



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0333

Introduced 1/22/2007, by Rep. Patrick J Verschoore

SYNOPSIS AS INTRODUCED:

625 ILCS 5/5-801
625 ILCS 5/15-111

from Ch. 95 1/2, par. 5-801
from Ch. 95 1/2, par. 15-111

Amends the Illinois Vehicle Code. Provides that any person who violates a provision regarding dealers, transporters, wreckers, and rebuilders, except a person who violates a provision for which a different criminal penalty is indicated, is guilty of a Class A misdemeanor (rather than providing that the person is guilty of a Class A misdemeanor except as otherwise indicated). In a provision concerning axle load and gross vehicle weight limitations, provides that, if a roll-back carrier is registered and being used as a tow truck, the license plate or plates issued for the roll-back carrier/tow truck must cover the weight of any load carried on the bed of the roll-back carrier (as well as covering the operating empty weight of the roll-back carrier).

LRB095 04570 DRH 24624 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 5-801 and 15-111 as follows:

6 (625 ILCS 5/5-801) (from Ch. 95 1/2, par. 5-801)

7 Sec. 5-801. Penalties. Any person who violates any of the
8 provisions of this Chapter, except a person who violates a
9 provision for which a different criminal penalty is ~~as~~
10 ~~otherwise~~ indicated, shall be guilty of a Class A misdemeanor.
11 Any person who violates any provisions of Section 5-701 shall
12 be guilty of a Class 3 felony.

13 (Source: P.A. 83-1473.)

14 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

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

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

22 (1) when a different limit is established and posted in

1 accordance with Section 15-316 of this Code;

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

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

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

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

15 (6) any single axle of a 2-axle truck specially
16 equipped with a front loading compactor used exclusively
17 for garbage, refuse, or recycling may not exceed 20,000
18 pounds per axle, provided that the gross weight of the
19 vehicle does not exceed 40,000 pounds;

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

26 (8) a truck, not in combination and used exclusively

1 for the collection of rendering materials, may, when laden,
2 transmit upon the road surface the following maximum
3 weights: 22,000 pounds on a single axle; 40,000 pounds on a
4 tandem axle;

5 (9) tandem axles on a 3-axle truck registered as a
6 Special Hauling Vehicle, manufactured prior to or in the
7 model year of 2014 and first registered in Illinois prior
8 to January 1, 2015, with a distance greater than 72 inches
9 but not more than 96 inches between any series of 2 axles,
10 is allowed a combined weight on the series not to exceed
11 36,000 pounds and neither axle of the series may exceed
12 18,000 pounds. Any vehicle of this type manufactured after
13 the model year of 2014 or first registered in Illinois
14 after December 31, 2014 may not exceed a combined weight of
15 32,000 pounds through the series of 2 axles and neither
16 axle of the series may exceed 18,000 pounds;

17 (10) a 4-axle truck mixer registered as a Special
18 Hauling Vehicle, used exclusively for the mixing and
19 transportation of concrete in the plastic state and
20 manufactured prior to or in the model year of 2014 and
21 first registered in Illinois prior to January 1, 2015, is
22 allowed the following maximum weights: 20,000 pounds on any
23 single axle; 36,000 pounds on any series of 2 axles greater
24 than 72 inches but not more than 96 inches; and 34,000
25 pounds on any series of 2 axles greater than 40 inches but
26 not more than 72 inches;

1 (11) 4-axle vehicles or a 5 or more axle combination of
 2 vehicles: The weight transmitted upon the road surface
 3 through any series of 3 axles whose centers are more than
 4 96 inches apart, measured between extreme axles in the
 5 series, may not exceed those allowed in the table contained
 6 in subsection (f) of this Section. No axle or tandem axle
 7 of the series may exceed the maximum weight permitted under
 8 this Section for a single or tandem axle.

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

15 (b) On non-designated highways, the gross weight of
 16 vehicles and combination of vehicles including the weight of
 17 the vehicle or combination and its maximum load shall be
 18 subject to the foregoing limitations and further shall not
 19 exceed the following gross weights dependent upon the number of
 20 axles and distance between extreme axles of the vehicle or
 21 combination measured longitudinally to the nearest foot.

