



Sen. David Koehler

Filed: 3/24/2023

10300SB1960sam002

LRB103 26928 MXP 60006 a

1 AMENDMENT TO SENATE BILL 1960

2 AMENDMENT NO. _____. Amend Senate Bill 1960, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Sections 3-102, 3-402, and 6-102 and by adding
7 Sections 1-140.11 and 11-1518 as follows:

8 (625 ILCS 5/1-140.11 new)

9 Sec. 1-140.11. Low-speed electric scooter. A device
10 weighing less than 100 pounds, with 2 or 3 wheels, handlebars,
11 and a floorboard that can be stood upon while riding, that is
12 solely powered by an electric motor and human power, and whose
13 maximum speed, with or without human propulsion, is no more
14 than 10 miles per hour. "Low-speed electric scooter" does not
15 include a moped or motor-driven cycle.

1 (625 ILCS 5/3-102) (from Ch. 95 1/2, par. 3-102)

2 Sec. 3-102. Exclusions. No certificate of title need be
3 obtained for:

4 1. a vehicle owned by the State of Illinois; or a
5 vehicle owned by the United States unless it is registered
6 in this State;

7 2. a vehicle owned by a manufacturer or dealer and
8 held for sale, even though incidentally moved on the
9 highway or used for purposes of testing or demonstration,
10 provided a dealer reassignment area is still available on
11 the manufacturer's certificate of origin or the Illinois
12 title; or a vehicle used by a manufacturer solely for
13 testing;

14 3. a vehicle owned by a non-resident of this State and
15 not required by law to be registered in this State;

16 4. a motor vehicle regularly engaged in the interstate
17 transportation of persons or property for which a
18 currently effective certificate of title has been issued
19 in another State;

20 5. a vehicle moved solely by animal power;

21 6. an implement of husbandry;

22 7. special mobile equipment;

23 8. an apportionable trailer or an apportionable
24 semitrailer registered in the State prior to April 1,
25 1998;

26 9. a manufactured home for which an affidavit of

1 affixation has been recorded pursuant to the Conveyance
2 and Encumbrance of Manufactured Homes as Real Property and
3 Severance Act unless with respect to the same manufactured
4 home there has been recorded an affidavit of severance
5 pursuant to that Act; -

6 10. low-speed electric scooters.

7 (Source: P.A. 98-749, eff. 7-16-14; 99-78, eff. 7-20-15.)

8 (625 ILCS 5/3-402) (from Ch. 95 1/2, par. 3-402)

9 Sec. 3-402. Vehicles subject to registration; exceptions.

10 A. Exemptions and Policy. Every motor vehicle, trailer,
11 semitrailer and pole trailer when driven or moved upon a
12 highway shall be subject to the registration and certificate
13 of title provisions of this Chapter except:

14 (1) Any such vehicle driven or moved upon a highway in
15 conformance with the provisions of this Chapter relating
16 to manufacturers, transporters, dealers, lienholders or
17 nonresidents or under a temporary registration permit
18 issued by the Secretary of State;

19 (2) Any implement of husbandry whether of a type
20 otherwise subject to registration hereunder or not which
21 is only incidentally operated or moved upon a highway,
22 which shall include a not-for-hire movement for the
23 purpose of delivering farm commodities to a place of first
24 processing or sale, or to a place of storage;

25 (3) Any special mobile equipment as herein defined;

1 (4) Any vehicle which is propelled exclusively by
2 electric power obtained from overhead trolley wires though
3 not operated upon rails;

4 (5) Any vehicle which is equipped and used exclusively
5 as a pumper, ladder truck, rescue vehicle, searchlight
6 truck, or other fire apparatus, but not a vehicle of a type
7 which would otherwise be subject to registration as a
8 vehicle of the first division;

9 (6) Any vehicle which is owned and operated by the
10 federal government and externally displays evidence of
11 federal ownership. It is the policy of the State of
12 Illinois to promote and encourage the fullest use of its
13 highways and to enhance the flow of commerce thus
14 contributing to the economic, agricultural, industrial and
15 social growth and development of this State, by
16 authorizing the Secretary of State to negotiate and enter
17 into reciprocal or proportional agreements or arrangements
18 with other States, or to issue declarations setting forth
19 reciprocal exemptions, benefits and privileges with
20 respect to vehicles operated interstate which are properly
21 registered in this and other States, assuring nevertheless
22 proper registration of vehicles in Illinois as may be
23 required by this Code;

24 (7) Any converter dolly or tow dolly which merely
25 serves as substitute wheels for another legally licensed
26 vehicle. A title may be issued on a voluntary basis to a

