



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2558

Introduced 2/6/2018, by Sen. Karen McConnaughay

SYNOPSIS AS INTRODUCED:

20 ILCS 2610/18	from Ch. 121, par. 307.18
625 ILCS 5/15-102	from Ch. 95 1/2, par. 15-102
625 ILCS 5/15-301	from Ch. 95 1/2, par. 15-301

Amends the State Police Act. Provides that the Director of State Police may also authorize any civilian employee of the Department of State Police who is not a State policeman to be a truck weighing inspector with the power of enforcing a provision of the Illinois Vehicle Code which allows upon application and good cause for the issuing of a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum permitted or otherwise not in conformity with the Illinois Vehicle Code upon any highway under the jurisdiction of the party granting the permit. Amends the Illinois Vehicle Code. Provides that a civilian escort vehicle shall be a vehicle not exceeding a gross vehicle weight rating of 26,000 pounds (rather than a passenger or second division vehicle not exceeding 8,000 pounds) that is designed to afford clear and unobstructed vision to both front and rear. Provides that any person, firm, or corporation convicted of a violation for a permit issued for excess size and weight for the third offense by the same person, firm, or corporation within a period of one year after the date of the first offense, not less than \$300 nor more than \$500 and the Department of State Police may not issue permits to the person, firm, or corporation convicted of a third offense during a period of one year after the date of conviction or supervision for such third offense, unless the violation is the cause or contributing cause in a motor vehicle accident causing damage to property, injury, or death to a person. Provides that if the violation is the cause or contributing cause in a motor vehicle accident of damage to property, injury, or death to a person, the person, firm, or corporation shall not be issued a permit for 180 days after the date of conviction or supervision for the offense.

LRB100 18084 SLF 33277 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 State Police Act is amended by changing
5 Section 18 as follows:

6 (20 ILCS 2610/18) (from Ch. 121, par. 307.18)

7 Sec. 18. The Director may also authorize any civilian
8 employee of the Department who is not a State policeman to be a
9 truck weighing inspector with the power of enforcing the
10 provisions of Sections 15-102, 15-103, 15-107, 15-111, and
11 15-301 and subsection (d) of Section 3-401 of the Illinois
12 Vehicle Code.

13 (Source: P.A. 88-476; 89-117, eff. 7-7-95.)

14 Section 10. The Illinois Vehicle Code is amended by
15 changing Sections 15-102 and 15-301 as follows:

16 (625 ILCS 5/15-102) (from Ch. 95 1/2, par. 15-102)

17 Sec. 15-102. Width of Vehicles.

18 (a) On Class III and non-designated State and local
19 highways, the total outside width of any vehicle or load
20 thereon shall not exceed 8 feet 6 inches.

21 (b) Except during those times when, due to insufficient

1 light or unfavorable atmospheric conditions, persons and
2 vehicles on the highway are not clearly discernible at a
3 distance of 1000 feet, the following vehicles may exceed the 8
4 feet 6 inch limitation during the period from a half hour
5 before sunrise to a half hour after sunset:

6 (1) Loads of hay, straw or other similar farm products
7 provided that the load is not more than 12 feet wide.

8 (2) Implements of husbandry being transported on
9 another vehicle and the transporting vehicle while loaded.

10 The following requirements apply to the transportation
11 on another vehicle of an implement of husbandry wider than
12 8 feet 6 inches on the National System of Interstate and
13 Defense Highways or other highways in the system of State
14 highways:

15 (A) The driver of a vehicle transporting an
16 implement of husbandry that exceeds 8 feet 6 inches in
17 width shall obey all traffic laws and shall check the
18 roadways prior to making a movement in order to ensure
19 that adequate clearance is available for the movement.
20 It is prima facie evidence that the driver of a vehicle
21 transporting an implement of husbandry has failed to
22 check the roadway prior to making a movement if the
23 vehicle is involved in a collision with a bridge,
24 overpass, fixed structure, or properly placed traffic
25 control device or if the vehicle blocks traffic due to
26 its inability to proceed because of a bridge, overpass,

1 fixed structure, or properly placed traffic control
2 device.

3 (B) Flags shall be displayed so as to wave freely
4 at the extremities of overwidth objects and at the
5 extreme ends of all protrusions, projections, and
6 overhangs. All flags shall be clean, bright red flags
7 with no advertising, wording, emblem, or insignia
8 inscribed upon them and at least 18 inches square.

