



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4171

by Rep. Dave Winters

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-812	from Ch. 95 1/2, par. 3-812
625 ILCS 5/3-815	from Ch. 95 1/2, par. 3-815
625 ILCS 5/3-818	from Ch. 95 1/2, par. 3-818
625 ILCS 5/15-102	from Ch. 95 1/2, par. 15-102
625 ILCS 5/15-111	from Ch. 95 1/2, par. 15-111
625 ILCS 5/15-112	from Ch. 95 1/2, par. 15-112
625 ILCS 5/15-301	from Ch. 95 1/2, par. 15-301

Amends the Illinois Vehicle Code. Provides that any vehicle utilizing an auxiliary power or idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling, shall be allowed an additional 400 pounds total to the gross, axle, tandem, or bridge formula weight limits. Provides that certification is required to be eligible for this exception. Makes corresponding changes with regard to applicable registration fees and taxes.

LRB095 14335 DRH 40235 b

FISCAL 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 3-812, 3-815, 3-818, 15-102, 15-111, 15-112, and
6 15-301 as follows:

7 (625 ILCS 5/3-812) (from Ch. 95 1/2, par. 3-812)

8 Sec. 3-812. Vehicles with Permanently Mounted Equipment -
9 Registration Fees. Vehicles having permanently mounted
10 equipment thereon used exclusively by the owner for the
11 transporting of such permanently mounted equipment and tools
12 and equipment to be used incidentally in the work to be
13 performed with the permanently mounted equipment and provided
14 such vehicle is not used for hire shall be registered upon the
15 filing of a proper application and the payment of a
16 registration fee based upon a rate of \$45 per year (or fraction
17 of a year) for each 10,000 pounds (or portion thereof) of the
18 gross weight of such motor vehicle and equipment, according to
19 the following table of fees:

20 SCHEDULE OF FEES REQUIRED BY LAW

21	Gross Weight in Lbs.	
22	Including Vehicle and	Total
23	Equipment	Annual Fees

1	10,000 lbs. and less	\$45
2	10,001 lbs. to 20,000 lbs.	90
3	20,001 lbs. to 30,000 lbs.	135
4	30,001 lbs. to 40,000 lbs.	180
5	40,001 lbs. to 50,000 lbs.	225
6	50,001 lbs. to 60,000 lbs.	270
7	60,001 lbs. to 70,000 lbs.	315
8	70,001 lbs. to 73,280 lbs.	340
9	73,281 lbs. to <u>80,400</u> 80,000 lbs.	385
10	(Source: P.A. 91-37, eff. 7-1-99.)	

11 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)
 12 Sec. 3-815. Flat weight tax; vehicles of the second
 13 division.

14 (a) Except as provided in Section 3-806.3, every owner of a
 15 vehicle of the second division registered under Section 3-813,
 16 and not registered under the mileage weight tax under Section
 17 3-818, shall pay to the Secretary of State, for each
 18 registration year, for the use of the public highways, a flat
 19 weight tax at the rates set forth in the following table, the
 20 rates including the \$10 registration fee:

21 SCHEDULE OF FLAT WEIGHT TAX

22 REQUIRED BY LAW

23	Gross Weight in Lbs.	Total Fees
24	Including Vehicle	each Fiscal
25	and Maximum	year

1	Load	Class	
2	8,000 lbs. and less	B	\$78
3	8,001 lbs. to 12,000 lbs.	D	138
4	12,001 lbs. to 16,000 lbs.	F	242
5	16,001 lbs. to 26,000 lbs.	H	490
6	26,001 lbs. to 28,000 lbs.	J	630
7	28,001 lbs. to 32,000 lbs.	K	842
8	32,001 lbs. to 36,000 lbs.	L	982
9	36,001 lbs. to 40,000 lbs.	N	1,202
10	40,001 lbs. to 45,000 lbs.	P	1,390
11	45,001 lbs. to 50,000 lbs.	Q	1,538
12	50,001 lbs. to 54,999 lbs.	R	1,698
13	55,000 lbs. to 59,500 lbs.	S	1,830
14	59,501 lbs. to 64,000 lbs.	T	1,970
15	64,001 lbs. to 73,280 lbs.	V	2,294
16	73,281 lbs. to 77,000 lbs.	X	2,622
17	77,001 lbs. to <u>80,400</u> 80,000 lbs.	Z	2,790

18 (a-1) A Special Hauling Vehicle is a vehicle or combination
19 of vehicles of the second division registered under Section
20 3-813 transporting asphalt or concrete in the plastic state or
21 a vehicle or combination of vehicles that are subject to the
22 gross weight limitations in subsection (b) of Section 15-111
23 for which the owner of the vehicle or combination of vehicles
24 has elected to pay, in addition to the registration fee in
25 subsection (a), \$125 to the Secretary of State for each
26 registration year. The Secretary shall designate this class of

1 vehicle as a Special Hauling Vehicle.

2 (b) Except as provided in Section 3-806.3, every camping
 3 trailer, motor home, mini motor home, travel trailer, truck
 4 camper or van camper used primarily for recreational purposes,
 5 and not used commercially, nor for hire, nor owned by a
 6 commercial business, may be registered for each registration
 7 year upon the filing of a proper application and the payment of
 8 a registration fee and highway use tax, according to the
 9 following table of fees:

10 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER		
11	Gross Weight in Lbs.	Total Fees
12	Including Vehicle and	Each
13	Maximum Load	Calendar Year
14	8,000 lbs and less	\$78
15	8,001 Lbs. to 10,000 Lbs	90
16	10,001 Lbs. and Over	102
17 CAMPING TRAILER OR TRAVEL TRAILER		
18	Gross Weight in Lbs.	Total Fees
19	Including Vehicle and	Each
20	Maximum Load	Calendar Year
21	3,000 Lbs. and Less	\$18
22	3,001 Lbs. to 8,000 Lbs.	30
23	8,001 Lbs. to 10,000 Lbs.	38
24	10,001 Lbs. and Over	50

25 Every house trailer must be registered under Section 3-819.

26 (c) Farm Truck. Any truck used exclusively for the owner's

1 own agricultural, horticultural or livestock raising
 2 operations and not-for-hire only, or any truck used only in the
 3 transportation for-hire of seasonal, fresh, perishable fruit
 4 or vegetables from farm to the point of first processing, may
 5 be registered by the owner under this paragraph in lieu of
 6 registration under paragraph (a), upon filing of a proper
 7 application and the payment of the \$10 registration fee and the
 8 highway use tax herein specified as follows:

9 SCHEDULE OF FEES AND TAXES

10	Gross Weight in Lbs.		Total Amount for
11	Including Truck and		each
12	Maximum Load	Class	Fiscal Year
13	16,000 lbs. or less	VF	\$150
14	16,001 to 20,000 lbs.	VG	226
15	20,001 to 24,000 lbs.	VH	290
16	24,001 to 28,000 lbs.	VJ	378
17	28,001 to 32,000 lbs.	VK	506
18	32,001 to 36,000 lbs.	VL	610
19	36,001 to 45,000 lbs.	VP	810
20	45,001 to 54,999 lbs.	VR	1,026
21	55,000 to 64,000 lbs.	VT	1,202
22	64,001 to 73,280 lbs.	VV	1,290
23	73,281 to 77,000 lbs.	VX	1,350
24	77,001 to <u>80,400</u> 80,000 lbs.	VZ	1,490

25 In the event the Secretary of State revokes a farm truck
 26 registration as authorized by law, the owner shall pay the flat

1 weight tax due hereunder before operating such truck.

2 Any combination of vehicles having 5 axles, with a distance
3 of 42 feet or less between extreme axles, that are subject to
4 the weight limitations in subsection (a) and (b) of Section
5 15-111 for which the owner of the combination of vehicles has
6 elected to pay, in addition to the registration fee in
7 subsection (c), \$125 to the Secretary of State for each
8 registration year shall be designated by the Secretary as a
9 Special Hauling Vehicle.

10 (d) The number of axles necessary to carry the maximum load
11 provided shall be determined from Chapter 15 of this Code.

12 (e) An owner may only apply for and receive 5 farm truck
13 registrations, and only 2 of those 5 vehicles shall exceed
14 59,500 gross weight in pounds per vehicle.

15 (f) Every person convicted of violating this Section by
16 failure to pay the appropriate flat weight tax to the Secretary
17 of State as set forth in the above tables shall be punished as
18 provided for in Section 3-401.

19 (Source: P.A. 91-37, eff. 7-1-99.)

20 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

21 Sec. 3-818. (a) Mileage weight tax option. Any owner of a
22 vehicle of the second division may elect to pay a mileage
23 weight tax for such vehicle in lieu of the flat weight tax set
24 out in Section 3-815. Such election shall be binding to the end
25 of the registration year. Renewal of this election must be

1 filed with the Secretary of State on or before July 1 of each
 2 registration period. In such event the owner shall, at the time
 3 of making such election, pay the \$10 registration fee and the
 4 minimum guaranteed mileage weight tax, as hereinafter
 5 provided, which payment shall permit the owner to operate that
 6 vehicle the maximum mileage in this State hereinafter set
 7 forth. Any vehicle being operated on mileage plates cannot be
 8 operated outside of this State. In addition thereto, the owner
 9 of that vehicle shall pay a mileage weight tax at the following
 10 rates for each mile traveled in this State in excess of the
 11 maximum mileage provided under the minimum guaranteed basis:

BUS, TRUCK OR TRUCK TRACTOR

13	14	15	16	17	18	Maximum	Mileage
						Minimum	Weight Tax
19	20	21	22	23	24	Guaranteed	Permitted
25	26					for Mileage	in excess of
						Guaranteed	Guaranteed
						Mileage	Mileage
19	12,000 lbs. or less	MD	\$73	5,000	26 Mills		
20	12,001 to 16,000 lbs.	MF	120	6,000	34 Mills		
21	16,001 to 20,000 lbs.	MG	180	6,000	46 Mills		
22	20,001 to 24,000 lbs.	MH	235	6,000	63 Mills		
23	24,001 to 28,000 lbs.	MJ	315	7,000	63 Mills		
24	28,001 to 32,000 lbs.	MK	385	7,000	83 Mills		
25	32,001 to 36,000 lbs.	ML	485	7,000	99 Mills		
26	36,001 to 40,000 lbs.	MN	615	7,000	128 Mills		

1	40,001 to 45,000 lbs.	MP	695	7,000	139 Mills
2	45,001 to 54,999 lbs.	MR	853	7,000	156 Mills
3	55,000 to 59,500 lbs.	MS	920	7,000	178 Mills
4	59,501 to 64,000 lbs.	MT	985	7,000	195 Mills
5	64,001 to 73,280 lbs.	MV	1,173	7,000	225 Mills
6	73,281 to 77,000 lbs.	MX	1,328	7,000	258 Mills
7	77,001 to <u>80,400</u> 80,000				
8	lbs.	MZ	1,415	7,000	275 Mills
9	TRAILER				
10				Maximum	Mileage
11			Minimum	Mileage	Weight Tax
12			Guaranteed	Permitted	for Mileage
13	Gross Weight		Mileage	Under	in excess of
14	Vehicle and		Weight	Guaranteed	Guaranteed
15	Load	Class	Tax	Tax	Mileage
16	14,000 lbs. or less	ME	\$75	5,000	31 Mills
17	14,001 to 20,000 lbs.	MF	135	6,000	36 Mills
18	20,001 to 36,000 lbs.	ML	540	7,000	103 Mills
19	36,001 to 40,000 lbs.	MM	750	7,000	150 Mills

20 (a-1) A Special Hauling Vehicle is a vehicle or combination
 21 of vehicles of the second division registered under Section
 22 3-813 transporting asphalt or concrete in the plastic state or
 23 a vehicle or combination of vehicles that are subject to the
 24 gross weight limitations in subsection (b) of Section 15-111
 25 for which the owner of the vehicle or combination of vehicles
 26 has elected to pay, in addition to the registration fee in

1 subsection (a), \$125 to the Secretary of State for each
2 registration year. The Secretary shall designate this class of
3 vehicle as a Special Hauling Vehicle.

4 In preparing rate schedules on registration applications,
5 the Secretary of State shall add to the above rates, the \$10
6 registration fee. The Secretary may decline to accept any
7 renewal filed after July 1st.

