



Rep. Michael J. Zalewski

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1 AMENDMENT TO HOUSE BILL 2747

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2747, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Autonomous Vehicle Act.

7 Section 5. Definitions. For purposes of this Act, the  
8 following definitions apply:

9 "Automated driving system" means hardware and software  
10 that are collectively capable of performing the entire dynamic  
11 driving task on a sustained basis, regardless of whether it is  
12 limited to a specific operational design domain.

13 "Automated driving system manufacturer" means a person, as  
14 defined in Section 1-159 of the Illinois Vehicle Code, that  
15 originally manufactures a fully autonomous vehicle or modifies  
16 a vehicle to convert it to a fully autonomous vehicle after the

1 vehicle's original manufacture.

2 "Dynamic driving task" means all of the real-time  
3 operational and tactical functions, as defined in SAE J3016,  
4 required to operate a vehicle in on-road traffic, except for  
5 strategic functions, including, but not limited to, trip  
6 scheduling and the selection of destinations and waypoints.

7 "Fully autonomous vehicle" means a vehicle equipped with an  
8 automated driving system designed to function without a human  
9 operator as a level 4 or level 5 system under SAE J3016.

10 "Human operator" means a natural person in a vehicle with  
11 the capability to perform the entire dynamic driving task.

12 "Operational design domain" means a description of the  
13 specific operating domain in which an automated driving system  
14 is designed to properly operate, including, but not limited to,  
15 types of roadways, speed range, environmental conditions, and  
16 other domain constraints.

17 "SAE J3016" means "Taxonomy and Definitions for Terms  
18 Related to Driving Automation Systems for On-Road Motor  
19 Vehicles" published by SAE International in September, 2016.

20 "Secretary" means the Secretary of State.

21 Section 10. Operation of automated driving system equipped  
22 vehicles; requirements. Subject exclusively to the provisions  
23 of this Act, a fully autonomous vehicle may operate upon the  
24 highways of this State, regardless of whether a human operator  
25 is physically present in the fully autonomous vehicle. A fully

1 autonomous vehicle shall comply with applicable traffic and  
2 motor vehicle laws of this State and shall bear the required  
3 manufacturer's certification label indicating that at the time  
4 the vehicle was manufactured, it had been certified to be in  
5 compliance with all applicable federal motor vehicle safety  
6 standards.

7 Section 15. Traffic and motor vehicle laws.

8 (a) When engaged, the automated driving system shall be  
9 considered the driver or operator for purposes of assessing  
10 conformance to applicable traffic or motor vehicle laws.

11 (b) When engaged, an automated driving system shall be  
12 deemed to satisfy any physical acts required of a driver or  
13 operator, including, but not limited to, those required under  
14 Section 6-112 of the Illinois Vehicle Code. No motor vehicle  
15 laws of this State shall prohibit an automated driving system  
16 from being the operator or driver of a motor vehicle.

17 (c) No motor vehicle laws of this State shall require a  
18 licensed human driver to operate a fully autonomous vehicle.

19 (d) Section 6-101 of the Illinois Vehicle Code shall not  
20 apply to an engaged automated driving system or to a person  
21 operating a fully autonomous vehicle with the automated driving  
22 system engaged.

23 (e) The owner of a fully autonomous vehicle shall comply  
24 with the following:

25 (1) For a fully autonomous vehicle owned by the

1 automated driving system manufacturer, the automated  
2 driving system manufacturer shall:

3 (A) provide the Secretary with the address of its  
4 registered office in this State and the name of its  
5 registered agent at that office for service of process;

6 (B) provide the Secretary evidence of its ability  
7 to respond to a judgment or judgments for damages for  
8 personal injury, death, or property damage arising  
9 from the driving or operation of a fully autonomous  
10 vehicle upon the highways of this State in the amount  
11 of at least \$25,000,000 in the form of:

12 (i) an instrument of insurance issued by an  
13 insurer licensed to issue insurance in this State;

14 (ii) a surety bond issued by a licensed surety  
15 insurer or an eligible surplus lines insurer, but  
16 not a deposit in lieu of a bond; or

17 (iii) self-insurance in a form and manner  
18 required by the Secretary; and

19 (C) for collisions involving a fully autonomous  
20 vehicle that occur in this State, consent to the  
21 jurisdiction of the courts in this State if  
22 jurisdiction is determined to be proper under State law  
23 or federal law.

