



Rep. Michael J. Zalewski

Filed: 4/8/2014

09800HB4075ham002

LRB098 15632 JWD 58445 a

1 AMENDMENT TO HOUSE BILL 4075

2 AMENDMENT NO. _____. Amend House Bill 4075, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Sections 1-122.7, 1-176.1, 3-412, 8-101, 13-101, and
7 18c-6102 as follows:

8 (625 ILCS 5/1-122.7)

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

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

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

2 Sec. 1-176.1. Ridesharing arrangement. The transportation
3 by motor vehicle of not more than 16 persons, including the
4 driver, (1) for purposes incidental to another purpose of the
5 driver, for which no fee is charged or paid except to reimburse
6 the driver or owner of the vehicle for his or her operating
7 expenses on a nonprofit basis or (2) when these persons are
8 traveling between their homes and their places of employment,
9 or places reasonably convenient thereto, for which (i) no fee
10 is charged or paid except to reimburse the driver or owner of
11 the vehicle for his or her operating expenses on a nonprofit
12 basis or (ii) a fee is charged in accordance with the
13 provisions of Section 6 of the Ridesharing Arrangements and
14 Consumer Protection Act.

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

16 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

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

19 (a) The Secretary of State upon registering a vehicle
20 subject to annual registration for the first time shall issue
21 or shall cause to be issued to the owner one registration plate
22 for a motorcycle, trailer, semitrailer, moped or
23 truck-tractor, 2 registration plates for other motor vehicles
24 and, where applicable, current registration stickers for motor

1 vehicles of the first division. The provisions of this Section
2 may be made applicable to such vehicles of the second division,
3 as the Secretary of State may, from time to time, in his
4 discretion designate. On subsequent annual registrations
5 during the term of the registration plate as provided in
6 Section 3-414.1, the Secretary shall issue or cause to be
7 issued registration stickers as evidence of current
8 registration. However, the issuance of annual registration
9 stickers to vehicles registered under the provisions of
10 Sections 3-402.1 and 3-405.3 of this Code may not be required
11 if the Secretary deems the issuance unnecessary.

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

26 The Secretary may in his discretion prescribe that letters

1 be used as prefixes only on registration plates issued to
2 vehicles of the first division which are registered under this
3 Code and only as suffixes on registration plates issued to
4 other vehicles. Every registration sticker issued as evidence
5 of current registration shall designate the year number for
6 which it is issued and such other letters or numbers as the
7 Secretary may prescribe and shall be of a contrasting color
8 with the registration plates and registration stickers of the
9 previous year.

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

16 (d) The Secretary of State shall issue for every passenger
17 motor vehicle rented without a driver the same type of
18 registration plates as the type of plates issued for a private
19 passenger vehicle.

20 (e) The Secretary of State shall issue for every passenger
21 car used as a taxicab, ~~or~~ livery, or in a commercial
22 ridesharing arrangement in which the driver participates in
23 commercial ridesharing arrangements for more than 18 hours per
24 week, distinctive registration plates.

25 (f) The Secretary of State shall issue for every motorcycle
26 distinctive registration plates distinguishing between

1 motorcycles having 150 or more cubic centimeters piston
2 displacement, or having less than 150 cubic centimeter piston
3 displacement.

4 (g) Registration plates issued to vehicles for-hire may
5 display a designation as determined by the Secretary that such
6 vehicles are for-hire, including, but not limited to, vehicles
7 used as taxicabs, liveries, or in commercial ridesharing
8 arrangements for more than 18 hours per week.

9 (h) (Blank).

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

17 (j) The Secretary of State shall issue for every public and
18 private medical carrier or rescue vehicle livery registration
19 plates displaying numbers within ranges of numbers reserved
20 respectively for medical carriers and rescue vehicles. The
21 Secretary shall forward to the Department of Healthcare and
22 Family Services registration information for the purpose of
23 verification of claims filed with the Department by owners of
24 medical carriers or rescue vehicles for payment for services to
25 public assistance recipients.

26 (k) The Secretary of State shall issue distinctive license

1 plates or distinctive license plate stickers for every vehicle
2 exempted from subsections (a) and (a-5) of Section 12-503 by
3 subsection (g) of that Section, and by subsection (g-5) of that
4 Section before its deletion by this amendatory Act of the 95th
5 General Assembly. The Secretary shall issue these plates or
6 stickers immediately upon receiving the physician's
7 certification required under subsection (g) of Section 12-503.
8 New plates or stickers shall also be issued when the
9 certification is renewed as provided in that subsection.

