



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3392

Introduced 2/4/2026, by Sen. Michael E. Hastings

#### SYNOPSIS AS INTRODUCED:

New Act

625 ILCS 5/6-101

from Ch. 95 1/2, par. 6-101

815 ILCS 505/2Z

from Ch. 121 1/2, par. 262Z

Creates the Autonomous Vehicle Pilot Project Act. Provides that in order to commence an autonomous vehicle pilot project, a person must provide to the Department of Transportation a statement that sets forth the operational design domain for an autonomous vehicle pilot project. Provides that the operational design domain for an autonomous vehicle pilot project must be confined to counties having or exceeding a population of 1,000,000 individuals, as determined by the most recent federal decennial census, Sangamon County, or the counties of Madison, St. Clair, and Monroe. Allows the Department to authorize the statewide deployment of autonomous vehicles beyond the operational design domain after a period of 3 years following the effective date of the Act, as long as the Department determines the pilot projects conducted have demonstrated safety and operational readiness. Sets forth the conditions a person must meet to operate an autonomous vehicle on the public roads of the State with the automated driving system engaged. Requires a person to obtain authorization from the Department to operate an autonomous vehicle on the public roads of the State. Includes provisions regarding licensing, duties following crashes involving autonomous vehicles, registration and title, operation of a motor vehicle with an automated driving system by a human driver, vehicle equipment standards, evaluation data, the controlling authority, and home rule. Repeals the Act on January 1, 2029. Makes conforming changes to the Illinois Vehicle Code and the Consumer Fraud and Deceptive Business Practices Act. Effective immediately.

LRB104 20547 LNS 34024 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 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 the 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" means a motor vehicle equipped with  
12 an automated driving system designed to function as a level 4  
13 or 5 system under SAE J3016B.

14 "Autonomous vehicle manufacturer" means a person who  
15 manufactures the autonomous vehicle or automated driving  
16 system for use on public roads and highways.

17 "Autonomous vehicle pilot project" means an authorized  
18 pilot project, testing, or demonstration of autonomous  
19 vehicles available on the public roads and highways of this  
20 State performed under this Act.

21 "Department" means the Department of Transportation.

22 "Dynamic driving task" means all of the real-time  
23 operational and tactical functions required to operate a

1 vehicle in on-road traffic, excluding the strategic functions,  
2 such as trip scheduling and selection of destinations and  
3 waypoints, and including, but not limited to:

4 (1) lateral vehicle motion control via steering;

5 (2) longitudinal motion control via acceleration and  
6 deceleration;

7 (3) monitoring the driving environment via object and  
8 event detection, recognition, classification, and response  
9 preparation;

10 (4) object and event response execution;

11 (5) maneuver planning; and

12 (6) enhancing conspicuity via lighting, signaling, and  
13 gesturing.

14 "Dynamic driving task fallback" means the response by a  
15 person or human driver to either perform the dynamic driving  
16 task or achieve a minimal risk condition after occurrence of a  
17 dynamic driving task performance-relevant system failure or  
18 upon operational design domain exit, or the response by an  
19 automated driving system to achieve minimal risk condition,  
20 given the same circumstances.

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

1 communication, network, camera, incident data, point cloud  
2 data, images, videos, and audio recordings (including, but not  
3 limited to, images, videos, and audio recordings of physical  
4 surroundings, objects, and people), and information derived  
5 therefrom.

6 "Human driver" means a natural person in the vehicle with  
7 a valid license to operate a motor vehicle who controls all or  
8 part of the dynamic driving task.

9 "First responder interaction plan" means a document of  
10 procedures specifying how first responders should interact  
11 with an autonomous vehicle that, at minimum, describes:

12 (1) how to communicate with a fleet support specialist  
13 who is available during the times the autonomous vehicle  
14 is in operation;

15 (2) how to safely remove the autonomous vehicle from  
16 the roadway and steps to safely tow the vehicle;

17 (3) how to recognize whether the autonomous vehicle is  
18 in autonomous mode; and

19 (4) any additional information the person or the  
20 manufacturer of the autonomous vehicle or the manufacturer  
21 of the automated driving system deems necessary regarding  
22 hazardous conditions or public safety risks associated  
23 with the operation of the autonomous vehicle.

24 "Minimal risk condition" means a condition to which a  
25 person, human driver, or automated driving system may bring a  
26 vehicle after performing the dynamic driving task fallback in

1 order to reduce the risk of a crash when a given trip cannot or  
2 should not be completed.

