

1 AN ACT concerning regulation.

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

4 Section 5. If and only if the provisions of House Bill 4075
5 of the 98th General Assembly that are changed by this
6 amendatory Act of the 98th General Assembly become law, then
7 the Illinois Vehicle Code is amended by changing Section 3-412
8 as follows:

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

10 Sec. 3-412. Registration plates and registration stickers
11 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 a motorcycle, trailer, semitrailer, moped or
16 truck-tractor, 2 registration plates for other motor vehicles
17 and, where applicable, current registration stickers for motor
18 vehicles of the first division. The provisions of this Section
19 may be made applicable to such vehicles of the second division,
20 as the Secretary of State may, from time to time, in his
21 discretion designate. On subsequent annual registrations
22 during the term of the registration plate as provided in
23 Section 3-414.1, the Secretary shall issue or cause to be

1 issued registration stickers as evidence of current
2 registration. However, the issuance of annual registration
3 stickers to vehicles registered under the provisions of
4 Sections 3-402.1 and 3-405.3 of this Code may not be required
5 if the Secretary deems the issuance unnecessary.

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

20 The Secretary may in his discretion prescribe that letters
21 be used as prefixes only on registration plates issued to
22 vehicles of the first division which are registered under this
23 Code and only as suffixes on registration plates issued to
24 other vehicles. Every registration sticker issued as evidence
25 of current registration shall designate the year number for
26 which it is issued and such other letters or numbers as the

1 Secretary may prescribe and shall be of a contrasting color
2 with the registration plates and registration stickers of the
3 previous year.

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

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

14 (e) The Secretary of State shall issue for every passenger
15 car used as a taxicab, livery, or in a commercial ridesharing
16 arrangement in which the driver participates in commercial
17 ridesharing arrangements for more than 36 hours in any 2 week
18 (consecutive 14 day) period as set forth in paragraph (1) of
19 subsection (a) of Section 7 of the Ridesharing Arrangements and
20 Consumer Protection Act ~~18 hours per week~~, distinctive
21 registration plates.

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

1 (g) Registration plates issued to vehicles for-hire may
2 display a designation as determined by the Secretary that such
3 vehicles are for-hire, including, but not limited to, vehicles
4 used as taxicabs, liveries, or in commercial ridesharing
5 arrangements for more than 36 hours in any 2 week (consecutive
6 14 day) period as set forth in paragraph (1) of subsection (a)
7 of Section 7 of the Ridesharing Arrangements and Consumer
8 Protection Act ~~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; 98HB4075 enrolled.)

15 Section 10. If and only if the provisions of House Bill
16 4075 of the 98th General Assembly that are changed by this
17 amendatory Act of the 98th General Assembly become law, then
18 the Ridesharing Arrangements and Consumer Protection Act is
19 amended by changing Sections 5 and 7 as follows:

20 (625 ILCS 30/5) (from Ch. 95 1/2, par. 905)

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

23 (1) license or regulate ridesharing arrangements;

24 (2) impose any tax or fee upon the owner or operator of a

1 motor vehicle because of its use in a ridesharing arrangement;

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

5 This Act, as it applies to ridesharing arrangements, is
6 declared to be a denial and limitation of the powers of home
7 rule units pursuant to paragraph (g) of Section 6 of Article
8 VII of the Illinois Constitution.

9 (b) ~~A Other than with respect to paragraph (1) of~~
10 ~~subsection (a) of Section 7 of this Act and subparagraph (D) of~~
11 ~~paragraph (1) of subsection (b) of Section 7 of this Act, a~~
12 unit of local government, whether or not it is a home rule
13 unit, may not license or regulate commercial ridesharing
14 arrangements, dispatchers, or drivers participating in
15 commercial ridesharing arrangements in a manner that is less
16 restrictive than the regulation by the State under this Act.
17 This subsection (b) is a limitation under subsection (i) of
18 Section 6 of Article VII of the Illinois Constitution on the
19 concurrent exercise by home rule units of powers and functions
20 exercised by the State.

21 (c) With respect to subparagraph (D) of paragraph (1) of
22 subsection (b) of Section 7 of this Act, if a unit of local
23 government, whether or not it is a home rule unit, regulates
24 the fare of any vehicle, including a taxicab, used in
25 commercial ridesharing arrangements, that regulation shall
26 apply equally to all vehicles used in commercial ridesharing

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

12 (Source: P.A. 83-1091; 98HB4075 enrolled.)