10 (1) The Secretary of State shall issue distinctive
11 registration plates for low-speed vehicles.

12 (Source: P.A. 95-202, eff. 8-16-07; 95-331, eff. 8-21-07;
13 96-554, eff. 1-1-10; 96-653, eff. 1-1-10; 96-815, eff.
14 10-30-09; 96-1000, eff. 7-2-10.)

15 (625 ILCS 5/8-101) (from Ch. 95 1/2, par. 8-101)

16 Sec. 8-101. Proof of financial responsibility - Persons who
17 operate motor vehicles in transportation of passengers for
18 hire.

19 (a) It is unlawful for any person, firm or corporation to
20 operate any motor vehicle along or upon any public street or
21 highway in any incorporated city, town or village in this State
22 for the carriage of passengers for hire, accepting and
23 discharging all such persons as may offer themselves for
24 transportation unless such person, firm or corporation has
25 given, and there is in full force and effect and on file with

1 the Secretary of State of Illinois, proof of financial
2 responsibility provided in this Act.

3 (b) In addition this Section shall also apply to persons,
4 firms or corporations who are in the business of providing
5 transportation services for minors to or from educational or
6 recreational facilities, except that this Section shall not
7 apply to public utilities subject to regulation under "An Act
8 concerning public utilities," approved June 29, 1921, as
9 amended, or to school buses which are operated by public or
10 parochial schools and are engaged solely in the transportation
11 of the pupils who attend such schools.

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

23 (d) This Section shall not apply to any person
24 participating in a ridesharing arrangement, a for-profit
25 ridesharing arrangement other than a commercial ridesharing
26 arrangement, or operating a commuter van, but only during the

1 performance of activities authorized by Sections 5 and 6 of the
2 Ridesharing Arrangements and Consumer Protection Act.

3 (e) If the person operating such motor vehicle is not the
4 owner, then proof of financial responsibility filed hereunder
5 must provide that the owner is primarily liable. In the case of
6 motor vehicles used in commercial ridesharing arrangements,
7 the dispatchers providing dispatch services to the driver of
8 the motor vehicle must submit proof that the driver will be an
9 additional insured on a primary insurance policy that will
10 provide coverage during the time period the driver makes
11 himself, herself, or the vehicle available for dispatch or
12 while a commercial ridesharing arrangement passenger is in the
13 vehicle.

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

15 (625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

16 Sec. 13-101. Submission to safety test; Certificate of
17 safety. To promote the safety of the general public, every
18 owner of a second division vehicle, medical transport vehicle,
19 tow truck, first division vehicle including a taxi which is
20 used for a purpose that requires a school bus driver permit,
21 motor vehicle used for driver education training, motor vehicle
22 required to submit to safety testing under subparagraph (A) of
23 paragraph (1) of subsection (b) of Section 7 of the Ridesharing
24 Arrangements and Consumer Protection Act, or contract carrier
25 transporting employees in the course of their employment on a

1 highway of this State in a vehicle designed to carry 15 or
2 fewer passengers shall, before operating the vehicle upon the
3 highways of Illinois, submit it to a "safety test" and secure a
4 certificate of safety furnished by the Department as set forth
5 in Section 13-109. Each second division motor vehicle that
6 pulls or draws a trailer, semitrailer or pole trailer, with a
7 gross weight of more than 8,000 lbs or is registered for a
8 gross weight of more than 8,000 lbs, motor bus, religious
9 organization bus, school bus, senior citizen transportation
10 vehicle, and limousine shall be subject to inspection by the
11 Department and the Department is authorized to establish rules
12 and regulations for the implementation of such inspections.

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

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

24 (a) farm tractors, machinery and implements, wagons,
25 wagon-trailers or like farm vehicles used primarily in
26 agricultural pursuits;

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

6 (c) a semitrailer or trailer having a gross weight of
7 5,000 pounds or less including vehicle weight and maximum
8 load;

9 (d) recreational vehicles;

10 (e) vehicles registered as and displaying Illinois
11 antique vehicle plates and vehicles registered as
12 expanded-use antique vehicles and displaying expanded-use
13 antique vehicle plates;

14 (f) house trailers equipped and used for living
15 quarters;

