



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2913

Introduced 2/16/2023, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

New Act

Creates the Safe Autonomous Vehicle Act. Provides definitions. Provides that upon notification to the Secretary of State, a Motor Vehicle Manufacturer may commence a safe autonomous vehicle project with a vehicle installed with an Automated Driving System after providing notification to the Secretary of State and after self-certification under certain conditions. Provides that the Manufacturer shall determine the geographical boundaries of the project and shall maintain incident records and provide periodic summaries to the Secretary of State and the National Highway Traffic Safety Administration. Provides that the Participating Fleet in the program shall be insured by the Manufacturer who shall assume liability for incidents where the automated driving system technology is at fault for that incident. Provides that any person operates a vehicle with automated driving system technology without first satisfying the eligibility requirements in the Act shall be fined \$10,000 for a first violation and a second or subsequent violation is a Class A misdemeanor. Preempts home rule powers. Effective immediately.

LRB103 30132 MXP 56556 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 Safe
5 Autonomous Vehicle (SAVE) Act.

6 Section 5. Definitions. As used in this Act:

7 "Automated Driving System" (ADS) means technology
8 installed on a motor vehicle that has the capability, on a
9 part-time or full-time basis, to drive the vehicle without the
10 need for supervision of the driving environment by a human
11 driver or operator, whether or not a human driver or operator
12 is in the vehicle.

13 "Automatic Crash Notification Technology" means a vehicle
14 service integrating wireless communications and vehicle
15 location technology for the purpose of determining the need
16 for or facilitating emergency medical response in the event of
17 a vehicle crash.

18 "Motor Vehicle Manufacturer" means a person who has
19 manufactured and distributed motor vehicles in the United
20 States that are certified to comply with all applicable
21 federal motor vehicle safety standards and that has submitted
22 appropriate manufacturer identification information to the
23 National Highway Traffic Safety Administration under 49 CFR

1 part 566. "Motor Vehicle Manufacturer" also means a person
2 who:

3 (1) has manufactured ADS equipped vehicles in the
4 United States that are certified to comply with all
5 applicable federal and state laws;

6 (2) has operated ADS equipped vehicles using a test
7 driver and with an automated driving system on public
8 roads in the United States for at least 1,000,000 miles;
9 and

10 (3) has obtained an instrument of insurance, surety
11 bond, or proof of self-insurance in the amount of at least
12 \$10,000,000, and has provided evidence of that insurance,
13 surety bond, or self-insurance to the Department in a form
14 and manner required by the Department.

15 "On-Demand Automated Motor Vehicle Network" means a
16 digital network, software application, or other means to
17 connect passengers to ADS equipped fleet vehicles for
18 transportation between points chosen by the passenger.

19 "Participating Fleet" means those ADS equipped vehicles
20 that are operating on the public roads and highways in a SAVE
21 Project.

22 "SAVE project" means an initiative authorizing eligible
23 Motor Vehicle Manufacturers to make ADS equipped vehicles
24 available to the public for operation on the public roads and
25 highways of this State in a manner to be determined by such
26 Motor Vehicle Manufacturers that is consistent with all of the

1 provisions under this Act. Such operation may include, but is
2 not limited to, making an On-Demand Automated Vehicle Network
3 available to the public.

4 "Two-Way Vehicle Communication Technology" means a vehicle
5 service provided through a wireless communication device
6 embedded in a vehicle that enables two-way communication
7 between a vehicle occupant and the vehicle manufacturer.

8 Section 10. SAVE Project commencement; boundaries and data
9 collection.

10 (a) Commencement.

11 (1) A Motor Vehicle Manufacturer's eligibility to
12 participate in a SAVE project is conditioned solely upon
13 meeting the requirements under Section 15 of this Act.

14 (2) A SAVE Project may be commenced by a Motor Vehicle
15 Manufacturer at any time after it provides notification to
16 the Secretary of State of self-certification under Section
17 15 of this Act. A Motor Vehicle Manufacturer's
18 notification to the Department shall also set forth the
19 geographical boundaries for the SAVE project as described
20 in subsection (b) of this Act.

21 (3) Any Motor Vehicle Manufacturer may engage in
22 multiple SAVE projects under this subsection (a).

23 (b) SAVE project boundaries. A Motor Vehicle Manufacturer
24 shall determine the geographical boundaries for a SAVE
25 project, which may include, but are not limited to, a

1 designated area on the public roads or highways of this State,
2 including, but not limited to, a municipality, areas
3 maintained by regional authorities, university campuses,
4 developments catering to senior citizens, or other similar
5 geographic and demographic areas. The public operation of the
6 Participating Fleets shall be confined to the boundaries
7 selected by a Motor Vehicle Manufacturer.

8 (c) Data collection. For the duration of a SAVE project,
9 any participating Motor Vehicle Manufacturer shall maintain
10 incident records and provide periodic summaries to the
11 Department and the National Highway Traffic Safety
12 Administration (NHTSA) related to safety for the Participating
13 Fleet.

14 (d) Disclosure and consent. Individuals participating in
15 any SAVE Project are deemed to consent to the collection of
16 such data while they are in the vehicle and to the later
17 provision of anonymized data summaries to the Department and
18 NHTSA. Prior to the commencement of and during a SAVE Project,
19 any participating Motor Vehicle Manufacturer shall make
20 publicly available a privacy statement disclosing its data
21 handling practices in connection with the applicable
22 Participating Fleet.

