

1 AN ACT in relation to vehicles.

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  
5 changing Sections 15-111, 15-301, and 15-308.2 as follows:

6 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

7 Sec. 15-111. Wheel and axle loads and gross weights.

8 (a) On non-designated highways, no vehicle or  
9 combination of vehicles equipped with pneumatic tires may be  
10 operated, unladen or with load, when the total weight  
11 transmitted to the road surface exceeds 18,000 pounds on a  
12 single axle or 32,000 pounds on a tandem axle with no axle  
13 within the tandem exceeding 18,000 pounds except:

14 (1) when a different limit is established and  
15 posted in accordance with Section 15-316 of this Code;

16 (2) vehicles for which the Department of  
17 Transportation and local authorities issue overweight  
18 permits under authority of Section 15-301 of this Code;

19 (3) tow trucks subject to the conditions provided  
20 in subsection (d) may not exceed 24,000 pounds on a  
21 single rear axle or 44,000 pounds on a tandem rear axle;

22 (4) any single axle of a 2-axle truck weighing  
23 36,000 pounds or less and not a part of a combination of  
24 vehicles, shall not exceed 20,000 pounds;

25 (5) any single axle of a 2-axle truck equipped with  
26 a personnel lift or digger derrick, weighing 36,000  
27 pounds or less, owned and operated by a public utility,  
28 shall not exceed 20,000 pounds;

29 (6) any single axle of a 2-axle truck specially  
30 equipped with a front loading compactor used exclusively  
31 for garbage, refuse, or recycling may not exceed 20,000

1 pounds per axle, provided that the gross weight of the  
2 vehicle does not exceed 40,000 pounds;

3 (7) a truck, not in combination and specially  
4 equipped with a selfcompactor or an industrial roll-off  
5 hoist and roll-off container, used exclusively for  
6 garbage or refuse operations may, when laden, transmit  
7 upon the road surface the following maximum weights:  
8 22,000 pounds on a single axle; 40,000 pounds on a tandem  
9 axle;

10 (8) a truck, not in combination and used  
11 exclusively for the collection of rendering materials,  
12 may, when laden, transmit upon the road surface the  
13 following maximum weights: 22,000 pounds on a single  
14 axle; 40,000 pounds on a tandem axle;

15 (9) tandem axles on a 3-axle truck registered as a  
16 Special Hauling Vehicle, manufactured prior to or in the  
17 model year of 2004 and first registered in Illinois prior  
18 to January 1, 2005, with a distance greater than 72  
19 inches but not more than 96 inches between any series of  
20 2 axles, is allowed a combined weight on the series not  
21 to exceed 36,000 pounds and neither axle of the series  
22 may exceed 18,000 pounds. Any vehicle of this type  
23 manufactured after the model year of 2004 or first  
24 registered in Illinois after December 31, 2004 may not  
25 exceed a combined weight of 32,000 pounds through the  
26 series of 2 axles and neither axle of the series may  
27 exceed 18,000 pounds;

28 (10) tandem axles on a 4-axle truck mixer, whose  
29 fourth axle is a road surface engaging mixer trailing  
30 axle, registered as a Special Hauling Vehicle, used  
31 exclusively for the mixing and transportation of concrete  
32 and manufactured prior to or in the model year of 2004  
33 and first registered in Illinois prior to January 1,  
34 2005, with a distance greater than 72 inches but not more

1 than 96 inches between any series of 2 axles, is allowed  
 2 a combined weight on the series not to exceed 36,000  
 3 pounds and neither axle of the series may exceed 18,000  
 4 pounds. Any vehicle of this type manufactured after the  
 5 model year of 2004 or first registered in Illinois after  
 6 December 31, 2004 may not exceed a combined weight of  
 7 32,000 pounds through the series of 2 axles and neither  
 8 axle of the series may exceed 18,000 pounds;

9 (11) 4-axle vehicles or a 5 or more axle  
 10 combination of vehicles: The weight transmitted upon the  
 11 road surface through any series of 3 axles whose centers  
 12 are more than 96 inches apart, measured between extreme  
 13 axles in the series, may not exceed those allowed in the  
 14 table contained in subsection (f) of this Section. No  
 15 axle or tandem axle of the series may exceed the maximum  
 16 weight permitted under this Section for a single or  
 17 tandem axle.

