



Rep. Jaime M. Andrade, Jr.

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10300HB2902ham001

LRB103 30879 MXP 58613 a

1 AMENDMENT TO HOUSE BILL 2902

2 AMENDMENT NO. _____. Amend House Bill 2902 by replacing
3 everything after the enacting clause with the following:

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.

1 Second Division: Those motor vehicles which are designed
2 for carrying more than 10 persons, those motor vehicles
3 designed or used for living quarters, those motor vehicles
4 which are designed for pulling or carrying freight, cargo or
5 implements of husbandry, and those motor vehicles of the First
6 Division remodelled for use and used as motor vehicles of the
7 Second Division.

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

9 (625 ILCS 5/1-159.15 new)

10 Sec. 1-159.15. Personal delivery device. A powered device
11 that is:

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

14 (2) not intended to carry passengers; and

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

17 (625 ILCS 5/1-159.16 new)

18 Sec. 1-159.16. Personal delivery device operator. A person
19 or an agent of a person who exercises control or monitoring
20 over the operation of a personal delivery device. A person or
21 an agent of a person shall not be considered a personal
22 delivery operator solely because the person or agent:

23 (1) requests or receives the delivery or services of a
24 personal delivery device;

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

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

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

6 Sec. 1-188. Sidewalk. That portion of a street between the
7 curb lines, or the lateral lines of a roadway, and the adjacent
8 property lines, primarily intended for use of pedestrians.

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

10 (625 ILCS 5/1-217) (from Ch. 95 1/2, par. 1-217)

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

12 Sec. 1-217. Vehicle. Every device, in, upon or by which
13 any person or property is or may be transported or drawn upon a
14 highway or requiring a certificate of title under Section
15 3-101(d) of this Code, except devices moved by human power,
16 devices used exclusively upon stationary rails or tracks and
17 snowmobiles as defined in the Snowmobile Registration and
18 Safety Act.

19 For the purposes of this Code, unless otherwise
20 prescribed, a device shall be considered to be a vehicle until
21 such time it either comes within the definition of a junk
22 vehicle, as defined under this Code, or a junking certificate
23 is issued for it.

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

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

3 Second Division: Those vehicles which are designed for
4 carrying more than 10 persons, those designed or used for
5 living quarters and those vehicles which are designed for
6 pulling or carrying property, freight or cargo, those motor
7 vehicles of the First Division remodelled for use and used as
8 motor vehicles of the Second Division, and those motor
9 vehicles of the First Division used and registered as school
10 buses.

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

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

13 Sec. 1-217. Vehicle. Every device, in, upon or by which
14 any person or property is or may be transported or drawn upon a
15 highway or requiring a certificate of title under Section
16 3-101(d) of this Code, except devices moved by human power,
17 personal delivery devices, devices used exclusively upon
18 stationary rails or tracks, and snowmobiles as defined in the
19 Snowmobile Registration and Safety Act.

20 For the purposes of this Code, unless otherwise
21 prescribed, a device shall be considered to be a vehicle until
22 such time it either comes within the definition of a junk
23 vehicle, as defined under this Code, or a junking certificate
24 is issued for it.

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

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

3 Second Division: Those vehicles which are designed for
4 carrying more than 10 persons, those designed or used for
5 living quarters and those vehicles which are designed for
6 pulling or carrying property, freight, or cargo and those
7 motor vehicles of the First Division remodelled for use and
8 used as motor vehicles of the Second Division.

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

10 (625 ILCS 5/11-1005.2 new)

11 Sec. 11-1005.2. Personal delivery devices. A business
12 entity may operate a personal delivery device in pedestrian
13 areas with all the rights and duties applicable to a
14 pedestrian under this Chapter, except that a personal delivery
15 device shall not unreasonably interfere with any pedestrian or
16 traffic and shall yield the right-of-way to a pedestrian on
17 the sidewalk or crosswalk.

18 (625 ILCS 5/11-1412.4 new)

19 Sec. 11-1412.4. Personal delivery devices.

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

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

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

5 (3) does not unreasonably interfere with motor
6 vehicles or traffic or otherwise block any right-of-way
7 under the jurisdiction and control of the State or any
8 local authority;

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

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

12 (A) in a type and quantity for which placards are
13 required in accordance with the Hazardous Materials
14 Regulations prescribed by the United States Department
15 of Transportation, Title 49 CFR Part 172, Subpart F,
16 or compatible rules adopted by the Department of
17 Transportation; or

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

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

22 (7) weighs 300 pounds or less.

23 (b) A personal delivery device shall have all the rights
24 and duties applicable to a pedestrian under the same
25 circumstances.

26 A personal delivery device shall not be deemed a motor

1 vehicle or a vehicle under this Code or any other law, rule, or
2 regulation of the State or any local authority.

3 A personal delivery device shall be exempt from all
4 vehicle or motor vehicle registration requirements under this
5 Code or any other law, rule, or regulation of the State or any
6 local authority.

7 (c) A personal delivery device operator shall maintain an
8 insurance policy that provides general liability coverage of
9 at least \$500,000 for damages arising from the combined
10 operations of any personal delivery devices under the personal
11 delivery device operator's control.

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

15 (1) design, manufacture, or maintenance of a personal
16 delivery device;

17 (2) licensing, registration, or certification of a
18 personal delivery device;

19 (3) taxation of or the imposition of any assessment of
20 any fees or other charges upon a personal delivery device
21 or personal delivery device operator;

22 (4) insuring a personal delivery device;

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

25 (6) operations of personal delivery devices.

26 A local authority may not prohibit the operation of a

1 personal delivery device but may reasonably restrict the
2 operation of a personal delivery device on a roadway or in a
3 pedestrian area in a manner consistent with this Section, as
4 long as the local authority gives interested stakeholders an
5 opportunity to be heard on matters pertaining to the
6 restrictions being implemented.

7 This Section shall not apply to counties with a population
8 of 3,000,000 or more.

9 A home rule unit may not regulate personal delivery
10 devices in a manner inconsistent with this Section. This
11 subsection is a limitation under subsection (i) of Section 6
12 of Article VII of the Illinois Constitution on the concurrent
13 exercise by home rule units of powers and functions exercised
14 by the State.

15 Section 95. No acceleration or delay. Where this Act makes
16 changes in a statute that is represented in this Act by text
17 that is not yet or no longer in effect (for example, a Section
18 represented by multiple versions), the use of that text does
19 not accelerate or delay the taking effect of (i) the changes
20 made by this Act or (ii) provisions derived from any other
21 Public Act.".