16 (g) vehicles registered as and displaying Illinois
17 permanently mounted equipment plates or similar vehicles
18 eligible therefor but registered as governmental vehicles
19 provided that if said vehicle is reclassified from a
20 permanently mounted equipment plate so as to lose the
21 exemption of not requiring a certificate of safety, such
22 vehicle must be safety tested within 30 days of the
23 reclassification;

24 (h) vehicles owned or operated by a manufacturer,
25 dealer or transporter displaying a special plate or plates
26 as described in Chapter 3 of this Code while such vehicle

1 is being delivered from the manufacturing or assembly plant
2 directly to the purchasing dealership or distributor, or
3 being temporarily road driven for quality control testing,
4 or from one dealer or distributor to another, or are being
5 moved by the most direct route from one location to another
6 for the purpose of installing special bodies or equipment,
7 or driven for purposes of demonstration by a prospective
8 buyer with the dealer or his agent present in the cab of
9 the vehicle during the demonstration;

10 (i) pole trailers and auxiliary axles;

11 (j) special mobile equipment;

12 (k) vehicles properly registered in another State
13 pursuant to law and displaying a valid registration plate,
14 except vehicles of contract carriers transporting
15 employees in the course of their employment on a highway of
16 this State in a vehicle designed to carry 15 or fewer
17 passengers are only exempted to the extent that the safety
18 testing requirements applicable to such vehicles in the
19 state of registration are no less stringent than the safety
20 testing requirements applicable to contract carriers that
21 are lawfully registered in Illinois;

22 (l) water-well boring apparatuses or rigs;

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

26 (n) second division vehicles registered for a gross

1 weight of 8,000 pounds or less, except when such second
2 division motor vehicles pull or draw a trailer,
3 semi-trailer or pole trailer having a gross weight of or
4 registered for a gross weight of more than 8,000 pounds;
5 motor buses; religious organization buses; school buses;
6 senior citizen transportation vehicles; medical transport
7 vehicles and tow trucks.

8 The safety test shall include the testing and inspection of
9 brakes, lights, horns, reflectors, rear vision mirrors,
10 mufflers, safety chains, windshields and windshield wipers,
11 warning flags and flares, frame, axle, cab and body, or cab or
12 body, wheels, steering apparatus, and other safety devices and
13 appliances required by this Code and such other safety tests as
14 the Department may by rule or regulation require, for second
15 division vehicles, school buses, medical transport vehicles,
16 tow trucks, first division vehicles including taxis which are
17 used for a purpose that requires a school bus driver permit,
18 motor vehicles required to submit to safety testing under
19 subparagraph (A) of paragraph (1) of subsection (b) of Section
20 7 of the Ridesharing Arrangements and Consumer Protection Act,
21 motor vehicles used for driver education training, vehicles
22 designed to carry 15 or fewer passengers operated by a contract
23 carrier transporting employees in the course of their
24 employment on a highway of this State, trailers, and
25 semitrailers subject to inspection.

26 For tow trucks, the safety test and inspection shall also

1 include the inspection of winch mountings, body panels, body
2 mounts, wheel lift swivel points, and sling straps, and other
3 tests and inspections the Department by rule requires for tow
4 trucks.

5 For driver education vehicles used by public high schools,
6 the vehicle must also be equipped with dual control brakes, a
7 mirror on each side of the vehicle so located as to reflect to
8 the driver a view of the highway for a distance of at least 200
9 feet to the rear, and a sign visible from the front and the
10 rear identifying the vehicle as a driver education car.

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

22 The passing of the safety test shall not be a bar at any
23 time to prosecution for operating a second division vehicle,
24 medical transport vehicle, motor vehicle used for driver
25 education training, or vehicle designed to carry 15 or fewer
26 passengers operated by a contract carrier as provided in this

1 Section that is unsafe, as determined by the standards
2 prescribed in this Code.

3 (Source: P.A. 97-224, eff. 7-28-11; 97-412, eff. 1-1-12;
4 97-813, eff. 7-13-12; 97-1025, eff. 1-1-13.)

5 (625 ILCS 5/18c-6102) (from Ch. 95 1/2, par. 18c-6102)

6 Sec. 18c-6102. Exemptions From Commission Jurisdiction.
7 The provisions of this Sub-chapter shall not, except as
8 provided in Section 18c-6501 of this Chapter, apply to:

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

13 (2) commuter vans as defined in this Code;

14 (3) carriers transporting passengers without fixed routes
15 or schedules and charging on a time or distance basis,
16 including taxicabs, charter operations, and contract bus
17 operations;

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

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

24 (6) transportation subject to the Ridesharing Arrangements
25 and Consumer Protection Act;

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

8 (8) those persons owning and operating school buses, as
9 defined in this Code, and regulated by other provisions of this
10 Code.

