

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 Sections 1-146, 1-188, and 1-217 and adding Sections
6 1-159.15, 1-159.16, 11-1005.2, and 11-1412.4 as follows:

7 (625 ILCS 5/1-146) (from Ch. 95 1/2, par. 1-146)

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

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

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

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

2 (625 ILCS 5/1-159.15 new)

3 Sec. 1-159.15. Personal delivery device. A powered device
4 that is:

5 (1) intended to be operated primarily on sidewalks,
6 crosswalks, and other pedestrian areas to transport cargo;

7 (2) not intended to carry passengers; and

8 (3) capable of navigating with the active control or
9 monitoring of a natural person.

10 (625 ILCS 5/1-159.16 new)

11 Sec. 1-159.16. Personal delivery device operator. A person
12 or an agent of a person who exercises control or monitoring
13 over the operation of a personal delivery device. A person or
14 an agent of a person shall not be considered a personal
15 delivery operator solely because the person or agent:

16 (1) requests or receives the delivery or services of a
17 personal delivery device;

18 (2) arranges for or dispatches the requested services
19 of a personal delivery device; or

20 (3) stores, charges, or maintains a personal delivery
21 device.

22 (625 ILCS 5/1-188) (from Ch. 95 1/2, par. 1-188)

23 Sec. 1-188. Sidewalk. That portion of a street between the

1 curb lines, or the lateral lines of a roadway, and the adjacent
2 property lines, primarily intended for use of pedestrians.

3 (Source: P.A. 76-1586.)

4 (625 ILCS 5/1-217) (from Ch. 95 1/2, par. 1-217)

5 (Text of Section before amendment by P.A. 102-1130)

6 Sec. 1-217. Vehicle. Every device, in, upon or by which
7 any person or property is or may be transported or drawn upon a
8 highway or requiring a certificate of title under Section
9 3-101(d) of this Code, except devices moved by human power,
10 devices used exclusively upon stationary rails or tracks and
11 snowmobiles as defined in the Snowmobile Registration and
12 Safety Act.

13 For the purposes of this Code, unless otherwise
14 prescribed, a device shall be considered to be a vehicle until
15 such time it either comes within the definition of a junk
16 vehicle, as defined under this Code, or a junking certificate
17 is issued for it.

18 For this Code, vehicles are divided into 2 divisions:

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

21 Second Division: Those vehicles which are designed for
22 carrying more than 10 persons, those designed or used for
23 living quarters and those vehicles which are designed for
24 pulling or carrying property, freight or cargo, those motor
25 vehicles of the First Division remodelled for use and used as

1 motor vehicles of the Second Division, and those motor
2 vehicles of the First Division used and registered as school
3 buses.

4 (Source: P.A. 92-812, eff. 8-21-02.)

5 (Text of Section after amendment by P.A. 102-1130)

6 Sec. 1-217. Vehicle. Every device, in, upon or by which
7 any person or property is or may be transported or drawn upon a
8 highway or requiring a certificate of title under Section
9 3-101(d) of this Code, except devices moved by human power,
10 personal delivery devices, devices used exclusively upon
11 stationary rails or tracks, and snowmobiles as defined in the
12 Snowmobile Registration and Safety Act.

13 For the purposes of this Code, unless otherwise
14 prescribed, a device shall be considered to be a vehicle until
15 such time it either comes within the definition of a junk
16 vehicle, as defined under this Code, or a junking certificate
17 is issued for it.

18 For this Code, vehicles are divided into 2 divisions:

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

21 Second Division: Those vehicles which are designed for
22 carrying more than 10 persons, those designed or used for
23 living quarters and those vehicles which are designed for
24 pulling or carrying property, freight, or cargo and those
25 motor vehicles of the First Division remodelled for use and

1 used as motor vehicles of the Second Division.

2 (Source: P.A. 102-1130, eff. 7-1-23.)

