



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1291

Introduced 2/9/2007, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.675 new	
35 ILCS 505/2	from Ch. 120, par. 418
35 ILCS 505/8	from Ch. 120, par. 424
35 ILCS 505/8b new	
605 ILCS 5/6-901	from Ch. 121, par. 6-901
625 ILCS 5/15-109.1	from Ch. 95 1/2, par. 15-109.1
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

Amends the Motor Fuel Tax Law. Imposes an additional tax of \$0.06 cents per gallon on all motor fuel used in motor vehicles operating on the public highways, recreational type watercraft operating upon the waters, special fuel, and diesel fuel sold in this State. Provides that the proceeds of this tax must be deposited into the 8,000# Road Improvement Fund and distributed to municipalities, counties, and township road districts in the State for the purpose of improving roads and streets and of repairing damage to roads and streets caused by increased weight limits under the Illinois Vehicle Code. Amends the State Finance Act to create the 8,000# Road Improvement Fund. Amends the Illinois Highway Code. Increases, from \$15,000,000 to \$30,000,000, the amount appropriated for counties for the use of road districts for the construction of bridges 20 feet or more in length. Amends the Illinois Vehicle Code to increase various weight limits. Effective immediately.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 3. The State Finance Act is amended by adding
5 Section 5.675 as follows:

6 (30 ILCS 105/5.675 new)

7 Sec. 5.675. The 8,000# Road Improvement Fund.

8 Section 5. The Motor Fuel Tax Law is amended by changing
9 Sections 2 and 8 and by adding Section 8b as follows:

10 (35 ILCS 505/2) (from Ch. 120, par. 418)

11 Sec. 2. A tax is imposed on the privilege of operating
12 motor vehicles upon the public highways and recreational-type
13 watercraft upon the waters of this State.

14 (a) Prior to August 1, 1989, the tax is imposed at the rate
15 of 13 cents per gallon on all motor fuel used in motor vehicles
16 operating on the public highways and recreational type
17 watercraft operating upon the waters of this State. Beginning
18 on August 1, 1989 and until January 1, 1990, the rate of the
19 tax imposed in this paragraph shall be 16 cents per gallon.
20 Beginning January 1, 1990, the rate of tax imposed in this
21 paragraph shall be 19 cents per gallon.

1 (b) The tax on the privilege of operating motor vehicles
2 which use diesel fuel shall be the rate according to paragraph
3 (a) plus an additional 2 1/2 cents per gallon. "Diesel fuel" is
4 defined as any product intended for use or offered for sale as
5 a fuel for engines in which the fuel is injected into the
6 combustion chamber and ignited by pressure without electric
7 spark.

8 (c) A tax is imposed upon the privilege of engaging in the
9 business of selling motor fuel as a retailer or reseller on all
10 motor fuel used in motor vehicles operating on the public
11 highways and recreational type watercraft operating upon the
12 waters of this State: (1) at the rate of 3 cents per gallon on
13 motor fuel owned or possessed by such retailer or reseller at
14 12:01 a.m. on August 1, 1989; and (2) at the rate of 3 cents per
15 gallon on motor fuel owned or possessed by such retailer or
16 reseller at 12:01 A.M. on January 1, 1990.

17 Retailers and resellers who are subject to this additional
18 tax shall be required to inventory such motor fuel and pay this
19 additional tax in a manner prescribed by the Department of
20 Revenue.

21 The tax imposed in this paragraph (c) shall be in addition
22 to all other taxes imposed by the State of Illinois or any unit
23 of local government in this State.

24 (d) Except as provided in Section 2a, the collection of a
25 tax based on gallonage of gasoline used for the propulsion of
26 any aircraft is prohibited on and after October 1, 1979.

1 (e) The collection of a tax, based on gallonage of all
2 products commonly or commercially known or sold as 1-K
3 kerosene, regardless of its classification or uses, is
4 prohibited (i) on and after July 1, 1992 until December 31,
5 1999, except when the 1-K kerosene is either: (1) delivered
6 into bulk storage facilities of a bulk user, or (2) delivered
7 directly into the fuel supply tanks of motor vehicles and (ii)
8 on and after January 1, 2000. Beginning on January 1, 2000, the
9 collection of a tax, based on gallonage of all products
10 commonly or commercially known or sold as 1-K kerosene,
11 regardless of its classification or uses, is prohibited except
12 when the 1-K kerosene is delivered directly into a storage tank
13 that is located at a facility that has withdrawal facilities
14 that are readily accessible to and are capable of dispensing
15 1-K kerosene into the fuel supply tanks of motor vehicles.