9 (C) "OVERSIZE LOAD" signs are mandatory on the
10 front and rear of all vehicles with loads over 10 feet
11 wide. These signs must have 12-inch high black letters
12 with a 2-inch stroke on a yellow sign that is 7 feet
13 wide by 18 inches high.

14 (D) One civilian escort vehicle is required for a
15 load that exceeds 14 feet 6 inches in width and 2
16 civilian escort vehicles are required for a load that
17 exceeds 16 feet in width on the National System of
18 Interstate and Defense Highways or other highways in
19 the system of State highways.

20 (E) The requirements for a civilian escort vehicle
21 and driver are as follows:

22 (1) The civilian escort vehicle shall be a
23 ~~passenger car or a second division~~ vehicle not
24 exceeding a gross vehicle weight rating of 26,000
25 ~~8,000~~ pounds that is designed to afford clear and
26 unobstructed vision to both front and rear.

1 (2) The escort vehicle driver must be properly
2 licensed to operate the vehicle.

3 (3) While in use, the escort vehicle must be
4 equipped with illuminated rotating, oscillating,
5 or flashing amber lights or flashing amber strobe
6 lights mounted on top that are of sufficient
7 intensity to be visible at 500 feet in normal
8 sunlight.

9 (4) "OVERSIZE LOAD" signs are mandatory on all
10 escort vehicles. The sign on an escort vehicle
11 shall have 8-inch high black letters on a yellow
12 sign that is 5 feet wide by 12 inches high.

13 (5) When only one escort vehicle is required
14 and it is operating on a two-lane highway, the
15 escort vehicle shall travel approximately 300 feet
16 ahead of the load. The rotating, oscillating, or
17 flashing lights or flashing amber strobe lights
18 and an "OVERSIZE LOAD" sign shall be displayed on
19 the escort vehicle and shall be visible from the
20 front. When only one escort vehicle is required and
21 it is operating on a multilane divided highway, the
22 escort vehicle shall travel approximately 300 feet
23 behind the load and the sign and lights shall be
24 visible from the rear.

25 (6) When 2 escort vehicles are required, one
26 escort shall travel approximately 300 feet ahead

1 of the load and the second escort shall travel
2 approximately 300 feet behind the load. The
3 rotating, oscillating, or flashing lights or
4 flashing amber strobe lights and an "OVERSIZE
5 LOAD" sign shall be displayed on the escort
6 vehicles and shall be visible from the front on the
7 lead escort and from the rear on the trailing
8 escort.

9 (7) When traveling within the corporate limits
10 of a municipality, the escort vehicle shall
11 maintain a reasonable and proper distance from the
12 oversize load, consistent with existing traffic
13 conditions.

14 (8) A separate escort shall be provided for
15 each load hauled.

16 (9) The driver of an escort vehicle shall obey
17 all traffic laws.

18 (10) The escort vehicle must be in safe
19 operational condition.

20 (11) The driver of the escort vehicle must be
21 in radio contact with the driver of the vehicle
22 carrying the oversize load.

23 (F) A transport vehicle while under load of more
24 than 8 feet 6 inches in width must be equipped with an
25 illuminated rotating, oscillating, or flashing amber
26 light or lights or a flashing amber strobe light or

1 lights mounted on the top of the cab that are of
2 sufficient intensity to be visible at 500 feet in
3 normal sunlight. If the load on the transport vehicle
4 blocks the visibility of the amber lighting from the
5 rear of the vehicle, the vehicle must also be equipped
6 with an illuminated rotating, oscillating, or flashing
7 amber light or lights or a flashing amber strobe light
8 or lights mounted on the rear of the load that are of
9 sufficient intensity to be visible at 500 feet in
10 normal sunlight.

11 (G) When a flashing amber light is required on the
12 transport vehicle under load and it is operating on a
13 two-lane highway, the transport vehicle shall display
14 to the rear at least one rotating, oscillating, or
15 flashing light or a flashing amber strobe light and an
16 "OVERSIZE LOAD" sign. When a flashing amber light is
17 required on the transport vehicle under load and it is
18 operating on a multilane divided highway, the sign and
19 light shall be visible from the rear.