11 (Source: P.A. 90-407, eff. 8-15-97; 91-357, eff. 7-29-99.)

12 Section 10. The Ridesharing Arrangements Act is amended by
13 changing Sections 1, 2, and 5 and by adding Section 7 as
14 follows:

15 (625 ILCS 30/1) (from Ch. 95 1/2, par. 901)

16 Sec. 1. This Act shall be known and may be cited as the
17 Ridesharing Arrangements and Consumer Protection Act.

18 (Source: P.A. 82-656.)

19 (625 ILCS 30/2) (from Ch. 95 1/2, par. 902)

20 Sec. 2. (a) "Ridesharing arrangement" means the
21 transportation by motor vehicle of not more than 16 persons
22 (including the driver):

23 (1) for purposes incidental to another purpose of the

1 driver, for which no fee is charged or paid except to reimburse
2 the driver or owner of the vehicle for his operating expenses
3 on a nonprofit basis; or

4 (2) when such persons are travelling between their homes
5 and their places of employment, or places reasonably convenient
6 thereto, for which (i) no fee is charged or paid except to
7 reimburse the driver or owner of the vehicle for his operating
8 expenses on a nonprofit basis, or (ii) a fee is charged in
9 accordance with the provisions of Section 6 of this Act.

10 (b) "For-profit ridesharing arrangement" means:

11 (1) a ridesharing arrangement for which a fee is
12 charged in accordance with Section 6 of this Act; or -

13 (2) a commercial ridesharing arrangement conducted in
14 accordance with Section 7 of this Act.

15 (c) "Commercial ridesharing arrangement" means a
16 ridesharing arrangement in which the method of transportation
17 is a vehicle owned or leased for personal use, of not more than
18 6 persons (including the driver), prearranged through a
19 dispatcher, and for which a fee is charged, but that is not
20 provided in accordance with the limitations of Section 6 of
21 this Act. "Commercial ridesharing arrangement" includes a
22 for-hire public passenger vehicle licensed by a unit of local
23 government as a taxicab, but only for the purpose of
24 establishing a fare under subparagraph (D) of paragraph (1) of
25 subsection (b) of Section 7, when the driver of the taxicab
26 receives a dispatch using Internet, smartphone, or an

1 electronic application from a dispatcher.

2 (d) "Dispatch" means the act of facilitating a connection
3 between drivers and passengers for a commercial ridesharing
4 arrangement using telephone, Internet, smartphone, or an
5 electronic application, with or without an account set up
6 between the passenger and the connecting person.

7 (e) "Dispatcher" means a person that performs a dispatch.

8 (Source: P.A. 83-1091.)

9 (625 ILCS 30/5) (from Ch. 95 1/2, par. 905)

10 Sec. 5. (a) No unit of local government, whether or not it
11 is a home rule unit, may:

12 (1) license or regulate ridesharing arrangements;

13 (2) impose any tax or fee upon the owner or operator of a
14 motor vehicle because of its use in a ridesharing arrangement;

15 (3) prohibit or regulate the charging of fees for
16 ridesharing arrangements in accordance with Section 6 of this
17 Act.

18 This Act is declared to be a denial and limitation of the
19 powers of home rule units pursuant to paragraph (g) of Section
20 6 of Article VII of the Illinois Constitution.

21 (b) A unit of local government, whether or not it is a home
22 rule unit, may not license or regulate commercial ridesharing
23 arrangements, dispatchers, or drivers participating in
24 commercial ridesharing arrangements in a manner that is less
25 restrictive than the regulation by the State under this Act.

1 This subsection (b) is a limitation under subsection (i) of
2 Section 6 of Article VII of the Illinois Constitution on the
3 concurrent exercise by home rule units of powers and functions
4 exercised by the State.

5 (c) A unit of local government, whether or not it is a home
6 rule unit, may not license or regulate commercial ridesharing
7 arrangements, dispatchers, or drivers participating in
8 commercial ridesharing arrangements in a manner that is
9 inconsistent with paragraph (1) of subsection (a) of Section 7
10 of this Act or that is inconsistent with subparagraph (D) of
11 paragraph (1) of subsection (b) of Section 7 of this Act. This
12 subsection (c) is a denial and limitation of home rule powers
13 and functions under subsection (h) of Section 6 of Article VII
14 of the Illinois Constitution.

