

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 11-208 and by adding Sections 1-144.01, 1-144.02, and 11-1412.3 as follows:

(625 ILCS 5/1-144.01 new)

Sec. 1-144.01. Mobile carrying device.

(a) An electrically powered device that:

(1) is operated by a mobile carrying device operator on sidewalks and crosswalks and intended primarily for transporting personal property;

(2) weighs less than 90 pounds, excluding cargo;

(3) has a maximum speed of 12.5 miles per hour;

(4) is equipped with a technology to transport personal property with the active monitoring of a property owner;
and

(5) is primarily designed to remain within 10 feet of the personal property owner.

(b) A mobile carrying device is not considered a vehicle unless expressly defined by law as a vehicle.

(625 ILCS 5/1-144.02 new)

Sec. 1-144.02. Mobile carrying device operator. A person exercising control over the mobile carrying device.

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;

2. Regulating traffic by means of police officers or traffic control signals;

3. Regulating or prohibiting processions or assemblages on the highways; and certifying persons to control traffic for processions or assemblages;

4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;

5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;

6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a

yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;

7. Restricting the use of highways as authorized in Chapter 15;

8. Regulating the operation of mobile carrying devices, bicycles, low-speed electric bicycles, and low-speed gas bicycles, and requiring the registration and licensing of same, including the requirement of a registration fee;

9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

10. Altering the speed limits as authorized in Section 11-604;

11. Prohibiting U-turns;

12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;

13. Prohibiting parking during snow removal operation;

14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or veterans with disabilities by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or

a veteran with a disability;

15. Adopting such other traffic regulations as are specifically authorized by this Code; or

16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under paragraph 1, 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule

unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(e-5) The City of Chicago may enact an ordinance providing for a noise monitoring system upon any portion of the roadway known as Lake Shore Drive. Twelve months after the installation of the noise monitoring system, and any time after the first report as the City deems necessary, the City of Chicago shall prepare a noise monitoring report with the data collected from the system and shall, upon request, make the report available to the public. For purposes of this subsection (e-5), "noise monitoring system" means an automated noise monitor capable of recording noise levels 24 hours per day and 365 days per year with computer equipment sufficient to process the data.

(e-10) A unit of local government, including a home rule unit, may not enact an ordinance prohibiting the use of Automated Driving System equipped vehicles on its roadways. Nothing in this subsection (e-10) shall affect the authority of a unit of local government to regulate Automated Driving System

equipped vehicles for traffic control purposes. No unit of local government, including a home rule unit, may regulate Automated Driving System equipped vehicles in a manner inconsistent with this Code. For purposes of this subsection (e-10), "Automated Driving System equipped vehicle" means any vehicle equipped with an Automated Driving System of hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational domain. This subsection (e-10) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact

an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(i) A municipality or county designated in Section 11-208.9 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1414 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(Source: P.A. 99-143, eff. 7-27-15; 100-209, eff. 1-1-18; 100-257, eff. 8-22-17; 100-352, eff. 6-1-18; 100-863, eff. 8-14-18.)

(625 ILCS 5/11-1412.3 new)

Sec. 11-1412.3. Ownership and operation of a mobile carrying device.

(a) A mobile carrying device may be operated on a sidewalk or crosswalk so long as all of the following requirements are met:

(1) the mobile carrying device is operated in accordance with the local ordinances, if any, established by the local authority governing where the mobile carrying device is operated;

(2) a personal property owner is actively monitoring the operation and navigation of the mobile carrying device;
and

(3) the mobile carrying device is equipped with a braking system that enables the mobile carrying device to perform a controlled stop.

(b) A mobile carrying device operator may not do any of the following:

(1) fail to comply with traffic or pedestrian control devices and signals;

(2) unreasonably interfere with pedestrians or traffic;

(3) transport a person; or

(4) operate on a street or highway, except when crossing the street or highway within a crosswalk.

(c) A mobile carrying device operator has the rights and obligations applicable to a pedestrian under the same circumstances, and shall ensure that a mobile carrying device shall yield the right-of-way to a pedestrian on a sidewalk or within a crosswalk.

(d) A personal property owner may not utilize a mobile carrying device to transport hazardous materials.

(e) A personal property owner may not utilize a mobile carrying device unless the person complies with this Section.

(f) A mobile carrying device operator who is not a natural person shall register with the Secretary of State.

(g) No contract seeking to exempt a mobile carrying device operator from liability for injury, loss, or death caused by a mobile carrying device shall be valid, and contractual

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provisions limiting the choice of venue or forum, shortening the statute of limitations, shifting the risk to the user, limiting the availability of class actions, or obtaining judicial remedies shall be invalid and unenforceable.

(h) A violation of this Section is a petty offense.

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