1 AN ACT concerning transportation.

2 Be it enacted by the People of the State of Illinois, 3 represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing
Sections 1-122.7, 1-176.1, 3-412, 8-101, 13-101, and 18c-6102
as follows:

7 (625 ILCS 5/1-122.7)

8 Sec. 1-122.7. For-profit ridesharing arrangement. The 9 transportation by motor vehicle of not more than 16 persons, 10 including the driver, for which a fee is charged in accordance 11 with Section 6 of the Ridesharing Arrangements <u>and Consumer</u> 12 <u>Protection Act, or a commercial ridesharing arrangement as</u> 13 <u>defined by the Ridesharing Arrangements and Consumer</u> 14 <u>Protection Act</u>.

15 (Source: P.A. 90-89, eff. 1-1-98.)

16 (625 ILCS 5/1-176.1) (from Ch. 95 1/2, par. 1-176.1)

Sec. 1-176.1. Ridesharing arrangement. The transportation by motor vehicle of not more than 16 persons, including the driver, (1) for purposes incidental to another purpose of the driver, for which no fee is charged or paid except to reimburse the driver or owner of the vehicle for his or her operating expenses on a nonprofit basis or (2) when these persons are HB4075 Engrossed - 2 - LRB098 15632 MLW 50663 b

traveling between their homes and their places of employment, or places reasonably convenient thereto, for which (i) no fee is charged or paid except to reimburse the driver or owner of the vehicle for his or her operating expenses on a nonprofit basis or (ii) a fee is charged in accordance with the provisions of Section 6 of the Ridesharing Arrangements and <u>Consumer Protection</u> Act.

8 (Source: P.A. 90-89, eff. 1-1-98.)

9 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

Sec. 3-412. Registration plates and registration stickers
 to be furnished by the Secretary of State.

12 (a) The Secretary of State upon registering a vehicle 13 subject to annual registration for the first time shall issue 14 or shall cause to be issued to the owner one registration plate 15 for а motorcycle, trailer, semitrailer, moped or 16 truck-tractor, 2 registration plates for other motor vehicles and, where applicable, current registration stickers for motor 17 18 vehicles of the first division. The provisions of this Section 19 may be made applicable to such vehicles of the second division, as the Secretary of State may, from time to time, in his 20 21 discretion designate. On subsequent annual registrations 22 during the term of the registration plate as provided in Section 3-414.1, the Secretary shall issue or cause to be 23 24 registration stickers as evidence issued of current 25 registration. However, the issuance of annual registration HB4075 Engrossed - 3 - LRB098 15632 MLW 50663 b

stickers to vehicles registered under the provisions of
 Sections 3-402.1 and 3-405.3 of this Code may not be required
 if the Secretary deems the issuance unnecessary.

(b) Every registration plate shall have displayed upon it 4 5 the registration number assigned to the vehicle for which it is issued, the name of this State, which may be abbreviated, the 6 year number for which it was issued, which may be abbreviated, 7 the phrase "Land of Lincoln" (except as otherwise provided in 8 9 this Code), and such other letters or numbers as the Secretary 10 may prescribe. However, for apportionment plates issued to 11 vehicles registered under Section 3-402.1 and fleet plates 12 issued to vehicles registered under Section 3-405.3, the phrase 13 "Land of Lincoln" may be omitted to allow for the word "apportioned", the word "fleet", or other similar language to 14 15 be displayed. Registration plates issued to а vehicle 16 registered as a fleet vehicle may display a designation 17 determined by the Secretary.

The Secretary may in his discretion prescribe that letters 18 be used as prefixes only on registration plates issued to 19 20 vehicles of the first division which are registered under this Code and only as suffixes on registration plates issued to 21 22 other vehicles. Every registration sticker issued as evidence 23 of current registration shall designate the year number for which it is issued and such other letters or numbers as the 24 25 Secretary may prescribe and shall be of a contrasting color 26 with the registration plates and registration stickers of the HB4075 Engrossed - 4 - LRB098 15632 MLW 50663 b

1 previous year.