20 (H) Maximum speed shall be 45 miles per hour on all
21 such moves or 5 miles per hour above the posted minimum
22 speed limit, whichever is greater, but the vehicle
23 shall not at any time exceed the posted maximum speed
24 limit.

25 (3) Portable buildings designed and used for
26 agricultural and livestock raising operations that are not

1 more than 14 feet wide and with not more than a 1 foot
2 overhang along the left side of the hauling vehicle.
3 However, the buildings shall not be transported more than
4 10 miles and not on any route that is part of the National
5 System of Interstate and Defense Highways.

6 All buildings when being transported shall display at least
7 2 red cloth flags, not less than 12 inches square, mounted as
8 high as practicable on the left and right side of the building.

9 A State Police escort shall be required if it is necessary
10 for this load to use part of the left lane when crossing any 2
11 laned State highway bridge.

12 (c) Vehicles propelled by electric power obtained from
13 overhead trolley wires operated wholly within the corporate
14 limits of a municipality are also exempt from the width
15 limitation.

16 (d) (Blank).

17 (d-1) A recreational vehicle, as defined in Section 1-169,
18 may exceed 8 feet 6 inches in width if:

19 (1) the excess width is attributable to appurtenances
20 that extend 6 inches or less beyond either side of the body
21 of the vehicle; and

22 (2) the roadway on which the vehicle is traveling has
23 marked lanes for vehicular traffic that are at least 11
24 feet in width.

25 As used in this subsection (d-1) and in subsection (d-2),
26 the term appurtenance includes (i) a retracted awning and its

1 support hardware and (ii) any appendage that is intended to be
2 an integral part of a recreation vehicle.

3 (d-2) A recreational vehicle that exceeds 8 feet 6 inches
4 in width as provided in subsection (d-1) may travel any roadway
5 of the State if the vehicle is being operated between a roadway
6 permitted under subsection (d-1) and:

7 (1) the location where the recreation vehicle is
8 garaged;

9 (2) the destination of the recreation vehicle; or

10 (3) a facility for food, fuel, repair, services, or
11 rest.

12 (e) A vehicle and load traveling upon the National System
13 of Interstate and Defense Highways or any other highway in the
14 system of State highways that has been designated as a Class I
15 or Class II highway by the Department, or any street or highway
16 designated by local authorities, may have a total outside width
17 of 8 feet 6 inches, provided that certain safety devices that
18 the Department determines as necessary for the safe and
19 efficient operation of motor vehicles shall not be included in
20 the calculation of width.

21 Section 5-35 of the Illinois Administrative Procedure Act
22 relating to procedures for rulemaking shall not apply to the
23 designation of highways under this paragraph (e).

24 (f) Mirrors required by Section 12-502 of this Code and
25 other safety devices identified by the Department may project
26 up to 14 inches beyond each side of a bus and up to 6 inches

1 beyond each side of any other vehicle, and that projection
2 shall not be deemed a violation of the width restrictions of
3 this Section.

4 (g) Any person who is convicted of violating this Section
5 is subject to the penalty as provided in paragraph (b) of
6 Section 15-113.

7 (Source: P.A. 96-34, eff. 1-1-10; 96-37, eff. 7-13-09; 96-220,
8 eff. 1-1-10; 96-1000, eff. 7-2-10.)

9 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

10 Sec. 15-301. Permits for excess size and weight.

11 (a) The Department with respect to highways under its
12 jurisdiction and local authorities with respect to highways
13 under their jurisdiction may, in their discretion, upon
14 application and good cause being shown therefor, issue a
15 special permit authorizing the applicant to operate or move a
16 vehicle or combination of vehicles of a size or weight of
17 vehicle or load exceeding the maximum specified in this Act or
18 otherwise not in conformity with this Act upon any highway
19 under the jurisdiction of the party granting such permit and
20 for the maintenance of which the party is responsible.
21 Applications and permits other than those in written or printed
22 form may only be accepted from and issued to the company or
23 individual making the movement. Except for an application to
24 move directly across a highway, it shall be the duty of the
25 applicant to establish in the application that the load to be