22 VEHICLES HAVING 2 AXLES 36,000 pounds

23 VEHICLES OR COMBINATIONS
 24 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

16	Minimum		Minimum	
17	distance to	Maximum	distance to	Maximum
18	nearest foot	Gross	nearest foot	Gross
19	between	Weight	between	Weight
20	extreme axles	(pounds)	extreme axles	(pounds)
21	15 feet	50,000	26 feet	57,500
22	16	50,500	27	58,000
23	17	51,500	28	58,500
24	18	52,000	29	59,500
25	19	52,500	30	60,000

1	20	53,500	31	60,500
2	21	54,000	32	61,500
3	22	54,500	33	62,000
4	23	55,500	34	62,500
5	24	56,000	35	63,500
6	25	56,500	36 feet or more	64,000

7 A vehicle not in a combination having more than 4 axles may
 8 not exceed the weight in the table in this subsection (b) for 4
 9 axles measured between the extreme axles of the vehicle.

10 COMBINATIONS HAVING 5 OR MORE AXLES

11	Minimum distance to	Maximum
12	nearest foot between	Gross Weight
13	extreme axles	(pounds)
14	42 feet or less	72,000
15	43	73,000
16	44 feet or more	73,280

17 VEHICLES OPERATING ON CRAWLER TYPE TRACKS 40,000 pounds

18 TRUCKS EQUIPPED WITH SELFCOMPACTORS
 19 OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE,
 20 REFUSE, OR RECYCLING HAULS ONLY AND TRUCKS USED FOR
 21 THE COLLECTION OF RENDERING MATERIALS
 22 On Highway Not Part of National System
 23 of Interstate and Defense Highways

1 with 2 axles 36,000 pounds
 2 with 3 axles 54,000 pounds

3 TWO AXLE TRUCKS EQUIPPED WITH
 4 A FRONT LOADING COMPACTOR USED EXCLUSIVELY
 5 FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING
 6 with 2 axles 40,000 pounds

7 A 4-axle truck mixer registered as a Special Hauling
 8 Vehicle, used exclusively for mixing and transportation of
 9 concrete in the plastic state, manufactured before or in the
 10 model year of 2014, and first registered in Illinois before
 11 January 1, 2015, is allowed a maximum gross weight listed in
 12 the table of subsection (f) of this Section for 4 axles. This
 13 vehicle, while loaded with concrete in the plastic state, is
 14 not subject to the series of 3 axles requirement provided for
 15 in subdivision (a)(11) of this Section, but no axle or tandem
 16 axle of the series may exceed the maximum weight permitted
 17 under subdivision (a)(10) of this Section.

18 (b-1) As used in this Section, a "recycling haul" or
 19 "recycling operation" means the hauling of segregated,
 20 non-hazardous, non-special, homogeneous non-putrescible
 21 materials, such as paper, glass, cans, or plastic, for
 22 subsequent use in the secondary materials market.

23 (c) Cities having a population of more than 50,000 may
 24 permit by ordinance axle loads on 2 axle motor vehicles 33 1/2%

1 above those provided for herein, but the increase shall not
2 become effective until the city has officially notified the
3 Department of the passage of the ordinance and shall not apply
4 to those vehicles when outside of the limits of the city, nor
5 shall the gross weight of any 2 axle motor vehicle operating
6 over any street of the city exceed 40,000 pounds.

7 (d) Weight limitations shall not apply to vehicles
8 (including loads) operated by a public utility when
9 transporting equipment required for emergency repair of public
10 utility facilities or properties or water wells.

