



Rep. Brad Stephens

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LRB104 11734 LNS 25128 a

1 AMENDMENT TO HOUSE BILL 2264

2 AMENDMENT NO. _____. Amend House Bill 2264 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Autonomous Vehicle Pilot Project Act.

6 Section 5. Definitions. As used in this Act:

7 "Automated driving system" means hardware and software
8 that are collectively capable of performing the entire dynamic
9 driving task on a sustained basis, regardless of whether it is
10 limited to a specific operational design domain.

11 "Autonomous vehicle operator" means a person operating
12 fully autonomous vehicles on public roads and highways of this
13 State in connection with an AV Pilot Project and who meets the
14 requirements set forth in Section 15 of this Act.

15 "AV Pilot Project" means a pilot or demonstration
16 authorizing eligible autonomous vehicle operators to make

1 fully autonomous vehicles available to the public for testing
2 on the public roads and highways of this State performed under
3 this Act.

4 "Department" means the Department of Transportation.

5 "Dynamic driving task" means all of the real-time
6 operational and tactical functions required to operate a
7 vehicle in on-road traffic, excluding the strategic functions,
8 such as trip scheduling and selection of destinations and
9 waypoints. "Dynamic driving task" includes, without
10 limitation:

11 (1) lateral vehicle motion control via steering;

12 (2) longitudinal motion control via acceleration and
13 deceleration;

14 (3) monitoring the driving environment via object and
15 event detection, recognition, classification, and response
16 preparation;

17 (4) object and event response execution;

18 (5) maneuver planning; and

19 (6) enhancing conspicuity via lighting, signaling, and
20 gesturing.

21 "Evaluation data" means any data necessary to support the
22 testing, development, legal and regulatory compliance,
23 operation, safety, and improvement of automated driving
24 systems or fully autonomous vehicles, including, but not
25 limited to, real-time perception, collision avoidance, sensor,
26 environmental, traffic, communication, network, camera, and

1 incident data.

2 "Fully autonomous vehicle" means a motor vehicle equipped
3 with an automated driving system that is designed to function
4 without a human driver in the vehicle at a level of driving
5 automation of 4 or 5 as specified in the Society of Automotive
6 Engineers International Standard J3016 (April 2021).

7 "Operational design domain" means the specific operating
8 conditions under which a given automated driving system is
9 specifically designed to function, including, but not limited
10 to, geographic area, roadway type, speed range, environmental
11 conditions, and other domain constraints.

12 "Processing" or "process" means any operation or set of
13 operations that is performed on data or on sets of data,
14 whether or not by automated means, including, but not limited
15 to, collection, recording, organization, structuring, storage,
16 adaptation or alteration, retrieval, consultation, use,
17 disclosure by transmission, dissemination or otherwise making
18 available, alignment or combination, restriction, erasure, or
19 destruction.

20 "Suspension/restriction notice" means a notice of intent
21 issued under Section 20 of this Act by the Department to
22 suspend the registration of or to impose restrictions on the
23 fully autonomous vehicles participating in the AV Pilot
24 Project.

25 Section 10. AV Pilot Project commencement; geographic

1 boundaries.

2 (a) An AV Pilot Project may be commenced by an autonomous
3 vehicle operator at any time after the autonomous vehicle
4 operator provides a statement to the Department that it meets
5 the requirements provided Section 15 of this Act. An
6 autonomous vehicle operator's statement to the Department
7 shall also set forth the operational design domain for an AV
8 Pilot Project as described in subsection (b) of this Section.
9 An autonomous vehicle operator may charge fees to members of
10 the public for passenger trips made in connection with an AV
11 Pilot Project. An autonomous vehicle operator may engage in
12 multiple AV Pilot Projects under this subsection (a).

13 (b) An autonomous vehicle operator shall determine the
14 operational design domain for an AV Pilot Project, which must
15 be confined within Cook County and Sangamon County.

16 Section 15. AV Pilot Project eligibility.

17 (a) The operation of fully autonomous vehicles
18 participating in the AV Pilot Project is subject to all
19 applicable federal and State laws.

20 (b) An autonomous vehicle operator is eligible to
21 participate in the AV Pilot Program if the autonomous vehicle
22 operator submits the following to the Department:

23 (1) A law enforcement interaction plan, which shall
24 include:

25 (A) how to communicate with the autonomous vehicle

1 operator or its designated agent, including providing
2 a contact telephone number for the autonomous vehicle
3 operator or its designated agent;

4 (B) where, in the vehicle, to obtain owner
5 information, vehicle registration, and proof of
6 insurance in the event of a collision or traffic
7 violation involving the vehicle;

8 (C) how to safely remove the vehicle from the
9 roadway; and

10 (D) any additional information the autonomous
11 vehicle operator deems necessary regarding hazardous
12 conditions or public safety risks associated with the
13 operation of the fully autonomous vehicle.

14 (2) A written statement to the Department
15 acknowledging all of the following:

16 (A) When required by federal law, the fully
17 autonomous vehicle is in compliance with all
18 applicable federal laws and federal motor vehicle
19 safety standards and bears the required certification
20 labels, including reference to any applicable
21 exemption granted by the National Highway Traffic
22 Safety Administration.