13 (625 ILCS 30/7)

14 Sec. 7. (a) Commercial ridesharing arrangements are
15 subject to the following license and registration
16 requirements:

17 (1) No person shall participate as a driver in
18 commercial ridesharing arrangements for more than 36 hours
19 in any 2 week (consecutive 14 day) period ~~18 hours per week~~
20 without first securing (i) a chauffeur's license issued by
21 the unit of local government where the vehicle used in the
22 commercial ridesharing arrangement is registered;
23 provided, however, that if the person has applied for a
24 chauffeur's license from the unit of local government where
25 the vehicle used in commercial ridesharing arrangements is

1 registered, then the person shall be allowed to participate
2 as a driver in a commercial ridesharing arrangement for up
3 to 4 weeks from the date the person first applied for the
4 chauffeur's license while the application for the
5 chauffeur's license is pending with the unit of local
6 government; or (ii) if the unit of local government in
7 which the vehicle used in a commercial ridesharing
8 arrangement is registered does not issue chauffeur's
9 licenses, then a chauffeur's license issued by a unit of
10 local government in which the driver provides commercial
11 ridesharing arrangements. If no unit of local government in
12 which the vehicle used in a commercial ridesharing
13 arrangement is registered or operated issues chauffeur's
14 licenses or if the driver of the commercial ridesharing
15 arrangement does not participate in commercial ridesharing
16 arrangements for more than 36 hours in any 2 week
17 (consecutive 14 day) period ~~18 hours per week~~, then the
18 driver is not required to obtain a chauffeur's license;
19 provided, however, that the dispatcher shall conduct a
20 background check of a prospective driver prior to
21 dispatching commercial ridesharing arrangements to that
22 driver and shall certify in the reports required by
23 subsection (h) of this Section 7 that the driver is
24 participating in a commercial ridesharing arrangement for
25 ~~18 or~~ fewer than 36 hours in any 2 week (consecutive 14
26 day) period ~~per week~~.

1 (2) No person shall perform dispatches without first
2 securing a commercial ridesharing dispatcher's license
3 from the Department of Financial and Professional
4 Regulation. An applicant for a commercial ridesharing
5 dispatcher's license must submit evidence of the insurance
6 required by item (B) of paragraph (1) of subsection (b) of
7 this Section. This license must be renewed annually. The
8 fee for this license shall be set by the Department of
9 Financial and Professional Regulation. The Department of
10 Financial and Professional Regulation shall adopt rules to
11 implement this paragraph.

12 (3) No commercial ridesharing arrangement shall be
13 conducted in a vehicle that does not have distinctive
14 registration plates issued in accordance with the
15 requirements of Section 3-412 of the Illinois Vehicle Code
16 if the driver or the vehicle participates in commercial
17 ridesharing arrangements for more than 36 hours in any 2
18 week (consecutive 14 day) period ~~18 hours per week~~.

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

21 (A) A vehicle used for commercial ridesharing
22 arrangements for more than 36 hours in any 2 week (14
23 consecutive day) period as set forth in paragraph (1)
24 of subsection (a) of this Section ~~18 hours per week~~
25 must conform to the age requirements for vehicles used
26 for transporting passengers for hire adopted by the

1 unit of local government in which the vehicle is
2 registered. Any vehicle used for commercial
3 ridesharing arrangements for more than 36 hours in any
4 2 week (14 consecutive day) period as set forth in
5 paragraph (1) of subsection (a) of this Section ~~18~~
6 ~~hours per week~~ must pass any safety inspections
7 required by the unit of local government that issued
8 the driver's chauffeur's license for vehicles used in
9 transporting passengers for-hire. If the unit of local
10 government that issued the driver's chauffeur's
11 license does not require safety inspections for
12 vehicles used in transporting passengers for-hire, or
13 if the driver is not required to have a chauffeur's
14 license under paragraph (1) of subsection (a) of this
15 Section, then the vehicle must pass an annual safety
16 inspection that the dispatcher certifies as meeting
17 the requirements of Section 13-101 of the Illinois
18 Vehicle Code.

19 (B) Dispatchers must carry commercial liability
20 insurance in the amount of \$350,000 combined single
21 limit per accident ~~accordance with Section 12-707.01~~
22 ~~of the Illinois Vehicle Code~~ with primary coverage for
23 the dispatcher, the driver, and the vehicle used in the
24 commercial ridesharing arrangement during the time
25 period when the driver makes himself, herself, or the
26 vehicle available for dispatch or while a commercial

1 ridesharing arrangement passenger is in the vehicle.
2 Any terms or conditions in the agreement between the
3 dispatcher and driver, or between the dispatcher and
4 passenger, that would act as a waiver of the
5 dispatcher's liability to the driver, the passenger,
6 or to the public, or as an indemnification from the
7 driver or passenger to the dispatcher, are null, void,
8 and unenforceable.