16 Any person who sells or uses 1-K kerosene for use in motor
17 vehicles upon which the tax imposed by this Law has not been
18 paid shall be liable for any tax due on the sales or use of 1-K
19 kerosene.

20 (f) In addition to the taxes established in the foregoing
21 subsections, a tax is imposed on the privilege of operating
22 motor vehicles upon the public highways and operating
23 recreational type watercraft upon the waters of this State.
24 Beginning January 1, 2008 the tax imposed by this paragraph is
25 at the rate of \$0.06 cents per gallon on all motor fuel used in
26 motor vehicles operating on the public highways, recreational

1 type watercraft operating upon the waters, special fuel as
2 defined in Section 1.13, and diesel fuel sold in this State.
3 The purpose of this tax is to improve county, township, and
4 municipal roads and streets and repair damage to county,
5 township, and municipal roads and streets caused by increased
6 weight limits under Section 5-15 of the Illinois Vehicle Code.

7 (Source: P.A. 93-17, eff. 6-11-03.)

8 (35 ILCS 505/8) (from Ch. 120, par. 424)

9 Sec. 8. Except as provided in Section 8a, Section 8b,
10 subdivision (h) (1) of Section 12a, Section 13a.6, and items 13,
11 14, 15, and 16 of Section 15, all money received by the
12 Department under this Act, including payments made to the
13 Department by member jurisdictions participating in the
14 International Fuel Tax Agreement, shall be deposited in a
15 special fund in the State treasury, to be known as the "Motor
16 Fuel Tax Fund", and shall be used as follows:

17 (a) 2 1/2 cents per gallon of the tax collected on special
18 fuel under paragraph (b) of Section 2 and Section 13a of this
19 Act shall be transferred to the State Construction Account Fund
20 in the State Treasury;

21 (b) \$420,000 shall be transferred each month to the State
22 Boating Act Fund to be used by the Department of Natural
23 Resources for the purposes specified in Article X of the Boat
24 Registration and Safety Act;

25 (c) \$2,250,000 shall be transferred each month to the Grade

1 Crossing Protection Fund to be used as follows: not less than
2 \$6,000,000 each fiscal year shall be used for the construction
3 or reconstruction of rail highway grade separation structures;
4 \$2,250,000 in fiscal year 2004 and each fiscal year thereafter
5 shall be transferred to the Transportation Regulatory Fund and
6 shall be accounted for as part of the rail carrier portion of
7 such funds and shall be used to pay the cost of administration
8 of the Illinois Commerce Commission's railroad safety program
9 in connection with its duties under subsection (3) of Section
10 18c-7401 of the Illinois Vehicle Code, with the remainder to be
11 used by the Department of Transportation upon order of the
12 Illinois Commerce Commission, to pay that part of the cost
13 apportioned by such Commission to the State to cover the
14 interest of the public in the use of highways, roads, streets,
15 or pedestrian walkways in the county highway system, township
16 and district road system, or municipal street system as defined
17 in the Illinois Highway Code, as the same may from time to time
18 be amended, for separation of grades, for installation,
19 construction or reconstruction of crossing protection or
20 reconstruction, alteration, relocation including construction
21 or improvement of any existing highway necessary for access to
22 property or improvement of any grade crossing including the
23 necessary highway approaches thereto of any railroad across the
24 highway or public road, or for the installation, construction,
25 reconstruction, or maintenance of a pedestrian walkway over or
26 under a railroad right-of-way, as provided for in and in

1 accordance with Section 18c-7401 of the Illinois Vehicle Code.
2 The Commission shall not order more than \$2,000,000 per year in
3 Grade Crossing Protection Fund moneys for pedestrian walkways.
4 In entering orders for projects for which payments from the
5 Grade Crossing Protection Fund will be made, the Commission
6 shall account for expenditures authorized by the orders on a
7 cash rather than an accrual basis. For purposes of this
8 requirement an "accrual basis" assumes that the total cost of
9 the project is expended in the fiscal year in which the order
10 is entered, while a "cash basis" allocates the cost of the
11 project among fiscal years as expenditures are actually made.
12 To meet the requirements of this subsection, the Illinois
13 Commerce Commission shall develop annual and 5-year project
14 plans of rail crossing capital improvements that will be paid
15 for with moneys from the Grade Crossing Protection Fund. The
16 annual project plan shall identify projects for the succeeding
17 fiscal year and the 5-year project plan shall identify projects
18 for the 5 directly succeeding fiscal years. The Commission
19 shall submit the annual and 5-year project plans for this Fund
20 to the Governor, the President of the Senate, the Senate
21 Minority Leader, the Speaker of the House of Representatives,
22 and the Minority Leader of the House of Representatives on the
23 first Wednesday in April of each year;

