



Rep. Michael J. Zalewski

Filed: 3/24/2017

10000HB2747ham001

LRB100 10521 AXK 23959 a

1 AMENDMENT TO HOUSE BILL 2747

2 AMENDMENT NO. _____. Amend House Bill 2747 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 Act.

6 Section 5. Definitions. For purposes of this Act, the
7 following definitions apply:

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

12 "Dynamic driving task" means all of the real-time
13 operational and tactical functions, as defined in SAE J3016,
14 required to operate a vehicle in on-road traffic, except for
15 strategic functions, including, but not limited to, trip
16 scheduling and the selection of destinations and waypoints.

1 "Fully autonomous vehicle" means a vehicle equipped with an
2 automated driving system designed to function without a human
3 operator as a level 4 or level 5 system under SAE J3016.

4 "Human operator" means a natural person in a vehicle with
5 the capability to perform the entire dynamic driving task.

6 "Operational design domain" means a description of the
7 specific operating domain in which an automated driving system
8 is designed to properly operate, including, but not limited to,
9 types of roadways, speed range, environmental conditions, and
10 other domain constraints.

11 "SAE J3016" means "Taxonomy and Definitions for Terms
12 Related to Driving Automation Systems for On-Road Motor
13 Vehicles" published by SAE International in September, 2016.

14 "Secretary" means the Secretary of State.

15 Section 10. Operation of automated driving system equipped
16 vehicles; requirements. Subject exclusively to the provisions
17 of this Act, a fully autonomous vehicle may operate upon the
18 highways of this State, regardless of whether a human operator
19 is physically present in the fully autonomous vehicle. A fully
20 autonomous vehicle shall be capable of operating in compliance
21 with applicable traffic and motor vehicle laws of this State
22 and shall bear the required manufacturer's certification label
23 indicating that at the time the vehicle was manufactured, it
24 had been certified to be in compliance with all applicable
25 federal motor vehicle safety standards.

1 Section 15. Traffic and motor vehicle laws.

2 (a) When engaged, the automated driving system shall be
3 considered the driver or operator for purposes of assessing
4 conformance to applicable traffic or motor vehicle laws.

5 (b) When engaged, an automated driving system shall be
6 deemed to satisfy any physical acts required of a driver or
7 operator including, but not limited to, those required under
8 Section 6-112 of the Illinois Vehicle Code. No motor vehicle
9 laws of this State shall prohibit an automated driving system
10 from being the operator or driver of a motor vehicle.

11 (c) No motor vehicle laws of this State shall require a
12 licensed human driver to operate a fully autonomous vehicle.

13 (d) Section 6-101 of the Illinois Vehicle Code shall not
14 apply to an engaged automated driving system or to a person
15 operating a fully autonomous vehicle with the automated driving
16 system engaged.

17 (e) Fully autonomous vehicles shall be insured as required
18 under the Illinois Vehicle Code.

19 (f) Liability for incidents involving a fully autonomous
20 vehicle shall be determined under existing product liability
21 law or common law negligence principles. Nothing in this Act is
22 intended to affect, alter, or amend any right, obligation,
23 liability, or damage apportionment mechanism under existing
24 product liability law, common law negligence, or other
25 applicable law related to liability, or to otherwise contravene

1 or alter rights and duties concerning liability under any
2 existing law, agreement, rule, regulation, or treaty.

3 (g) An automated driving system shall be deemed to be in
4 compliance with all applicable requirements under Sections
5 11-401, 11-402, 11-403, 11-404, and 11-407 of the Illinois
6 Vehicle Code if the vehicle owner or person on behalf of the
7 vehicle owner promptly contacts a law enforcement agency to
8 report a crash or if the fully autonomous vehicle has the
9 capability of alerting a law enforcement agency of the crash.

10 (h) The requirements under Section 12-603.1 of the Illinois
11 Vehicle Code shall be the responsibility of and apply only to
12 human occupants of a motor vehicle. The requirements of the
13 Child Passenger Protection Act shall be the responsibility of
14 and apply only to the parent or guardian of the child or, if
15 the child's parent or guardian is not present, the person
16 accompanying the child.

17 (i) The provisions of Section 11-1401 of the Illinois
18 Vehicle Code shall not apply to an automated driving system or
19 fully autonomous vehicle when the automated driving system is
20 engaged.

21 (j) Except as otherwise provided in this Act, automated
22 driving systems, fully autonomous vehicles, and any commercial
23 use of a fully autonomous vehicle are governed exclusively by
24 this Act.

25 Section 20. Home rule. The regulation of fully autonomous

1 vehicles is the exclusive power and function of the State. A
2 home rule unit may not regulate fully autonomous vehicles that
3 otherwise comply with all laws of the home rule unit. This
4 Section is a denial and limitation of home rule powers and
5 functions under subsection (h) of Article VII of the Illinois
6 Constitution.

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