2 (c) Each registration plate and the required letters and 3 numerals thereon, except the year number for which issued, 4 shall be of sufficient size to be plainly readable from a 5 distance of 100 feet during daylight, and shall be coated with 6 reflectorizing material. The dimensions of the plate issued to 7 vehicles of the first division shall be 6 by 12 inches.

8 (d) The Secretary of State shall issue for every passenger 9 motor vehicle rented without a driver the same type of 10 registration plates as the type of plates issued for a private 11 passenger vehicle.

(e) The Secretary of State shall issue for every passenger
car used as a taxicab, or livery, or in a commercial
<u>ridesharing arrangement in which the driver participates in</u>
<u>commercial ridesharing arrangements for more than 18 hours per</u>
<u>week</u>, distinctive registration plates.

(f) The Secretary of State shall issue for every motorcycle distinctive registration plates distinguishing between motorcycles having 150 or more cubic centimeters piston displacement, or having less than 150 cubic centimeter piston displacement.

(g) Registration plates issued to vehicles for-hire may display a designation as determined by the Secretary that such vehicles are for-hire, including, but not limited to, vehicles <u>used as taxicabs</u>, liveries, or in commercial ridesharing arrangements for more than 18 hours per week. HB4075 Engrossed - 5 - LRB098 15632 MLW 50663 b

(h) (Blank).

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(i) The Secretary of State shall issue for every public and
private ambulance registration plates identifying the vehicle
as an ambulance. The Secretary shall forward to the Department
of Healthcare and Family Services registration information for
the purpose of verification of claims filed with the Department
by ambulance owners for payment for services to public
assistance recipients.

9 (j) The Secretary of State shall issue for every public and 10 private medical carrier or rescue vehicle livery registration 11 plates displaying numbers within ranges of numbers reserved 12 respectively for medical carriers and rescue vehicles. The 13 Secretary shall forward to the Department of Healthcare and 14 Family Services registration information for the purpose of 15 verification of claims filed with the Department by owners of 16 medical carriers or rescue vehicles for payment for services to 17 public assistance recipients.

(k) The Secretary of State shall issue distinctive license 18 19 plates or distinctive license plate stickers for every vehicle 20 exempted from subsections (a) and (a-5) of Section 12-503 by subsection (g) of that Section, and by subsection (g-5) of that 21 22 Section before its deletion by this amendatory Act of the 95th 23 General Assembly. The Secretary shall issue these plates or receiving 24 stickers immediately upon the physician's 25 certification required under subsection (g) of Section 12-503. 26 New plates or stickers shall also be issued when the HB4075 Engrossed - 6 - LRB098 15632 MLW 50663 b

1 certification is renewed as provided in that subsection.

2 (1) The Secretary of State shall issue distinctive3 registration plates for low-speed vehicles.

4 (Source: P.A. 95-202, eff. 8-16-07; 95-331, eff. 8-21-07;
5 96-554, eff. 1-1-10; 96-653, eff. 1-1-10; 96-815, eff.
6 10-30-09; 96-1000, eff. 7-2-10.)

7 (625 ILCS 5/8-101) (from Ch. 95 1/2, par. 8-101)

8 Sec. 8-101. Proof of financial responsibility - Persons who 9 operate motor vehicles in transportation of passengers for 10 hire.

11 (a) It is unlawful for any person, firm or corporation to 12 operate any motor vehicle along or upon any public street or highway in any incorporated city, town or village in this State 13 14 for the carriage of passengers for hire, accepting and discharging all such persons as may offer themselves for 15 16 transportation unless such person, firm or corporation has given, and there is in full force and effect and on file with 17 the Secretary of State of Illinois, proof of financial 18 19 responsibility provided in this Act.

20 (b) In addition this Section shall also apply to persons, 21 firms or corporations who are in the business of providing 22 transportation services for minors to or from educational or 23 recreational facilities, except that this Section shall not 24 apply to public utilities subject to regulation under "An Act 25 concerning public utilities," approved June 29, 1921, as HB4075 Engrossed - 7 - LRB098 15632 MLW 50663 b

1 amended, or to school buses which are operated by public or 2 parochial schools and are engaged solely in the transportation 3 of the pupils who attend such schools.