15 (Source: P.A. 83-1091.)

16 (625 ILCS 30/7 new)

17 Sec. 7.

18 (a) Commercial ridesharing arrangements are subject to the
19 following license and registration requirements:

20 (1) No person shall participate as a driver in
21 commercial ridesharing arrangements for more than 18 hours
22 per week without first securing (i) a chauffeur's license
23 issued by the unit of local government where the vehicle
24 used in the commercial ridesharing arrangement is
25 registered; or (ii) if the unit of local government in

1 which the vehicle used in a commercial ridesharing
2 arrangement is registered does not issue chauffeur's
3 licenses, then a chauffeur's license issued by a unit of
4 local government in which the driver provides commercial
5 ridesharing arrangements. If no unit of local government in
6 which the vehicle used in a commercial ridesharing
7 arrangement is registered or operated issues chauffeur's
8 licenses or if the driver of the commercial ridesharing
9 arrangement does not participate in commercial ridesharing
10 arrangements for more than 18 hours per week, then the
11 driver is not required to obtain a chauffeur's license;
12 provided, however, that the dispatcher shall conduct a
13 background check of a prospective driver prior to
14 dispatching commercial ridesharing arrangements to that
15 driver and shall certify in the reports required by
16 subsection (h) of this Section 7 that the driver is
17 participating in a commercial ridesharing arrangement for
18 18 or fewer hours per week.

19 (2) No person shall perform dispatches without first
20 securing a commercial ridesharing dispatcher's license
21 from the Department of Financial and Professional
22 Regulation. An applicant for a commercial ridesharing
23 dispatcher's license must submit evidence of the insurance
24 required by item (B) of paragraph (1) of subsection (b) of
25 this Section. This license must be renewed annually. The
26 fee for this license shall be set by the Department of

1 Financial and Professional Regulation. The Department of
2 Financial and Professional Regulation shall adopt rules to
3 implement this paragraph.

4 (3) No commercial ridesharing arrangement shall be
5 conducted in a vehicle that does not have distinctive
6 registration plates issued in accordance with the
7 requirements of Section 3-412 of the Illinois Vehicle Code
8 if the driver or the vehicle participates in commercial
9 ridesharing arrangements for more than 18 hours per week.

10 (b)(1) All commercial ridesharing arrangements shall be
11 conducted under the following standards:

12 (A) A vehicle used for commercial ridesharing
13 arrangements for more than 18 hours per week must
14 conform to the age requirements for vehicles used for
15 transporting passengers for hire adopted by the unit of
16 local government in which the vehicle is registered.
17 Any vehicle used for commercial ridesharing
18 arrangements for more than 18 hours per week must pass
19 any safety inspections required by the unit of local
20 government that issued the driver's chauffeur's
21 license for vehicles used in transporting passengers
22 for-hire. If the unit of local government that issued
23 the driver's chauffeur's license does not require
24 safety inspections for vehicles used in transporting
25 passengers for-hire, or if the driver is not required
26 to have a chauffeur's license under paragraph (1) of

1 subsection (a) of this Section, then the vehicle must
2 pass an annual safety inspection that the dispatcher
3 certifies as meeting the requirements of Section
4 13-101 of the Illinois Vehicle Code.

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

20 (C) Commercial ridesharing arrangements shall be
21 arranged solely through a dispatcher. No person shall
22 solicit or accept potential passengers' requests for
23 service in a commercial ridesharing arrangement via
24 street hail, hand gestures, or verbal statements. No
25 commercial ridesharing arrangement shall pick up or
26 discharge a passenger at any place prohibited by the

1 unit of local government in which the commercial
2 ridesharing arrangement is conducted, or at any
3 designated taxicab stands, queues, or loading zones.

4 (D) Any vehicle, including a taxicab, used in
5 commercial ridesharing arrangements shall have its
6 fare established by a dispatcher who has provided
7 notice of the amount of the fare to a prospective
8 passenger prior to obtaining the prospective
9 passenger's agreement for the fare.

10 (E) If a unit of local government has requirements
11 for licensed chauffeurs to provide service in
12 under-served areas, drivers participating in
13 commercial ridesharing arrangements within that unit
14 of local government shall be subject to the same
15 requirements for providing service in under-served
16 areas.