8 The number of axles necessary to carry the maximum load
9 provided shall be determined from Chapter 15 of this Code.

10 Every owner of a second division motor vehicle for which he
11 has elected to pay a mileage weight tax shall keep a daily
12 record upon forms prescribed by the Secretary of State, showing
13 the mileage covered by that vehicle in this State. Such record
14 shall contain the license number of the vehicle and the miles
15 traveled by the vehicle in this State for each day of the
16 calendar month. Such owner shall also maintain records of fuel
17 consumed by each such motor vehicle and fuel purchases
18 therefor. On or before the 10th day of July the owner shall
19 certify to the Secretary of State upon forms prescribed
20 therefor, summaries of his daily records which shall show the
21 miles traveled by the vehicle in this State during the
22 preceding 12 months and such other information as the Secretary
23 of State may require. The daily record and fuel records shall
24 be filed, preserved and available for audit for a period of 3
25 years. Any owner filing a return hereunder shall certify that
26 such return is a true, correct and complete return. Any person

1 who willfully makes a false return hereunder is guilty of
2 perjury and shall be punished in the same manner and to the
3 same extent as is provided therefor.

4 At the time of filing his return, each owner shall pay to
5 the Secretary of State the proper amount of tax at the rate
6 herein imposed.

7 Every owner of a vehicle of the second division who elects
8 to pay on a mileage weight tax basis and who operates the
9 vehicle within this State, shall file with the Secretary of
10 State a bond in the amount of \$500. The bond shall be in a form
11 approved by the Secretary of State and with a surety company
12 approved by the Illinois Department of Insurance to transact
13 business in this State as surety, and shall be conditioned upon
14 such applicant's paying to the State of Illinois all money
15 becoming due by reason of the operation of the second division
16 vehicle in this State, together with all penalties and interest
17 thereon.

18 Upon notice from the Secretary that the registrant has
19 failed to pay the excess mileage fees, the surety shall
20 immediately pay the fees together with any penalties and
21 interest thereon in an amount not to exceed the limits of the
22 bond.

23 (Source: P.A. 94-239, eff. 1-1-06.)

24 (625 ILCS 5/15-102) (from Ch. 95 1/2, par. 15-102)

25 Sec. 15-102. Width of Vehicles.

1 (a) On Class III and non-designated State and local
2 highways, the total outside width of any vehicle or load
3 thereon shall not exceed 8 feet.

4 (b) Except during those times when, due to insufficient
5 light or unfavorable atmospheric conditions, persons and
6 vehicles on the highway are not clearly discernible at a
7 distance of 1000 feet, the following vehicles may exceed the 8
8 feet limitation during the period from a half hour before
9 sunrise to a half hour after sunset:

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

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

14 The following requirements apply to the transportation
15 on another vehicle of an implement of husbandry wider than
16 8 feet 6 inches on the National System of Interstate and
17 Defense Highways or other highways in the system of State
18 highways:

19 (A) The driver of a vehicle transporting an
20 implement of husbandry that exceeds 8 feet 6 inches in
21 width shall obey all traffic laws and shall check the
22 roadways prior to making a movement in order to ensure
23 that adequate clearance is available for the movement.
24 It is prima facie evidence that the driver of a vehicle
25 transporting an implement of husbandry has failed to
26 check the roadway prior to making a movement if the

1 vehicle is involved in a collision with a bridge,
2 overpass, fixed structure, or properly placed traffic
3 control device or if the vehicle blocks traffic due to
4 its inability to proceed because of a bridge, overpass,
5 fixed structure, or properly placed traffic control
6 device.

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

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

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

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

26 (1) The civilian escort vehicle shall be a

1 passenger car or a second division vehicle not
2 exceeding a gross vehicle weight of 8,000 pounds
3 that is designed to afford clear and unobstructed
4 vision to both front and rear.

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

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

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

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

1 behind the load and the sign and lights shall be
2 visible from the rear.

3 (6) When 2 escort vehicles are required, one
4 escort shall travel approximately 300 feet ahead
5 of the load and the second escort shall travel
6 approximately 300 feet behind the load. The
7 rotating, oscillating, or flashing lights or
8 flashing amber strobe lights and an "OVERSIZE
9 LOAD" sign shall be displayed on the escort
10 vehicles and shall be visible from the front on the
11 lead escort and from the rear on the trailing
12 escort.

13 (7) When traveling within the corporate limits
14 of a municipality, the escort vehicle shall
15 maintain a reasonable and proper distance from the
16 oversize load, consistent with existing traffic
17 conditions.

18 (8) A separate escort shall be provided for
19 each load hauled.

20 (9) The driver of an escort vehicle shall obey
21 all traffic laws.

22 (10) The escort vehicle must be in safe
23 operational condition.

24 (11) The driver of the escort vehicle must be
25 in radio contact with the driver of the vehicle
26 carrying the oversize load.

1 (F) A transport vehicle while under load of more
2 than 8 feet 6 inches in width must be equipped with an
3 illuminated rotating, oscillating, or flashing amber
4 light or lights or a flashing amber strobe light or
5 lights mounted on the top of the cab that are of
6 sufficient intensity to be visible at 500 feet in
7 normal sunlight. If the load on the transport vehicle
8 blocks the visibility of the amber lighting from the
9 rear of the vehicle, the vehicle must also be equipped
10 with an illuminated rotating, oscillating, or flashing
11 amber light or lights or a flashing amber strobe light
12 or lights mounted on the rear of the load that are of
13 sufficient intensity to be visible at 500 feet in
14 normal sunlight.

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

24 (H) Maximum speed shall be 45 miles per hour on all
25 such moves or 5 miles per hour above the posted minimum
26 speed limit, whichever is greater, but the vehicle

1 shall not at any time exceed the posted maximum speed
2 limit.

3 (3) Portable buildings designed and used for
4 agricultural and livestock raising operations that are not
5 more than 14 feet wide and with not more than a 1 foot
6 overhang along the left side of the hauling vehicle.
7 However, the buildings shall not be transported more than
8 10 miles and not on any route that is part of the National
9 System of Interstate and Defense Highways.

10 All buildings when being transported shall display at least
11 2 red cloth flags, not less than 12 inches square, mounted as
12 high as practicable on the left and right side of the building.

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

16 (c) Vehicles propelled by electric power obtained from
17 overhead trolley wires operated wholly within the corporate
18 limits of a municipality are also exempt from the width
19 limitation.