24 (d) of the amount remaining after allocations provided for
25 in subsections (a), (b) and (c), a sufficient amount shall be
26 reserved to pay all of the following:

1 (1) the costs of the Department of Revenue in
2 administering this Act;

3 (2) the costs of the Department of Transportation in
4 performing its duties imposed by the Illinois Highway Code
5 for supervising the use of motor fuel tax funds apportioned
6 to municipalities, counties and road districts;

7 (3) refunds provided for in Section 13 of this Act and
8 under the terms of the International Fuel Tax Agreement
9 referenced in Section 14a;

10 (4) from October 1, 1985 until June 30, 1994, the
11 administration of the Vehicle Emissions Inspection Law,
12 which amount shall be certified monthly by the
13 Environmental Protection Agency to the State Comptroller
14 and shall promptly be transferred by the State Comptroller
15 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
16 Inspection Fund, and for the period July 1, 1994 through
17 June 30, 2000, one-twelfth of \$25,000,000 each month, for
18 the period July 1, 2000 through June 30, 2003, one-twelfth
19 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
20 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
21 July 1 and October 1, or as soon thereafter as may be
22 practical, during the period July 1, 2004 through June 30,
23 2008, for the administration of the Vehicle Emissions
24 Inspection Law of 1995, to be transferred by the State
25 Comptroller and Treasurer from the Motor Fuel Tax Fund into
26 the Vehicle Inspection Fund;

1 (5) amounts ordered paid by the Court of Claims; and
2 (6) payment of motor fuel use taxes due to member
3 jurisdictions under the terms of the International Fuel Tax
4 Agreement. The Department shall certify these amounts to
5 the Comptroller by the 15th day of each month; the
6 Comptroller shall cause orders to be drawn for such
7 amounts, and the Treasurer shall administer those amounts
8 on or before the last day of each month;

9 (e) after allocations for the purposes set forth in
10 subsections (a), (b), (c) and (d), the remaining amount shall
11 be apportioned as follows:

12 (1) Until January 1, 2000, 58.4%, and beginning January
13 1, 2000, 45.6% shall be deposited as follows:

14 (A) 37% into the State Construction Account Fund,
15 and

16 (B) 63% into the Road Fund, \$1,250,000 of which
17 shall be reserved each month for the Department of
18 Transportation to be used in accordance with the
19 provisions of Sections 6-901 through 6-906 of the
20 Illinois Highway Code;

21 (2) Until January 1, 2000, 41.6%, and beginning January
22 1, 2000, 54.4% shall be transferred to the Department of
23 Transportation to be distributed as follows:

24 (A) 49.10% to the municipalities of the State,

25 (B) 16.74% to the counties of the State having
26 1,000,000 or more inhabitants,

1 (C) 18.27% to the counties of the State having less
2 than 1,000,000 inhabitants,

3 (D) 15.89% to the road districts of the State.

4 As soon as may be after the first day of each month the
5 Department of Transportation shall allot to each municipality
6 its share of the amount apportioned to the several
7 municipalities which shall be in proportion to the population
8 of such municipalities as determined by the last preceding
9 municipal census if conducted by the Federal Government or
10 Federal census. If territory is annexed to any municipality
11 subsequent to the time of the last preceding census the
12 corporate authorities of such municipality may cause a census
13 to be taken of such annexed territory and the population so
14 ascertained for such territory shall be added to the population
15 of the municipality as determined by the last preceding census
16 for the purpose of determining the allotment for that
17 municipality. If the population of any municipality was not
18 determined by the last Federal census preceding any
19 apportionment, the apportionment to such municipality shall be
20 in accordance with any census taken by such municipality. Any
21 municipal census used in accordance with this Section shall be
22 certified to the Department of Transportation by the clerk of
23 such municipality, and the accuracy thereof shall be subject to
24 approval of the Department which may make such corrections as
25 it ascertains to be necessary.