18 No vehicle or combination of vehicles equipped with other  
 19 than pneumatic tires may be operated, unladen or with load,  
 20 upon the highways of this State when the gross weight on the  
 21 road surface through any wheel exceeds 800 pounds per inch  
 22 width of tire tread or when the gross weight on the road  
 23 surface through any axle exceeds 16,000 pounds.

24 (b) On non-designated highways, the gross weight of  
 25 vehicles and combination of vehicles including the weight of  
 26 the vehicle or combination and its maximum load shall be  
 27 subject to the foregoing limitations and further shall not  
 28 exceed the following gross weights dependent upon the number  
 29 of axles and distance between extreme axles of the vehicle or  
 30 combination measured longitudinally to the nearest foot.

31 VEHICLES HAVING 2 AXLES ..... 36,000 pounds

32 VEHICLES OR COMBINATIONS

33 HAVING 3 AXLES

1	With Tandem		With or	
2	Axles		Without	
3			Tandem Axles	
4	Minimum		Minimum	
5	distance to	Maximum	distance to	Maximum
6	nearest foot	Gross	nearest foot	Gross
7	between	Weight	between	Weight
8	extreme axles	(pounds)	extreme axles	(pounds)
9	10 feet	41,000	16 feet	46,000
10	11	42,000	17	47,000
11	12	43,000	18	47,500
12	13	44,000	19	48,000
13	14	44,500	20	49,000
14	15	45,000	21 feet or more	50,000

VEHICLES OR COMBINATIONS

HAVING 4 AXLES

17	Minimum		Minimum	
18	distance to	Maximum	distance to	Maximum
19	nearest foot	Gross	nearest foot	Gross
20	between	Weight	between	Weight
21	extreme axles	(pounds)	extreme axles	(pounds)
22	15 feet	50,000	26 feet	57,500
23	16	50,500	27	58,000
24	17	51,500	28	58,500
25	18	52,000	29	59,500
26	19	52,500	30	60,000
27	20	53,500	31	60,500
28	21	54,000	32	61,500
29	22	54,500	33	62,000
30	23	55,500	34	62,500
31	24	56,000	35	63,500
32	25	56,500	36 feet or more	64,000

33 A vehicle not in a combination having more than 4 axles  
 34 may not exceed the weight in the table in this subsection (b)

1 for 4 axles measured between the extreme axles of the  
2 vehicle.

3 COMBINATIONS HAVING 5 OR MORE AXLES

4	Minimum distance to	Maximum
5	nearest foot between	Gross Weight
6	extreme axles	(pounds)
7	42 feet or less	72,000
8	43	73,000
9	44 feet or more	73,280

10 VEHICLES OPERATING ON CRAWLER TYPE TRACKS ..... 40,000 pounds

11 TRUCKS EQUIPPED WITH SELFCOMPACTORS

12 OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE

13 OR REFUSE HAULS ONLY AND TRUCKS USED FOR

14 THE COLLECTION OF RENDERING MATERIALS

15 On Highway Not Part of National System

16 of Interstate and Defense Highways

17 with 2 axles 36,000 pounds

18 with 3 axles 54,000 pounds

19 TWO AXLE TRUCKS EQUIPPED WITH

20 A FRONT LOADING COMPACTOR USED EXCLUSIVELY

21 FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING

22 with 2 axles 40,000 pounds

23 (c) Cities having a population of more than 50,000 may  
24 permit by ordinance axle loads on 2 axle motor vehicles 33  
25 1/2% above those provided for herein, but the increase shall  
26 not become effective until the city has officially notified  
27 the Department of the passage of the ordinance and shall not  
28 apply to those vehicles when outside of the limits of the  
29 city, nor shall the gross weight of any 2 axle motor vehicle  
30 operating over any street of the city exceed 40,000 pounds.

31 (d) Weight limitations shall not apply to vehicles  
32 (including loads) operated by a public utility when

1 transporting equipment required for emergency repair of  
2 public utility facilities or properties or water wells.