20 (d) Exemptions are also granted to vehicles designed for
21 the carrying of more than 10 persons under the following
22 conditions:

23 (1) (Blank);

24 (2) When operated within any public transportation
25 service with the approval of local authorities or an
26 appropriate public body authorized by law to provide public

1 transportation. Any vehicle so operated may be 8 feet 6
2 inches in width; or

3 (3) When a county engineer or superintendent of
4 highways, after giving due consideration to the mass
5 transportation needs of the area and to the width and
6 condition of the road, has determined that the operation of
7 buses wider than 8 feet will not pose an undue safety
8 hazard on a particular county or township road segment, he
9 or she may authorize buses not to exceed 8 feet 6 inches in
10 width on any highway under that engineer's or
11 superintendent's jurisdiction.

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

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

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

20 As used in this subsection (d-1) and in subsection (d-2),
21 the term appurtenance includes (i) a retracted awning and its
22 support hardware and (ii) any appendage that is intended to be
23 an integral part of a recreation vehicle.

24 (d-2) A recreational vehicle that exceeds 8 feet 6 inches
25 in width as provided in subsection (d-1) may travel any roadway
26 of the State if the vehicle is being operated between a roadway

1 permitted under subsection (d-1) and:

2 (1) the location where the recreation vehicle is
3 garaged;

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

5 (3) a facility for food, fuel, repair, services, or
6 rest.

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

16 (e-1) A vehicle and load more than 8 feet wide but not
17 exceeding 8 feet 6 inches in width is allowed access according
18 to the following:

19 (1) A vehicle and load not exceeding 73,280 pounds in
20 weight is allowed access from any State designated highway
21 onto any county, township, or municipal highway for a
22 distance of 5 highway miles for the purpose of loading and
23 unloading, provided:

24 (A) The vehicle and load does not exceed 65 feet
25 overall length.

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

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

3 (2) A vehicle and load not exceeding 73,280 pounds in
4 weight is allowed access from any State designated highway
5 onto any county or township highway for a distance of 5
6 highway miles or onto any municipal highway for a distance
7 of one highway mile for the purpose of food, fuel, repairs,
8 and rest, provided:

9 (A) The vehicle and load does not exceed 65 feet
10 overall length.

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

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

14 (3) A vehicle and load not exceeding 80,000 pounds in
15 weight is allowed access from a Class I highway onto any
16 street or highway for a distance of one highway mile for
17 the purpose of loading, unloading, food, fuel, repairs, and
18 rest, provided there is no sign prohibiting that access.

19 (4) A vehicle and load not exceeding 80,000 pounds in
20 weight is allowed access from a Class I or Class II highway
21 onto any State highway or any locally designated highway
22 for a distance of 5 highway miles for the purpose of
23 loading, unloading, food, fuel, repairs, and rest.

24 (5) A trailer or semi-trailer not exceeding 28 feet 6
25 inches in length, that was originally in combination with a
26 truck tractor, shall have unlimited access to points of

1 loading and unloading.

2 (6) All household goods carriers shall have unlimited
3 access to points of loading and unloading.

4 (7) Any vehicle utilizing an auxiliary power or idle
5 reduction technology unit in order to promote reduction of
6 fuel use and emissions because of engine idling shall be
7 allowed an additional 400 pounds total to the gross, axle,
8 tandem, or bridge formula weight limits defined in Section
9 15-111 of this Code, and to registered weights found in
10 Chapter 3 of this Code. To be eligible for this exception,
11 the operator of the vehicle must be able to prove, by
12 written certification, the weight of the auxiliary power
13 unit (APU) and to demonstrate or certify the idle reduction
14 technology is fully functional at all times.

15 Certification of the weight of the APU must be
16 available to law enforcement officers if the vehicle is
17 found in violation of applicable weight laws. The weight
18 allowed cannot exceed 400 pounds or the weight certified,
19 whichever is less. APU weights shall not be considered in
20 the calculation of any tolerances allowed by Section 15-112
21 of this Code.

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

25 (f) Mirrors required by Section 12-502 of this Code and
26 other safety devices identified by the Department may project

1 up to 14 inches beyond each side of a bus and up to 6 inches
2 beyond each side of any other vehicle, and that projection
3 shall not be deemed a violation of the width restrictions of
4 this Section.

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

8 (Source: P.A. 93-177, eff. 7-11-03; 94-949, eff. 1-1-07.)

9 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

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

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

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

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

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

25 (4) any single axle of a 2-axle truck weighing 36,000

1 pounds or less and not a part of a combination of vehicles,
2 shall not exceed 20,000 pounds;

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

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

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

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

23 (9) tandem axles on a 3-axle truck registered as a
24 Special Hauling Vehicle, manufactured prior to or in the
25 model year of 2014 and first registered in Illinois prior
26 to January 1, 2015, with a distance greater than 72 inches

1 but not more than 96 inches between any series of 2 axles,
2 is allowed a combined weight on the series not to exceed
3 36,000 pounds and neither axle of the series may exceed
4 18,000 pounds. Any vehicle of this type manufactured after
5 the model year of 2014 or first registered in Illinois
6 after December 31, 2014 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 (10) a 4-axle truck mixer registered as a Special
10 Hauling Vehicle, used exclusively for the mixing and
11 transportation of concrete in the plastic state and
12 manufactured prior to or in the model year of 2014 and
13 first registered in Illinois prior to January 1, 2015, is
14 allowed the following maximum weights: 20,000 pounds on any
15 single axle; 36,000 pounds on any series of 2 axles greater
16 than 72 inches but not more than 96 inches; and 34,000
17 pounds on any series of 2 axles greater than 40 inches but
18 not more than 72 inches;

19 (11) 4-axle vehicles or a 5 or more axle combination of
20 vehicles: The weight transmitted upon the road surface
21 through any series of 3 axles whose centers are more than
22 96 inches apart, measured between extreme axles in the
23 series, may not exceed those allowed in the table contained
24 in subsection (f) of this Section. No axle or tandem axle
25 of the series may exceed the maximum weight permitted under
26 this Section for a single or tandem axle.