26 As soon as may be after the first day of each month the

1 Department of Transportation shall allot to each county its
2 share of the amount apportioned to the several counties of the
3 State as herein provided. Each allotment to the several
4 counties having less than 1,000,000 inhabitants shall be in
5 proportion to the amount of motor vehicle license fees received
6 from the residents of such counties, respectively, during the
7 preceding calendar year. The Secretary of State shall, on or
8 before April 15 of each year, transmit to the Department of
9 Transportation a full and complete report showing the amount of
10 motor vehicle license fees received from the residents of each
11 county, respectively, during the preceding calendar year. The
12 Department of Transportation shall, each month, use for
13 allotment purposes the last such report received from the
14 Secretary of State.

15 As soon as may be after the first day of each month, the
16 Department of Transportation shall allot to the several
17 counties their share of the amount apportioned for the use of
18 road districts. The allotment shall be apportioned among the
19 several counties in the State in the proportion which the total
20 mileage of township or district roads in the respective
21 counties bears to the total mileage of all township and
22 district roads in the State. Funds allotted to the respective
23 counties for the use of road districts therein shall be
24 allocated to the several road districts in the county in the
25 proportion which the total mileage of such township or district
26 roads in the respective road districts bears to the total

1 mileage of all such township or district roads in the county.
2 After July 1 of any year, no allocation shall be made for any
3 road district unless it levied a tax for road and bridge
4 purposes in an amount which will require the extension of such
5 tax against the taxable property in any such road district at a
6 rate of not less than either .08% of the value thereof, based
7 upon the assessment for the year immediately prior to the year
8 in which such tax was levied and as equalized by the Department
9 of Revenue or, in DuPage County, an amount equal to or greater
10 than \$12,000 per mile of road under the jurisdiction of the
11 road district, whichever is less. If any road district has
12 levied a special tax for road purposes pursuant to Sections
13 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such
14 tax was levied in an amount which would require extension at a
15 rate of not less than .08% of the value of the taxable property
16 thereof, as equalized or assessed by the Department of Revenue,
17 or, in DuPage County, an amount equal to or greater than
18 \$12,000 per mile of road under the jurisdiction of the road
19 district, whichever is less, such levy shall, however, be
20 deemed a proper compliance with this Section and shall qualify
21 such road district for an allotment under this Section. If a
22 township has transferred to the road and bridge fund money
23 which, when added to the amount of any tax levy of the road
24 district would be the equivalent of a tax levy requiring
25 extension at a rate of at least .08%, or, in DuPage County, an
26 amount equal to or greater than \$12,000 per mile of road under

1 the jurisdiction of the road district, whichever is less, such
2 transfer, together with any such tax levy, shall be deemed a
3 proper compliance with this Section and shall qualify the road
4 district for an allotment under this Section.

5 In counties in which a property tax extension limitation is
6 imposed under the Property Tax Extension Limitation Law, road
7 districts may retain their entitlement to a motor fuel tax
8 allotment if, at the time the property tax extension limitation
9 was imposed, the road district was levying a road and bridge
10 tax at a rate sufficient to entitle it to a motor fuel tax
11 allotment and continues to levy the maximum allowable amount
12 after the imposition of the property tax extension limitation.
13 Any road district may in all circumstances retain its
14 entitlement to a motor fuel tax allotment if it levied a road
15 and bridge tax in an amount that will require the extension of
16 the tax against the taxable property in the road district at a
17 rate of not less than 0.08% of the assessed value of the
18 property, based upon the assessment for the year immediately
19 preceding the year in which the tax was levied and as equalized
20 by the Department of Revenue or, in DuPage County, an amount
21 equal to or greater than \$12,000 per mile of road under the
22 jurisdiction of the road district, whichever is less.

23 As used in this Section the term "road district" means any
24 road district, including a county unit road district, provided
25 for by the Illinois Highway Code; and the term "township or
26 district road" means any road in the township and district road

1 system as defined in the Illinois Highway Code. For the
2 purposes of this Section, "road district" also includes park
3 districts, forest preserve districts and conservation
4 districts organized under Illinois law and "township or
5 district road" also includes such roads as are maintained by
6 park districts, forest preserve districts and conservation
7 districts. The Department of Transportation shall determine
8 the mileage of all township and district roads for the purposes
9 of making allotments and allocations of motor fuel tax funds
10 for use in road districts.

11 Payment of motor fuel tax moneys to municipalities and
12 counties shall be made as soon as possible after the allotment
13 is made. The treasurer of the municipality or county may invest
14 these funds until their use is required and the interest earned
15 by these investments shall be limited to the same uses as the
16 principal funds.

17 (Source: P.A. 93-32, eff. 6-20-03; 93-839, eff. 7-30-04;
18 94-839, eff. 6-6-06.)