23 (B) If a failure of the automated driving system
24 occurs that renders that system unable to perform the
25 entire dynamic driving task relevant to its intended
26 operational design domain, the fully autonomous

1 vehicle will achieve a minimal risk condition, which
2 is a stable, stopped condition to which an autonomous
3 vehicle operator or an automated driving system may
4 bring a vehicle in order to reduce the risk of a crash.

5 (C) The fully autonomous vehicle is capable of
6 complying with all applicable traffic and motor
7 vehicle safety laws of this State and the person who
8 submits the written statement for the fully autonomous
9 vehicle may be issued a traffic citation or other
10 applicable penalty if the vehicle fails to comply with
11 applicable traffic or motor vehicle laws.

12 (D) The fully autonomous vehicle meets all
13 applicable certificate of title, registration,
14 licensing, and insurance requirements of this State.

15 (3) Evidence of financial responsibility, including an
16 instrument of insurance, surety bond, or proof of
17 self-insurance in the amount of \$5,000,000 in a form and
18 manner required by the Department.

19 (c) When engaged, the automated driving system of a fully
20 autonomous vehicle participating in the AV Pilot Project is
21 considered the driver or operator of the fully autonomous
22 vehicle for the purpose of assessing compliance with
23 applicable traffic or motor vehicle laws and is exempt from:

24 (1) the requirements of Chapter 6 of the Illinois
25 Vehicle Code; and

26 (2) any provision that, by its nature, reasonably

1 applies only to a human driver and does not apply to a
2 fully autonomous vehicle operating with the automated
3 driving system engaged.

4 Section 20. Enforcement.

5 (a) This Section provides the exclusive means by which the
6 Department may suspend or restrict the participation of an
7 autonomous vehicle operator in the AV Pilot Project for
8 reasons related to safety.

9 (b) If the Department determines, based on data,
10 information, or other evidence, that a fully autonomous
11 vehicle is not in safe mechanical condition and endangers
12 persons on public roads and highways, the Department may send
13 the autonomous vehicle operator a suspension/restriction
14 notice.

15 (c) A suspension/restriction notice must:

16 (1) include a brief summary of the Department's
17 determination and evidence supporting the determination;
18 and

19 (2) provide the autonomous vehicle operator a
20 reasonable period, which may be extended upon reasonable
21 written request, to correct the issues identified in the
22 Department's determination and to provide to the
23 Department the certification described under paragraph (2)
24 of subsection (d) of this Section within the specified
25 period.

1 (d) Before the expiration of the period specified in the
2 suspension/restriction notice, the autonomous vehicle operator
3 shall:

4 (1) ensure that the issues identified by the
5 Department in the suspension/restriction notice are
6 corrected; and

7 (2) provide to the Department, in the form and manner
8 prescribed by the Department, a certification
9 acknowledging that the issues identified in the
10 suspension/restriction notice have been corrected. A
11 certification provided under this paragraph must include
12 an explanation of how the issues identified by the
13 Department in the suspension/restriction notice have been
14 corrected, such as identifying specific adjustments made
15 to the automated driving system.

16 (e) If the autonomous vehicle operator fails to comply
17 with subsection (d) of this Section or the Department
18 determines that the certification provided to the Department
19 under that subsection is inaccurate, the Department shall:

20 (1) as specified in the suspension/restriction notice:

21 (A) suspend the authorization issued under this
22 Act for the fully autonomous vehicle; or

23 (B) impose restrictions on the operation of the
24 fully autonomous vehicle; and

25 (2) notify the autonomous vehicle operator of the
26 action by the Department under paragraph (1) of this

1 subsection (e).

2 (f) The Department shall promptly rescind a suspension
3 imposed under subsection (e) of this Section or remove a
4 restriction imposed under that subsection if:

5 (1) the autonomous vehicle operator of the fully
6 autonomous vehicle subsequently takes the actions required
7 under subsection (d); and

8 (2) the Department does not determine that the
9 certification provided under paragraph (2) of subsection
10 (d) is inaccurate.

11 (g) The autonomous vehicle operator that is the subject of
12 a suspension/restriction notice also has the right to dispute
13 any of the Department's findings or determinations and may
14 request an administrative hearing under Article 10 of the
15 Illinois Administrative Procedure Act.

16 Section 25. Home rule. The regulation of AV Pilot Projects
17 is the exclusive power and function of the State. A home rule
18 unit may not regulate AV Pilot Projects. This Section is a
19 denial and limitation of home rule powers and functions under
20 subsection (h) of Article VII of the Illinois Constitution.

21 Section 30. Exclusive regulation. This Act exclusively
22 governs the operation of AV Pilot Projects in the State.

23 Section 35. Evaluation data. As part of and to further the

1 purposes of an AV Pilot Project, autonomous vehicle operators
2 are explicitly authorized to process evaluation data.
3 Autonomous vehicle operators shall implement, maintain, and
4 enforce for as long as the AV Pilot Project is in effect or as
5 long as autonomous vehicle operators store or otherwise
6 process evaluation data, whichever is later, appropriate
7 technical and organizational measures to ensure a level of
8 security appropriate to the risks presented by the processing
9 of the evaluation data. This Section shall exclusively govern
10 autonomous vehicle operators' processing of evaluation data in
11 connection with an AV Pilot Project and supersedes and renders
12 inapplicable any other State law addressing evaluation data
13 processing or any other data processing, including those
14 requiring individual written release or consent.

15 Section 40. Repeal. This Act is repealed on January 1,
16 2029.

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