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

7 (b) On non-designated highways, the gross weight of
 8 vehicles and combination of vehicles including the weight of
 9 the vehicle or combination and its maximum load shall be
 10 subject to the foregoing limitations and further shall not
 11 exceed the following gross weights dependent upon the number of
 12 axles and distance between extreme axles of the vehicle or
 13 combination measured longitudinally to the nearest foot.

14 VEHICLES HAVING 2 AXLES 36,000 pounds

15	VEHICLES OR COMBINATIONS			
16	HAVING 3 AXLES			
17	With Tandem		With or	
18	Axles		Without	
19			Tandem Axles	
20	Minimum		Minimum	
21	distance to	Maximum	distance to	Maximum
22	nearest foot	Gross	nearest foot	Gross
23	between	Weight	between	Weight
24	extreme axles	(pounds)	extreme axles	(pounds)

1 with 2 axles 40,000 pounds

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

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

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

1 (d) Weight limitations shall not apply to vehicles
2 (including loads) operated by a public utility when
3 transporting equipment required for emergency repair of public
4 utility facilities or properties or water wells.

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

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

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

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

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

11 Gross weight limits shall not apply to the combination of
12 the tow truck and vehicles being towed. The tow truck license
13 plate must cover the operating empty weight of the tow truck
14 only. The weight of each vehicle being towed shall be covered
15 by a valid license plate issued to the owner or operator of the
16 vehicle being towed and displayed on that vehicle. If no valid
17 plate issued to the owner or operator of that vehicle is
18 displayed on that vehicle, or the plate displayed on that
19 vehicle does not cover the weight of the vehicle, the weight of
20 the vehicle shall be covered by the third tow truck plate
21 issued to the owner or operator of the tow truck and
22 temporarily affixed to the vehicle being towed. If a roll-back
23 carrier is registered and being used as a tow truck, however,
24 the license plate or plates for the tow truck must cover the
25 gross vehicle weight, including any load carried on the bed of
26 the roll-back carrier.

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

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

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

18 (f) On designated Class I, II, or III highways and the
19 National System of Interstate and Defense Highways, no vehicle
20 or combination of vehicles with pneumatic tires may be
21 operated, unladen or with load, when the total weight on the
22 road surface exceeds the following: 20,000 pounds on a single
23 axle; 34,000 pounds on a tandem axle with no axle within the
24 tandem exceeding 20,000 pounds; 80,000 pounds gross weight for
25 vehicle combinations of 5 or more axles; or a total weight on a
26 group of 2 or more consecutive axles in excess of that weight

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

8 The above formula when expressed in tabular form results in
 9 allowable loads as follows:

10	Distance measured					
11	to the nearest					
12	foot between the					
13	extremes of any		Maximum weight in pounds			
14	group of 2 or		of any group of			
15	more consecutive		2 or more consecutive axles			
16	axles					
17	feet	2 axles	3 axles	4 axles	5 axles	6 axles
18	4	34,000				
19	5	34,000				
20	6	34,000				
21	7	34,000				
22	8	38,000*	42,000			
23	9	39,000	42,500			
24	10	40,000	43,500			
25	11		44,000			

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

1	38	67,500	72,000	77,000
2	39	68,000	72,500	77,500
3	40	68,500	73,000	78,000
4	41	69,500	73,500	78,500
5	42	70,000	74,000	79,000
6	43	70,500	75,000	80,000
7	44	71,500	75,500	
8	45	72,000	76,000	
9	46	72,500	76,500	
10	47	73,500	77,500	
11	48	74,000	78,000	
12	49	74,500	78,500	
13	50	75,500	79,000	
14	51	76,000	80,000	
15	52	76,500		
16	53	77,500		
17	54	78,000		
18	55	78,500		
19	56	79,500		
20	57	80,000		

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

25 Vehicles not in a combination having more than 4 axles may
26 not exceed the weight in the table in this subsection (f) for 4

1 axles measured between the extreme axles of the vehicle.

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

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

14 The following are exceptions to the above formula:

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

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

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

25 (4) Tow trucks subject to the conditions provided in
26 subsection (d) may not exceed 24,000 pounds on a single

1 rear axle or 44,000 pounds on a tandem rear axle.

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

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

19 (7) Combinations of vehicles, registered as Special
20 Hauling Vehicles that include a semitrailer manufactured
21 prior to or in the model year of 2014, and registered in
22 Illinois prior to January 1, 2015, having 5 axles with a
23 distance of 42 feet or less between extreme axles, may not
24 exceed the following maximum weights: 18,000 pounds on a
25 single axle; 32,000 pounds on a tandem axle; and 72,000
26 pounds gross weight. This combination of vehicles is not

1 subject to the bridge formula. For all those combinations
2 of vehicles that include a semitrailer manufactured after
3 the effective date of this amendatory Act of the 92nd
4 General Assembly, the overall distance between the first
5 and last axles of the 2 sets of tandems must be 18 feet 6
6 inches or more. Any combination of vehicles that has had
7 its cargo container replaced in its entirety after December
8 31, 2014 may not exceed the weights allowed by the bridge
9 formula.

10 (8) A 4-axle truck mixer registered as a Special
11 Hauling Vehicle, used exclusively for the mixing and
12 transportation of concrete in the plastic state,
13 manufactured before or in the model year of 2014, first
14 registered in Illinois before January 1, 2015, and not
15 operated on a highway that is part of the National System
16 of Interstate Highways, is allowed the following maximum
17 weights: 20,000 pounds on any single axle; 36,000 pounds on
18 a series of axles greater than 72 inches but not more than
19 96 inches; and 34,000 pounds on any series of 2 axles
20 greater than 40 inches but not more than 72 inches. The
21 gross weight of this vehicle may not exceed the weights
22 allowed by the bridge formula for 4 axles. The bridge
23 formula does not apply to any series of 3 axles while the
24 vehicle is transporting concrete in the plastic state, but
25 no axle or tandem axle of the series may exceed the maximum
26 weight permitted under this subsection (f).