19 (35 ILCS 505/8b new)

20 Sec. 8b. Distribution of proceeds into the 8,000# Road
21 Improvement Fund.

22 (a) All money received by the Department under paragraph
23 (f) of Section 2 of this Act shall be deposited in a special
24 fund in the State treasury, to be known as the 80,000# Road
25 Improvement Fund, and must be apportioned and disbursed as

1 follows:

2 (1) 33.3% to municipalities apportioned and
3 distributed to each municipality in the proportion that the
4 total population of the municipality bears to the total
5 population of all municipalities in the State;

6 (2) 33.3% to township road districts apportioned and
7 distributed to each road district in the proportion that
8 the total mileage of the township or district roads in the
9 respective road district bears to the total mileage of all
10 township or district roads in the State; and

11 (3) The remainder to counties apportioned and
12 distributed to each county in the State in the proportion
13 that the total mileage of the county highways in the county
14 bears to the total mileage of all county highways in all
15 counties in the State.

16 (b) Moneys disbursed to municipalities, townships, and
17 counties under this Section must be deposited in the respective
18 agency's 80,000# Road Improvement Fund and may only be used for
19 the purpose set forth under subsection (f) of Section 2 of this
20 Act.

21 Section 10. The Illinois Highway Code is amended by
22 changing Section 6-901 as follows:

23 (605 ILCS 5/6-901) (from Ch. 121, par. 6-901)

24 Sec. 6-901. Annually, the General Assembly shall

1 appropriate to the Department of Transportation from the road
2 fund, the general revenue fund, any other State funds or a
3 combination of those funds, \$30,000,000 ~~\$15,000,000~~ for
4 apportionment to counties for the use of road districts for the
5 construction of bridges 20 feet or more in length, as provided
6 in Sections 6-902 through 6-905.

7 The Department of Transportation shall apportion among the
8 several counties of this State for the use of road districts
9 the amounts appropriated under this Section. The amount
10 apportioned to a county shall be in the proportion which the
11 total mileage of township or district roads in the county bears
12 to the total mileage of all township and district roads in the
13 State. Each county shall allocate to the several road districts
14 in the county the funds so apportioned to the county. The
15 allocation to road districts shall be made in the same manner
16 and be subject to the same conditions and qualifications as are
17 provided by Section 8 of the "Motor Fuel Tax Law", approved
18 March 25, 1929, as amended, with respect to the allocation to
19 road districts of the amount allotted from the Motor Fuel Tax
20 Fund for apportionment to counties for the use of road
21 districts, but no allocation shall be made to any road district
22 that has not levied taxes for road and bridge purposes and for
23 bridge construction purposes at the maximum rates permitted by
24 Sections 6-501, 6-508 and 6-512 of this Act, without
25 referendum. "Road district" and "township or district road"
26 have the meanings ascribed to those terms in this Act.

1 Road districts in counties in which a property tax
2 extension limitation is imposed under the Property Tax
3 Extension Limitation Law that are made ineligible for receipt
4 of this appropriation due to the imposition of a property tax
5 extension limitation may become eligible if, at the time the
6 property tax extension limitation was imposed, the road
7 district was levying at the required rate and continues to levy
8 the maximum allowable amount after the imposition of the
9 property tax extension limitation. The road district also
10 becomes eligible if it levies at or above the rate required for
11 eligibility by Section 8 of the Motor Fuel Tax Law.

12 The amounts apportioned under this Section for allocation
13 to road districts may be used only for bridge construction as
14 provided in this Division. So much of those amounts as are not
15 obligated under Sections 6-902 through 6-904 and for which
16 local funds have not been committed under Section 6-905 within
17 24 months of the date when such apportionment is made lapses
18 and shall not be paid to the county treasurer for distribution
19 to road districts.

20 (Source: P.A. 90-110, eff. 7-14-97.)

21 Section 15. The Illinois Vehicle Code is amended by
22 changing Sections 15-109.1, 15-111, and 15-112 as follows:

23 (625 ILCS 5/15-109.1) (from Ch. 95 1/2, par. 15-109.1)

24 Sec. 15-109.1. Covers or tarpaulins required for certain

1 loads.

2 (a) No person shall operate or cause to be operated, on a
3 highway, any second division vehicle loaded with dirt,
4 aggregate, garbage, refuse, or other similar material, when any
5 portion of the load is falling, sifting, blowing, dropping or
6 in any way escaping from the vehicle.