24 (2) For a fully autonomous vehicle owned by a person who  
25 is not the automated driving system manufacturer, the fully  
26 autonomous vehicle shall be insured as required under the

1 Illinois Vehicle Code.

2 (f) The Secretary may, with reasonable notice to the  
3 vehicle owner, suspend or revoke the registration of a fully  
4 autonomous vehicle if the Secretary determines that the  
5 requirements of subsection (e) of this Section are not  
6 satisfied or that the fully autonomous vehicle poses an  
7 unreasonable risk to public safety.

8 (g) Liability for accidents involving a fully autonomous  
9 vehicle shall be determined as follows:

10 (1) except as otherwise provided in this subsection  
11 (g), liability shall be determined under existing product  
12 liability law or common law negligence principles. Nothing  
13 in this Act is intended to affect, alter, or amend any  
14 right, obligation, liability, or damage apportionment  
15 mechanism under existing product liability law, common law  
16 negligence, or other applicable law related to liability,  
17 or to otherwise contravene or alter rights and duties  
18 concerning liability under any existing law, agreement,  
19 rule, regulation, or treaty;

20 (2) for a fully autonomous vehicle that has at all  
21 times been maintained in compliance with the  
22 manufacturer's specifications and has not been modified  
23 without the manufacturer's consent, the manufacturer shall  
24 be liable for accidents when the automated driving system  
25 technology is: (i) in control of the vehicle at the time of  
26 the accident; and (ii) at fault for the accident; and

1           (3) nothing in this Act is intended to preclude causes  
2           of action based on an existing applicable legal theory of  
3           liability, including, but not limited to, common law  
4           negligence.

5           (h) An automated driving system shall be deemed to be in  
6           compliance with all applicable requirements under Sections  
7           11-401, 11-402, 11-403, 11-404, and 11-407 of the Illinois  
8           Vehicle Code if the vehicle owner or person on behalf of the  
9           vehicle owner promptly contacts a law enforcement agency to  
10          report a crash or if the fully autonomous vehicle alerts a law  
11          enforcement agency of the crash. The vehicle owner or person on  
12          behalf of the vehicle owner shall inform the law enforcement  
13          agency of whether or not the automated driving system was  
14          engaged at the time of the crash.

15          (i) The requirements under Section 12-603.1 of the Illinois  
16          Vehicle Code shall be the responsibility of and apply only to  
17          human occupants of a motor vehicle. The requirements of the  
18          Child Passenger Protection Act shall be the responsibility of  
19          and apply only to the parent or guardian of the child or, if  
20          the child's parent or guardian is not present, the person  
21          accompanying the child.

22          (j) The provisions of Section 11-1401 of the Illinois  
23          Vehicle Code shall not apply to an automated driving system or  
24          fully autonomous vehicle when the automated driving system is  
25          engaged.

26          (k) Except as otherwise provided in this Act, automated

1 driving systems, fully autonomous vehicles, and any commercial  
2 use of a fully autonomous vehicle are governed exclusively by  
3 this Act.

4 Section 20. Home rule. The regulation of fully autonomous  
5 vehicles is the exclusive power and function of the State. A  
6 home rule unit may not regulate fully autonomous vehicles that  
7 otherwise comply with all laws of the home rule unit. This  
8 Section is a denial and limitation of home rule powers and  
9 functions under subsection (h) of Article VII of the Illinois  
10 Constitution.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law."