accordance with
5 Section 12-602 of this Code. No unit of local government,
6 including a home rule unit, may regulate motorcycles in a
7 manner inconsistent with this Code. This subsection (e) is a
8 limitation under subsection (i) of Section 6 of Article VII of
9 the Illinois Constitution on the concurrent exercise by home
10 rule units of powers and functions exercised by the State.

11 (e-5) The City of Chicago may enact an ordinance providing
12 for a noise monitoring system upon any portion of the roadway
13 known as Lake Shore Drive. Twelve months after the installation
14 of the noise monitoring system, and any time after the first
15 report as the City deems necessary, the City of Chicago shall
16 prepare a noise monitoring report with the data collected from
17 the system and shall, upon request, make the report available
18 to the public. For purposes of this subsection (e-5), "noise
19 monitoring system" means an automated noise monitor capable of
20 recording noise levels 24 hours per day and 365 days per year
21 with computer equipment sufficient to process the data.

22 (e-10) A unit of local government, including a home rule
23 unit, may not enact an ordinance prohibiting the use of
24 Automated Driving System equipped vehicles on its roadways.
25 Nothing in this subsection (e-10) shall affect the authority of
26 a unit of local government to regulate Automated Driving System

1 equipped vehicles for traffic control purposes. No unit of
2 local government, including a home rule unit, may regulate
3 Automated Driving System equipped vehicles in a manner
4 inconsistent with this Code. For purposes of this subsection
5 (e-10), "Automated Driving System equipped vehicle" means any
6 vehicle equipped with an Automated Driving System of hardware
7 and software that are collectively capable of performing the
8 entire dynamic driving task on a sustained basis, regardless of
9 whether it is limited to a specific operational domain. This
10 subsection (e-10) is a limitation under subsection (i) of
11 Section 6 of Article VII of the Illinois Constitution on the
12 concurrent exercise by home rule units of powers and functions
13 exercised by the State.

14 (f) A municipality or county designated in Section 11-208.6
15 may enact an ordinance providing for an automated traffic law
16 enforcement system to enforce violations of this Code or a
17 similar provision of a local ordinance and imposing liability
18 on a registered owner or lessee of a vehicle used in such a
19 violation.

20 (g) A municipality or county, as provided in Section
21 11-1201.1, may enact an ordinance providing for an automated
22 traffic law enforcement system to enforce violations of Section
23 11-1201 of this Code or a similar provision of a local
24 ordinance and imposing liability on a registered owner of a
25 vehicle used in such a violation.

26 (h) A municipality designated in Section 11-208.8 may enact

1 an ordinance providing for an automated speed enforcement
2 system to enforce violations of Article VI of Chapter 11 of
3 this Code or a similar provision of a local ordinance.

4 (i) A municipality or county designated in Section 11-208.9
5 may enact an ordinance providing for an automated traffic law
6 enforcement system to enforce violations of Section 11-1414 of
7 this Code or a similar provision of a local ordinance and
8 imposing liability on a registered owner or lessee of a vehicle
9 used in such a violation.

10 (Source: P.A. 99-143, eff. 7-27-15; 100-209, eff. 1-1-18;
11 100-257, eff. 8-22-17; 100-352, eff. 6-1-18; 100-863, eff.
12 8-14-18.)

13 (625 ILCS 5/11-1412.3 new)

14 Sec. 11-1412.3. Ownership and operation of a mobile
15 carrying device.

16 (a) A mobile carrying device may be operated on a sidewalk
17 or crosswalk so long as all of the following requirements are
18 met:

19 (1) the mobile carrying device is operated in
20 accordance with the local ordinances, if any, established
21 by the local authority governing where the mobile carrying
22 device is operated;

23 (2) a personal property owner is actively monitoring
24 the operation and navigation of the mobile carrying device;
25 and

1 (3) the mobile carrying device is equipped with a
2 braking system that enables the mobile carrying device to
3 perform a controlled stop.

4 (b) A mobile carrying device operator may not do any of the
5 following:

6 (1) fail to comply with traffic or pedestrian control
7 devices and signals;

8 (2) unreasonably interfere with pedestrians or
9 traffic;

10 (3) transport a person; or

11 (4) operate on a street or highway, except when
12 crossing the street or highway within a crosswalk.

13 (c) A mobile carrying device operator has the rights and
14 obligations applicable to a pedestrian under the same
15 circumstances, and shall ensure that a mobile carrying device
16 shall yield the right-of-way to a pedestrian on a sidewalk or
17 within a crosswalk.

18 (d) A personal property owner may not utilize a mobile
19 carrying device to transport hazardous materials.

20 (e) A personal property owner may not utilize a mobile
21 carrying device unless the person complies with this Section.

22 (f) A mobile carrying device operator who is not a natural
23 person shall register with the Secretary of State.

24 (g) No contract seeking to exempt a mobile carrying device
25 operator from liability for injury, loss, or death caused by a
26 mobile carrying device shall be valid, and contractual

1 provisions limiting the choice of venue or forum, shortening
2 the statute of limitations, shifting the risk to the user,
3 limiting the availability of class actions, or obtaining
4 judicial remedies shall be invalid and unenforceable.

5 (h) A violation of this Section is a petty offense.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.