1 tow dolly upon receipt of the manufacturer's certificate
2 of origin or the bill of sale;

3 (8) Any house trailer found to be an abandoned mobile
4 home under the Abandoned Mobile Home Act;

5 (9) Any vehicle that is not properly registered or
6 does not have registration plates or digital registration
7 plates issued to the owner or operator affixed thereto, or
8 that does have registration plates or digital registration
9 plates issued to the owner or operator affixed thereto but
10 the plates are not appropriate for the weight of the
11 vehicle, provided that this exemption shall apply only
12 while the vehicle is being transported or operated by a
13 towing service and has a third tow plate affixed to it; ~~+~~

14 (10) Low-speed electric scooters.

15 B. Reciprocity. Any motor vehicle, trailer, semitrailer or
16 pole trailer need not be registered under this Code provided
17 the same is operated interstate and in accordance with the
18 following provisions and any rules and regulations promulgated
19 pursuant thereto:

20 (1) A nonresident owner, except as otherwise provided
21 in this Section, owning any foreign registered vehicle of
22 a type otherwise subject to registration hereunder, may
23 operate or permit the operation of such vehicle within
24 this State in interstate commerce without registering such
25 vehicle in, or paying any fees to, this State subject to
26 the condition that such vehicle at all times when operated

1 in this State is operated pursuant to a reciprocity
2 agreement, arrangement or declaration by this State, and
3 further subject to the condition that such vehicle at all
4 times when operated in this State is duly registered in,
5 and displays upon it, a valid registration card and
6 registration plate or plates or digital registration plate
7 or plates issued for such vehicle in the place of
8 residence of such owner and is issued and maintains in
9 such vehicle a valid Illinois reciprocity permit as
10 required by the Secretary of State, and provided like
11 privileges are afforded to residents of this State by the
12 State of residence of such owner.

13 Every nonresident including any foreign corporation
14 carrying on business within this State and owning and
15 regularly operating in such business any motor vehicle,
16 trailer or semitrailer within this State in intrastate
17 commerce, shall be required to register each such vehicle
18 and pay the same fees therefor as is required with
19 reference to like vehicles owned by residents of this
20 State.

21 (2) Any motor vehicle, trailer, semitrailer and pole
22 trailer operated interstate need not be registered in this
23 State, provided:

24 (a) that the vehicle is properly registered in
25 another State pursuant to law or to a reciprocity
26 agreement, arrangement or declaration; or

1 (b) that such vehicle is part of a fleet of
2 vehicles owned or operated by the same person who
3 registers such fleet of vehicles pro rata among the
4 various States in which such fleet operates; or

5 (c) that such vehicle is part of a fleet of
6 vehicles, a portion of which are registered with the
7 Secretary of State of Illinois in accordance with an
8 agreement or arrangement concurred in by the Secretary
9 of State of Illinois based on one or more of the
10 following factors: ratio of miles in Illinois as
11 against total miles in all jurisdictions; situs or
12 base of a vehicle, or where it is principally garaged,
13 or from whence it is principally dispatched or where
14 the movements of such vehicle usually originate; situs
15 of the residence of the owner or operator thereof, or
16 of his principal office or offices, or of his places of
17 business; the routes traversed and whether regular or
18 irregular routes are traversed, and the jurisdictions
19 traversed and served; and such other factors as may be
20 deemed material by the Secretary and the motor vehicle
21 administrators of the other jurisdictions involved in
22 such apportionment. Such vehicles shall maintain
23 therein any reciprocity permit which may be required
24 by the Secretary of State pursuant to rules and
25 regulations which the Secretary of State may
26 promulgate in the administration of this Code, in the

1 public interest.

2 (3) (a) In order to effectuate the purposes of this
3 Code, the Secretary of State of Illinois is empowered to
4 negotiate and execute written reciprocal agreements or
5 arrangements with the duly authorized representatives of
6 other jurisdictions, including States, districts,
7 territories and possessions of the United States, and
8 foreign states, provinces, or countries, granting to
9 owners or operators of vehicles duly registered or
10 licensed in such other jurisdictions and for which
11 evidence of compliance is supplied, benefits, privileges
12 and exemption from the payment, wholly or partially, of
13 any taxes, fees or other charges imposed with respect to
14 the ownership or operation of such vehicles by the laws of
15 this State except the tax imposed by the Motor Fuel Tax
16 Law, approved March 25, 1929, as amended, and the tax
17 imposed by the Use Tax Act, approved July 14, 1955, as
18 amended.