3 (625 ILCS 5/11-1005.2 new)

4 Sec. 11-1005.2. Personal delivery devices. A business
5 entity may operate a personal delivery device in pedestrian
6 areas with all the rights and duties applicable to a
7 pedestrian under this Chapter, except that a personal delivery
8 device shall not unreasonably interfere with any pedestrian or
9 traffic and shall yield the right-of-way to a pedestrian on
10 the sidewalk or crosswalk.

11 (625 ILCS 5/11-1412.4 new)

12 Sec. 11-1412.4. Personal delivery devices.

13 (a) Notwithstanding any other provision of law, a personal
14 delivery device shall be authorized to operate in pedestrian
15 areas in the State if the personal delivery device:

16 (1) is equipped with a system that enables the
17 personal delivery device to come to a controlled stop;

18 (2) has the capability of operating in a manner that
19 complies with the pedestrians' rights and duties under
20 Article X of Chapter 11, unless the provision cannot by
21 its nature apply to the personal delivery device;

22 (3) does not unreasonably interfere with motor
23 vehicles or traffic or otherwise block any right-of-way
24 under the jurisdiction and control of the State or any

1 local authority;

2 (4) operates at a speed not exceeding 10 miles per
3 hour on a sidewalk or crosswalk;

4 (5) is not used to transport hazardous materials:

5 (A) in a type and quantity for which placards are
6 required in accordance with the Hazardous Materials
7 Regulations prescribed by the United States Department
8 of Transportation, Title 49 CFR Part 172, Subpart F,
9 or compatible rules adopted by the Department of
10 Transportation; or

11 (B) that may pose an unreasonable risk to health,
12 safety, or performance when transported in commerce;

13 (6) includes a unique identifying number and a means
14 of identifying the personal delivery device operator; and

15 (7) weighs 300 pounds or less.

16 (b) A personal delivery device shall have all the rights
17 and duties applicable to a pedestrian under the same
18 circumstances.

19 A personal delivery device shall not be deemed a motor
20 vehicle or a vehicle under this Code or any other law, rule, or
21 regulation of the State or any local authority.

22 A personal delivery device shall be exempt from all
23 vehicle or motor vehicle registration requirements under this
24 Code or any other law, rule, or regulation of the State or any
25 local authority.

26 (c) A personal delivery device operator shall maintain an

1 insurance policy that provides general liability coverage of
2 at least \$500,000 for damages arising from the combined
3 operations of any personal delivery devices under the personal
4 delivery device operator's control.

5 (d) Except as expressly provided in this Section, local
6 authorities shall not enact or enforce a rule, regulation,
7 ordinance, or resolution relating to the following:

8 (1) design, manufacture, or maintenance of a personal
9 delivery device;

10 (2) licensing, registration, or certification of a
11 personal delivery device;

12 (3) taxation of or the imposition of any assessment of
13 any fees or other charges upon a personal delivery device
14 or personal delivery device operator;

15 (4) insuring a personal delivery device;

16 (5) types of cargo that may be transported by a
17 personal delivery device; or

18 (6) operations of personal delivery devices.

19 A local authority may not prohibit the operation of a
20 personal delivery device but may reasonably restrict the
21 operation of a personal delivery device on a roadway or in a
22 pedestrian area in a manner consistent with this Section, as
23 long as the local authority gives interested stakeholders an
24 opportunity to be heard on matters pertaining to the
25 restrictions being implemented.

26 This Section shall not apply to counties with a population

1 of 3,000,000 or more.

2 A home rule unit may not regulate personal delivery
3 devices in a manner inconsistent with this Section. This
4 subsection is a limitation under subsection (i) of Section 6
5 of Article VII of the Illinois Constitution on the concurrent
6 exercise by home rule units of powers and functions exercised
7 by the State.

8 Section 95. No acceleration or delay. Where this Act makes
9 changes in a statute that is represented in this Act by text
10 that is not yet or no longer in effect (for example, a Section
11 represented by multiple versions), the use of that text does
12 not accelerate or delay the taking effect of (i) the changes
13 made by this Act or (ii) provisions derived from any other
14 Public Act.