4 (c) This Section also applies to a contract carrier 5 transporting employees in the course of their employment on a 6 highway of this State in a vehicle designed to carry 15 or 7 fewer passengers. As part of proof of financial responsibility, 8 a contract carrier transporting employees in the course of 9 their employment is required to verify hit and run and 10 uninsured motor vehicle coverage, as provided in Section 143a 11 of the Illinois Insurance Code, and underinsured motor vehicle 12 coverage, as provided in Section 143a-2 of the Illinois 13 Insurance Code, in a total amount of not less than \$250,000 per 14 passenger.

15 (d) This Section shall not apply to any person 16 participating in a ridesharing arrangement, a for-profit 17 ridesharing arrangement other than a commercial ridesharing arrangement, or operating a commuter van, but only during the 18 19 performance of activities authorized by Sections 5 and 6 of the 20 Ridesharing Arrangements and Consumer Protection Act.

(e) If the person operating such motor vehicle is not the owner, then proof of financial responsibility filed hereunder must provide that the owner is primarily liable. <u>In the case of</u> <u>motor vehicles used in commercial ridesharing arrangements,</u> <u>the dispatchers providing dispatch services to the driver of</u> <u>the motor vehicle must submit proof that the driver will be an</u> HB4075 Engrossed - 8 - LRB098 15632 MLW 50663 b

1 additional insured on a primary insurance policy that will 2 provide coverage during the time period the driver makes 3 himself, herself, or the vehicle available for dispatch or 4 while a commercial ridesharing arrangement passenger is in the 5 vehicle.

6 (Source: P.A. 94-319, eff. 1-1-06.)

7 (625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

8 Sec. 13-101. Submission to safety test; Certificate of 9 safety. To promote the safety of the general public, every 10 owner of a second division vehicle, medical transport vehicle, 11 tow truck, first division vehicle including a taxi which is 12 used for a purpose that requires a school bus driver permit, 13 motor vehicle used for driver education training, motor vehicle 14 required to submit to safety testing under subparagraph (A) of paragraph (1) of subsection (b) of Section 7 of the Ridesharing 15 16 Arrangements and Consumer Protection Act, or contract carrier transporting employees in the course of their employment on a 17 highway of this State in a vehicle designed to carry 15 or 18 19 fewer passengers shall, before operating the vehicle upon the 20 highways of Illinois, submit it to a "safety test" and secure a 21 certificate of safety furnished by the Department as set forth in Section 13-109. Each second division motor vehicle that 22 pulls or draws a trailer, semitrailer or pole trailer, with a 23 24 gross weight of more than 8,000 lbs or is registered for a gross weight of more than 8,000 lbs, motor bus, religious 25

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organization bus, school bus, senior citizen transportation vehicle, and limousine shall be subject to inspection by the Department and the Department is authorized to establish rules and regulations for the implementation of such inspections.

5 The owners of each salvage vehicle shall submit it to a "safety test" and secure a certificate of safety furnished by 6 7 the Department prior to its salvage vehicle inspection pursuant 8 to Section 3-308 of this Code. In implementing and enforcing 9 the provisions of this Section, the Department and other 10 authorized State agencies shall do so in a manner that is not 11 inconsistent with any applicable federal law or regulation so 12 that no federal funding or support is jeopardized by the 13 enactment or application of these provisions.

However, none of the provisions of Chapter 13 requiring safety tests or a certificate of safety shall apply to:

16 (a) farm tractors, machinery and implements, wagons,
17 wagon-trailers or like farm vehicles used primarily in
18 agricultural pursuits;

(b) vehicles other than school buses, tow trucks and medical transport vehicles owned or operated by a municipal corporation or political subdivision having a population of 1,000,000 or more inhabitants and which are subject to safety tests imposed by local ordinance or resolution;

(c) a semitrailer or trailer having a gross weight of 5,000 pounds or less including vehicle weight and maximum load; HB4075 Engrossed - 10 - LRB098 15632 MLW 50663 b

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(d) recreational vehicles;

2 (e) vehicles registered as and displaying Illinois 3 antique vehicle plates and vehicles registered as 4 expanded-use antique vehicles and displaying expanded-use 5 antique vehicle plates;

6 (f) house trailers equipped and used for living 7 quarters;