1 moved by such vehicle or combination cannot reasonably be
2 dismantled or disassembled, the reasonableness of which shall
3 be determined by the Secretary of the Department. For the
4 purpose of over length movements, more than one object may be
5 carried side by side as long as the height, width, and weight
6 laws are not exceeded and the cause for the over length is not
7 due to multiple objects. For the purpose of over height
8 movements, more than one object may be carried as long as the
9 cause for the over height is not due to multiple objects and
10 the length, width, and weight laws are not exceeded. For the
11 purpose of an over width movement, more than one object may be
12 carried as long as the cause for the over width is not due to
13 multiple objects and length, height, and weight laws are not
14 exceeded. Except for transporting fluid milk products, no State
15 or local agency shall authorize the issuance of excess size or
16 weight permits for vehicles and loads that are divisible and
17 that can be carried, when divided, within the existing size or
18 weight maximums specified in this Chapter. Any excess size or
19 weight permit issued in violation of the provisions of this
20 Section shall be void at issue and any movement made thereunder
21 shall not be authorized under the terms of the void permit. In
22 any prosecution for a violation of this Chapter when the
23 authorization of an excess size or weight permit is at issue,
24 it is the burden of the defendant to establish that the permit
25 was valid because the load to be moved could not reasonably be
26 dismantled or disassembled, or was otherwise nondivisible.

1 (b) The application for any such permit shall: (1) state
2 whether such permit is requested for a single trip or for
3 limited continuous operation; (2) state if the applicant is an
4 authorized carrier under the Illinois Motor Carrier of Property
5 Law, if so, his certificate, registration or permit number
6 issued by the Illinois Commerce Commission; (3) specifically
7 describe and identify the vehicle or vehicles and load to be
8 operated or moved except that for vehicles or vehicle
9 combinations registered by the Department as provided in
10 Section 15-319 of this Chapter, only the Illinois Department of
11 Transportation's (IDT) registration number or classification
12 need be given; (4) state the routing requested including the
13 points of origin and destination, and may identify and include
14 a request for routing to the nearest certified scale in
15 accordance with the Department's rules and regulations,
16 provided the applicant has approval to travel on local roads;
17 and (5) state if the vehicles or loads are being transported
18 for hire. No permits for the movement of a vehicle or load for
19 hire shall be issued to any applicant who is required under the
20 Illinois Motor Carrier of Property Law to have a certificate,
21 registration or permit and does not have such certificate,
22 registration or permit.

23 (c) The Department or local authority when not inconsistent
24 with traffic safety is authorized to issue or withhold such
25 permit at its discretion; or, if such permit is issued at its
26 discretion to prescribe the route or routes to be traveled, to

1 limit the number of trips, to establish seasonal or other time
2 limitations within which the vehicles described may be operated
3 on the highways indicated, or otherwise to limit or prescribe
4 conditions of operations of such vehicle or vehicles, when
5 necessary to assure against undue damage to the road
6 foundations, surfaces or structures, and may require such
7 undertaking or other security as may be deemed necessary to
8 compensate for any injury to any roadway or road structure. The
9 Department shall maintain a daily record of each permit issued
10 along with the fee and the stipulated dimensions, weights,
11 conditions and restrictions authorized and this record shall be
12 presumed correct in any case of questions or dispute. The
13 Department shall install an automatic device for recording
14 applications received and permits issued by telephone. In
15 making application by telephone, the Department and applicant
16 waive all objections to the recording of the conversation.

17 (d) The Department shall, upon application in writing from
18 any local authority, issue an annual permit authorizing the
19 local authority to move oversize highway construction,
20 transportation, utility and maintenance equipment over roads
21 under the jurisdiction of the Department. The permit shall be
22 applicable only to equipment and vehicles owned by or
23 registered in the name of the local authority, and no fee shall
24 be charged for the issuance of such permits.

25 (e) As an exception to subsection ~~paragraph~~ (a) of this
26 Section, the Department and local authorities, with respect to

1 highways under their respective jurisdictions, in their
2 discretion and upon application in writing may issue a special
3 permit for limited continuous operation, authorizing the
4 applicant to move loads of agricultural commodities on a 2-axle
5 ~~2-axle~~ single vehicle registered by the Secretary of State with
6 axle loads not to exceed 35%, on a 3-axle or 4-axle ~~3 or 4 axle~~
7 vehicle registered by the Secretary of State with axle loads
8 not to exceed 20%, and on a 5-axle ~~5-axle~~ vehicle registered by
9 the Secretary of State not to exceed 10% above those provided
10 in Section 15-111. The total gross weight of the vehicle,
11 however, may not exceed the maximum gross weight of the
12 registration class of the vehicle allowed under Section 3-815
13 or 3-818 of this Code.