11 A combination of vehicles, including a tow truck and a
12 disabled vehicle or disabled combination of vehicles, that
13 exceeds the weight restriction imposed by this Code, may be
14 operated on a public highway in this State provided that
15 neither the disabled vehicle nor any vehicle being towed nor
16 the tow truck itself shall exceed the weight limitations
17 permitted under this Chapter. During the towing operation,
18 neither the tow truck nor the vehicle combination shall exceed
19 24,000 pounds on a single rear axle and 44,000 pounds on a
20 tandem rear axle, provided the towing vehicle:

21 (1) is specifically designed as a tow truck having a
22 gross vehicle weight rating of at least 18,000 pounds and
23 is equipped with air brakes, provided that air brakes are
24 required only if the towing vehicle is towing a vehicle,
25 semitrailer, or tractor-trailer combination that is
26 equipped with air brakes;

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

4 (3) is capable of utilizing the lighting and braking
5 systems of the disabled vehicle or combination of vehicles;
6 and

7 (4) does not engage in a tow exceeding 20 miles from
8 the initial point of wreck or disablement. Any additional
9 movement of the vehicles may occur only upon issuance of
10 authorization for that movement under the provisions of
11 Sections 15-301 through 15-319 of this Code. The towing
12 vehicle, however, may tow any disabled vehicle from the
13 initial point of wreck or disablement to a point where
14 repairs are actually to occur. This movement shall be valid
15 only on State routes. The tower must abide by posted bridge
16 weight limits.

17 Gross weight limits shall not apply to the combination of
18 the tow truck and vehicles being towed. The tow truck license
19 plate must cover the operating empty weight of the tow truck
20 only. The weight of each vehicle being towed shall be covered
21 by a valid license plate issued to the owner or operator of the
22 vehicle being towed and displayed on that vehicle. If no valid
23 plate issued to the owner or operator of that vehicle is
24 displayed on that vehicle, or the plate displayed on that
25 vehicle does not cover the weight of the vehicle, the weight of
26 the vehicle shall be covered by the third tow truck plate

1 issued to the owner or operator of the tow truck and
2 temporarily affixed to the vehicle being towed. If a roll-back
3 carrier is registered and being used as a tow truck, however,
4 the license plate or plates for the tow truck must cover the
5 gross vehicle weight, including any load carried on the bed of
6 the roll-back carrier.

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

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

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

24 (f) On designated Class I, II, or III highways and the
25 National System of Interstate and Defense Highways, no vehicle
26 or combination of vehicles with pneumatic tires may be

1 operated, unladen or with load, when the total weight on the
 2 road surface exceeds the following: 20,000 pounds on a single
 3 axle; 34,000 pounds on a tandem axle with no axle within the
 4 tandem exceeding 20,000 pounds; 80,000 pounds gross weight for
 5 vehicle combinations of 5 or more axles; or a total weight on a
 6 group of 2 or more consecutive axles in excess of that weight
 7 produced by the application of the following formula: $W = 500$
 8 times the sum of $(LN \text{ divided by } N-1) + 12N + 36$, where "W"
 9 equals overall total weight on any group of 2 or more
 10 consecutive axles to the nearest 500 pounds, "L" equals the
 11 distance measured to the nearest foot between extremes of any
 12 group of 2 or more consecutive axles, and "N" equals the number
 13 of axles in the group under consideration.

14 The above formula when expressed in tabular form results in
 15 allowable loads as follows:

16	Distance measured					
17	to the nearest					
18	foot between the					
19	extremes of any		Maximum weight in pounds			
20	group of 2 or		of any group of			
21	more consecutive		2 or more consecutive axles			
22	axles					
23	feet	2 axles	3 axles	4 axles	5 axles	6 axles
24	4	34,000				
25	5	34,000				

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

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

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

5 Vehicles not in a combination having more than 4 axles may
6 not exceed the weight in the table in this subsection (f) for 4
7 axles measured between the extreme axles of the vehicle.

8 Vehicles in a combination having more than 6 axles may not
9 exceed the weight in the table in this subsection (f) for 6
10 axles measured between the extreme axles of the combination.

11 Local authorities, with respect to streets and highways
12 under their jurisdiction, without additional fees, may also by
13 ordinance or resolution allow the weight limitations of this
14 subsection, provided the maximum gross weight on any one axle
15 shall not exceed 20,000 pounds and the maximum total weight on
16 any tandem axle shall not exceed 34,000 pounds, on designated
17 highways when appropriate regulatory signs giving notice are
18 erected upon the street or highway or portion of any street or
19 highway affected by the ordinance or resolution.