7 (b) No person shall operate or cause to be operated, on a
8 highway, any second division vehicle having a gross vehicle
9 weight rating of 8,000 pounds or more loaded with dirt,
10 aggregate, garbage, refuse, or other similar material in or on
11 any part of the vehicle other than in the cargo area. In
12 addition, no person shall operate on any highway, such vehicle
13 unless the tailgate on the vehicle is in good repair and
14 operating condition and closes securely so as to prevent any
15 load, residue, or other material from escaping.

16 (c) This Section shall not apply to the operation of
17 highway maintenance vehicles engaged in removing snow and ice
18 from the roadway, nor to implements of husbandry ~~or other farm~~
19 ~~vehicles while transporting agricultural products to or from~~
20 ~~the original place of production.~~

21 (d) For the purpose of this Section "aggregate" shall
22 include all ores, minerals, sand, gravel, shale, coal, clay,
23 limestone or any other ore or mineral which may be mined.

24 (e) Notwithstanding any other penalty, whenever a police
25 officer determines that the operator of a vehicle is in
26 violation of this Section, as evidenced by the issuance of a

1 citation for a violation of Section 15-109.1 of this Code, or
2 where a police officer determines that a dangerous condition
3 exists whereby any portion of the load may fall, sift, blow,
4 drop, or in any way escape or fall from the vehicle, the police
5 officer shall require the operator to stop the vehicle in a
6 suitable place and keep such vehicle stationary until the load
7 has either been reduced, secured, or covered with a cover or
8 tarpaulin of sufficient size to prevent any further violation
9 of this Section.

10 (f) Any violation of the provisions of this Section shall
11 be a petty offense punishable by a fine not to exceed \$250.

12 (Source: P.A. 91-858, eff. 1-1-01.)

13 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

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

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

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

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

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

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

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

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

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

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

1 (9) tandem axles on a 3-axle truck registered as a
2 Special Hauling Vehicle, manufactured prior to or in the
3 model year of 2014 and first registered in Illinois prior
4 to January 1, 2015, with a distance greater than 72 inches
5 but not more than 96 inches between any series of 2 axles,
6 is allowed a combined weight on the series not to exceed
7 36,000 pounds and neither axle of the series may exceed
8 18,000 pounds. Any vehicle of this type manufactured after
9 the model year of 2014 or first registered in Illinois
10 after December 31, 2014 may not exceed a combined weight of
11 34,000 ~~32,000~~ pounds through the series of 2 axles and
12 neither axle of the series may exceed 20,000 ~~18,000~~ pounds;

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

23 (11) 4-axle vehicles or a 5 or more axle combination of
24 vehicles: The weight transmitted upon the road surface
25 through any series of 3 axles whose centers are more than
26 96 inches apart, measured between extreme axles in the

1 series, may not exceed those allowed in the table contained
 2 in subsection (f) of this Section. No axle or tandem axle
 3 of the series may exceed the maximum weight permitted under
 4 this Section for a single or tandem axle.

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

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

18 VEHICLES HAVING 2 AXLES 40,000 ~~36,000~~ pounds

19 VEHICLES OR COMBINATIONS

20 HAVING 3 AXLES

21	With Tandem	With or
22	Axles	Without
23		Tandem Axles
24	Minimum	Minimum

1 shall the gross weight of any 2 axle motor vehicle operating
2 over any street of the city exceed 40,000 pounds.

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

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

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

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

26 (3) is capable of utilizing the lighting and braking

1 systems of the disabled vehicle or combination of vehicles;
2 and

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

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

25 The Department may by rule or regulation prescribe
26 additional requirements. However, nothing in this Code shall

1 prohibit a tow truck under instructions of a police officer
2 from legally clearing a disabled vehicle, that may be in
3 violation of weight limitations of this Chapter, from the
4 roadway to the berm or shoulder of the highway. If in the
5 opinion of the police officer that location is unsafe, the
6 officer is authorized to have the disabled vehicle towed to the
7 nearest place of safety.

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

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

16 (f) On designated Class I, II, or III highways and the
17 National System of Interstate and Defense Highways, no vehicle
18 or combination of vehicles with pneumatic tires may be
19 operated, unladen or with load, when the total weight on the
20 road surface exceeds the following: 20,000 pounds on a single
21 axle; 34,000 pounds on a tandem axle with no axle within the
22 tandem exceeding 20,000 pounds; 80,000 pounds gross weight for
23 vehicle combinations of 5 or more axles; or a total weight on a
24 group of 2 or more consecutive axles in excess of that weight
25 produced by the application of the following formula: $W = 500$
26 times the sum of $(LN \text{ divided by } N-1) + 12N + 36$, where "W"

1 equals overall total weight on any group of 2 or more
 2 consecutive axles to the nearest 500 pounds, "L" equals the
 3 distance measured to the nearest foot between extremes of any
 4 group of 2 or more consecutive axles, and "N" equals the number
 5 of axles in the group under consideration.