14 As used in this Section, "agricultural commodities" means:

- 15 (1) cultivated plants or agricultural produce grown
16 including, but ~~is~~ not limited to, corn, soybeans, wheat,
17 oats, grain sorghum, canola, and rice;
- 18 (2) livestock, including, but not limited to, hogs,
19 equine, sheep, and poultry;
- 20 (3) ensilage; and
- 21 (4) fruits and vegetables.

22 Permits may be issued for a period not to exceed 40 days
23 and moves may be made of a distance not to exceed 50 miles from
24 a field, an on-farm grain storage facility, a warehouse as
25 defined in the ~~Illinois~~ Grain Code, or a livestock management
26 facility as defined in the Livestock Management Facilities Act

1 over any highway except the National System of Interstate and
2 Defense Highways. The operator of the vehicle, however, must
3 abide by posted bridge and posted highway weight limits. All
4 implements of husbandry operating under this Section between
5 sunset and sunrise shall be equipped as prescribed in Section
6 12-205.1.

7 (e-1) Upon a declaration by the Governor that an emergency
8 harvest situation exists, a special permit issued by the
9 Department under this Section shall be required from September
10 1 through December 31 during harvest season emergencies for a
11 vehicle that exceeds the maximum axle weight and gross weight
12 limits under Section 15-111 of this Code or exceeds the
13 vehicle's registered gross weight, provided that the vehicle's
14 axle weight and gross weight do not exceed 10% above the
15 maximum limits under Section 15-111 of this Code and does not
16 exceed the vehicle's registered gross weight by 10%. All other
17 restrictions that apply to permits issued under this Section
18 shall apply during the declared time period and no fee shall be
19 charged for the issuance of those permits. Permits issued by
20 the Department under this subsection (e-1) are only valid on
21 federal and State highways under the jurisdiction of the
22 Department, except interstate highways. With respect to
23 highways under the jurisdiction of local authorities, the local
24 authorities may, at their discretion, waive special permit
25 requirements during harvest season emergencies, and set a
26 divisible load weight limit not to exceed 10% above a vehicle's

1 registered gross weight, provided that the vehicle's axle
2 weight and gross weight do not exceed 10% above the maximum
3 limits specified in Section 15-111. Permits issued under this
4 subsection (e-1) shall apply to all registered vehicles
5 eligible to obtain permits under this Section, including
6 vehicles used in private or for-hire movement of divisible load
7 agricultural commodities during the declared time period.

8 (f) The form and content of the permit shall be determined
9 by the Department with respect to highways under its
10 jurisdiction and by local authorities with respect to highways
11 under their jurisdiction. Every permit shall be in written form
12 and carried in the vehicle or combination of vehicles to which
13 it refers and shall be open to inspection by any police officer
14 or authorized agent of any authority granting the permit and no
15 person shall violate any of the terms or conditions of such
16 special permit. Violation of the terms and conditions of the
17 permit shall not be deemed a revocation of the permit; however,
18 any vehicle and load found to be off the route prescribed in
19 the permit shall be held to be operating without a permit. Any
20 off route vehicle and load shall be required to obtain a new
21 permit or permits, as necessary, to authorize the movement back
22 onto the original permit routing. No rule or regulation, nor
23 anything herein shall be construed to authorize any police
24 officer, court, or authorized agent of any authority granting
25 the permit to remove the permit from the possession of the
26 permittee unless the permittee is charged with a fraudulent

1 permit violation as provided in subsection ~~paragraph~~ (i).
2 However, upon arrest for an offense of violation of permit,
3 operating without a permit when the vehicle is off route, or
4 any size or weight offense under this Chapter when the
5 permittee plans to raise the issuance of the permit as a
6 defense, the permittee, or his agent, must produce the permit
7 at any court hearing concerning the alleged offense.