3 A combination of vehicles, including a tow truck and a  
4 disabled vehicle or disabled combination of vehicles, that  
5 exceeds the weight restriction imposed by this Code, may be  
6 operated on a public highway in this State provided that  
7 neither the disabled vehicle nor any vehicle being towed nor  
8 the tow truck itself shall exceed the weight limitations  
9 permitted under this Chapter. During the towing operation,  
10 neither the tow truck nor the vehicle combination shall  
11 exceed 24,000 pounds on a single rear axle, and 44,000 pounds  
12 on a tandem rear axle, or 56,000 pounds on manufactured  
13 recovery units with a triple rear axle, provided the towing  
14 vehicle:

15 (1) is specifically designed as a tow truck having  
16 a gross vehicle weight rating of at least 18,000 pounds  
17 and is equipped with air brakes, provided that air brakes  
18 are required only if the towing vehicle is towing a  
19 vehicle, semitrailer, or tractor-trailer combination that  
20 is equipped with air brakes;

21 (2) is equipped with flashing, rotating, or  
22 oscillating amber lights, visible for at least 500 feet  
23 in all directions;

24 (3) is capable of utilizing the lighting and  
25 braking systems of the disabled vehicle or combination of  
26 vehicles; and

27 (4) does not engage in a tow exceeding 20 miles  
28 from the initial point of wreck or disablement. Any  
29 additional movement of the vehicles may occur only upon  
30 issuance of authorization for that movement under the  
31 provisions of Sections 15-301 through 15-319 of this  
32 Code.

33 Gross weight limits shall not apply to the combination of  
34 the tow truck and vehicles being towed. The tow truck

1 license plate must cover the operating empty weight of the  
2 tow truck only. The weight of each vehicle being towed shall  
3 be covered by a valid license plate issued to the owner or  
4 operator of the vehicle being towed and displayed on that  
5 vehicle. If no valid plate issued to the owner or operator of  
6 that vehicle is displayed on that vehicle, or the plate  
7 displayed on that vehicle does not cover the weight of the  
8 vehicle, the weight of the vehicle shall be covered by the  
9 third tow truck plate issued to the owner or operator of the  
10 tow truck and temporarily affixed to the vehicle being towed.

11 The Department may by rule or regulation prescribe  
12 additional requirements. However, nothing in this Code shall  
13 prohibit a tow truck under instructions of a police officer  
14 from legally clearing a disabled vehicle, that may be in  
15 violation of weight limitations of this Chapter, from the  
16 roadway to the berm or shoulder of the highway. If in the  
17 opinion of the police officer that location is unsafe, the  
18 officer is authorized to have the disabled vehicle towed to  
19 the nearest place of safety.

20 For the purpose of this subsection, gross vehicle weight  
21 rating, or GVWR, shall mean the value specified by the  
22 manufacturer as the loaded weight of the tow truck.

23 (e) No vehicle or combination of vehicles equipped with  
24 pneumatic tires shall be operated, unladen or with load, upon  
25 the highways of this State in violation of the provisions of  
26 any permit issued under the provisions of Sections 15-301  
27 through 15-319 of this Chapter.

28 (f) On designated Class I, II, or III highways and the  
29 National System of Interstate and Defense Highways, no  
30 vehicle or combination of vehicles with pneumatic tires may  
31 be operated, unladen or with load, when the total weight on  
32 the road surface exceeds the following: 20,000 pounds on a  
33 single axle; 34,000 pounds on a tandem axle with no axle  
34 within the tandem exceeding 20,000 pounds; 80,000 pounds

1 gross weight for vehicle combinations of 5 or more axles; or  
 2 a total weight on a group of 2 or more consecutive axles in  
 3 excess of that weight produced by the application of the  
 4 following formula:  $W = 500 \text{ times the sum of } (LN \text{ divided by}$   
 5  $N-1) + 12N + 36$ , where "W" equals overall total weight on any  
 6 group of 2 or more consecutive axles to the nearest 500  
 7 pounds, "L" equals the distance measured to the nearest foot  
 8 between extremes of any group of 2 or more consecutive axles,  
 9 and "N" equals the number of axles in the group under  
 10 consideration.

11 The above formula when expressed in tabular form results  
 12 in allowable loads as follows:

13	Distance measured					
14	to the nearest					
15	foot between the					
16	extremes of any		Maximum weight in pounds			
17	group of 2 or		of any group of			
18	more consecutive		2 or more consecutive axles			
19	axles					
20	feet	2 axles	3 axles	4 axles	5 axles	6 axles
21	4	34,000				
22	5	34,000				
23	6	34,000				
24	7	34,000				
25	8	38,000*	42,000			
26	9	39,000	42,500			
27	10	40,000	43,500			
28	11		44,000			
29	12		45,000	50,000		
30	13		45,500	50,500		
31	14		46,500	51,500		
32	15		47,000	52,000		
33	16		48,000	52,500	58,000	
34	17		48,500	53,500	58,500	



