

HB0791



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0791

by Rep. Tom Demmer

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-208

from Ch. 95 1/2, par. 11-208

Amends the Illinois Vehicle Code. Provides that a unit of local government, including a home rule unit, may not enact an ordinance prohibiting the use of autonomous vehicles on its roadways. Limits the concurrent exercise of home rule powers. Defines "autonomous vehicle".

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HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 as follows:

6 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

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

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

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

15 2. Regulating traffic by means of police officers or
16 traffic control signals;

17 3. Regulating or prohibiting processions or
18 assemblages on the highways; and certifying persons to
19 control traffic for processions or assemblages;

20 4. Designating particular highways as one-way highways
21 and requiring that all vehicles thereon be moved in one
22 specific direction;

23 5. Regulating the speed of vehicles in public parks

1 subject to the limitations set forth in Section 11-604;

2 6. Designating any highway as a through highway, as
3 authorized in Section 11-302, and requiring that all
4 vehicles stop before entering or crossing the same or
5 designating any intersection as a stop intersection or a
6 yield right-of-way intersection and requiring all vehicles
7 to stop or yield the right-of-way at one or more entrances
8 to such intersections;

9 7. Restricting the use of highways as authorized in
10 Chapter 15;

11 8. Regulating the operation of bicycles and requiring
12 the registration and licensing of same, including the
13 requirement of a registration fee;

14 9. Regulating or prohibiting the turning of vehicles or
15 specified types of vehicles at intersections;

16 10. Altering the speed limits as authorized in Section
17 11-604;

18 11. Prohibiting U-turns;

19 12. Prohibiting pedestrian crossings at other than
20 designated and marked crosswalks or at intersections;

21 13. Prohibiting parking during snow removal operation;

22 14. Imposing fines in accordance with Section
23 11-1301.3 as penalties for use of any parking place
24 reserved for persons with disabilities, as defined by
25 Section 1-159.1, or veterans with disabilities by any
26 person using a motor vehicle not bearing registration

1 plates specified in Section 11-1301.1 or a special decal or
2 device as defined in Section 11-1301.2 as evidence that the
3 vehicle is operated by or for a person with disabilities or
4 a veteran with a disability;

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

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

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

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

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

23 (e) No unit of local government, including a home rule
24 unit, may enact or enforce an ordinance that applies only to
25 motorcycles if the principal purpose for that ordinance is to
26 restrict the access of motorcycles to any highway or portion of

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

14 (e-5) A unit of local government, including a home rule
15 unit, may not enact an ordinance prohibiting the use of
16 autonomous vehicles on its roadways. Nothing in this subsection
17 (e-5) shall affect the authority of a unit of local government
18 to regulate autonomous vehicles for traffic control purposes.
19 No unit of local government, including a home rule unit, may
20 regulate autonomous vehicles in a manner inconsistent with this
21 Code. For purposes of this subsection (e-5), "autonomous
22 vehicle" means any vehicle equipped with autonomous technology
23 that has been integrated into that vehicle capable of driving
24 the vehicle without the active control or monitoring of a human
25 operator. This subsection (e-5) is a limitation under
26 subsection (i) of Section 6 of Article VII of the Illinois

1 Constitution on the concurrent exercise by home rule units of
2 powers and functions exercised by the State.

3 (f) A municipality or county designated in Section 11-208.6
4 may enact an ordinance providing for an automated traffic law
5 enforcement system to enforce violations of this Code or a
6 similar provision of a local ordinance and imposing liability
7 on a registered owner or lessee of a vehicle used in such a
8 violation.

9 (g) A municipality or county, as provided in Section
10 11-1201.1, may enact an ordinance providing for an automated
11 traffic law enforcement system to enforce violations of Section
12 11-1201 of this Code or a similar provision of a local
13 ordinance and imposing liability on a registered owner of a
14 vehicle used in such a violation.

15 (h) A municipality designated in Section 11-208.8 may enact
16 an ordinance providing for an automated speed enforcement
17 system to enforce violations of Article VI of Chapter 11 of
18 this Code or a similar provision of a local ordinance.

19 (i) A municipality or county designated in Section 11-208.9
20 may enact an ordinance providing for an automated traffic law
21 enforcement system to enforce violations of Section 11-1414 of
22 this Code or a similar provision of a local ordinance and
23 imposing liability on a registered owner or lessee of a vehicle
24 used in such a violation.

25 (Source: P.A. 98-396, eff. 1-1-14; 98-556, eff. 1-1-14; 98-756,
26 eff. 7-16-14; 99-143, eff. 7-27-15.)