6 The above formula when expressed in tabular form results in
 7 allowable loads as follows:

8	Distance measured					
9	to the nearest					
10	foot between the					
11	extremes of any		Maximum weight in pounds			
12	group of 2 or		of any group of			
13	more consecutive		2 or more consecutive axles			
14	axles					
15	feet	2 axles	3 axles	4 axles	5 axles	6 axles
16	4	34,000				
17	5	34,000				
18	6	34,000				
19	7	34,000				
20	8	38,000*	42,000			
21	9	39,000	42,500			
22	10	40,000	43,500			
23	11		44,000			
24	12		45,000	50,000		
25	13		45,500	50,500		

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

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

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

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

26 Vehicles in a combination having more than 6 axles may not

1 exceed the weight in the table in this subsection (f) for 6
2 axles measured between the extreme axles of the combination.

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

12 The following are exceptions to the above formula:

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

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

19 (3) 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 These vehicles are not subject to the bridge formula.

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

26 (5) A tandem axle on a 3-axle truck registered as a

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

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

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

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

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

25 No vehicle or combination of vehicles equipped with other
26 than pneumatic tires may be operated, unladen or with load,

1 upon the highways of this State when the gross weight on the
2 road surface through any wheel exceeds 800 pounds per inch
3 width of tire tread or when the gross weight on the road
4 surface through any axle exceeds 16,000 pounds.

5 (f-1) A vehicle and load not exceeding 80,000 ~~73,280~~ pounds
6 is allowed access as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 of vehicles over any structure with a gross weight that is
2 greater than the posted maximum weight.

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

9 (j) Upon trial of any person charged with a violation of
10 this Section, a document or record, which may include a bill of
11 lading, freight bill, weight certification, or other similar
12 document, evidencing the receipt of goods issued by the person
13 engaged in the business of transporting or forwarding goods,
14 that states a gross weight of the vehicle and load or the
15 weight of the load when combined with the empty weight of the
16 vehicle that is in excess of the prescribed maximum weight
17 limitation permitted by this Section, is prima facie evidence
18 that the weight of the vehicle and load is unlawful and is a
19 violation of the provisions of this Section.

20 A person or entity who weighs goods before or after
21 unloading or a person or entity who loads or unloads goods on
22 the basis of liquid volume measure shall keep a written record
23 of the origin, weight and composition of each shipment, the
24 date of loading or receipt, the name and address of the
25 shipper, the total number of axles on the vehicle or
26 combination of vehicles, and the registration number of the

1 power unit or some other means of identification by which the
2 shipment was transported. The record shall be retained for 14
3 days and shall be open to inspection and copying by law
4 enforcement officers, upon demand. No such warrant shall be
5 required for the inspection and copying of such records.

6 A person who fails to keep, maintain, or open for
7 inspection or copying, those documents as required in this
8 Section is guilty of a Class C misdemeanor and may be fined
9 \$500. A person who does not accurately record the information
10 required to be contained in those documents required in this
11 section is guilty of a misdemeanor and may be fined \$500.

12 (Source: P.A. 93-177, eff. 7-11-03; 93-186, eff. 1-1-04;
13 93-1023, eff. 8-25-04; 94-464, eff. 1-1-06; 94-926, eff.
14 1-1-07.)

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

16 Sec. 15-112. Officers to weigh vehicles and require removal
17 of excess loads.

18 (a) Any police officer having reason to believe that the
19 weight of a vehicle and load is unlawful shall require the
20 driver to stop and submit to a weighing of the same either by
21 means of a portable or stationary scales that have been tested
22 and approved at a frequency prescribed by the Illinois
23 Department of Agriculture, or for those scales operated by the
24 State, when such tests are requested by the Department of State
25 Police, whichever is more frequent. If such scales are not

1 available at the place where such vehicle is stopped, the
2 police officer shall require that such vehicle be driven to the
3 nearest available scale that has been tested and approved
4 pursuant to this Section by the Illinois Department of
5 Agriculture. Notwithstanding any provisions of the Weights and
6 Measures Act or the United States Department of Commerce NIST
7 handbook 44, multi or single draft weighing is an acceptable
8 method of weighing by law enforcement for determining a
9 violation of Chapter 3 or 15 of this Code. Law enforcement is
10 exempt from the requirements of commercial weighing
11 established in NIST handbook 44.