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

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

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

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

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

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

17 (2) From any State designated highway onto any county
18 or township highway for a distance of 5 highway miles, or
19 any municipal highway for a distance of one highway mile
20 for the purpose of food, fuel, repairs, and rest, provided:

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

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

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

26 (f-2) A vehicle and load greater than 73,280 pounds in

1 weight but not exceeding 80,000 pounds is allowed access as
2 follows:

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

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

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

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

19 (g-1) Any vehicle utilizing an auxiliary power or idle
20 reduction technology unit in order to promote reduction of fuel
21 use and emissions because of engine idling shall be allowed an
22 additional 400 pounds total to the gross, axle, tandem, or
23 bridge formula weight limits defined in this Section, and to
24 registered weights found in Chapter 3 of this Code. To be
25 eligible for this exception, the operator of the vehicle must
26 be able to prove, by written certification, the weight of the

1 auxiliary power unit (APU) and to demonstrate or certify the
2 idle reduction technology is fully functional at all times.

3 Certification of the weight of the APU must be available to
4 law enforcement officers if the vehicle is found in violation
5 of applicable weight laws. The weight allowed cannot exceed 400
6 pounds or the weight certified, whichever is less. APU weights
7 shall not be considered in the calculation of any tolerances
8 allowed by Section 15-112 of this Code.

9 (h) The Department upon request from any local authority
10 shall, or upon its own initiative may, conduct an investigation
11 of any bridge or other elevated structure constituting a part
12 of a highway, and if it finds that the structure cannot with
13 safety to itself withstand the weight of vehicles otherwise
14 permissible under this Code the Department shall determine and
15 declare the maximum weight of vehicles that the structures can
16 withstand, and shall cause or permit suitable signs stating
17 maximum weight to be erected and maintained before each end of
18 the structure. No person shall operate a vehicle or combination
19 of vehicles over any structure with a gross weight that is
20 greater than the posted maximum weight.

21 (i) Upon the trial of any person charged with a violation
22 of subsections (g) or (h) of this Section, proof of the
23 determination of the maximum allowable weight by the Department
24 and the existence of the signs, constitutes conclusive evidence
25 of the maximum weight that can be maintained with safety to the
26 bridge or structure.

1 (Source: P.A. 94-464, eff. 1-1-06; 94-926, eff. 1-1-07; 95-51,
2 eff. 1-1-08.)

3 (625 ILCS 5/15-112) (from Ch. 95 1/2, par. 15-112)

4 Sec. 15-112. Officers to weigh vehicles and require removal
5 of excess loads.

6 (a) Any police officer having reason to believe that the
7 weight of a vehicle and load is unlawful shall require the
8 driver to stop and submit to a weighing of the same either by
9 means of a portable or stationary scales that have been tested
10 and approved at a frequency prescribed by the Illinois
11 Department of Agriculture, or for those scales operated by the
12 State, when such tests are requested by the Department of State
13 Police, whichever is more frequent. If such scales are not
14 available at the place where such vehicle is stopped, the
15 police officer shall require that such vehicle be driven to the
16 nearest available scale that has been tested and approved
17 pursuant to this Section by the Illinois Department of
18 Agriculture. Notwithstanding any provisions of the Weights and
19 Measures Act or the United States Department of Commerce NIST
20 handbook 44, multi or single draft weighing is an acceptable
21 method of weighing by law enforcement for determining a
22 violation of Chapter 3 or 15 of this Code. Law enforcement is
23 exempt from the requirements of commercial weighing
24 established in NIST handbook 44.

25 Within 18 months after the effective date of this

1 amendatory Act of the 91st General Assembly, all municipal and
2 county officers, technicians, and employees who set up and
3 operate portable scales for wheel load or axle load or both and
4 issue citations based on the use of portable scales for wheel
5 load or axle load or both and who have not successfully
6 completed initial classroom and field training regarding the
7 set up and operation of portable scales, shall attend and
8 successfully complete initial classroom and field training
9 administered by the Illinois Law Enforcement Training
10 Standards Board.

11 (b) Whenever an officer, upon weighing a vehicle and the
12 load, determines that the weight is unlawful, such officer
13 shall require the driver to stop the vehicle in a suitable
14 place and remain standing until such portion of the load is
15 removed as may be necessary to reduce the weight of the vehicle
16 to the limit permitted under this Chapter, or to the limit
17 permitted under the terms of a permit issued pursuant to
18 Sections 15-301 through 15-318 and shall forthwith arrest the
19 driver or owner. All material so unloaded shall be cared for by
20 the owner or operator of the vehicle at the risk of such owner
21 or operator; however, whenever a 3 or 4 axle vehicle with a
22 tandem axle dimension greater than 72 inches, but less than 96
23 inches and registered as a Special Hauling Vehicle is
24 transporting asphalt or concrete in the plastic state that
25 exceeds axle weight or gross weight limits by less than 4,000
26 pounds, the owner or operator of the vehicle shall accept the

1 arrest ticket or tickets for the alleged violations under this
2 Section and proceed without shifting or reducing the load being
3 transported or may shift or reduce the load under the
4 provisions of subsection (d) or (e) of this Section, when
5 applicable. Any fine imposed following an overweight violation
6 by a vehicle registered as a Special Hauling Vehicle
7 transporting asphalt or concrete in the plastic state shall be
8 paid as provided in subsection 4 of paragraph (a) of Section
9 16-105 of this Code.

10 (c) The Department of Transportation may, at the request of
11 the Department of State Police, erect appropriate regulatory
12 signs on any State highway directing second division vehicles
13 to a scale. The Department of Transportation may also, at the
14 direction of any State Police officer, erect portable
15 regulating signs on any highway directing second division
16 vehicles to a portable scale. Every such vehicle, pursuant to
17 such sign, shall stop and be weighed.

18 (d) Whenever any axle load of a vehicle exceeds the axle or
19 tandem axle weight limits permitted by paragraph (a) or (f) of
20 Section 15-111 by 2000 pounds or less, the owner or operator of
21 the vehicle must shift or remove the excess so as to comply
22 with paragraph (a) or (f) of Section 15-111. No overweight
23 arrest ticket shall be issued to the owner or operator of the
24 vehicle by any officer if the excess weight is shifted or
25 removed as required by this paragraph.