3 "Operational design domain" means the operating conditions  
4 under which a given automated driving system is specifically  
5 designed to function, including, but not limited to,  
6 environmental, geographic, and time-of-day restrictions, or  
7 the requisite presence or absence of certain traffic or  
8 roadway characteristics.

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

17 "Request to intervene" means a notification by an  
18 automated driving system to a human driver that the human  
19 driver should promptly begin or resume performance of part or  
20 all of the dynamic driving task.

21 "SAE J3016B" means the Taxonomy and Definitions for Terms  
22 Related to Driving Automation Systems for On-Road Motor  
23 Vehicles published by SAE International in June 2018.

24 Section 10. Autonomous vehicle pilot project.

25 (a) In order to commence an autonomous vehicle pilot

1 project, a person must provide to the Department a statement  
2 that sets forth the operational design domain for an  
3 autonomous vehicle pilot project as described in subsection  
4 (b).

5 (b) The operational design domain for an autonomous  
6 vehicle pilot project must be confined to counties having or  
7 exceeding a population of 1,000,000 individuals, as determined  
8 by the most recent federal decennial census, Sangamon County,  
9 or the counties of Madison, St. Clair, and Monroe,  
10 collectively referred to as the Metro East region.

11 (c) Notwithstanding subsection (b), the Department may, by  
12 administrative rule, authorize the statewide deployment of  
13 autonomous vehicles beyond the operational design domain  
14 described in this Section after a period of 3 years following  
15 the effective date of this Act, as long as the Department  
16 determines the pilot projects conducted under this Act have  
17 demonstrated safety and operational readiness.

18 Section 15. Operation of autonomous vehicles.

19 (a) A person may operate an autonomous vehicle on the  
20 public roads of this State with the automated driving system  
21 engaged only if the vehicle meets the following conditions:

22 (1) if a failure of the automated driving system  
23 occurs that renders that system unable to perform the  
24 entire dynamic driving task relevant to its intended  
25 operational design domain, the autonomous vehicle with

1           either achieve a minimal risk condition or, when being  
2           operated by a human driver, issue a request to intervene;

3           (2) the autonomous vehicle is capable of operating in  
4           compliance with the applicable traffic and motor vehicle  
5           safety laws, rules, and regulations of this State when  
6           reasonable to do so, unless an exemption has been granted  
7           by the Department;

8           (3) if required by federal law, the vehicle bears the  
9           required manufacturer's certification label indicating  
10          that at the time of its manufacture it has been certified  
11          to be in compliance with all applicable Federal Motor  
12          Vehicle Safety Standards, including reference to any  
13          exemption granted by the National Highway Traffic Safety  
14          Administration; and

15          (4) the autonomous vehicle is covered by motor vehicle  
16          liability coverage or self-insurance in an amount equal to  
17          or greater than the amount of coverage required under the  
18          laws of this State.

19          (b) In addition to satisfying the requirements of  
20          subsection (a), a person may operate an autonomous vehicle on  
21          the public roads of this State only if the person receives and  
22          maintains authorization to operate autonomous vehicles from  
23          the Department. To receive such authorization, a person must  
24          provide the following to the Department:

25                  (1) the name, address, and principal point of contact  
26                  for the person applying for authorization;

1           (2) an applicable written autonomous vehicle pilot  
2 project statement as required under subsection (a) of  
3 Section 10;

4           (3) a written statement by the person or the  
5 manufacturer of the vehicle or the automated driving  
6 system certifying that each autonomous vehicle complies  
7 with subsection (a);

8           (4) a first responder interaction plan; and

9           (5) evidence of financial responsibility, including an  
10 instrument of insurance, surety bond, or proof of  
11 self-insurance in the amount of \$1,000,000 per incident in  
12 a form and manner required by the Department.

13           (c) On receipt of the documents required under subsection  
14 (b) and verifying that the application is complete and  
15 accurate, the Department shall approve the application within  
16 10 days.

17           (d) An authorization issued by the Department under this  
18 Section does not expire and remains active unless suspended,  
19 revoked, or canceled by the Department.

20           (e) The authorization holder shall provide to the  
21 Department an update to the information described in  
22 subsection (b) no later than 30 days after the information  
23 materially changes.

24           (f) The Department may immediately suspend, revoke, or  
25 cancel the authorization issued under subsection (c) if the  
26 authorization fails to comply with subsection (e).