12 Within 18 months after the effective date of this
13 amendatory Act of the 91st General Assembly, all municipal and
14 county officers, technicians, and employees who set up and
15 operate portable scales for wheel load or axle load or both and
16 issue citations based on the use of portable scales for wheel
17 load or axle load or both and who have not successfully
18 completed initial classroom and field training regarding the
19 set up and operation of portable scales, shall attend and
20 successfully complete initial classroom and field training
21 administered by the Illinois Law Enforcement Training
22 Standards Board.

23 (b) Whenever an officer, upon weighing a vehicle and the
24 load, determines that the weight is unlawful, such officer
25 shall require the driver to stop the vehicle in a suitable
26 place and remain standing until such portion of the load is

1 removed as may be necessary to reduce the weight of the vehicle
2 to the limit permitted under this Chapter, or to the limit
3 permitted under the terms of a permit issued pursuant to
4 Sections 15-301 through 15-318 and shall forthwith arrest the
5 driver or owner. All material so unloaded shall be cared for by
6 the owner or operator of the vehicle at the risk of such owner
7 or operator; however, whenever a 3 or 4 axle vehicle with a
8 tandem axle dimension greater than 72 inches, but less than 96
9 inches and registered as a Special Hauling Vehicle is
10 transporting asphalt or concrete in the plastic state that
11 exceeds axle weight or gross weight limits by less than 4,000
12 pounds, the owner or operator of the vehicle shall accept the
13 arrest ticket or tickets for the alleged violations under this
14 Section and proceed without shifting or reducing the load being
15 transported or may shift or reduce the load under the
16 provisions of subsection (d) or (e) of this Section, when
17 applicable. Any fine imposed following an overweight violation
18 by a vehicle registered as a Special Hauling Vehicle
19 transporting asphalt or concrete in the plastic state shall be
20 paid as provided in subsection 4 of paragraph (a) of Section
21 16-105 of this Code.

22 (c) The Department of Transportation may, at the request of
23 the Department of State Police, erect appropriate regulatory
24 signs on any State highway directing second division vehicles
25 to a scale. The Department of Transportation may also, at the
26 direction of any State Police officer, erect portable

1 regulating signs on any highway directing second division
2 vehicles to a portable scale. Every such vehicle, pursuant to
3 such sign, shall stop and be weighed.

4 (d) Whenever any axle load of a vehicle exceeds the axle or
5 tandem axle weight limits permitted by paragraph (a) or (f) of
6 Section 15-111 by 2000 pounds or less, the owner or operator of
7 the vehicle must shift or remove the excess so as to comply
8 with paragraph (a) or (f) of Section 15-111. No overweight
9 arrest ticket shall be issued to the owner or operator of the
10 vehicle by any officer if the excess weight is shifted or
11 removed as required by this paragraph.

12 (e) Whenever the gross weight of a vehicle with a
13 registered gross weight of 80,000 ~~73,280~~ pounds or less exceeds
14 the weight limits of paragraph (b) or (f) of Section 15-111 of
15 this Chapter by 2000 pounds or less, the owner or operator of
16 the vehicle must remove the excess. Whenever the gross weight
17 of a vehicle with a registered gross weight of 80,000 ~~73,281~~
18 pounds or more exceeds the weight limits of paragraph (b) or
19 (f) of Section 15-111 by 1,000 pounds or less or 2,000 pounds
20 or less if weighed on wheel load weighers, the owner or
21 operator of the vehicle must remove the excess. In either case
22 no arrest ticket for any overweight violation of this Code
23 shall be issued to the owner or operator of the vehicle by any
24 officer if the excess weight is removed as required by this
25 paragraph. A person who has been granted a special permit under
26 Section 15-301 of this Code shall not be granted a tolerance on

1 wheel load weighers.

2 (f) Whenever an axle load of a vehicle exceeds axle weight
3 limits allowed by the provisions of a permit an arrest ticket
4 shall be issued, but the owner or operator of the vehicle may
5 shift the load so as to comply with the provisions of the
6 permit. Where such shifting of a load to comply with the permit
7 is accomplished, the owner or operator of the vehicle may then
8 proceed.

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

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.