26 (e) Whenever the gross weight of a vehicle with a

1 registered gross weight of 73,280 pounds or less exceeds the
2 weight limits of paragraph (b) or (f) of Section 15-111 of this
3 Chapter by 2000 pounds or less, the owner or operator of the
4 vehicle must remove the excess. Whenever the gross weight of a
5 vehicle with a registered gross weight of 73,281 pounds or more
6 exceeds the weight limits of paragraph (b) or (f) of Section
7 15-111 by 1,000 pounds or less or 2,000 pounds or less if
8 weighed on wheel load weighers, the owner or operator of the
9 vehicle must remove the excess. In either case no arrest ticket
10 for any overweight violation of this Code shall be issued to
11 the owner or operator of the vehicle by any officer if the
12 excess weight is removed as required by this paragraph. A
13 person who has been granted a special permit under Section
14 15-301 of this Code shall not be granted a tolerance on wheel
15 load weighers.

16 (f) Whenever an axle load of a vehicle exceeds axle weight
17 limits allowed by the provisions of a permit an arrest ticket
18 shall be issued, but the owner or operator of the vehicle may
19 shift the load so as to comply with the provisions of the
20 permit. Where such shifting of a load to comply with the permit
21 is accomplished, the owner or operator of the vehicle may then
22 proceed.

23 (f-1) Any vehicle utilizing an auxiliary power or idle
24 reduction technology unit in order to promote reduction of fuel
25 use and emissions because of engine idling shall be allowed an
26 additional 400 pounds total to the gross, axle, tandem, or

1 bridge formula weight limits defined in this Section, and to
2 registered weights found in Chapter 3 of this Code. To be
3 eligible for this exception, the operator of the vehicle must
4 be able to prove, by written certification, the weight of the
5 auxiliary power unit (APU); and demonstrate or certify the idle
6 reduction technology is fully functional at all times.

7 Certification of the weight of the APU must be available to
8 law enforcement officers if the vehicle is found in violation
9 of applicable weight laws. The weight allowed cannot exceed 400
10 pounds or the weight certified, whichever is less. APU weights
11 shall not be considered in the calculation of any tolerances
12 allowed by this Section.

13 (g) Any driver of a vehicle who refuses to stop and submit
14 his vehicle and load to weighing after being directed to do so
15 by an officer or removes or causes the removal of the load or
16 part of it prior to weighing is guilty of a business offense
17 and shall be fined not less than \$500 nor more than \$2,000.

18 (Source: P.A. 91-129, eff. 7-16-99; 92-417, eff. 1-1-02.)

19 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

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

21 (a) The Department with respect to highways under its
22 jurisdiction and local authorities with respect to highways
23 under their jurisdiction may, in their discretion, upon
24 application and good cause being shown therefor, issue a
25 special permit authorizing the applicant to operate or move a

1 vehicle or combination of vehicles of a size or weight of
2 vehicle or load exceeding the maximum specified in this Act or
3 otherwise not in conformity with this Act upon any highway
4 under the jurisdiction of the party granting such permit and
5 for the maintenance of which the party is responsible.
6 Applications and permits other than those in written or printed
7 form may only be accepted from and issued to the company or
8 individual making the movement. Except for an application to
9 move directly across a highway, it shall be the duty of the
10 applicant to establish in the application that the load to be
11 moved by such vehicle or combination is composed of a single
12 nondivisible object that cannot reasonably be dismantled or
13 disassembled. For the purpose of over length movements, more
14 than one object may be carried side by side as long as the
15 height, width, and weight laws are not exceeded and the cause
16 for the over length is not due to multiple objects. For the
17 purpose of over height movements, more than one object may be
18 carried as long as the cause for the over height is not due to
19 multiple objects and the length, width, and weight laws are not
20 exceeded. For the purpose of an over width movement, more than
21 one object may be carried as long as the cause for the over
22 width is not due to multiple objects and length, height, and
23 weight laws are not exceeded. No state or local agency shall
24 authorize the issuance of excess size or weight permits for
25 vehicles and loads that are divisible and that can be carried,
26 when divided, within the existing size or weight maximums

1 specified in this Chapter. Any excess size or weight permit
2 issued in violation of the provisions of this Section shall be
3 void at issue and any movement made thereunder shall not be
4 authorized under the terms of the void permit. In any
5 prosecution for a violation of this Chapter when the
6 authorization of an excess size or weight permit is at issue,
7 it is the burden of the defendant to establish that the permit
8 was valid because the load to be moved could not reasonably be
9 dismantled or disassembled, or was otherwise nondivisible.

10 (b) The application for any such permit shall: (1) state
11 whether such permit is requested for a single trip or for
12 limited continuous operation; (2) state if the applicant is an
13 authorized carrier under the Illinois Motor Carrier of Property
14 Law, if so, his certificate, registration or permit number
15 issued by the Illinois Commerce Commission; (3) specifically
16 describe and identify the vehicle or vehicles and load to be
17 operated or moved except that for vehicles or vehicle
18 combinations registered by the Department as provided in
19 Section 15-319 of this Chapter, only the Illinois Department of
20 Transportation's (IDT) registration number or classification
21 need be given; (4) state the routing requested including the
22 points of origin and destination, and may identify and include
23 a request for routing to the nearest certified scale in
24 accordance with the Department's rules and regulations,
25 provided the applicant has approval to travel on local roads;
26 and (5) state if the vehicles or loads are being transported

1 for hire. No permits for the movement of a vehicle or load for
2 hire shall be issued to any applicant who is required under the
3 Illinois Motor Carrier of Property Law to have a certificate,
4 registration or permit and does not have such certificate,
5 registration or permit.

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

26 (d) The Department shall, upon application in writing from

1 any local authority, issue an annual permit authorizing the
2 local authority to move oversize highway construction,
3 transportation, utility and maintenance equipment over roads
4 under the jurisdiction of the Department. The permit shall be
5 applicable only to equipment and vehicles owned by or
6 registered in the name of the local authority, and no fee shall
7 be charged for the issuance of such permits.

8 (e) As an exception to paragraph (a) of this Section, the
9 Department and local authorities, with respect to highways
10 under their respective jurisdictions, in their discretion and
11 upon application in writing may issue a special permit for
12 limited continuous operation, authorizing the applicant to
13 move loads of agricultural commodities on a 2 axle single
14 vehicle registered by the Secretary of State with axle loads
15 not to exceed 35%, on a 3 or 4 axle vehicle registered by the
16 Secretary of State with axle loads not to exceed 20%, and on a
17 5 axle vehicle registered by the Secretary of State not to
18 exceed 10% above those provided in Section 15-111. The total
19 gross weight of the vehicle, however, may not exceed the
20 maximum gross weight of the registration class of the vehicle
21 allowed under Section 3-815 or 3-818 of this Code.