1           (g) The Department shall rescind the suspension,  
2 revocation, or cancellation within 10 business days of  
3 receiving the updated documentation.

4           Section 20. Licensing. When an automated driving system  
5 installed on a motor vehicle is engaged:

6           (1) the automated driving system is considered the  
7 driver or operator, for the purpose of assessing  
8 compliance with applicable traffic or motor vehicle laws  
9 and shall be deemed to satisfy electronically all physical  
10 acts required by a driver or operator of the vehicle; and

11           (2) the automated driving system is considered to be  
12 licensed to operate the vehicle.

13           Section 25. Duties following crashes involving autonomous  
14 vehicles. In the event of a crash:

15           (1) The autonomous vehicle shall remain on the scene  
16 of the crash if required by Article IV of Chapter 11 of the  
17 Illinois Vehicle Code consistent with its capability under  
18 Section 15.

19           (2) The owner of the autonomous vehicle, the  
20 authorization holder, or a person on behalf of the vehicle  
21 owner shall report any crashes or collisions consistent  
22 with Article IV of Chapter 11 of the Illinois Vehicle  
23 Code.

1 Section 30. Registration and title.

2 (a) An autonomous vehicle shall be properly registered in  
3 accordance with Article IV of Chapter 3 of the Illinois  
4 Vehicle Code. If an autonomous vehicle is registered in this  
5 State, the vehicle shall be identified on the registration as  
6 an autonomous vehicle.

7 (b) An autonomous vehicle shall be properly titled in  
8 accordance with Article I of Chapter 3 of the Illinois Vehicle  
9 Code. If an autonomous vehicle is titled in this State, the  
10 vehicle shall be identified on the title as an autonomous  
11 vehicle.

12 Section 35. Operation of a motor vehicle with an automated  
13 driving system by a human driver.

14 (a) A person may operate an autonomous vehicle if:

15 (1) the automated driving system of such autonomous  
16 vehicle will issue a request to intervene if the automated  
17 driving system is not capable of performing the entire  
18 dynamic driving task with the expectation that the person  
19 will respond appropriately to such a request; and

20 (2) the autonomous vehicle is capable of being  
21 operated in compliance with Chapter 11 of the Illinois  
22 Vehicle Code when reasonable to do so unless an exemption  
23 has been granted by the Department.

24 (b) Nothing in this Act prohibits or restricts a human  
25 driver from operating an autonomous vehicle equipped with

1 controls that allow for the human driver to control all or part  
2 of the dynamic driving task.

3 Section 40. Vehicle equipment standards. An autonomous  
4 vehicle that is designed to be operated exclusively by the  
5 automated driving system for all trips is not subject to motor  
6 vehicle equipment laws, rules, or regulations of this State  
7 that:

8 (1) relate to or support motor vehicle operation by a  
9 human driver seated in the vehicle; and

10 (2) are not relevant for an automated driving system.

11 Section 45. Evaluation data.

12 (a) As long as evaluation data is processed in compliance  
13 with subsections (b) and (c) and for the purpose of developing  
14 automated driving systems and autonomous vehicles, autonomous  
15 vehicle manufacturers are explicitly authorized to process  
16 evaluation data and shall not be subject to civil lawsuits or  
17 liable for actual, statutory, consequential, punitive, or  
18 other damages based on their processing of evaluation data,  
19 including, but not limited to, lawsuits or liability based on  
20 the alleged violation of State laws requiring individual  
21 consent or authorization to the collection of evaluation data.

22 (b) Autonomous vehicle manufacturers shall not use  
23 evaluation data for the purpose of identifying a specific  
24 individual.

1 (c) Autonomous vehicle manufacturers must implement,  
2 maintain, and enforce, for as long as autonomous vehicle  
3 operators process evaluation data, appropriate technical and  
4 organizational measures to ensure a level of security  
5 appropriate to the risks presented by the processing of the  
6 evaluation data.

7 (d) The Attorney General shall have sole enforcement of  
8 the obligations in subsections (b) and (c) and may enforce  
9 violations of subsections (b) and (c) as it would enforce  
10 unlawful practices under the Consumer Fraud and Deceptive  
11 Business Practices Act. All remedies, penalties, and authority  
12 granted to the Attorney General by the Consumer Fraud and  
13 Deceptive Business Practices Act shall be available to the  
14 Attorney General for enforcement of subsections (b) and (c).

