



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2053

Introduced 2/7/2023, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-105.3a new
625 ILCS 5/Ch. 12 Art. X heading new
625 ILCS 5/12-1000 new

Amends the Illinois Vehicle Code. Defines "autonomous vehicle" as a motor vehicle that possesses the capability (enabled or not) for automated functions to control movement of the vehicle along 2 axes of direction simultaneously. Provides that, before selling or continuing to operate a new or used autonomous vehicle in this State and before updating the software or hardware of any automated driving system on such a vehicle, a manufacturer shall submit to the Department of Transportation documentation regarding the level of driving automation, along with a filing fee in an amount to be determined by the Department. Provides that the Department shall assemble an Automated Driving Systems Review Committee to evaluate submitted documentation and make determinations concerning the level of automated driving capabilities and the suitability of the vehicle for operation on public roads. Provides that an autonomous vehicle classified as having Level 2 Driving Automation may be sold to consumers and registered for use. Provides that the owner of the automated vehicle shall file an annual report with the Department of Transportation stating the number of miles driven per year, the estimated number of miles driven using equipped automated driving systems, and any collisions that occurred involving the vehicle. Prohibits the sale or operation of autonomous vehicles classified as having Level 3, 4, or 5 Driving Automation. Provides that a resident may file a request for the Automated Driving Systems Review Committee to review an existing vehicle sold or registered in this State, and that the Secretary of State shall receive and investigate complaints of a dealer selling a vehicle prohibited for sale under the new provisions. Provides that a person who operates a prohibited vehicle is guilty of a Class A misdemeanor and that such a vehicle is subject to impoundment. Provides penalties for the unauthorized sale or modification of an autonomous vehicle.

LRB103 25147 HEP 51486 b

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 adding
5 Section 1-105.3a and by adding Article X to Chapter 12 as
6 follows:

7 (625 ILCS 5/1-105.3a new)

8 Sec. 1-105.3a. Autonomous vehicle. A motor vehicle that
9 possesses the capability (enabled or not) for automated
10 functions to control movement of the vehicle along 2 axes of
11 direction simultaneously.

12 (625 ILCS 5/Ch. 12 Art. X heading new)

13 ARTICLE X. SPECIAL REQUIREMENTS FOR
14 AUTONOMOUS VEHICLES

15 (625 ILCS 5/12-1000 new)

16 Sec. 12-1000. Autonomous vehicles.

17 (a) Before selling or continuing to operate a new or used
18 autonomous vehicle in this State and before updating the
19 software or hardware of any automated driving system on such a
20 vehicle, a manufacturer shall submit to the Department of
21 Transportation documentation regarding the level of driving

1 automation per the guidelines set forth in document J3016 Rev
2 APR2021 from the Society of American Engineers, along with a
3 filing fee in an amount to be determined by the Department. The
4 documentation shall include the make and model of the vehicle
5 and any technical data relevant to the capabilities of the
6 automated driving systems installed, regardless of whether the
7 system is enabled, along with manufacturers and third party
8 testing results regarding collision avoidance and detection of
9 all road users including pedestrians, bicycles, motorcycles,
10 equestrians, and pedestrians in wheelchairs. The manufacturer
11 shall provide this data for all 4 seasons of weather and for
12 performance during rain, snow, fog, nighttime, and any other
13 known hazardous conditions.

14 (b) The Department shall assemble an Automated Driving
15 Systems Review Committee consisting of the following:

16 (1) 5 Department employees with specialties in traffic
17 safety;

18 (2) one representative from the public from each the
19 following:

20 (A) a pedestrian access group;

21 (B) a bicycle advocacy group;

22 (C) a disability advocate group; and

23 (D) an equestrian advocacy group; and

24 (3) one representative appointed by a statewide
25 organization representing motorcyclists.

26 (c) The Committee created under this Section shall review

1 the documentation provided by the manufacturer, along with any
2 other publicly available documentation, including, but not
3 limited to, videos, photos, advertisements, and marketing
4 information about the vehicle, and make a determination
5 concerning (i) the level of automated driving under document
6 J3016 Rev APR2021 from the Society of American Engineers; and
7 (ii) the suitability of the autonomous vehicle to be used on
8 publicly accessible roads in this State. This determination
9 shall be made within 30 days of the application for a new
10 vehicle or updates to hardware, and 15 days for an update to
11 software. The Department shall maintain a publicly available
12 list of vehicles and determined level of driving automation,
13 including the latest-approved hardware and software versions
14 for each vehicle.

15 (d) An autonomous vehicle classified as having Level 2
16 Driving Automation may be sold to consumers and registered for
17 use by residents in Illinois. The owner of the automated
18 vehicle shall file an annual report with the Department of
19 Transportation stating the number of miles driven per year,
20 the estimated number of miles driven using equipped automated
21 driving systems, and any collisions that occurred involving
22 the vehicle. Each owner must supply proof of a filed report
23 prior to renewing annual registration and upon request by a
24 member of law enforcement during the normal course of a
25 traffic stop or crash investigation.

26 (e) An autonomous vehicle classified as having Level 3, 4,

1 or 5 Driving Automation may not be sold to consumers in this
2 State. Such vehicles may be registered by a manufacturer for
3 the purpose of transportation on public roads to and from
4 closed circuit testing facilities within this State using
5 trained drivers who are employees or contractors of the
6 manufacturer. A vehicle having Level 3, 4, or 5 Driving
7 Automation, including a vehicle registered in another state,
8 is prohibited from using an automated driving system while on
9 a public road in this State. If a vehicle having Level 3, 4, or
10 5 Driving Automation was sold in this State prior to the
11 effective date of this amendatory Act of the 103rd General
12 Assembly, then the manufacturer shall take steps to recall and
13 disable all automated driving systems on the affected vehicle.
14 Manufacturers, the Department of Transportation, and the
15 Secretary of State shall work to identify any currently
16 registered vehicles in this state that are classified as
17 having Level 3, 4, or 5 Driving Automation. A manufacturer
18 shall reimburse consumers for any additional costs associated
19 with automated driving systems that were sold at the time of
20 vehicle purchase and later disabled under this Section.

21 (f) Any resident of this State may file a request for the
22 Automated Driving Systems Review Committee to review an
23 existing vehicle sold or registered in this State. The request
24 shall include the year, manufacturer, model, and documentation
25 of automated driving systems or tools that the resident
26 believes makes the vehicle subject to the requirements of this

1 Section. The Secretary of State shall receive and investigate
2 complaints of a dealer selling a vehicle prohibited for sale
3 under this Section.

4 (g) A person operating a vehicle in violation of this
5 Section is guilty of a Class A misdemeanor. If the vehicle is
6 registered in this State, it shall be impounded by law
7 enforcement until recalled and remedied by the manufacturer or
8 dealer. The owner of the vehicle shall be liable for any
9 impoundment fees. Any dealer offering a vehicle prohibited
10 from sale or operation on roads of this State for sale or
11 delivery in this State shall be fined \$1,500 per day per
12 individual vehicle that is offered for sale in violation of
13 this Section. Any manufacturer who modifies or updates the
14 software or hardware of a vehicle subject to this Section
15 without submitting the modifications to the Automated Driving
16 Systems Review Committee and waiting for its determination
17 before making modifications shall be fined \$25,000 per vehicle
18 for each day the violation continues.

19 (h) Autonomous vehicles that were registered with the
20 Secretary of State before the effective date of this
21 amendatory Act of the 103rd General Assembly shall have 90
22 days after the effective date to comply with the requirements
23 of this Section.