1	18	49,500	54,000	59,000	
2	19	50,000	54,500	60,000	
3	20	51,000	55,500	60,500	66,000
4	21	51,500	56,000	61,000	66,500
5	22	52,500	56,500	61,500	67,000
6	23	53,000	57,500	62,500	68,000
7	24	54,000	58,000	63,000	68,500
8	25	54,500	58,500	63,500	69,000
9	26	55,500	59,500	64,000	69,500
10	27	56,000	60,000	65,000	70,000
11	28	57,000	60,500	65,500	71,000
12	29	57,500	61,500	66,000	71,500
13	30	58,500	62,000	66,500	72,000
14	31	59,000	62,500	67,500	72,500
15	32	60,000	63,500	68,000	73,000
16	33		64,000	68,500	74,000
17	34		64,500	69,000	74,500
18	35		65,500	70,000	75,000
19	36		66,000	70,500	75,500
20	37		66,500	71,000	76,000
21	38		67,500	72,000	77,000
22	39		68,000	72,500	77,500
23	40		68,500	73,000	78,000
24	41		69,500	73,500	78,500
25	42		70,000	74,000	79,000
26	43		70,500	75,000	80,000
27	44		71,500	75,500	
28	45		72,000	76,000	
29	46		72,500	76,500	
30	47		73,500	77,500	
31	48		74,000	78,000	
32	49		74,500	78,500	
33	50		75,500	79,000	
34	51		76,000	80,000	

1	52	76,500
2	53	77,500
3	54	78,000
4	55	78,500
5	56	79,500
6	57	80,000

7 \*If the distance between 2 axles is 96 inches or less, the 2  
8 axles are tandem axles and the maximum total weight may not  
9 exceed 34,000 pounds, notwithstanding the higher limit  
10 resulting from the application of the formula.

11 Vehicles not in a combination having more than 4 axles  
12 may not exceed the weight in the table in this subsection (f)  
13 for 4 axles measured between the extreme axles of the  
14 vehicle.

15 Vehicles in a combination having more than 6 axles may  
16 not exceed the weight in the table in this subsection (f) for  
17 6 axles measured between the extreme axles of the  
18 combination.

19 Local authorities and road district highway  
20 commissioners, with respect to streets and highways under  
21 their jurisdiction, without additional fees, may also by  
22 ordinance or resolution allow the weight limitations of this  
23 subsection, provided the maximum gross weight on any one axle  
24 shall not exceed 20,000 pounds and the maximum total weight  
25 on any tandem axle shall not exceed 34,000 pounds, on  
26 designated highways when appropriate regulatory signs giving  
27 notice are erected upon the street or highway or portion of  
28 any street or highway affected by the ordinance or  
29 resolution.

30 The following are exceptions to the above formula:  
31 (1) Two consecutive sets of tandem axles may carry  
32 a total weight of 34,000 pounds each if the overall  
33 distance between the first and last axles of the  
34 consecutive sets of tandem axles is 36 feet or more.

1           (2) Vehicles for which a different limit is  
2 established and posted in accordance with Section 15-316  
3 of this Code.

4           (3) Vehicles for which the Department of  
5 Transportation and local authorities issue overweight  
6 permits under authority of Section 15-301 of this Code.  
7 These vehicles are not subject to the bridge formula.

8           (4) Tow trucks subject to the conditions provided  
9 in subsection (d) may not exceed 24,000 pounds on a  
10 single rear axle or 44,000 pounds on a tandem rear axle.

11           (5) A tandem axle on a 3-axle truck registered as a  
12 Special Hauling Vehicle, manufactured prior to or in the  
13 model year of 2004, and registered in Illinois prior to  
14 January 1, 2005, with a distance between 2 axles in a  
15 series greater than 72 inches but not more than 96 inches  
16 may not exceed a total weight of 36,000 pounds and  
17 neither axle of the series may exceed 18,000 pounds.

18           (6) A truck not in combination, equipped with a  
19 self compactor or an industrial roll-off hoist and  
20 roll-off container, used exclusively for garbage or  
21 refuse operations, may, when laden, transmit upon the  
22 road surface, except when on part of the National System  
23 of Interstate and Defense Highways, the following maximum  
24 weights: 22,000 pounds on a single axle; 40,000 pounds on  
25 a tandem axle; 36,000 pounds gross weight on a 2-axle  
26 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.  
27 This vehicle is not subject to the bridge formula.