20 The following are exceptions to the above formula:

21 (1) Two consecutive sets of tandem axles may carry a
22 total weight of 34,000 pounds each if the overall distance
23 between the first and last axles of the consecutive sets of
24 tandem axles is 36 feet or more.

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

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

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

8 (5) A tandem axle on a 3-axle truck registered as a
9 Special Hauling Vehicle, manufactured prior to or in the
10 model year of 2014, and registered in Illinois prior to
11 January 1, 2015, with a distance between 2 axles in a
12 series greater than 72 inches but not more than 96 inches
13 may not exceed a total weight of 36,000 pounds and neither
14 axle of the series may exceed 18,000 pounds.

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

25 (7) Combinations of vehicles, registered as Special
26 Hauling Vehicles that include a semitrailer manufactured

1 prior to or in the model year of 2014, and registered in
2 Illinois prior to January 1, 2015, having 5 axles with a
3 distance of 42 feet or less between extreme axles, may not
4 exceed the following maximum weights: 18,000 pounds on a
5 single axle; 32,000 pounds on a tandem axle; and 72,000
6 pounds gross weight. This combination of vehicles is not
7 subject to the bridge formula. For all those combinations
8 of vehicles that include a semitrailer manufactured after
9 the effective date of this amendatory Act of the 92nd
10 General Assembly, the overall distance between the first
11 and last axles of the 2 sets of tandems must be 18 feet 6
12 inches or more. Any combination of vehicles that has had
13 its cargo container replaced in its entirety after December
14 31, 2014 may not exceed the weights allowed by the bridge
15 formula.

16 (8) A 4-axle truck mixer registered as a Special
17 Hauling Vehicle, used exclusively for the mixing and
18 transportation of concrete in the plastic state,
19 manufactured before or in the model year of 2014, first
20 registered in Illinois before January 1, 2015, and not
21 operated on a highway that is part of the National System
22 of Interstate Highways, is allowed the following maximum
23 weights: 20,000 pounds on any single axle; 36,000 pounds on
24 a series of axles greater than 72 inches but not more than
25 96 inches; and 34,000 pounds on any series of 2 axles
26 greater than 40 inches but not more than 72 inches. The

1 gross weight of this vehicle may not exceed the weights
2 allowed by the bridge formula for 4 axles. The bridge
3 formula does not apply to any series of 3 axles while the
4 vehicle is transporting concrete in the plastic state, but
5 no axle or tandem axle of the series may exceed the maximum
6 weight permitted under this subsection (f).

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

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

15 (1) From any State designated highway onto any county,
16 township, or municipal highway for a distance of 5 highway
17 miles for the purpose of loading and unloading, provided:

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

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

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

23 (2) From any State designated highway onto any county
24 or township highway for a distance of 5 highway miles, or
25 any municipal highway for a distance of one highway mile
26 for the purpose of food, fuel, repairs, and rest, provided:

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

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

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

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

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

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

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

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

25 (h) The Department upon request from any local authority
26 shall, or upon its own initiative may, conduct an investigation

1 of any bridge or other elevated structure constituting a part
2 of a highway, and if it finds that the structure cannot with
3 safety to itself withstand the weight of vehicles otherwise
4 permissible under this Code the Department shall determine and
5 declare the maximum weight of vehicles that the structures can
6 withstand, and shall cause or permit suitable signs stating
7 maximum weight to be erected and maintained before each end of
8 the structure. No person shall operate a vehicle or combination
9 of vehicles over any structure with a gross weight that is
10 greater than the posted maximum weight.

11 (i) Upon the trial of any person charged with a violation
12 of subsections (g) or (h) of this Section, proof of the
13 determination of the maximum allowable weight by the Department
14 and the existence of the signs, constitutes conclusive evidence
15 of the maximum weight that can be maintained with safety to the
16 bridge or structure.

17 (Source: P.A. 93-177, eff. 7-11-03; 93-186, eff. 1-1-04;
18 93-1023, eff. 8-25-04; 94-464, eff. 1-1-06; 94-926, eff.
19 1-1-07.)