8 If the permit designates and includes a routing to a
9 certified scale, the permittee, while enroute to the designated
10 scale, shall be deemed in compliance with the weight provisions
11 of the permit provided the axle or gross weights do not exceed
12 any of the permitted limits by more than the following amounts:

13	Single axle	2000 pounds
14	Tandem axle	3000 pounds
15	Gross	5000 pounds

16 (g) The Department is authorized to adopt, amend, and to
17 make available to interested persons a policy concerning
18 reasonable rules, limitations and conditions or provisions of
19 operation upon highways under its jurisdiction in addition to
20 those contained in this Section for the movement by special
21 permit of vehicles, combinations, or loads which cannot
22 reasonably be dismantled or disassembled, including
23 manufactured and modular home sections and portions thereof.
24 All rules, limitations and conditions or provisions adopted in
25 the policy shall have due regard for the safety of the
26 traveling public and the protection of the highway system and

1 shall have been promulgated in conformity with the provisions
2 of the Illinois Administrative Procedure Act. The requirements
3 of the policy for flagmen and escort vehicles shall be the same
4 for all moves of comparable size and weight. When escort
5 vehicles are required, they shall meet the following
6 requirements:

7 (1) All operators shall be 18 years of age or over and
8 properly licensed to operate the vehicle.

9 (2) Vehicles escorting oversized loads more than
10 12-feet wide must be equipped with a rotating or flashing
11 amber light mounted on top as specified under Section
12 12-215.

13 The Department shall establish reasonable rules and
14 regulations regarding liability insurance or self insurance
15 for vehicles with oversized loads promulgated under the
16 Illinois Administrative Procedure Act. Police vehicles may be
17 required for escort under circumstances as required by rules
18 and regulations of the Department.

19 (h) Violation of any rule, limitation or condition or
20 provision of any permit issued in accordance with the
21 provisions of this Section shall not render the entire permit
22 null and void but the violator shall be deemed guilty of
23 violation of permit and guilty of exceeding any size, weight or
24 load limitations in excess of those authorized by the permit.
25 The prescribed route or routes on the permit are not mere
26 rules, limitations, conditions, or provisions of the permit,

1 but are also the sole extent of the authorization granted by
2 the permit. If a vehicle and load are found to be off the route
3 or routes prescribed by any permit authorizing movement, the
4 vehicle and load are operating without a permit. Any off-route
5 ~~off-route~~ movement shall be subject to the size and weight
6 maximums, under the applicable provisions of this Chapter, as
7 determined by the type or class highway upon which the vehicle
8 and load are being operated.

9 (i) Whenever any vehicle is operated or movement made under
10 a fraudulent permit the permit shall be void, and the person,
11 firm, or corporation to whom such permit was granted, the
12 driver of such vehicle in addition to the person who issued
13 such permit and any accessory, shall be guilty of fraud and
14 either one or all persons may be prosecuted for such violation.
15 Any person, firm, or corporation committing such violation
16 shall be guilty of a Class 4 felony and the Department shall
17 not issue permits to the person, firm or corporation convicted
18 of such violation for a period of one year after the date of
19 conviction. Penalties for violations of this Section shall be
20 in addition to any penalties imposed for violation of other
21 Sections of this Code Act.

22 (j) Whenever any vehicle is operated or movement made in
23 violation of a permit issued in accordance with this Section,
24 the person to whom such permit was granted, or the driver of
25 such vehicle, is guilty of such violation and either, but not
26 both, persons may be prosecuted for such violation as stated in

1 this subsection (j). Any person, firm, or corporation convicted
2 of such violation shall be guilty of a petty offense and shall
3 be fined for the first offense, not less than \$50 nor more than
4 \$200 and, for the second offense by the same person, firm, or
5 corporation within a period of one year, not less than \$200 nor
6 more than \$300 and, for the third offense by the same person,
7 firm, or corporation within a period of one year after the date
8 of the first offense, not less than \$300 nor more than \$500 and
9 the Department ~~may shall~~ not issue permits to the person, firm,
10 or corporation convicted of a third offense during a period of
11 one year after the date of conviction or supervision for such
12 third offense, unless the violation is the cause or
13 contributing cause in a motor vehicle accident causing damage
14 to property, injury, or death to a person. If the violation is
15 the cause or contributing cause in a motor vehicle accident of
16 damage to property, injury, or death to a person, the person,
17 firm, or corporation shall not be issued a permit for 180 days
18 after the date of conviction or supervision for the offense.

19 (k) Whenever any vehicle is operated on local roads under
20 permits for excess width or length issued by local authorities,
21 such vehicle may be moved upon a State highway for a distance
22 not to exceed one-half mile without a permit for the purpose of
23 crossing the State highway.