28           (7) Combinations of vehicles, registered as Special  
29 Hauling Vehicles that include a semitrailer manufactured  
30 prior to or in the model year of 2004, and registered in  
31 Illinois prior to January 1, 2005, having 5 axles with a  
32 distance of 42 feet or less between extreme axles, may  
33 not exceed the following maximum weights: 18,000 pounds  
34 on a single axle; 32,000 pounds on a tandem axle; and

1           72,000 pounds gross weight. This combination of vehicles  
2           is not subject to the bridge formula. For all those  
3           combinations of vehicles that include a semitrailer  
4           manufactured after the effective date of this amendatory  
5           Act of the 92nd General Assembly, the overall distance  
6           between the first and last axles of the 2 sets of tandems  
7           must be 18 feet 6 inches or more. Any combination of  
8           vehicles that has had its cargo container replaced in its  
9           entirety after December 31, 2004 may not exceed the  
10          weights allowed by the bridge formula.

11          No vehicle or combination of vehicles equipped with other  
12          than pneumatic tires may be operated, unladen or with load,  
13          upon the highways of this State when the gross weight on the  
14          road surface through any wheel exceeds 800 pounds per inch  
15          width of tire tread or when the gross weight on the road  
16          surface through any axle exceeds 16,000 pounds.

17          (f-1) A vehicle and load not exceeding 73,280 pounds is  
18          allowed access as follows:

19                 (1) From any State designated highway onto any  
20                 county, township, or municipal highway for a distance of  
21                 5 highway miles for the purpose of loading and unloading,  
22                 provided:

23                         (A) The vehicle and load does not exceed 8  
24                         feet 6 inches in width and 65 feet overall length.

25                         (B) There is no sign prohibiting that access.

26                         (C) The route is not being used as a  
27                         thoroughfare between State designated highways.

28                 (2) From any State designated highway onto any  
29                 county or township highway for a distance of 5 highway  
30                 miles, or any municipal highway for a distance of one  
31                 highway mile for the purpose of food, fuel, repairs, and  
32                 rest, provided:

33                         (A) The vehicle and load does not exceed 8  
34                         feet 6 inches in width and 65 feet overall length.

1 (B) There is no sign prohibiting that access.

2 (C) The route is not being used as a  
3 thoroughfare between State designated highways.

4 (f-2) A vehicle and load greater than 73,280 pounds in  
5 weight but not exceeding 80,000 pounds is allowed access as  
6 follows:

7 (1) From a Class I highway onto any street or  
8 highway for a distance of one highway mile for the  
9 purpose of loading, unloading, food, fuel, repairs, and  
10 rest, provided there is no sign prohibiting that access.

11 (2) From a Class I, II, or III highway onto any  
12 State highway or any local designated highway for a  
13 distance of 5 highway miles for the purpose of loading,  
14 unloading, food, fuel, repairs, and rest.

15 Section 5-35 of the Illinois Administrative Procedure Act  
16 relating to procedures for rulemaking shall not apply to the  
17 designation of highways under this subsection.

18 (g) No person shall operate a vehicle or combination of  
19 vehicles over a bridge or other elevated structure  
20 constituting part of a highway with a gross weight that is  
21 greater than the maximum weight permitted by the Department,  
22 when the structure is sign posted as provided in this  
23 Section.

24 (h) The Department upon request from any local authority  
25 shall, or upon its own initiative may, conduct an  
26 investigation of any bridge or other elevated structure  
27 constituting a part of a highway, and if it finds that the  
28 structure cannot with safety to itself withstand the weight  
29 of vehicles otherwise permissible under this Code the  
30 Department shall determine and declare the maximum weight of  
31 vehicles that the structures can withstand, and shall cause  
32 or permit suitable signs stating maximum weight to be erected  
33 and maintained before each end of the structure. No person  
34 shall operate a vehicle or combination of vehicles over any

1 structure with a gross weight that is greater than the posted  
2 maximum weight.

3 (i) Upon the trial of any person charged with a  
4 violation of subsections (g) or (h) of this Section, proof of  
5 the determination of the maximum allowable weight by the  
6 Department and the existence of the signs, constitutes  
7 conclusive evidence of the maximum weight that can be  
8 maintained with safety to the bridge or structure.

9 (Source: P.A. 92-417, eff. 1-1-02.)