9 (C) Commercial ridesharing arrangements shall be
10 arranged solely through a dispatcher. No person shall
11 solicit or accept potential passengers' requests for
12 service in a commercial ridesharing arrangement via
13 street hail, hand gestures, or verbal statements. No
14 commercial ridesharing arrangement shall pick up or
15 discharge a passenger at any place prohibited by the
16 unit of local government in which the commercial
17 ridesharing arrangement is conducted, or at any
18 designated taxicab stands, queues, or loading zones.

19 (D) Any vehicle, including a taxicab, used in
20 commercial ridesharing arrangements shall have its
21 fare established by a dispatcher who has provided
22 notice of the amount of the fare to a prospective
23 passenger prior to obtaining the prospective
24 passenger's agreement for the fare.

25 (E) If a unit of local government has requirements
26 for licensed chauffeurs to provide service in

1 under-served areas, drivers participating in
2 commercial ridesharing arrangements within that unit
3 of local government shall be subject to the same
4 requirements for providing service in under-served
5 areas.

6 (F) If a unit of local government has requirements
7 for licensed chauffeurs to provide wheelchair
8 accessible vehicles, drivers participating in
9 commercial ridesharing arrangements within that unit
10 of local government's jurisdiction shall be subject to
11 the same requirements for providing wheelchair
12 accessible vehicles.

13 (2) No person shall perform dispatches except as
14 follows:

15 (A) Dispatches shall be made only to drivers
16 licensed in accordance with subsection (a) of this
17 Section.

18 (B) If distinctive registration plates are
19 required by paragraph (3) of subsection (a) of this
20 Section, then a dispatcher shall ensure that the
21 vehicle has the distinctive registration plates prior
22 to dispatching to that vehicle.

23 (c) Any person, other than a passenger, who participates in
24 a commercial ridesharing arrangement in violation of this
25 Section is guilty of a violation of this Section and shall be
26 subject to the penalties adopted by the Department of Financial

1 and Professional Regulation by administrative rule, including,
2 but not limited to, fines, probation, revocation of licenses,
3 and vehicle impoundment.

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

9 (e) A dispatcher shall assume liability, including the
10 costs of defense and indemnification, for a claim in which a
11 dispute exists as to whether the loss or injury giving rise to
12 the claim occurred while a vehicle involved in the incident
13 giving rise to the claim was made available for dispatch or
14 while a commercial ridesharing arrangement passenger is in the
15 vehicle. If it is determined that the claim did not occur when
16 the vehicle involved in the incident giving rise to the claim
17 was either made available for dispatch or while a commercial
18 ridesharing arrangement passenger was in the vehicle, then the
19 vehicle's registered owner's primary automobile liability
20 insurer shall indemnify the dispatcher or its insurer to the
21 extent of the insurer's obligation under the registered owner's
22 primary automobile liability insurance policy, to the extent
23 that payments have been made. The dispatcher must notify the
24 registered owner of the vehicle and the registered owner's
25 insurer of the dispute within 25 business days of receiving
26 notice of the accident that gives rise to the claim. ~~If a~~

1 ~~private passenger motor vehicle's registered owner or its~~
2 ~~insurer is named as a defendant in a civil action for any loss~~
3 ~~or injury that occurs during the time the vehicle is made~~
4 ~~available for dispatch, the dispatcher shall have the duty to~~
5 ~~defend and indemnify the vehicle's registered owner and its~~
6 ~~insurers.~~

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

- 18 (1) liability and physical damage coverage;
- 19 (2) personal injury protection coverage;
- 20 (3) uninsured and underinsured motorist coverage;
- 21 (4) medical payment coverage for persons using or
22 occupying the registered vehicle;
- 23 (5) comprehensive physical damage coverage; and
- 24 (6) collision physical damage coverage.

25 (g) A dispatcher must, prior to the first use of a vehicle
26 in a commercial ridesharing arrangement, and upon renewal,

1 cancellation, or change in insurance by the dispatcher, provide
2 the vehicle's registered owner and any driver of the vehicle
3 with a disclosure that contains:

4 (1) information explaining the insurance requirements
5 of this Section;

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

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

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

23 (h) For each vehicle used in a commercial ridesharing
24 arrangement a dispatcher must collect, maintain, and make
25 available to the vehicle's registered owner, the vehicle's
26 registered owner's primary automobile liability insurer, and

1 any government agency as required by law, at the cost of the
2 dispatcher, the following:

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

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

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

16 (Source: 98HB4075 enrolled.)

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