15 Section 50. Controlling authority; home rule.

16 (a) Unless otherwise provided by this Act and  
17 notwithstanding any other provision of law, autonomous  
18 vehicles and automated driving systems are governed  
19 exclusively by this Act. The Department is the sole and  
20 exclusive State agency that may implement the provisions of  
21 this Act.

22 (b) The regulation of autonomous vehicles is an exclusive  
23 power and function of the State. A home rule unit may not  
24 regulate autonomous vehicles. This Section is a denial and  
25 limitation of home rule powers and functions under subsection

1 (h) of Section 6 of Article VII of the Illinois Constitution.

2 Section 55. Repeal. This Act is repealed on January 1,  
3 2029.

4 Section 60. The Illinois Vehicle Code is amended by  
5 changing Section 6-101 as follows:

6 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

7 Sec. 6-101. Drivers must have licenses or permits.

8 (a) No person, except those expressly exempted by Section  
9 6-102, shall drive any motor vehicle upon a highway in this  
10 State unless such person has a valid license or permit, an  
11 Illinois mobile driver's license, or a restricted driving  
12 permit, issued under the provisions of this Act.

13 (b) No person shall drive a motor vehicle unless the  
14 person holds a valid license or permit, an Illinois mobile  
15 driver's license, or a restricted driving permit issued under  
16 this Act. Any person to whom a license is issued under the  
17 provisions of this Act must surrender to the Secretary of  
18 State all valid licenses or permits, except that an applicant  
19 for a non-domiciled commercial learner's permit or commercial  
20 driver's license shall not be required to surrender a license  
21 or permit issued by the applicant's state or country of  
22 domicile. No driver's license or instruction permit shall be  
23 issued to any person who holds a valid Foreign State license,

1 identification card, or permit unless such person first  
2 surrenders to the Secretary of State any such valid Foreign  
3 State license, identification card, or permit.

4 (b-5) Any person who commits a violation of subsection (a)  
5 or (b) of this Section is guilty of a Class A misdemeanor, if  
6 at the time of the violation the person's driver's license or  
7 permit was cancelled under clause (a)9 of Section 6-201 of  
8 this Code.

9 (c) Any person licensed as a driver hereunder shall not be  
10 required by any city, village, incorporated town or other  
11 municipal corporation to obtain any other license to exercise  
12 the privilege thereby granted.

13 (d) In addition to other penalties imposed under this  
14 Section, any person in violation of this Section who is also in  
15 violation of Section 7-601 of this Code relating to mandatory  
16 insurance requirements shall have his or her motor vehicle  
17 immediately impounded by the arresting law enforcement  
18 officer. The motor vehicle may be released to any licensed  
19 driver upon a showing of proof of insurance for the motor  
20 vehicle that was impounded and the notarized written consent  
21 for the release by the vehicle owner.

22 (e) In addition to other penalties imposed under this  
23 Section, the vehicle of any person in violation of this  
24 Section who is also in violation of Section 7-601 of this Code  
25 relating to mandatory insurance requirements and who, in  
26 violating this Section, has caused death or personal injury to

1 another person is subject to forfeiture under Sections 36-1  
2 and 36-2 of the Criminal Code of 2012. For the purposes of this  
3 Section, a personal injury shall include any type A injury as  
4 indicated on the traffic crash report completed by a law  
5 enforcement officer that requires immediate professional  
6 attention in either a doctor's office or a medical facility. A  
7 type A injury shall include severely bleeding wounds,  
8 distorted extremities, and injuries that require the injured  
9 party to be carried from the scene.

10 (f) (1) The Secretary of State may issue a mobile driver's  
11 license to an individual in addition to, and not instead of, a  
12 license or an identification card if the Secretary of State  
13 has issued a driver's license to the person.

14 (2) The Secretary may enter into agreements with an agency  
15 of the State, another state, or the United States to  
16 facilitate the issuance, use, and verification of a mobile  
17 driver's license issued by the Secretary or another state.

18 (3) Any mobile driver's license issued by the Secretary  
19 shall be in accordance with American Association of Motor  
20 Vehicle Administrator's Mobile Driver's License (mDL)  
21 Implementation Guidelines, Version 1.1.

22 (4) The Secretary shall design the mobile driver's license  
23 in a manner that allows the credential holder to maintain  
24 physical possession of the device on which the electronic  
25 credential is accessed during verification.