19 The Secretary of State may negotiate agreements or
20 arrangements as are in the best interests of this State
21 and the residents of this State pursuant to the policies
22 expressed in this Section taking into consideration the
23 reciprocal exemptions, benefits and privileges available
24 and accruing to residents of this State and vehicles
25 registered in this State.

26 (b) Such reciprocal agreements or arrangements shall

1 provide that vehicles duly registered or licensed in this
2 State when operated upon the highways of such other
3 jurisdictions, shall receive exemptions, benefits and
4 privileges of a similar kind or to a similar degree as
5 extended to vehicles from such jurisdictions in this
6 State.

7 (c) Such agreements or arrangements may also authorize
8 the apportionment of registration or licensing of fleets
9 of vehicles operated interstate, based on any or all of
10 the following factors: ratio of miles in Illinois as
11 against total miles in all jurisdictions; situs or base of
12 a vehicle, or where it is principally garaged or from
13 whence it is principally dispatched or where the movements
14 of such vehicle usually originate; situs of the residence
15 of the owner or operator thereof, or of his principal
16 office or offices, or of his places of business; the
17 routes traversed and whether regular or irregular routes
18 are traversed, and the jurisdictions traversed and served;
19 and such other factors as may be deemed material by the
20 Secretary and the motor vehicle administrators of the
21 other jurisdictions involved in such apportionment, and
22 such vehicles shall likewise be entitled to reciprocal
23 exemptions, benefits and privileges.

24 (d) Such agreements or arrangements shall also provide
25 that vehicles being operated in intrastate commerce in
26 Illinois shall comply with the registration and licensing

1 laws of this State, except that vehicles which are part of
2 an apportioned fleet may conduct an intrastate operation
3 incidental to their interstate operations. Any motor
4 vehicle properly registered and qualified under any
5 reciprocal agreement or arrangement under this Code and
6 not having a situs or base within Illinois may complete
7 the inbound movement of a trailer or semitrailer to an
8 Illinois destination that was brought into Illinois by a
9 motor vehicle also properly registered and qualified under
10 this Code and not having a situs or base within Illinois,
11 or may complete an outbound movement of a trailer or
12 semitrailer to an out-of-state destination that was
13 originated in Illinois by a motor vehicle also properly
14 registered and qualified under this Code and not having a
15 situs or base in Illinois, only if the operator thereof
16 did not break bulk of the cargo laden in such inbound or
17 outbound trailer or semitrailer. Adding or unloading
18 intrastate cargo on such inbound or outbound trailer or
19 semitrailer shall be deemed as breaking bulk.

20 (e) Such agreements or arrangements may also provide
21 for the determination of the proper State in which leased
22 vehicles shall be registered based on the factors set out
23 in subsection (c) above and for apportionment of
24 registration of fleets of leased vehicles by the lessee or
25 by the lessor who leases such vehicles to persons who are
26 not fleet operators.

1 (f) Such agreements or arrangements may also include
2 reciprocal exemptions, benefits or privileges accruing
3 under The Illinois Driver Licensing Law or The Driver
4 License Compact.

5 (4) The Secretary of State is further authorized to
6 examine the laws and requirements of other jurisdictions,
7 and, in the absence of a written agreement or arrangement,
8 to issue a written declaration of the extent and nature of
9 the exemptions, benefits and privileges accorded to
10 vehicles of this State by such other jurisdictions, and
11 the extent and nature of reciprocal exemptions, benefits
12 and privileges thereby accorded by this State to the
13 vehicles of such other jurisdictions. A declaration by the
14 Secretary of State may include any, part or all reciprocal
15 exemptions, benefits and privileges or provisions as may
16 be included within an agreement or arrangement.

17 (5) All agreements, arrangements, declarations and
18 amendments thereto, shall be in writing and become
19 effective when signed by the Secretary of State, and
20 copies of all such documents shall be available to the
21 public upon request.

22 (6) The Secretary of State is further authorized to
23 require the display by foreign registered trucks,
24 truck-tractors and buses, entitled to reciprocal benefits,
25 exemptions or privileges hereunder, a reciprocity permit
26 for external display before any such reciprocal benefits,

1 exemptions or privileges are granted. The Secretary of
2 State shall provide suitable application forms for such
3 permit and shall promulgate and publish reasonable rules
4 and regulations for the administration and enforcement of
5 the provisions of this Code including a provision for
6 revocation of such permit as to any vehicle operated
7 wilfully in violation of the terms of any reciprocal
8 agreement, arrangement or declaration or in violation of
9 the Illinois Motor Carrier of Property Law, as amended.

