



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2876

Introduced 2/16/2023, by Rep. Sharon Chung

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-140.11 new

625 ILCS 5/1-146

625 ILCS 5/11-1412.4 new

from Ch. 95 1/2, par. 1-146

Amends the Illinois Vehicle Code. Provides that the specifications of a low-speed electric scooter include the following: (i) it is a vehicle designed to transport only one operator; (ii) it weighs less than 100 pounds; (iii) it has single wheels in tandem or has 3 wheels in a combination of one or 2 wheels at the front and rear of the vehicle; (iv) it is equipped with handlebars and a platform designed to be stood on while riding; (v) it is powered solely by an electric motor and human power; and (vi) it has a maximum speed of no more than 20 miles per hour on a paved level surface. Changes the definition of "motor vehicle" to exclude low-speed electric scooters and electric personal assistive mobility devices. Provides that a municipality or county may authorize and regulate the operation of low-speed electric scooters within the unit of local government on all highways, sidewalks, trails, or other public right-of-way where the operation of bicycles is permitted. Provides that use of a low-speed electric scooters within any municipality or county is allowed only if authorized by that municipality or county. Provides that an authorization or regulation by a county applies only in the unincorporated area of that county. Provides that no person under 16 years of age may operate a low-speed electric scooter. Provides that a low-speed electric scooter must be equipped with safety devices lamps, reflectors, and a braking system. Restricts a person from using a low-speed scooter to carry more than one person at a time. Makes other changes.

LRB103 29965 MXP 56384 b

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
5 changing Section 1-146 and by adding Sections 1-140.11 and
6 11-1412.4 as follows:

7 (625 ILCS 5/1-140.11 new)

8 Sec. 1-140.11. Low-speed electric scooter. A low-speed
9 electric scooter is a vehicle that has the following
10 specifications:

11 (1) it is designed to transport only the operator;

12 (2) it weighs less than 100 pounds;

13 (3) it has single wheels in tandem or has 3 wheels in a
14 combination of one or 2 wheels at the front and rear of the
15 vehicle;

16 (4) it is equipped with handlebars and a platform
17 designed to be stood on while riding;

18 (5) it is powered solely by an electric motor and
19 human power; and

20 (6) it has a maximum speed, on a paved level surface,
21 of no more than 20 miles per hour.

22 "Low-speed electric scooter" does not include: (i) a moped
23 or motor-driven cycle; (ii) a low-speed electric bicycle;

1 (iii) an electric wheelchair or other mobility aid used by a
2 disabled individual; (iv) an electric personal assistive
3 mobility device; or (v) any other motorized vehicle not
4 meeting the specifications under this Section.

5 (625 ILCS 5/1-146) (from Ch. 95 1/2, par. 1-146)

6 Sec. 1-146. Motor vehicle. Every vehicle which is
7 self-propelled and every vehicle which is propelled by
8 electric power obtained from overhead trolley wires, but not
9 operated upon rails, except for vehicles moved solely by human
10 power, motorized wheelchairs, low-speed electric scooters,
11 electric personal assistive mobility devices, low-speed
12 electric bicycles, and low-speed gas bicycles. For this Act,
13 motor vehicles are divided into two divisions:

14 First Division: Those motor vehicles which are designed
15 for the carrying of not more than 10 persons.

16 Second Division: Those motor vehicles which are designed
17 for carrying more than 10 persons, those motor vehicles
18 designed or used for living quarters, those motor vehicles
19 which are designed for pulling or carrying freight, cargo or
20 implements of husbandry, and those motor vehicles of the First
21 Division remodelled for use and used as motor vehicles of the
22 Second Division.

23 (Source: P.A. 96-125, eff. 1-1-10.)

24 (625 ILCS 5/11-1412.4 new)

1 Sec. 11-1412.4. Use of low-speed electric scooters within
2 local governments.

3 (a) Subject to the restrictions of this Section, a
4 municipality or county may authorize and regulate the
5 operation of low-speed electric scooters within the unit of
6 local government on all highways, sidewalks, trails, or other
7 public right-of-way where the operation of bicycles is
8 permitted. The use of low-speed electric scooters within any
9 municipality or county is allowed only if authorized by that
10 municipality or county under this Section. Any authorization
11 or regulation by a county applies only in the unincorporated
12 area of that county.

13 (b) No person below the age of 16 may operate a low-speed
14 electric scooter on any highway, sidewalk, trail, or other
15 public right-of-way. While operating a low-speed electric
16 scooter, the operator shall have a valid driver's license,
17 instruction permit, or State identification card on his or her
18 person.

19 (c) A low-speed electric scooter must be equipped with a
20 braking system that enables the operator to reduce its speed
21 or make a complete stop.

22 (d) A low-speed electric scooter must be equipped with (i)
23 a lamp on the front that emits a white light visible from a
24 distance of at least 500 feet to the front and (ii) a red
25 reflector on the rear that is visible from all distances from
26 100 feet to 600 feet to the rear when directly in front of

1 lawful lower beams of headlamps on a motor vehicle. A lamp
2 emitting a steady or flashing red light visible from a
3 distance of at least 500 feet to the rear may be used in
4 addition to or instead of the red reflector. The lamp and
5 reflectors under this subsection must be in use during the
6 period sunset to sunrise, at times when rain, snow, fog, or
7 other atmospheric conditions require the use of windshield
8 wipers on automobiles, and at any other times when, due to
9 insufficient light or unfavorable atmospheric conditions,
10 persons, and vehicles on the highway are not clearly
11 discernible at a distance of 1,000 feet.

12 (e) No person may use a low-speed electric scooter to
13 carry more than one person at one time. No person operating a
14 low-speed electric scooter may attach himself or herself or
15 the scooter to any other vehicle being operated on the public
16 right-of-way.

17 (f) Unless specifically stated otherwise in an ordinance
18 or resolution by a municipality or county authorizing the use
19 of low-speed electric scooters within its jurisdiction, the
20 use of a low-speed electric scooter shall not be deemed to be
21 an intended use of a public right-of-way under Section 3-102
22 of the Local Governmental and Governmental Employees Tort
23 Immunity Act.