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

23 (1) cultivated plants or agricultural produce grown
24 including, but is not limited to, corn, soybeans, wheat,
25 oats, grain sorghum, canola, and rice;

26 (2) livestock, including but not limited to hogs,

1 equine, sheep, and poultry;

2 (3) ensilage; and

3 (4) fruits and vegetables.

4 Permits may be issued for a period not to exceed 40 days
5 and moves may be made of a distance not to exceed 50 miles from
6 a field, an on-farm grain storage facility, a warehouse as
7 defined in the Illinois Grain Code, or a livestock management
8 facility as defined in the Livestock Management Facilities Act
9 over any highway except the National System of Interstate and
10 Defense Highways. The operator of the vehicle, however, must
11 abide by posted bridge and posted highway weight limits. All
12 implements of husbandry operating under this Section between
13 sunset and sunrise shall be equipped as prescribed in Section
14 12-205.1.

15 (e-1) Upon a declaration by the Governor that an emergency
16 harvest situation exists, a special permit issued by the
17 Department under this Section shall not be required from
18 September 1 through December 31 during harvest season
19 emergencies, provided that the weight does not exceed 20% above
20 the limits provided in Section 15-111. All other restrictions
21 that apply to permits issued under this Section shall apply
22 during the declared time period. With respect to highways under
23 the jurisdiction of local authorities, the local authorities
24 may, at their discretion, waive special permit requirements
25 during harvest season emergencies. This permit exemption shall
26 apply to all vehicles eligible to obtain permits under this

1 Section, including commercial vehicles in use during the
2 declared time period.

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

1 agent, must produce the permit at any court hearing concerning
2 the alleged offense.

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

8 Single axle 2000 pounds

9 Tandem axle 3000 pounds

10 Gross 5000 pounds

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

1 requirements:

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

4 (2) Vehicles escorting oversized loads more than
5 12-feet wide must be equipped with a rotating or flashing
6 amber light mounted on top as specified under Section
7 12-215.

8 The Department shall establish reasonable rules and
9 regulations regarding liability insurance or self insurance
10 for vehicles with oversized loads promulgated under The
11 Illinois Administrative Procedure Act. Police vehicles may be
12 required for escort under circumstances as required by rules
13 and regulations of the Department.

14 (h) Violation of any rule, limitation or condition or
15 provision of any permit issued in accordance with the
16 provisions of this Section shall not render the entire permit
17 null and void but the violator shall be deemed guilty of
18 violation of permit and guilty of exceeding any size, weight or
19 load limitations in excess of those authorized by the permit.
20 The prescribed route or routes on the permit are not mere
21 rules, limitations, conditions, or provisions of the permit,
22 but are also the sole extent of the authorization granted by
23 the permit. If a vehicle and load are found to be off the route
24 or routes prescribed by any permit authorizing movement, the
25 vehicle and load are operating without a permit. Any off route
26 movement shall be subject to the size and weight maximums,

1 under the applicable provisions of this Chapter, as determined
2 by the type or class highway upon which the vehicle and load
3 are being operated.

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

17 (j) Whenever any vehicle is operated or movement made in
18 violation of a permit issued in accordance with this Section,
19 the person to whom such permit was granted, or the driver of
20 such vehicle, is guilty of such violation and either, but not
21 both, persons may be prosecuted for such violation as stated in
22 this subsection (j). Any person, firm or corporation convicted
23 of such violation shall be guilty of a petty offense and shall
24 be fined for the first offense, not less than \$50 nor more than
25 \$200 and, for the second offense by the same person, firm or
26 corporation within a period of one year, not less than \$200 nor

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

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

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

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

24 (m) Penalties for violations of this Section shall be in
25 addition to any penalties imposed for violating any other
26 Section of this Code.

1 (n) The Department with respect to highways under its
2 jurisdiction and local authorities with respect to highways
3 under their jurisdiction, in their discretion and upon
4 application in writing, may issue a special permit for
5 continuous limited operation, authorizing the applicant to
6 operate a tow-truck that exceeds the weight limits provided for
7 in subsection (d) of Section 15-111, provided:

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

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

12 (2.1) no triple rear axle on a manufactured recovery
13 unit exceeds 60,000 pounds;

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

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

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

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

25 (7) the tow-truck is specifically designed and
26 licensed as a tow-truck;

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

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

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

7 (11) the tow commences at the initial point of wreck or
8 disablement and terminates at a point where the repairs are
9 actually to occur;

10 (12) the permit issued to the tow-truck is carried in
11 the tow-truck and exhibited on demand by a police officer;
12 and

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

15 (o) The Department, with respect to highways under its
16 jurisdiction, and local authorities, with respect to highways
17 under their jurisdiction, in their discretion and upon
18 application in writing, may issue a special permit for
19 continuous limited operation, authorizing the applicant to
20 transport raw milk that exceeds the weight limits provided for
21 in subsections (b) and (f) of Section 15-111 of this Code,
22 provided:

23 (1) no single axle exceeds 20,000 pounds;

24 (2) no gross weight exceeds 80,000 pounds;

25 (3) permits issued by the State are good only for
26 federal and State highways and are not applicable to

1 interstate highways; and

2 (4) all road and bridge postings must be obeyed.

3 (p) Any vehicle utilizing an auxiliary power or idle
4 reduction technology unit in order to promote reduction of fuel
5 use and emissions because of engine idling shall be allowed an
6 additional 400 pounds total to the gross, axle, tandem, or
7 bridge formula weight limits defined in Section 15-111 of this
8 Code, and to registered weights found in Chapter 3 of this
9 Code. To be eligible for this exception, the operator of the
10 vehicle must be able to prove, by written certification, the
11 weight of the auxiliary power unit (APU) and to demonstrate or
12 certify the idle reduction technology is fully functional at
13 all times.

14 Certification of the weight of the APU must be available to
15 law enforcement officers if the vehicle is found in violation
16 of applicable weight laws. The weight allowed cannot exceed 400
17 pounds or the weight certified, whichever is less. APU weights
18 shall not be considered in the calculation of any tolerances
19 allowed by 15-112 of this Code.

20 (Source: P.A. 95-331, eff. 8-21-07; 95-666, eff. 10-11-07.)