10 (7) (a) Upon the suspension, revocation or denial of
11 one or more of all reciprocal benefits, privileges and
12 exemptions existing pursuant to the terms and provisions
13 of this Code or by virtue of a reciprocal agreement or
14 arrangement or declaration thereunder; or, upon the
15 suspension, revocation or denial of a reciprocity permit;
16 or, upon any action or inaction of the Secretary in the
17 administration and enforcement of the provisions of this
18 Code, any person, resident or nonresident, so aggrieved,
19 may serve upon the Secretary, a petition in writing and
20 under oath, setting forth the grievance of the petitioner,
21 the grounds and basis for the relief sought, and all
22 necessary facts and particulars, and request an
23 administrative hearing thereon. Within 20 days, the
24 Secretary shall set a hearing date as early as practical.
25 The Secretary may, in his discretion, supply forms for
26 such a petition. The Secretary may require the payment of

1 a fee of not more than \$50 for the filing of any petition,
2 motion, or request for hearing conducted pursuant to this
3 Section. These fees must be deposited into the Secretary
4 of State DUI Administration Fund, a special fund that is
5 hereby created in the State treasury, and, subject to
6 appropriation and as directed by the Secretary of State,
7 shall be used to fund the operation of the hearings
8 department of the Office of the Secretary of State and for
9 no other purpose. The Secretary shall establish by rule
10 the amount and the procedures, terms, and conditions
11 relating to these fees.

12 (b) The Secretary may likewise, in his discretion and
13 upon his own petition, order a hearing, when in his best
14 judgment, any person is not entitled to the reciprocal
15 benefits, privileges and exemptions existing pursuant to
16 the terms and provisions of this Code or under a
17 reciprocal agreement or arrangement or declaration
18 thereunder or that a vehicle owned or operated by such
19 person is improperly registered or licensed, or that an
20 Illinois resident has improperly registered or licensed a
21 vehicle in another jurisdiction for the purposes of
22 violating or avoiding the registration laws of this State.

23 (c) The Secretary shall notify a petitioner or any
24 other person involved of such a hearing, by giving at
25 least 10 days notice, in writing, by U.S. Mail, Registered
26 or Certified, or by personal service, at the last known

1 address of such petitioner or person, specifying the time
2 and place of such hearing. Such hearing shall be held
3 before the Secretary, or any person as he may designate,
4 and unless the parties mutually agree to some other county
5 in Illinois, the hearing shall be held in the County of
6 Sangamon or the County of Cook. Appropriate records of the
7 hearing shall be kept, and the Secretary shall issue or
8 cause to be issued, his decision on the case, within 30
9 days after the close of such hearing or within 30 days
10 after receipt of the transcript thereof, and a copy shall
11 likewise be served or mailed to the petitioner or person
12 involved.

13 (d) The actions or inactions or determinations, or
14 findings and decisions upon an administrative hearing, of
15 the Secretary, shall be subject to judicial review in the
16 Circuit Court of the County of Sangamon or the County of
17 Cook, and the provisions of the Administrative Review Law,
18 and all amendments and modifications thereof and rules
19 adopted pursuant thereto, apply to and govern all such
20 reviewable matters.

21 Any reciprocal agreements or arrangements entered into
22 by the Secretary of State or any declarations issued by
23 the Secretary of State pursuant to any law in effect prior
24 to the effective date of this Code are not hereby
25 abrogated, and such shall continue in force and effect
26 until amended pursuant to the provisions of this Code or

1 expire pursuant to the terms or provisions thereof.

2 (Source: P.A. 101-395, eff. 8-16-19.)

3 (625 ILCS 5/6-102) (from Ch. 95 1/2, par. 6-102)

4 Sec. 6-102. What persons are exempt. The following persons
5 are exempt from the requirements of Section 6-101 and are not
6 required to have an Illinois drivers license or permit if one
7 or more of the following qualifying exemptions are met and
8 apply:

9 1. Any employee of the United States Government or any
10 member of the Armed Forces of the United States, while
11 operating a motor vehicle owned by or leased to the United
12 States Government and being operated on official business
13 need not be licensed;

14 2. A nonresident who has in his immediate possession a
15 valid license issued to him in his home state or country
16 may operate a motor vehicle for which he is licensed for
17 the period during which he is in this State;

18 3. A nonresident and his spouse and children living
19 with him who is a student at a college or university in
20 Illinois who have a valid license issued by their home
21 State.

22 4. A person operating a road machine temporarily upon
23 a highway or operating a farm tractor between the home
24 farm buildings and any adjacent or nearby farm land for
25 the exclusive purpose of conducting farm operations need

1 not be licensed as a driver.