8 (q) vehicles registered as and displaying Illinois 9 permanently mounted equipment plates or similar vehicles 10 eligible therefor but registered as governmental vehicles 11 provided that if said vehicle is reclassified from a 12 permanently mounted equipment plate so as to lose the 13 exemption of not requiring a certificate of safety, such vehicle must be safety tested within 30 days of the 14 15 reclassification;

16 (h) vehicles owned or operated by a manufacturer, 17 dealer or transporter displaying a special plate or plates as described in Chapter 3 of this Code while such vehicle 18 19 is being delivered from the manufacturing or assembly plant 20 directly to the purchasing dealership or distributor, or 21 being temporarily road driven for quality control testing, 22 or from one dealer or distributor to another, or are being 23 moved by the most direct route from one location to another 24 for the purpose of installing special bodies or equipment, 25 or driven for purposes of demonstration by a prospective 26 buyer with the dealer or his agent present in the cab of

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the vehicle during the demonstration;

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(i) pole trailers and auxiliary axles;

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(j) special mobile equipment;

(k) vehicles properly registered in another State 4 5 pursuant to law and displaying a valid registration plate, of contract 6 except vehicles carriers transporting 7 employees in the course of their employment on a highway of 8 this State in a vehicle designed to carry 15 or fewer 9 passengers are only exempted to the extent that the safety 10 testing requirements applicable to such vehicles in the 11 state of registration are no less stringent than the safety 12 testing requirements applicable to contract carriers that are lawfully registered in Illinois; 13

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(1) water-well boring apparatuses or rigs;

(m) any vehicle which is owned and operated by the federal government and externally displays evidence of such ownership; and

(n) second division vehicles registered for a gross 18 19 weight of 8,000 pounds or less, except when such second 20 division motor vehicles pull or draw а trailer, 21 semi-trailer or pole trailer having a gross weight of or 22 registered for a gross weight of more than 8,000 pounds; 23 motor buses; religious organization buses; school buses; senior citizen transportation vehicles; medical transport 24 25 vehicles and tow trucks.

26 The safety test shall include the testing and inspection of

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lights, horns, reflectors, rear vision mirrors, 1 brakes, 2 mufflers, safety chains, windshields and windshield wipers, 3 warning flags and flares, frame, axle, cab and body, or cab or body, wheels, steering apparatus, and other safety devices and 4 5 appliances required by this Code and such other safety tests as 6 the Department may by rule or regulation require, for second division vehicles, school buses, medical transport vehicles, 7 8 tow trucks, first division vehicles including taxis which are 9 used for a purpose that requires a school bus driver permit, 10 motor vehicles required to submit to safety testing under 11 subparagraph (A) of paragraph (1) of subsection (b) of Section 12 7 of the Ridesharing Arrangements and Consumer Protection Act, 13 motor vehicles used for driver education training, vehicles 14 designed to carry 15 or fewer passengers operated by a contract 15 carrier transporting employees in the course of their 16 employment on a highway of this State, trailers, and 17 semitrailers subject to inspection.

For tow trucks, the safety test and inspection shall also include the inspection of winch mountings, body panels, body mounts, wheel lift swivel points, and sling straps, and other tests and inspections the Department by rule requires for tow trucks.

For driver education vehicles used by public high schools, the vehicle must also be equipped with dual control brakes, a mirror on each side of the vehicle so located as to reflect to the driver a view of the highway for a distance of at least 200 HB4075 Engrossed - 13 - LRB098 15632 MLW 50663 b

1 feet to the rear, and a sign visible from the front and the 2 rear identifying the vehicle as a driver education car.

3 trucks, truck tractors, trailers, semi-trailers, For buses, and first division vehicles including taxis which are 4 5 used for a purpose that requires a school bus driver permit, 6 the safety test shall be conducted in accordance with the Minimum Periodic Inspection Standards promulgated by the 7 8 Federal Highway Administration of the U.S. Department of 9 Transportation and contained in Appendix G to Subchapter B of 10 Chapter III of Title 49 of the Code of Federal Regulations. 11 Those standards, as now in effect, are made a part of this 12 Code, in the same manner as though they were set out in full in 13 this Code.