10 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

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

12 (a) The Department with respect to highways under its  
13 jurisdiction and local authorities with respect to highways  
14 under their jurisdiction may, in their discretion, upon  
15 application and good cause being shown therefor, issue a  
16 special permit authorizing the applicant to operate or move a  
17 vehicle or combination of vehicles of a size or weight of  
18 vehicle or load exceeding the maximum specified in this Act  
19 or otherwise not in conformity with this Act upon any highway  
20 under the jurisdiction of the party granting such permit and  
21 for the maintenance of which the party is responsible.  
22 Applications and permits other than those in written or  
23 printed form may only be accepted from and issued to the  
24 company or individual making the movement. Except for an  
25 application to move directly across a highway, it shall be  
26 the duty of the applicant to establish in the application  
27 that the load to be moved by such vehicle or combination is  
28 composed of a single nondivisible object that cannot  
29 reasonably be dismantled or disassembled. For the purpose of  
30 over length movements, more than one object may be carried  
31 side by side as long as the height, width, and weight laws  
32 are not exceeded and the cause for the over length is not due  
33 to multiple objects. For the purpose of over height

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

21 (b) The application for any such permit shall: (1) state  
22 whether such permit is requested for a single trip or for  
23 limited continuous operation; (2) state if the applicant is  
24 an authorized carrier under the Illinois Motor Carrier of  
25 Property Law, if so, his certificate, registration or permit  
26 number issued by the Illinois Commerce Commission; (3)  
27 specifically describe and identify the vehicle or vehicles  
28 and load to be operated or moved except that for vehicles or  
29 vehicle combinations registered by the Department as provided  
30 in Section 15-319 of this Chapter, only the Illinois  
31 Department of Transportation's (IDT) registration number or  
32 classification need be given; (4) state the routing requested  
33 including the points of origin and destination, and may  
34 identify and include a request for routing to the nearest

1 certified scale in accordance with the Department's rules and  
2 regulations, provided the applicant has approval to travel on  
3 local roads; and (5) state if the vehicles or loads are being  
4 transported for hire. No permits for the movement of a  
5 vehicle or load for hire shall be issued to any applicant who  
6 is required under the Illinois Motor Carrier of Property Law  
7 to have a certificate, registration or permit and does not  
8 have such certificate, registration or permit.

9 (c) The Department or local authority when not  
10 inconsistent with traffic safety is authorized to issue or  
11 withhold such permit at its discretion; or, if such permit is  
12 issued at its discretion to prescribe the route or routes to  
13 be traveled, to limit the number of trips, to establish  
14 seasonal or other time limitations within which the vehicles  
15 described may be operated on the highways indicated, or  
16 otherwise to limit or prescribe conditions of operations of  
17 such vehicle or vehicles, when necessary to assure against  
18 undue damage to the road foundations, surfaces or structures,  
19 and may require such undertaking or other security as may be  
20 deemed necessary to compensate for any injury to any roadway  
21 or road structure. The Department shall maintain a daily  
22 record of each permit issued along with the fee and the  
23 stipulated dimensions, weights, conditions and restrictions  
24 authorized and this record shall be presumed correct in any  
25 case of questions or dispute. The Department shall install an  
26 automatic device for recording applications received and  
27 permits issued by telephone. In making application by  
28 telephone, the Department and applicant waive all objections  
29 to the recording of the conversation.

30 (d) The Department shall, upon application in writing  
31 from any local authority, issue an annual permit authorizing  
32 the local authority to move oversize highway construction,  
33 transportation, utility and maintenance equipment over roads  
34 under the jurisdiction of the Department. The permit shall be



1 applicable only to equipment and vehicles owned by or  
2 registered in the name of the local authority, and no fee  
3 shall be charged for the issuance of such permits.