17 (F) If a unit of local government has requirements
18 for licensed chauffeurs to provide wheelchair
19 accessible vehicles, drivers participating in
20 commercial ridesharing arrangements within that unit
21 of local government's jurisdiction shall be subject to
22 the same requirements for providing wheelchair
23 accessible vehicles.

24 (2) No person shall perform dispatches except as
25 follows:

26 (A) Dispatches shall be made only to drivers

1 licensed in accordance with subsection (a) of this
2 Section.

3 (B) If distinctive registration plates are
4 required by paragraph (3) of subsection (a) of this
5 Section, then a dispatcher shall ensure that the
6 vehicle has the distinctive registration plates prior
7 to dispatching to that vehicle.

8 (c) Any person, other than a passenger, who participates in
9 a commercial ridesharing arrangement in violation of this
10 Section is guilty of a violation of this Section and shall be
11 subject to the penalties adopted by the Department of Financial
12 and Professional Regulation by administrative rule, including,
13 but not limited to, fines, probation, revocation of licenses,
14 and vehicle impoundment.

15 (d) Any person whose property or person is injured or in
16 danger of injury due to an actual or imminent violation of this
17 Section may file suit in the circuit court having jurisdiction
18 to recover any remedy permitted by law, including damages and
19 injunctive relief.

20 (e) A dispatcher shall assume liability, including the
21 costs of defense and indemnification, for a claim in which a
22 dispute exists as to whether the loss or injury giving rise to
23 the claim occurred while a vehicle involved in the incident
24 giving rise to the claim was made available for dispatch or
25 while a commercial ridesharing arrangement passenger is in the
26 vehicle. The dispatcher must notify the registered owner of the

1 vehicle and the registered owner's insurer of the dispute
2 within 25 business days of receiving notice of the accident
3 that gives rise to the claim. If a private passenger motor
4 vehicle's registered owner or its insurer is named as a
5 defendant in a civil action for any loss or injury that occurs
6 during the time the vehicle is made available for dispatch, the
7 dispatcher shall have the duty to defend and indemnify the
8 vehicle's registered owner and its insurers.

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

20 (1) liability and physical damage coverage;

21 (2) personal injury protection coverage;

22 (3) uninsured and underinsured motorist coverage;

23 (4) medical payment coverage for persons using or
24 occupying the registered vehicle;

25 (5) comprehensive physical damage coverage; and

26 (6) collision physical damage coverage.

1 (g) A dispatcher must, prior to the first use of a vehicle
2 in a commercial ridesharing arrangement, and upon renewal,
3 cancellation, or change in insurance by the dispatcher, provide
4 the vehicle's registered owner and any driver of the vehicle
5 with a disclosure that contains:

6 (1) information explaining the insurance requirements
7 of this Section;

8 (2) information explaining the coverage and coverage
9 limits provided under the dispatcher's insurance policy;

10 (3) notice that the dispatcher assumes all liability
11 for any loss or injury that occurs while the vehicle is
12 made available for dispatch or while a commercial
13 ridesharing arrangement passenger is in the vehicle; and

14 (4) notice that the dispatcher provides insurance on
15 the vehicle while the vehicle is made available for
16 dispatch or while a commercial ridesharing arrangement
17 passenger is in the vehicle that is comparable to a
18 standard owner's insurance policy and that the vehicle's
19 registered owner's insurance policy may exclude all
20 coverage and the duty to defend or indemnify any person or
21 organization for liability for any loss or injury that
22 occurs while the vehicle is made available for dispatch or
23 while a commercial ridesharing arrangement passenger is in
24 the vehicle.

25 (h) For each vehicle used in a commercial ridesharing
26 arrangement a dispatcher must collect, maintain, and make

1 available to the vehicle's registered owner, the vehicle's
2 registered owner's primary automobile liability insurer, and
3 any government agency as required by law, at the cost of the
4 dispatcher, the following:

5 (1) records that identify the date and duration the
6 driver makes himself, herself, or the vehicle available for
7 dispatch. For vehicles with an electronic tracking device,
8 electronic records of the time, initial and final locations
9 of the vehicle, and miles driven when the vehicle is under
10 the control of a person other than the vehicle's registered
11 owner under a commercial ridesharing arrangement; and

12 (2) in instances where an insurance claim has been
13 filed, any and all information, including payments to the
14 registered owner by the dispatcher, concerning accidents,
15 damages, or injuries.

16 (i) The Department of Financial and Professional
17 Regulation shall adopt rules to implement this Section.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.".