The passing of the safety test shall not be a bar at any time to prosecution for operating a second division vehicle, medical transport vehicle, motor vehicle used for driver education training, or vehicle designed to carry 15 or fewer passengers operated by a contract carrier as provided in this Section that is unsafe, as determined by the standards prescribed in this Code.

21 (Source: P.A. 97-224, eff. 7-28-11; 97-412, eff. 1-1-12;
22 97-813, eff. 7-13-12; 97-1025, eff. 1-1-13.)

23 (625 ILCS 5/18c-6102) (from Ch. 95 1/2, par. 18c-6102)
24 Sec. 18c-6102. Exemptions From Commission Jurisdiction.
25 The provisions of this Sub-chapter shall not, except as

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1 provided in Section 18c-6501 of this Chapter, apply to:

(1) carriers owned by any political subdivision, school
district, institution of higher education, or municipality,
and operated either by such political subdivision, institution
of higher education, or municipality or its lessee or agent;

(2) commuter vans as defined in this Code;

7 (3) carriers transporting passengers without fixed routes
8 or schedules and charging on a time or distance basis,
9 including taxicabs, charter operations, and contract bus
10 operations;

(4) carriers transporting passengers with fixed routes and schedules and charging on a per passenger fixed charge basis and which do not include an airport as a point to be served on the route, in whole or in part;

(5) transportation in vehicles with a manufacturer's rated
seating capacity of less than 8 persons, including the driver;

17 (6) transportation subject to the Ridesharing Arrangements
 18 <u>and Consumer Protection</u> Act;

(7) commuter buses offering short-haul for-hire regularly scheduled passenger transportation service within metropolitan and suburban areas, over regular routes with fixed schedules, and utilized primarily by passengers using reduced-fare, multiple-ride, or commutation tickets during morning and evening peak periods in travelling to and from their places of employment; and

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(8) those persons owning and operating school buses, as

- 15 - LRB098 15632 MLW 50663 b HB4075 Engrossed defined in this Code, and regulated by other provisions of this 1 2 Code. (Source: P.A. 90-407, eff. 8-15-97; 91-357, eff. 7-29-99.) 3 4 Section 10. The Ridesharing Arrangements Act is amended by 5 changing Sections 1, 2, and 5 and by adding Section 7 as 6 follows: 7 (625 ILCS 30/1) (from Ch. 95 1/2, par. 901) 8 Sec. 1. This Act shall be known and may be cited as the 9 Ridesharing Arrangements and Consumer Protection Act. 10 (Source: P.A. 82-656.) 11 (625 ILCS 30/2) (from Ch. 95 1/2, par. 902) 12 Sec. 2. (a) "Ridesharing arrangement" means the 13 transportation by motor vehicle of not more than 16 persons 14 (including the driver): 15 (1) for purposes incidental to another purpose of the driver, for which no fee is charged or paid except to reimburse 16 17 the driver or owner of the vehicle for his operating expenses 18 on a nonprofit basis; or 19 (2) when such persons are travelling between their homes 20 and their places of employment, or places reasonably convenient

21 thereto, for which (i) no fee is charged or paid except to 22 reimburse the driver or owner of the vehicle for his operating 23 expenses on a nonprofit basis, or (ii) a fee is charged in HB4075 Engrossed - 16 - LRB098 15632 MLW 50663 b

accordance with the provisions of Section 6 of this Act. 1 (b) "For-profit ridesharing arrangement" means: 2 3 (1) a ridesharing arrangement for which a fee is charged in accordance with Section 6 of this Act; or \div 4 5 (2) a commercial ridesharing arrangement conducted in accordance with Section 7 of this Act. 6 (c) "Commercial ridesharing arrangement" means a 7 ridesharing arrangement in which the method of transportation 8 9 is a vehicle owned or leased for personal use, of not more than 10 6 persons (including the driver), prearranged through a 11 dispatcher, and for which a fee is charged, but that is not 12 provided in accordance with the limitations of Section 6 of 13 this Act. "Commercial ridesharing arrangement" includes a 14 for-hire public passenger vehicle licensed by a unit of local government as a taxicab, but only for the purpose of 15 16 establishing a fare under subparagraph (D) of paragraph (1) of 17 subsection (b) of Section 7, when the driver of the taxicab receives a dispatch using Internet, smartphone, or an 18 19 electronic application from a dispatcher. 20 (d) "Dispatch" means the act of facilitating a connection between drivers and passengers for a commercial ridesharing 21 22 arrangement using telephone, Internet, smartphone, or an 23 electronic application, with or without an account set up 24 between the passenger and the connecting person. 25 (e) "Dispatcher" means a person that performs a dispatch. 26 (Source: P.A. 83-1091.)

