

# HB2231



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2231

Introduced 2/8/2023, by Rep. Jennifer Gong-Gershowitz

### SYNOPSIS AS INTRODUCED:

625 ILCS 57/5  
625 ILCS 57/25

Amends the Transportation Network Providers Act. Deletes language: (i) providing that a Transportation Network Company is not deemed to own, control, operate, or manage the vehicles used by Transportation Network Company drivers, and is not a taxicab association or a for-hire vehicle owner; and (ii) providing that Transportation Network Companies or Transportation Network Company drivers are not common carriers, contract carriers or motor carriers, as defined by applicable State law, nor do they provide taxicab or for-hire vehicle service. Effective immediately.

LRB103 05226 HEP 50244 b

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 Transportation Network Providers Act is  
5 amended by changing Sections 5 and 25 as follows:

6 (625 ILCS 57/5)

7 (Section scheduled to be repealed on January 1, 2023)

8 Sec. 5. Definitions.

9 "Transportation network company" or "TNC" means an entity  
10 operating in this State that uses a digital network or  
11 software application service to connect passengers to  
12 transportation network company services provided by  
13 transportation network company drivers. ~~A TNC is not deemed to~~  
14 ~~own, control, operate, or manage the vehicles used by TNC~~  
15 ~~drivers, and is not a taxicab association or a for hire~~  
16 ~~vehicle owner.~~

17 "Transportation network company driver" or "TNC driver"  
18 means an individual who operates a motor vehicle that is:

19 (1) owned, leased, or otherwise authorized for use by  
20 the individual;

21 (2) not a taxicab or for-hire public passenger  
22 vehicle; and

23 (3) used to provide transportation network company

1 services.

2 "Transportation network company services" or "TNC  
3 services" means transportation of a passenger between points  
4 chosen by the passenger and prearranged with a TNC driver  
5 through the use of a TNC digital network or software  
6 application. TNC services shall begin when a TNC driver  
7 accepts a request for transportation received through the  
8 TNC's digital network or software application service,  
9 continue while the TNC driver transports the passenger in the  
10 TNC driver's vehicle, and end when the passenger exits the TNC  
11 driver's vehicle. TNC service is not a taxicab, for-hire  
12 vehicle, or street hail service.

13 (Source: Reenacted by P.A. 101-660, eff. 4-2-21.)

14 (625 ILCS 57/25)

15 (Section scheduled to be repealed on January 1, 2023)

16 Sec. 25. Safety.

17 (a) The TNC shall implement a zero tolerance policy on the  
18 use of drugs or alcohol while a TNC driver is providing TNC  
19 services or is logged into the TNC's digital network but is not  
20 providing TNC services.

21 (b) The TNC shall provide notice of the zero tolerance  
22 policy on its website, as well as procedures to report a  
23 complaint about a driver with whom a passenger was matched and  
24 whom the passenger reasonably suspects was under the influence  
25 of drugs or alcohol during the course of the trip.

1           (c) Upon receipt of a passenger's complaint alleging a  
2 violation of the zero tolerance policy, the TNC shall  
3 immediately suspend the TNC driver's access to the TNC's  
4 digital platform, and shall conduct an investigation into the  
5 reported incident. The suspension shall last the duration of  
6 the investigation.

7           (d) The TNC shall require that any motor vehicle that a TNC  
8 driver will use to provide TNC services meets vehicle safety  
9 and emissions requirements for a private motor vehicle in this  
10 State.

11           (e) (Blank). ~~TNCs or TNC drivers are not common carriers,~~  
12 ~~contract carriers or motor carriers, as defined by applicable~~  
13 ~~State law, nor do they provide taxicab or for-hire vehicle~~  
14 ~~service.~~

15           (Source: Reenacted by P.A. 101-660, eff. 4-2-21.)

16           Section 99. Effective date. This Act takes effect upon  
17 becoming law.