

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 1. Short title. This Act may be cited as the  
5 Transportation Network Providers Act.

6 Section 5. Definitions.

7 "Transportation network company" or "TNC" means an entity  
8 operating in this State that uses a digital network or software  
9 application service to connect passengers to transportation  
10 network company services provided by transportation network  
11 company drivers. A TNC is not deemed to own, control, operate,  
12 or manage the vehicles used by TNC drivers, and is not a  
13 taxicab association or a for-hire vehicle owner.

14 "Transportation network company driver" or "TNC driver"  
15 means an individual who operates a motor vehicle that is:

16 (1) owned, leased, or otherwise authorized for use by  
17 the individual;

18 (2) not a taxicab or for-hire public passenger vehicle;  
19 and

20 (3) used to provide transportation network company  
21 services.

22 "Transportation network company services" or "TNC  
23 services" means transportation of a passenger between points

1 chosen by the passenger and prearranged with a TNC driver  
2 through the use of a TNC digital network or software  
3 application. TNC services shall begin when a TNC driver accepts  
4 a request for transportation received through the TNC's digital  
5 network or software application service, continue while the TNC  
6 driver transports the passenger in the TNC driver's vehicle,  
7 and end when the passenger exits the TNC driver's vehicle. TNC  
8 service is not a taxicab, for-hire vehicle, or street hail  
9 service.

10 Section 10. Insurance.

11 (a) Transportation network companies and participating TNC  
12 drivers shall comply with the automobile liability insurance  
13 requirements of this Section as required.

14 (b) The following automobile liability insurance  
15 requirements shall apply from the moment a participating TNC  
16 driver logs on to the transportation network company's digital  
17 network or software application until the TNC driver accepts a  
18 request to transport a passenger, and from the moment the TNC  
19 driver completes the transaction on the digital network or  
20 software application or the ride is complete, whichever is  
21 later, until the TNC driver either accepts another ride request  
22 on the digital network or software application or logs off the  
23 digital network or software application:

24 (1) Automobile liability insurance shall be in the  
25 amount of at least \$50,000 for death and personal injury

1 per person, \$100,000 for death and personal injury per  
2 incident, and \$25,000 for property damage.

3 (2) Contingent automobile liability insurance in the  
4 amounts required in paragraph (1) of this subsection (b)  
5 shall be maintained by a transportation network company and  
6 provide coverage in the event a participating TNC driver's  
7 own automobile liability policy excludes coverage  
8 according to its policy terms or does not provide at least  
9 the limits of coverage required in paragraph (1) of this  
10 subsection (b).

11 (c) The following automobile liability insurance  
12 requirements shall apply from the moment a TNC driver accepts a  
13 ride request on the transportation network company's digital  
14 network or software application until the TNC driver completes  
15 the transaction on the digital network or software application  
16 or until the ride is complete, whichever is later:

17 (1) Automobile liability insurance shall be primary  
18 and in the amount of \$1,000,000 for death, personal injury,  
19 and property damage. The requirements for the coverage  
20 required by this paragraph (1) may be satisfied by any of  
21 the following:

22 (A) automobile liability insurance maintained by a  
23 participating TNC driver;

24 (B) automobile liability company insurance  
25 maintained by a transportation network company; or

26 (C) any combination of subparagraphs (A) and (B).

1           (2) Insurance coverage provided under this subsection  
2           (c) shall also provide for uninsured motorist coverage and  
3           underinsured motorist coverage in the amount of \$50,000  
4           from the moment a passenger enters the vehicle of a  
5           participating TNC driver until the passenger exits the  
6           vehicle.

7           (3) The insurer, in the case of insurance coverage  
8           provided under this subsection (c), shall have the duty to  
9           defend and indemnify the insured.

10          (4) Coverage under an automobile liability insurance  
11          policy required under this subsection (c) shall not be  
12          dependent on a personal automobile insurance policy first  
13          denying a claim nor shall a personal automobile insurance  
14          policy be required to first deny a claim.