1	(625 ILCS 30/5) (from Ch. 95 1/2, par. 905)
2	Sec. 5. <u>(a)</u> No unit of local government, whether or not it
3	is a home rule unit, may:
4	(1) license or regulate ridesharing arrangements;
5	(2) impose any tax or fee upon the owner or operator of a
6	motor vehicle because of its use in a ridesharing arrangement;
7	(3) prohibit or regulate the charging of fees for
8	ridesharing arrangements in accordance with Section 6 of this
9	Act.
10	This Act, as it applies to ridesharing arrangements, is
11	declared to be a denial and limitation of the powers of home
12	rule units pursuant to paragraph (g) of Section 6 of Article
13	VII of the Illinois Constitution.
14	(b) Other than with respect to paragraph (1) of subsection
15	(a) of Section 7 of this Act and subparagraph (D) of paragraph
16	(1) of subsection (b) of Section 7 of this Act, a unit of local
17	government, whether or not it is a home rule unit, may not
18	license or regulate commercial ridesharing arrangements,
19	dispatchers, or drivers participating in commercial
20	ridesharing arrangements in a manner that is less restrictive
21	than the regulation by the State under this Act. This
22	subsection (b) is a limitation under subsection (i) of Section
23	6 of Article VII of the Illinois Constitution on the concurrent
24	exercise by home rule units of powers and functions exercised
25	by the State.

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1	(c) A unit of local government, whether or not it is a home
2	rule unit, may not license or regulate commercial ridesharing
3	arrangements, dispatchers, or drivers participating in
4	commercial ridesharing arrangements in a manner that is
5	inconsistent with paragraph (1) of subsection (a) of Section 7
6	of this Act or that is inconsistent with subparagraph (D) of
7	paragraph (1) of subsection (b) of Section 7 of this Act. This
8	subsection (c) is a limitation under subsection (i) of Section
9	6 of Article VII of the Illinois Constitution on the concurrent
10	exercise by home rule units of powers and functions exercised
11	by the State.
12	(Source: P.A. 83-1091.)

13 (625 ILCS 30/7 new)

14Sec. 7. (a) Commercial ridesharing arrangements are15subject to the following license and registration16requirements:

17	<u>(1) No person shall participate as a driver in</u>
18	commercial ridesharing arrangements for more than 18 hours
19	per week without first securing (i) a chauffeur's license
20	issued by the unit of local government where the vehicle
21	used in the commercial ridesharing arrangement is
22	registered; or (ii) if the unit of local government in
23	which the vehicle used in a commercial ridesharing
24	arrangement is registered does not issue chauffeur's
25	licenses, then a chauffeur's license issued by a unit of

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1	local government in which the driver provides commercial
2	ridesharing arrangements. If no unit of local government in
3	which the vehicle used in a commercial ridesharing
4	arrangement is registered or operated issues chauffeur's
5	licenses or if the driver of the commercial ridesharing
6	arrangement does not participate in commercial ridesharing
7	arrangements for more than 18 hours per week, then the
8	driver is not required to obtain a chauffeur's license;
9	provided, however, that the dispatcher shall conduct a
10	background check of a prospective driver prior to
11	dispatching commercial ridesharing arrangements to that
12	driver and shall certify in the reports required by
13	subsection (h) of this Section 7 that the driver is
14	participating in a commercial ridesharing arrangement for
15	18 or fewer hours per week.
16	(2) No person shall perform dispatches without first
17	securing a commercial ridesharing dispatcher's license
18	from the Department of Financial and Professional
19	Regulation. An applicant for a commercial ridesharing
20	dispatcher's license must submit evidence of the insurance
21	required by item (B) of paragraph (1) of subsection (b) of
22	this Section. This license must be renewed annually. The
23	fee for this license shall be set by the Department of
24	Financial and Professional Regulation. The Department of
25	Financial and Professional Regulation shall adopt rules to
26	implement this paragraph