23 Section 15. SAVE project eligibility. Only Motor Vehicle
24 Manufacturers are eligible to participate in a SAVE Project
25 and they are responsible for the safe operation of the

1 Participating Fleet. In order for a Motor Vehicle Manufacturer
2 to be authorized to participate in a SAVE Project, it must
3 self-certify to the conditions set forth below:

4 (a) the Participating Fleet is owned or controlled by the
5 Motor Vehicle Manufacturer and is equipped with the following
6 attributes:

7 (1) Automated Driving Systems;

8 (2) Automatic Crash Notification Technology;

9 (3) a data recording system with capacity to record
10 the ADS system status and other vehicle attributes such as
11 speed, direction, and location at a specified time period
12 determined by the Motor Vehicle Manufacturer prior to a
13 crash; and

14 (4) Two-Way Vehicle Communication Technology;

15 (b) the Participating Fleet complies with all applicable
16 federal and State laws; and

17 (c) subject to Section 20 of this Act, the vehicles in the
18 Participating Fleet are capable of being operated in
19 compliance with applicable traffic and motor vehicle laws of
20 this State.

21 Section 20. Traffic and motor vehicle laws.

22 (a) When engaged, the ADS shall be considered the driver
23 or operator for purposes of assessing conformance to
24 applicable traffic or motor vehicle laws, and shall be deemed
25 to be validly licensed to operate a motor vehicle under

1 Section 6-101 of the Illinois Vehicle Code and Section 15 of
2 the Transportation Network Providers Act; and shall be deemed
3 to satisfy all the applicable requirements to be licensed
4 under the Illinois Vehicle Code and any physical acts required
5 of a driver or operator, including, but not limited to those
6 required under Section 6-112 of the Illinois Vehicle Code. No
7 motor vehicle laws of this State shall be construed as
8 prohibiting an ADS from being the operator or driver of a motor
9 vehicle, and no motor vehicle laws of this State shall be
10 construed as requiring a licensed human driver to operate a
11 vehicle that is being operated by an ADS under this Section.

12 (b) SAVE project vehicles shall be insured by the
13 applicable Motor Vehicle Manufacturer consistent with the
14 Illinois Insurance Code.

15 (c) For a SAVE project in which the ADS is in control of
16 the vehicle, the applicable Motor Vehicle Manufacturer shall
17 assume liability for incidents where the ADS technology is at
18 fault for such incident, but in all cases consistent with
19 existing insurance law and other laws.

20 (d) A Motor Vehicle Manufacturer is immune from any
21 liability for damages that arise out of any modification made
22 by another person to a vehicle manufactured by the Motor
23 Vehicle Manufacturer, or a system or component of the vehicle
24 installed by the manufacturer, or to any ADS or automated
25 technology, without the Motor Vehicle Manufacturer's written
26 consent.

1 (e) An ADS installed on a motor vehicle that is equipped
2 with Automatic Crash Notification Technology shall be deemed
3 to be in compliance with all applicable requirements under
4 Article IV of Chapter 11 of the Illinois Vehicle Code if the
5 Automatic Crash Notification Technology allows a
6 representative of the Motor Vehicle Manufacturer to promptly
7 connect with law enforcement to report the crash.

8 (f) The requirements under Section 12-603.1 of the
9 Illinois Vehicle Code shall be the responsibility of and apply
10 only to human occupants of a motor vehicle. The requirements
11 of the Child Passenger Protection Act shall be the
12 responsibility of and apply only to the parent or guardian of
13 the child.

14 (g) The provisions of Section 11-1401 of the Illinois
15 Vehicle Code shall not apply to an ADS installed on a vehicle
16 in a Participating Fleet.

17 (h) Except as otherwise provided in this Act, SAVE
18 Projects are governed exclusively by this Act.

19 Section 25. Enforcement.

20 (a) Notwithstanding Section 10 of this Act, any person who
21 operates or has operated an ADS-operated vehicle on a public
22 road or highway in this State or another state or territory of
23 the United States without satisfying the applicable
24 eligibility requirements, or in express violation of a statute
25 or regulation requiring a valid driver's license, permit, or

1 other applicable form of authority to operate a motor vehicle,
2 shall not operate an ADS-operated vehicle in this state.

3 (b) Evidence.

4 (1) A copy of the citation or other official
5 documentation, notice, or information indicating operation
6 without a valid driver's license, permit, or other
7 applicable form of authority to operate, a motor vehicle
8 shall constitute sufficient evidence to prove violation.

9 (2) A vehicle operating on public roads without a
10 human driver present in the vehicle shall be presumed to
11 be equipped with ADS and subject to the requirements of
12 this Act.

13 (c) Any person who violates subsection (a) of this Section
14 is subject to a fine of \$ 10,000.

15 (d) A second or subsequent violation of subsection (a) of
16 this Section is a Class A misdemeanor.

17 Section 30. Home rule. The regulation of SAVE projects is
18 the exclusive power and function of the State. A home rule unit
19 may not regulate SAVE projects. This Section is a denial and
20 limitation of home rule powers and functions under subsection
21 (h) of Article VII of the Illinois Constitution.

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