15          (d) In every instance when automobile liability insurance  
16          maintained by a participating TNC driver to fulfill the  
17          insurance obligations of this Section has lapsed or ceased to  
18          exist, the transportation network company shall provide the  
19          coverage required by this Section beginning with the first  
20          dollar of a claim.

21          (e) This Section shall not limit the liability of a  
22          transportation network company arising out of an automobile  
23          accident involving a participating TNC driver in any action for  
24          damages against a transportation network company for an amount  
25          above the required insurance coverage.

26          (f) The transportation network company shall disclose in

1 writing to TNC drivers, as part of its agreement with those TNC  
2 drivers, the following:

3 (1) the insurance coverage and limits of liability that  
4 the transportation network company provides while the TNC  
5 driver uses a vehicle in connection with a transportation  
6 network company's digital network or software application;  
7 and

8 (2) that the TNC driver's own insurance policy may not  
9 provide coverage while the TNC driver uses a vehicle in  
10 connection with a transportation network company digital  
11 network depending on its terms.

12 (g) An insurance policy required by this Section may be  
13 placed with an admitted Illinois insurer, or with an authorized  
14 surplus line insurer under Section 445 of the Illinois  
15 Insurance Code; and is not subject to any restriction or  
16 limitation on the issuance of a policy contained in Section  
17 445a of the Illinois Insurance Code.

18 (h) Any insurance policy required by this Section shall  
19 satisfy the financial responsibility requirement for a motor  
20 vehicle under Sections 7-203 and 7-601 of the Illinois Vehicle  
21 Code.

22 Section 15. Driver requirements.

23 (a) Prior to permitting an individual to act as a TNC  
24 driver on its digital platform, the TNC shall:

25 (1) require the individual to submit an application to

1 the TNC, which includes information regarding his or her  
2 address, age, driver's license, driving history, motor  
3 vehicle registration, automobile liability insurance, and  
4 other information required by the TNC;

5 (2) conduct, or have a third party conduct, a local and  
6 national criminal history background check for each  
7 individual applicant that shall include:

8 (A) Multi-State or Multi-Jurisdictional Criminal  
9 Records Locator or other similar commercial nationwide  
10 database with validation (primary source search); and

11 (B) National Sex Offenders Registry database; and

12 (3) obtain and review a driving history research report  
13 for the individual.

14 (b) The TNC shall not permit an individual to act as a TNC  
15 driver on its digital platform who:

16 (1) has had more than 3 moving violations in the prior  
17 three-year period, or one major violation in the prior  
18 three-year period including, but not limited to,  
19 attempting to evade the police, reckless driving, or  
20 driving on a suspended or revoked license;

21 (2) has been convicted, within the past 7 years, of  
22 driving under the influence of drugs or alcohol, fraud,  
23 sexual offenses, use of a motor vehicle to commit a felony,  
24 a crime involving property damage, or theft, acts of  
25 violence, or acts of terror;

26 (3) is a match in the National Sex Offenders Registry

1 database;

2 (4) does not possess a valid driver's license;

3 (5) does not possess proof of registration for the  
4 motor vehicle used to provide TNC services;

5 (6) does not possess proof of automobile liability  
6 insurance for the motor vehicle used to provide TNC  
7 services; or

8 (7) is under 19 years of age.

9 Section 20. Non-discrimination.

10 (a) The TNC shall adopt and notify TNC drivers of a policy  
11 of non-discrimination on the basis of destination, race, color,  
12 national origin, religious belief or affiliation, sex,  
13 disability, age, sexual orientation, or gender identity with  
14 respect to passengers and potential passengers.

15 (b) TNC drivers shall comply with all applicable laws  
16 regarding non-discrimination against passengers or potential  
17 passengers on the basis of destination, race, color, national  
18 origin, religious belief or affiliation, sex, disability, age,  
19 sexual orientation, or gender identity.

20 (c) TNC drivers shall comply with all applicable laws  
21 relating to accommodation of service animals.

22 (d) A TNC shall not impose additional charges for providing  
23 services to persons with physical disabilities because of those  
24 disabilities.