26 (g) As used in this Section:

1 "Mobile driver's license" means an electronic extension of  
2 the Secretary of State issued physical driver's license that  
3 conveys identity and driving privilege information and is in  
4 compliance with the American Association of Motor Vehicle  
5 Administrator's Mobile Driver's License Implementation  
6 Guidelines and the ISO/IEC 18013-5 standard. "Mobile driver's  
7 license" does not include a digital copy, photograph, or image  
8 of a driver's license that is not downloaded through the  
9 Secretary of State's application on a mobile device.

10 (h) A person may be required to produce when so requested a  
11 physical driver's license to a law enforcement officer, a  
12 representative of a State or federal department or agency, or  
13 a private entity and is subject to all applicable laws and  
14 consequences for failure to produce such a license.

15 (i) The Secretary of State shall adopt such rules as are  
16 necessary to implement a mobile driver's license.

17 (j) The display of a mobile driver's license shall not  
18 serve as consent or authorization for a law enforcement  
19 officer, or any other person, to search, view, or access any  
20 other data or application on the mobile device. If a person  
21 presents his or her mobile device to a law enforcement officer  
22 for purposes of displaying a mobile driver's license, the law  
23 enforcement officer shall promptly return the mobile device to  
24 the person once the officer has had an opportunity to verify  
25 the identity and license status of the person. Except for  
26 willful and wanton misconduct, any law enforcement officer,

1 court, or officer of the court presented with the device shall  
2 be immune from any liability resulting from damage to the  
3 mobile device.

4 (k) The fee to install the application to display a mobile  
5 driver's license as defined in this subsection shall not  
6 exceed \$6.

7 (l) When an automated driving system installed on a motor  
8 vehicle is engaged:

9 (1) the automated driving system is considered the  
10 driver or operator, for the purpose of assessing  
11 compliance with applicable traffic or motor vehicle laws  
12 and shall be deemed to satisfy electronically all physical  
13 acts required by a driver or operator of the vehicle; and

14 (2) the automated driving system is considered to be  
15 licensed to operate the vehicle.

16 (Source: P.A. 102-982, eff. 7-1-23; 103-824, eff. 1-1-25.)

17 Section 65. The Consumer Fraud and Deceptive Business  
18 Practices Act is amended by changing Section 2Z as follows:

19 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

20 Sec. 2Z. Violations of other Acts. Any person who  
21 knowingly violates the Automotive Repair Act, the Automotive  
22 Collision Repair Act, the Home Repair and Remodeling Act, the  
23 Dance Studio Act, the Physical Fitness Services Act, the  
24 Hearing Instrument Consumer Protection Act, the Illinois Union

1 Label Act, the Installment Sales Contract Act, the Job  
2 Referral and Job Listing Services Consumer Protection Act, the  
3 Travel Promotion Consumer Protection Act, the Credit Services  
4 Organizations Act, the Automatic Telephone Dialers Act, the  
5 Pay-Per-Call Services Consumer Protection Act, the Telephone  
6 Solicitations Act, the Illinois Funeral or Burial Funds Act,  
7 the Cemetery Oversight Act, the Cemetery Care Act, the Safe  
8 and Hygienic Bed Act, the Illinois Pre-Need Cemetery Sales  
9 Act, the High Risk Home Loan Act, the Payday Loan Reform Act,  
10 the Predatory Loan Prevention Act, the Mortgage Rescue Fraud  
11 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax  
12 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use  
13 Tax Act, the Electronic Mail Act, the Internet Caller  
14 Identification Act, paragraph (6) of subsection (k) of Section  
15 6-305 of the Illinois Vehicle Code, Section 11-1431, 18d-115,  
16 18d-120, 18d-125, 18d-135, 18d-150, or 18d-153 of the Illinois  
17 Vehicle Code, Article 3 of the Residential Real Property  
18 Disclosure Act, the Automatic Contract Renewal Act, the  
19 Reverse Mortgage Act, Section 25 of the Youth Mental Health  
20 Protection Act, the Personal Information Protection Act, ~~or~~  
21 the Student Online Personal Protection Act, or subsection (b)  
22 or (c) of Section 45 the Autonomous Vehicle Pilot Project Act  
23 commits an unlawful practice within the meaning of this Act.

24 (Source: P.A. 100-315, eff. 8-24-17; 100-416, eff. 1-1-18;  
25 100-863, eff. 8-14-18; 101-658, eff. 3-23-21.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.