

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 1-122.7, 1-176.1, 3-412, 8-101, 13-101, and 18c-6102
6 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 and Consumer
12 Protection Act, or a commercial ridesharing arrangement as
13 defined by the Ridesharing Arrangements and Consumer
14 Protection Act.

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)

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

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

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
24 issued registration stickers as evidence of current
25 registration. However, the issuance of annual registration

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

4 (b) Every registration plate shall have displayed upon it
5 the registration number assigned to the vehicle for which it is
6 issued, the name of this State, which may be abbreviated, the
7 year number for which it was issued, which may be abbreviated,
8 the phrase "Land of Lincoln" (except as otherwise provided in
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
14 "apportioned", the word "fleet", or other similar language to
15 be displayed. Registration plates issued to a vehicle
16 registered as a fleet vehicle may display a designation
17 determined by the Secretary.

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

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.

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

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

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

1 (h) (Blank).

2 (i) The Secretary of State shall issue for every public and
3 private ambulance registration plates identifying the vehicle
4 as an ambulance. The Secretary shall forward to the Department
5 of Healthcare and Family Services registration information for
6 the purpose of verification of claims filed with the Department
7 by ambulance owners for payment for services to public
8 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.

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

1 certification is renewed as provided in that subsection.

2 (1) The Secretary of State shall issue distinctive
3 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
13 highway in any incorporated city, town or village in this State
14 for the carriage of passengers for hire, accepting and
15 discharging all such persons as may offer themselves for
16 transportation unless such person, firm or corporation has
17 given, and there is in full force and effect and on file with
18 the Secretary of State of Illinois, proof of financial
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

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
18 arrangement, or operating a commuter van, but only during the
19 performance of activities authorized by Sections 5 and 6 of the
20 Ridesharing Arrangements and Consumer Protection Act.

21 (e) If the person operating such motor vehicle is not the
22 owner, then proof of financial responsibility filed hereunder
23 must provide that the owner is primarily liable. In the case of
24 motor vehicles used in commercial ridesharing arrangements,
25 the dispatchers providing dispatch services to the driver of
26 the motor vehicle must submit proof that the driver will be an

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
15 paragraph (1) of subsection (b) of Section 7 of the Ridesharing
16 Arrangements and Consumer Protection Act, or contract carrier
17 transporting employees in the course of their employment on a
18 highway of this State in a vehicle designed to carry 15 or
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
22 in Section 13-109. Each second division motor vehicle that
23 pulls or draws a trailer, semitrailer or pole trailer, with a
24 gross weight of more than 8,000 lbs or is registered for a
25 gross weight of more than 8,000 lbs, motor bus, religious

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

5 The owners of each salvage vehicle shall submit it to a
6 "safety test" and secure a certificate of safety furnished by
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.

14 However, none of the provisions of Chapter 13 requiring
15 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;

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

24 (c) a semitrailer or trailer having a gross weight of
25 5,000 pounds or less including vehicle weight and maximum
26 load;

1 (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 (g) 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
14 vehicle must be safety tested within 30 days of the
15 reclassification;

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

1 the vehicle during the demonstration;

2 (i) pole trailers and auxiliary axles;

3 (j) special mobile equipment;

4 (k) vehicles properly registered in another State
5 pursuant to law and displaying a valid registration plate,
6 except vehicles of contract 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
13 are lawfully registered in Illinois;

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

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

18 (n) second division vehicles registered for a gross
19 weight of 8,000 pounds or less, except when such second
20 division motor vehicles pull or draw a 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;
24 senior citizen transportation vehicles; medical transport
25 vehicles and tow trucks.

26 The safety test shall include the testing and inspection of

1 brakes, lights, horns, reflectors, rear vision mirrors,
2 mufflers, safety chains, windshields and windshield wipers,
3 warning flags and flares, frame, axle, cab and body, or cab or
4 body, wheels, steering apparatus, and other safety devices and
5 appliances required by this Code and such other safety tests as
6 the Department may by rule or regulation require, for second
7 division vehicles, school buses, medical transport vehicles,
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.

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

23 For driver education vehicles used by public high schools,
24 the vehicle must also be equipped with dual control brakes, a
25 mirror on each side of the vehicle so located as to reflect to
26 the driver a view of the highway for a distance of at least 200

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 For trucks, truck tractors, trailers, semi-trailers,
4 buses, and first division vehicles including taxis which are
5 used for a purpose that requires a school bus driver permit,
6 the safety test shall be conducted in accordance with the
7 Minimum Periodic Inspection Standards promulgated by the
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.

14 The passing of the safety test shall not be a bar at any
15 time to prosecution for operating a second division vehicle,
16 medical transport vehicle, motor vehicle used for driver
17 education training, or vehicle designed to carry 15 or fewer
18 passengers operated by a contract carrier as provided in this
19 Section that is unsafe, as determined by the standards
20 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

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

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

6 (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;

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

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

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

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

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

1 defined in this Code, and regulated by other provisions of this
2 Code.

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

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
16 driver, for which no fee is charged or paid except to reimburse
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

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

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

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

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

7 (c) "Commercial ridesharing arrangement" means a
8 ridesharing arrangement in which the method of transportation
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
15 government as a taxicab, but only for the purpose of
16 establishing a fare under subparagraph (D) of paragraph (1) of
17 subsection (b) of Section 7, when the driver of the taxicab
18 receives a dispatch using Internet, smartphone, or an
19 electronic application from a dispatcher.

20 (d) "Dispatch" means the act of facilitating a connection
21 between drivers and passengers for a commercial ridesharing
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. (a) 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.

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)

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 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

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.

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

1 13-101 of the Illinois Vehicle Code.

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
19 solicit or accept potential passengers' requests for
20 service in a commercial ridesharing arrangement via
21 street hail, hand gestures, or verbal statements. No
22 commercial ridesharing arrangement shall pick up or
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.

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

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

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

21 (2) No person shall perform dispatches except as
22 follows:

23 (A) Dispatches shall be made only to drivers
24 licensed in accordance with subsection (a) of this
25 Section.

26 (B) If distinctive registration plates are

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

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

6 (f) Notwithstanding any provision in the vehicle owner's
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
13 passenger is in the vehicle. This right to exclude coverage and
14 the duty to indemnify and defend applies to all coverage
15 provided by the registered owner's insurer including, but not
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
4 of this Section;

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
13 dispatch or while a commercial ridesharing arrangement
14 passenger is in the vehicle that is comparable to a
15 standard owner's insurance policy and that the vehicle's
16 registered owner's insurance policy may exclude all
17 coverage and the duty to defend or indemnify any person or
18 organization for liability for any loss or injury that
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
24 available to the vehicle's registered owner, the vehicle's
25 registered owner's primary automobile liability insurer, and
26 any government agency as required by law, at the cost of the

1 dispatcher, 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
16 becoming law.