2 5. A resident of this State who has been serving as a
3 member or as a civilian employee of the Armed Forces of the
4 United States, or as a civilian employee of the United
5 States Department of Defense, outside the Continental
6 limits of the United States, for a period of 120 days
7 following his return to the continental limits of the
8 United States.

9 6. A nonresident on active duty in the Armed Forces of
10 the United States who has a valid license issued by his
11 home state and such nonresident's spouse, and dependent
12 children and living with parents, who have a valid license
13 issued by their home state.

14 7. A nonresident who becomes a resident of this State,
15 may for a period of the first 90 days of residence in
16 Illinois operate any motor vehicle which he was qualified
17 or licensed to drive by his home state or country so long
18 as he has in his possession, a valid and current license
19 issued to him by his home state or country. Upon
20 expiration of such 90 day period, such new resident must
21 comply with the provisions of this Act and apply for an
22 Illinois license or permit.

23 8. An engineer, conductor, brakeman, or any other
24 member of the crew of a locomotive or train being operated
25 upon rails, including operation on a railroad crossing
26 over a public street, road or highway. Such person is not

1 required to display a driver's license to any law
2 enforcement officer in connection with the operation of a
3 locomotive or train within this State.

4 9. Persons operating low-speed electric scooters in
5 accordance with Section 11-1518.

6 The provisions of this Section granting exemption to any
7 nonresident shall be operative to the same extent that the
8 laws of the State or country of such nonresident grant like
9 exemption to residents of this State.

10 The Secretary of State may implement the exemption
11 provisions of this Section by inclusion thereof in a
12 reciprocity agreement, arrangement or declaration issued
13 pursuant to this Act.

14 (Source: P.A. 99-118, eff. 1-1-16.)

15 (625 ILCS 5/11-1518 new)

16 Sec. 11-1518. Low-speed electric scooters.

17 (a) Subject to the restrictions of this Section, a
18 municipality or park district may authorize and regulate the
19 operation of low-speed electric scooters within the unit of
20 local government on any or all highways under their respective
21 jurisdiction, sidewalks, trails, or other public right of way
22 where the operation of bicycles is permitted. The use of
23 low-speed electric scooters within any municipality or park
24 district is allowed only if authorized by the municipality or
25 park district under this Section. Any authorization or

1 regulation by a park district applies only on park district
2 property.

3 (b) A person may not operate a low-speed electric scooter
4 on a highway with a posted speed limit in excess of 35 mph.

5 (c) A person may not operate a low-speed electric scooter
6 unless he or she is 18 years of age or older.

7 (d) A low-speed electric scooter may be parked in the same
8 manner and at the same locations as a bicycle may be parked.

9 (e) Every low-speed electric scooter when in use at
10 nighttime shall be equipped with a lamp on the front that emits
11 a white light visible from a distance of at least 500 feet to
12 the front and with a red reflector on the rear that is visible
13 from all distances from 100 feet to 600 feet to the rear when
14 directly in front of lawful lower beams of headlamps on a motor
15 vehicle, except that a lamp emitting a steady or flashing red
16 light visible from a distance of 500 feet to the rear may be
17 used in addition to or instead of the red reflector.

18 (f) A low-speed electric scooter shall not be equipped
19 with nor shall any person use upon a low-speed electric
20 scooter any siren. This subsection does not apply to a
21 low-speed electric scooter that is a police vehicle or fire
22 department vehicle.

23 (g) Every low-speed electric scooter shall be equipped
24 with a brake that will adequately control movement of and stop
25 and hold the low-speed electric scooter.

26 (h) A person may not operate a low-speed electric scooter

1 while carrying any package, bundle, or article that prevents
2 the operator from keeping at least one hand upon the
3 handlebars.

4 (i) A person may not use a low-speed electric scooter to
5 carry more than one person at a time. A person operating a
6 low-speed electric scooter may not attach himself or herself
7 or the scooter to any other vehicle being operated on the
8 public right-of-way.

9 (j) Unless specifically stated otherwise in an ordinance
10 or resolution by a municipality, county, or park district
11 authorizing the use of low-speed electric scooters within its
12 jurisdiction, the use of a low-speed electric scooter is not
13 an intended use of a public right-of-way under Section 3-102
14 of the Local Governmental Employees Tort Immunity Act.

15 (k) A person may not operate a low-speed electric scooter
16 upon any highway in the State while under the influence of
17 alcohol or any drug.

18 (l) The use of low-speed electric scooters is not
19 permitted on State highways.

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

1 Public Act.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".