26 <u>implement this paragraph.</u>

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1	(3) No commercial ridesharing arrangement shall be
2	conducted in a vehicle that does not have distinctive
3	registration plates issued in accordance with the
4	requirements of Section 3-412 of the Illinois Vehicle Code
5	if the driver or the vehicle participates in commercial
6	ridesharing arrangements for more than 18 hours per week.
7	(b)(1) All commercial ridesharing arrangements shall be
8	conducted under the following standards:
9	(A) A vehicle used for commercial ridesharing
10	arrangements for more than 18 hours per week must
11	conform to the age requirements for vehicles used for
12	transporting passengers for hire adopted by the unit of
13	local government in which the vehicle is registered.
14	Any vehicle used for commercial ridesharing
15	arrangements for more than 18 hours per week must pass
16	any safety inspections required by the unit of local
17	government that issued the driver's chauffeur's
18	license for vehicles used in transporting passengers
19	for-hire. If the unit of local government that issued
20	the driver's chauffeur's license does not require
21	safety inspections for vehicles used in transporting
22	passengers for-hire, or if the driver is not required
23	to have a chauffeur's license under paragraph (1) of
24	subsection (a) of this Section, then the vehicle must
25	pass an annual safety inspection that the dispatcher
26	certifies as meeting the requirements of Section

13-101 of the Illinois Vehicle Code.

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2	(B) Dispatchers must carry commercial liability
3	insurance in accordance with Section 12-707.01 of the
4	Illinois Vehicle Code with primary coverage for the
5	dispatcher, the driver, and the vehicle used in the
6	commercial ridesharing arrangement during the time
7	period when the driver makes himself, herself, or the
8	vehicle available for dispatch or while a commercial
9	ridesharing arrangement passenger is in the vehicle.
10	Any terms or conditions in the agreement between the
11	dispatcher and driver, or between the dispatcher and
12	passenger, that would act as a waiver of the
13	dispatcher's liability to the driver, the passenger,
14	or to the public, or as an indemnification from the
15	driver or passenger to the dispatcher, are null, void,
16	and unenforceable.
17	(C) Commercial ridesharing arrangements shall be

18 arranged solely through a dispatcher. No person shall solicit or accept potential passengers' requests for 19 20 service in a commercial ridesharing arrangement via street hail, hand gestures, or verbal statements. No 21 commercial ridesharing arrangement shall pick up or 22 23 discharge a passenger at any place prohibited by the 24 unit of local government in which the commercial 25 ridesharing arrangement is conducted, or at any 26 designated taxicab stands, queues, or loading zones.

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(D) Any vehicle, including a taxicab, used in
commercial ridesharing arrangements shall have its
fare established by a dispatcher who has provided
notice of the amount of the fare to a prospective
passenger prior to obtaining the prospective
passenger's agreement for the fare.
(E) If a unit of local government has requirements
for licensed chauffeurs to provide service in
under-served areas, drivers participating in
commercial ridesharing arrangements within that unit
of local government shall be subject to the same
requirements for providing service in under-served
areas.
(F) If a unit of local government has requirements
for licensed chauffeurs to provide wheelchair
accessible vehicles, drivers participating in
commercial ridesharing arrangements within that unit
of local government's jurisdiction shall be subject to
the same requirements for providing wheelchair
accessible vehicles.
(2) No person shall perform dispatches except as
follows:
(A) Dispatches shall be made only to drivers
licensed in accordance with subsection (a) of this
Section.