4 (e) As an exception to paragraph (a) of this Section,  
5 the Department and local authorities, with respect to  
6 highways under their respective jurisdictions, in their  
7 discretion and upon application in writing may issue a  
8 special permit for limited continuous operation, authorizing  
9 the applicant to move loads of sweet corn, soybeans, corn,  
10 wheat, milo, other small grains and ensilage during the  
11 harvest season only on a 2 axle single vehicle registered by  
12 the Secretary of State with axle loads not to exceed 35%  
13 above those provided in Section 15-111. Permits may be issued  
14 for a period not to exceed 40 days and moves may be made of a  
15 distance not to exceed 25 miles from a field to a specified  
16 processing plant over any highway except the National System  
17 of Interstate and Defense Highways. All such vehicles shall  
18 be operated in the daytime except when weather or crop  
19 conditions require emergency operation at night, but with  
20 respect to such night operation, every such vehicle with load  
21 shall be equipped with flashing amber lights as specified  
22 under Section 12-215. Upon a declaration by the Governor that  
23 an emergency harvest situation exists, a special permit  
24 issued by the Department under this Section shall not be  
25 required from September 1 through December 31 during harvest  
26 season emergencies, provided that the weight does not exceed  
27 20% above the limits provided in Section 15-111. All other  
28 restrictions that apply to permits issued under this Section  
29 shall apply during the declared time period. With respect to  
30 highways under the jurisdiction of local authorities, the  
31 local authorities may, at their discretion, waive special  
32 permit requirements during harvest season emergencies. This  
33 permit exemption shall apply to all vehicles eligible to  
34 obtain permits under this Section, including commercial

1 vehicles in use during the declared time period.

2 (f) The form and content of the permit shall be  
3 determined by the Department with respect to highways under  
4 its jurisdiction and by local authorities with respect to  
5 highways under their jurisdiction. Every permit shall be in  
6 written form and carried in the vehicle or combination of  
7 vehicles to which it refers and shall be open to inspection  
8 by any police officer or authorized agent of any authority  
9 granting the permit and no person shall violate any of the  
10 terms or conditions of such special permit. Violation of the  
11 terms and conditions of the permit shall not be deemed a  
12 revocation of the permit; however, any vehicle and load found  
13 to be off the route prescribed in the permit shall be held to  
14 be operating without a permit. Any off route vehicle and  
15 load shall be required to obtain a new permit or permits, as  
16 necessary, to authorize the movement back onto the original  
17 permit routing. No rule or regulation, nor anything herein  
18 shall be construed to authorize any police officer, court, or  
19 authorized agent of any authority granting the permit to  
20 remove the permit from the possession of the permittee unless  
21 the permittee is charged with a fraudulent permit violation  
22 as provided in paragraph (i). However, upon arrest for an  
23 offense of violation of permit, operating without a permit  
24 when the vehicle is off route, or any size or weight offense  
25 under this Chapter when the permittee plans to raise the  
26 issuance of the permit as a defense, the permittee, or his  
27 agent, must produce the permit at any court hearing  
28 concerning the alleged offense.

29 If the permit designates and includes a routing to a  
30 certified scale, the permittee, while enroute to the  
31 designated scale, shall be deemed in compliance with the  
32 weight provisions of the permit provided the axle or gross  
33 weights do not exceed any of the permitted limits by more  
34 than the following amounts:

1	Single axle	2000 pounds
2	Tandem axle	3000 pounds
3	Gross	5000 pounds

4 (g) The Department is authorized to adopt, amend, and to  
5 make available to interested persons a policy concerning  
6 reasonable rules, limitations and conditions or provisions of  
7 operation upon highways under its jurisdiction in addition to  
8 those contained in this Section for the movement by special  
9 permit of vehicles, combinations, or loads which cannot  
10 reasonably be dismantled or disassembled, including  
11 manufactured and modular home sections and portions thereof.  
12 All rules, limitations and conditions or provisions adopted  
13 in the policy shall have due regard for the safety of the  
14 traveling public and the protection of the highway system and  
15 shall have been promulgated in conformity with the provisions  
16 of the Illinois Administrative Procedure Act. The  
17 requirements of the policy for flagmen and escort vehicles  
18 shall be the same for all moves of comparable size and  
19 weight. When escort vehicles are required, they shall meet  
20 the following requirements:

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

23 (2) Vehicles escorting oversized loads more than  
24 12-feet wide must be equipped with a rotating or flashing  
25 amber light mounted on top as specified under Section  
26 12-215.

27 The Department shall establish reasonable rules and  
28 regulations regarding liability insurance or self insurance  
29 for vehicles with oversized loads promulgated under The  
30 Illinois Administrative Procedure Act. Police vehicles may be  
31 required for escort under circumstances as required by rules  
32 and regulations of the Department.