24 (l) Notwithstanding any other provision of this Section,
25 the Department, with respect to highways under its
26 jurisdiction, and local authorities, with respect to highways

1 under their jurisdiction, may at their discretion authorize the
2 movement of a vehicle in violation of any size or weight
3 requirement, or both, that would not ordinarily be eligible for
4 a permit, when there is a showing of extreme necessity that the
5 vehicle and load should be moved without unnecessary delay.

6 For the purpose of this subsection, showing of extreme
7 necessity shall be limited to the following: shipments of
8 livestock, hazardous materials, liquid concrete being hauled
9 in a mobile cement mixer, or hot asphalt.

10 (m) Penalties for violations of this Section shall be in
11 addition to any penalties imposed for violating any other
12 Section of this Code.

13 (n) The Department with respect to highways under its
14 jurisdiction and local authorities with respect to highways
15 under their jurisdiction, in their discretion and upon
16 application in writing, may issue a special permit for
17 continuous limited operation, authorizing the applicant to
18 operate a tow truck ~~tow truck~~ that exceeds the weight limits
19 provided for in subsection (a) of Section 15-111, provided:

20 (1) no rear single axle of the tow truck ~~tow truck~~
21 exceeds 26,000 pounds;

22 (2) no rear tandem axle of the tow truck ~~tow truck~~
23 exceeds 50,000 pounds;

24 (2.1) no triple rear axle on a manufactured recovery
25 unit exceeds 60,000 pounds;

26 (3) neither the disabled vehicle nor the disabled

1 combination of vehicles exceed the weight restrictions
2 imposed by this Chapter 15, or the weight limits imposed
3 under a permit issued by the Department prior to hookup;

4 (4) the tow truck ~~tow-truck~~ prior to hookup does not
5 exceed the weight restrictions imposed by this Chapter 15;

6 (5) during the tow operation the tow truck ~~tow-truck~~
7 does not violate any weight restriction sign;

8 (6) the tow truck ~~tow-truck~~ is equipped with flashing,
9 rotating, or oscillating amber lights, visible for at least
10 500 feet in all directions;

11 (7) the tow truck ~~tow-truck~~ is specifically designed
12 and licensed as a tow truck ~~tow-truck~~;

13 (8) the tow truck ~~tow-truck~~ has a gross vehicle weight
14 rating of sufficient capacity to safely handle the load;

15 (9) the tow truck ~~tow-truck~~ is equipped with air
16 brakes;

17 (10) the tow truck ~~tow-truck~~ is capable of utilizing
18 the lighting and braking systems of the disabled vehicle or
19 combination of vehicles;

20 (11) the tow commences at the initial point of wreck or
21 disablement and terminates at a point where the repairs are
22 actually to occur;

23 (12) the permit issued to the tow truck ~~tow-truck~~ is
24 carried in the tow truck ~~tow-truck~~ and exhibited on demand
25 by a police officer; and

26 (13) the movement shall be valid only on State ~~state~~

1 routes approved by the Department.

2 (o) (Blank).

3 (p) In determining whether a load may be reasonably
4 dismantled or disassembled for the purpose of subsection
5 ~~paragraph~~ (a), the Department shall consider whether there is a
6 significant negative impact on the condition of the pavement
7 and structures along the proposed route, whether the load or
8 vehicle as proposed causes a safety hazard to the traveling
9 public, whether dismantling or disassembling the load promotes
10 or stifles economic development and whether the proposed route
11 travels less than 5 miles. A load is not required to be
12 dismantled or disassembled for the purposes of subsection
13 ~~paragraph~~ (a) if the Secretary of the Department determines
14 there will be no significant negative impact to pavement or
15 structures along the proposed route, the proposed load or
16 vehicle causes no safety hazard to the traveling public,
17 dismantling or disassembling the load does not promote economic
18 development and the proposed route travels less than 5 miles.
19 The Department may promulgate rules for the purpose of
20 establishing the divisibility of a load pursuant to subsection
21 ~~paragraph~~ (a). Any load determined by the Secretary to be
22 nondivisible shall otherwise comply with the existing size or
23 weight maximums specified in this Chapter.

24 (Source: P.A. 99-717, eff. 8-5-16; 100-70, eff. 8-11-17;
25 revised 10-12-17.)