25 (e) A TNC shall provide passengers an opportunity to

1 indicate whether they require a wheelchair accessible vehicle.  
2 If a TNC cannot arrange wheelchair-accessible TNC service in  
3 any instance, it shall direct the passenger to an alternate  
4 provider of wheelchair-accessible service, if available.

5 (f) If a unit of local government has requirements for  
6 licensed chauffeurs not to discriminate in providing service in  
7 under-served areas, TNC drivers participating in TNC services  
8 within that unit of local government shall be subject to the  
9 same non-discrimination requirements for providing service in  
10 under-served areas.

11 Section 25. Safety.

12 (a) The TNC shall implement a zero tolerance policy on the  
13 use of drugs or alcohol while a TNC driver is providing TNC  
14 services or is logged into the TNC's digital network but is not  
15 providing TNC services.

16 (b) The TNC shall provide notice of the zero tolerance  
17 policy on its website, as well as procedures to report a  
18 complaint about a driver with whom a passenger was matched and  
19 whom the passenger reasonably suspects was under the influence  
20 of drugs or alcohol during the course of the trip.

21 (c) Upon receipt of a passenger's complaint alleging a  
22 violation of the zero tolerance policy, the TNC shall  
23 immediately suspend the TNC driver's access to the TNC's  
24 digital platform, and shall conduct an investigation into the  
25 reported incident. The suspension shall last the duration of



1 the investigation.

2 (d) The TNC shall require that any motor vehicle that a TNC  
3 driver will use to provide TNC services meets vehicle safety  
4 and emissions requirements for a private motor vehicle in this  
5 State.

6 (e) TNCs or TNC drivers are not common carriers, contract  
7 carriers or motor carriers, as defined by applicable State law,  
8 nor do they provide taxicab or for-hire vehicle service.

9 Section 30. Operational.

10 (a) A TNC may charge a fare for the services provided to  
11 passengers; provided that, if a fare is charged, the TNC shall  
12 disclose to passengers the fare calculation method on its  
13 website or within the software application service.

14 (b) The TNC shall provide passengers with the applicable  
15 rates being charged and the option to receive an estimated fare  
16 before the passenger enters the TNC driver's vehicle.

17 (c) The TNC's software application or website shall display  
18 a picture of the TNC driver, and the license plate number of  
19 the motor vehicle utilized for providing the TNC service before  
20 the passenger enters the TNC driver's vehicle.

21 (d) Within a reasonable period of time following the  
22 completion of a trip, a TNC shall transmit an electronic  
23 receipt to the passenger that lists:

24 (1) the origin and destination of the trip;

25 (2) the total time and distance of the trip; and

1 (3) an itemization of the total fare paid, if any.

2 (e) Dispatches for TNC services shall be made only to  
3 eligible TNC drivers under Section 15 of this Act who are  
4 properly licensed under State law and local ordinances  
5 addressing these drivers if applicable.

6 (f) A taxicab may accept a request for transportation  
7 received through a TNC's digital network or software  
8 application service, and may charge a fare for those services  
9 that is similar to those charged by a TNC.

10 Section 35. The Ridesharing Arrangements Act is amended by  
11 changing Section 2 as follows:

12 (625 ILCS 30/2) (from Ch. 95 1/2, par. 902)

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

16 (1) for purposes incidental to another purpose of the  
17 driver, for which no fee is charged or paid except to reimburse  
18 the driver or owner of the vehicle for his operating expenses  
19 on a nonprofit basis; or

20 (2) when such persons are travelling between their homes  
21 and their places of employment, or places reasonably convenient  
22 thereto, for which (i) no fee is charged or paid except to  
23 reimburse the driver or owner of the vehicle for his operating  
24 expenses on a nonprofit basis, or (ii) a fee is charged in

1 accordance with the provisions of Section 6 of this Act.

2 (b) "For-profit ridesharing arrangement" means a  
3 ridesharing arrangement for which a fee is charged in  
4 accordance with Section 6 of this Act, and does not include  
5 transportation network company services under the  
6 Transportation Network Providers Act.

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