33 (h) Violation of any rule, limitation or condition or  
34 provision of any permit issued in accordance with the

1 provisions of this Section shall not render the entire permit  
2 null and void but the violator shall be deemed guilty of  
3 violation of permit and guilty of exceeding any size, weight  
4 or load limitations in excess of those authorized by the  
5 permit. The prescribed route or routes on the permit are not  
6 mere rules, limitations, conditions, or provisions of the  
7 permit, but are also the sole extent of the authorization  
8 granted by the permit. If a vehicle and load are found to be  
9 off the route or routes prescribed by any permit authorizing  
10 movement, the vehicle and load are operating without a  
11 permit. Any off route movement shall be subject to the size  
12 and weight maximums, under the applicable provisions of this  
13 Chapter, as determined by the type or class highway upon  
14 which the vehicle and load are being operated.

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

28 (j) Whenever any vehicle is operated or movement made in  
29 violation of a permit issued in accordance with this Section,  
30 the person to whom such permit was granted, or the driver of  
31 such vehicle, is guilty of such violation and either, but not  
32 both, persons may be prosecuted for such violation as stated  
33 in this subsection (j). Any person, firm or corporation  
34 convicted of such violation shall be guilty of a petty

1 offense and shall be fined for the first offense, not less  
2 than \$50 nor more than \$200 and, for the second offense by  
3 the same person, firm or corporation within a period of one  
4 year, not less than \$200 nor more than \$300 and, for the  
5 third offense by the same person, firm or corporation within  
6 a period of one year after the date of the first offense, not  
7 less than \$300 nor more than \$500 and the Department shall  
8 not issue permits to the person, firm or corporation  
9 convicted of a third offense during a period of one year  
10 after the date of conviction for such third offense.

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

16 (l) Notwithstanding any other provision of this Section,  
17 the Department, with respect to highways under its  
18 jurisdiction, and local authorities, with respect to highways  
19 under their jurisdiction, may at their discretion authorize  
20 the movement of a vehicle in violation of any size or weight  
21 requirement, or both, that would not ordinarily be eligible  
22 for a permit, when there is a showing of extreme necessity  
23 that the vehicle and load should be moved without unnecessary  
24 delay.

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

29 (m) Penalties for violations of this Section shall be in  
30 addition to any penalties imposed for violating any other  
31 Section of this Code.

32 (n) The Department with respect to highways under its  
33 jurisdiction and local authorities with respect to highways  
34 under their jurisdiction, in their discretion and upon

1 application in writing, may issue a special permit for  
2 continuous limited operation, authorizing the applicant to  
3 operate a tow-truck that exceeds the weight limits provided  
4 for in subsection (d) of Section 15-111, provided:

5 (1) no rear single axle of the tow-truck exceeds  
6 26,000 pounds;

7 (2) no rear tandem axle of the tow-truck exceeds  
8 50,000 pounds;

9 (3) neither the disabled vehicle nor the disabled  
10 combination of vehicles exceed the weight restrictions  
11 imposed by this Chapter 15, or the weight limits imposed  
12 under a permit issued by the Department prior to hookup;

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

15 (5) during the tow operation the tow-truck does not  
16 violate any weight restriction sign;

17 (6) the tow-truck is equipped with flashing,  
18 rotating, or oscillating amber lights, visible for at  
19 least 500 feet in all directions;

20 (7) the tow-truck is specifically designed and  
21 licensed as a tow-truck;

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

24 (9) the tow-truck is equipped with air brakes;

25 (10) the tow-truck is capable of utilizing the  
26 lighting and braking systems of the disabled vehicle or  
27 combination of vehicles;

28 (11) the tow commences at the initial point of  
29 wreck or disablement and terminates at a point where the  
30 repairs are actually to occur ~~the-tow-distance-of-the-tow~~  
31 ~~does-not-exceed-50-miles-from-the-point-of-disablement-to~~  
32 ~~a-place-of-repair-or-safekeeping;~~

33 (12) the permit issued to the tow-truck is carried  
34 in the tow-truck and exhibited on demand by a police

1           officer; and

2                   (13) the movement shall be valid only on state  
3           routes approved by the Department.

4   (Source: P.A. 90-89, eff. 1-1-98; 90-228, eff. 7-25-97;  
5   90-655, eff. 7-30-98; 90-676, eff. 7-31-98; 91-569, eff.  
6   1-1-00.)

7           (625 ILCS 5/15-308.2)

8           Sec. 15-308.2. Fees for special permits for tow-trucks.  
9   The fee for a special permit to operate a tow-truck pursuant  
10 to subsection (n) of Section 15-301 is \$50 \$500 quarterly and  
11 \$200 \$2,000 annually.

12   (Source: P.A. 91-569, eff. 1-1-00.)