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1	required by paragraph (3) of subsection (a) of this
2	Section, then a dispatcher shall ensure that the
3	vehicle has the distinctive registration plates prior
4	to dispatching to that vehicle.
5	(c) Any person, other than a passenger, who participates in
6	a commercial ridesharing arrangement in violation of this
7	Section is guilty of a violation of this Section and shall be
8	subject to the penalties adopted by the Department of Financial
9	and Professional Regulation by administrative rule, including,
10	but not limited to, fines, probation, revocation of licenses,
11	and vehicle impoundment.
12	(d) Any person whose property or person is injured or in
13	danger of injury due to an actual or imminent violation of this
14	Section may file suit in the circuit court having jurisdiction
15	to recover any remedy permitted by law, including damages and
16	injunctive relief.
17	(e) A dispatcher shall assume liability, including the
18	costs of defense and indemnification, for a claim in which a
19	dispute exists as to whether the loss or injury giving rise to
20	the claim occurred while a vehicle involved in the incident
21	giving rise to the claim was made available for dispatch or
22	while a commercial ridesharing arrangement passenger is in the
23	vehicle. The dispatcher must notify the registered owner of the
24	vehicle and the registered owner's insurer of the dispute
25	within 25 business days of receiving notice of the accident
26	that gives rise to the claim. If a private passenger motor

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vehicle's registered owner or its insurer is named as a defendant in a civil action for any loss or injury that occurs during the time the vehicle is made available for dispatch, the dispatcher shall have the duty to defend and indemnify the vehicle's registered owner and its insurers.

(f) Notwithstanding any provision in the vehicle owner's 6 7 insurance policy or any other provision of this Act, the 8 insurer providing coverage to the owner of a private passenger 9 motor vehicle may exclude any and all coverage and the duty to 10 defend afforded under the owner's insurance policy for any loss 11 or injury that occurs while the vehicle is made available for 12 dispatch or while a commercial ridesharing arrangement passenger is in the vehicle. This right to exclude coverage and 13 14 the duty to indemnify and defend applies to all coverage provided by the registered owner's insurer including, but not 15 16 limited to:

17 (1) liability and physical damage coverage; 18 (2) personal injury protection coverage; 19 (3) uninsured and underinsured motorist coverage; 20 (4) medical payment coverage for persons using or 21 occupying the registered vehicle; 22 (5) comprehensive physical damage coverage; and 23 (6) collision physical damage coverage. 24 (g) A dispatcher must, prior to the first use of a vehicle 25 in a commercial ridesharing arrangement, and upon renewal,

26 cancellation, or change in insurance by the dispatcher, provide

1 the vehicle's registered owner and any driver of the vehicle 2 with a disclosure that contains: 3 (1) information explaining the insurance requirements of this Section; 4 5 (2) information explaining the coverage and coverage 6 limits provided under the dispatcher's insurance policy; 7 (3) notice that the dispatcher assumes all liability 8 for any loss or injury that occurs while the vehicle is 9 made available for dispatch or while a commercial 10 ridesharing arrangement passenger is in the vehicle; and 11 (4) notice that the dispatcher provides insurance on 12 the vehicle while the vehicle is made available for dispatch or while a commercial ridesharing arrangement 13 14 passenger is in the vehicle that is comparable to a standard owner's insurance policy and that the vehicle's 15 16 registered owner's insurance policy may exclude all coverage and the duty to defend or indemnify any person or 17 organization for liability for any loss or injury that 18 19 occurs while the vehicle is made available for dispatch or 20 while a commercial ridesharing arrangement passenger is in 21 the vehicle. 22 (h) For each vehicle used in a commercial ridesharing 23 arrangement a dispatcher must collect, maintain, and make

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24 <u>available to the vehicle's registered owner, the vehicle's</u> 25 <u>registered owner's primary automobile liability insurer, and</u> 26 <u>any government agency as required by law, at the cost of the</u> HB4075 Engrossed - 26 - LRB098 15632 MLW 50663 b

1 <u>dispatcher</u>, the following:

2	(1) records that identify the date and duration the
3	driver makes himself, herself, or the vehicle available for
4	dispatch. For vehicles with an electronic tracking device,
5	electronic records of the time, initial and final locations
6	of the vehicle, and miles driven when the vehicle is under
7	the control of a person other than the vehicle's registered
8	owner under a commercial ridesharing arrangement; and
9	(2) in instances where an insurance claim has been
10	filed, any and all information, including payments to the
11	registered owner by the dispatcher, concerning accidents,
12	damages, or injuries.
13	(i) The Department of Financial and Professional
14	Regulation shall adopt rules to implement this Section.
15	Section 99. Effective date. This Act takes effect upon
10	

16 becoming law.