



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4043

by Rep. Daniel V. Beiser

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-316

from Ch. 95 1/2, par. 15-316

Amends the Illinois Vehicle Code. Provides that local authorities may by ordinance or resolution prohibit the operation of vehicles or impose restrictions as to the weight of vehicles to be operated upon highways under their jurisdiction, for a total period not to exceed 90 days, measured in either consecutive or nonconsecutive days at the discretion of local authorities, in any one calendar year, when conditions will seriously damage or destroy the highway.

LRB099 08093 RJF 28239 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 15-316 as follows:

6 (625 ILCS 5/15-316) (from Ch. 95 1/2, par. 15-316)

7 Sec. 15-316. When the Department or local authority may  
8 restrict right to use highways.

9 (a) Except as provided in subsection (g), local authorities  
10 with respect to highways under their jurisdiction may by  
11 ordinance or resolution prohibit the operation of vehicles upon  
12 any such highway or impose restrictions as to the weight of  
13 vehicles to be operated upon any such highway, for a total  
14 period of not to exceed 90 days, measured in either consecutive  
15 or nonconsecutive days at the discretion of local authorities,  
16 in any one calendar year, whenever any said highway by reason  
17 of deterioration, rain, snow, or other climate conditions will  
18 be seriously damaged or destroyed unless the use of vehicles  
19 thereon is prohibited or the permissible weights thereof  
20 reduced.

21 (b) The local authority enacting any such ordinance or  
22 resolution shall erect or cause to be erected and maintained  
23 signs designating the provision of the ordinance or resolution

1 at each end of that portion of any highway affected thereby,  
2 and the ordinance or resolution shall not be effective unless  
3 and until such signs are erected and maintained.

4 (c) Local authorities with respect to highways under their  
5 jurisdiction may also, by ordinance or resolution, prohibit the  
6 operation of trucks or other commercial vehicles, or may impose  
7 limitations as the weight thereof, on designated highways,  
8 which prohibitions and limitations shall be designated by  
9 appropriate signs placed on such highways.

10 (c-1) (Blank).

11 (d) The Department shall likewise have authority as  
12 hereinbefore granted to local authorities to determine by  
13 resolution and to impose restrictions as to the weight of  
14 vehicles operated upon any highway under the jurisdiction of  
15 said department, and such restrictions shall be effective when  
16 signs giving notice thereof are erected upon the highway or  
17 portion of any highway affected by such resolution.

18 (d-1) (Blank).

19 (d-2) (Blank).

20 (e) When any vehicle is operated in violation of this  
21 Section, the owner or driver of the vehicle shall be deemed  
22 guilty of a violation and either the owner or the driver of the  
23 vehicle may be prosecuted for the violation. Any person, firm,  
24 or corporation convicted of violating this Section shall be  
25 fined \$50 for any weight exceeding the posted limit up to the  
26 axle or gross weight limit allowed a vehicle as provided for in

1 subsections (a) or (b) of Section 15-111 and \$75 per every 500  
2 pounds or fraction thereof for any weight exceeding that which  
3 is provided for in subsections (a) or (b) of Section 15-111.

4 (f) A municipality is authorized to enforce a county weight  
5 limit ordinance applying to county highways within its  
6 corporate limits and is entitled to the proceeds of any fines  
7 collected from the enforcement.

8 (g) An ordinance or resolution enacted by a county or  
9 township pursuant to subsection (a) of this Section shall not  
10 apply to cargo tank vehicles with two or three permanent axles  
11 when delivering propane for emergency heating purposes if the  
12 cargo tank is loaded at no more than 50 percent capacity, the  
13 gross vehicle weight of the vehicle does not exceed 32,000  
14 pounds, and the driver of the cargo tank vehicle notifies the  
15 appropriate agency or agencies with jurisdiction over the  
16 highway before driving the vehicle on the highway pursuant to  
17 this subsection. The cargo tank vehicle must have an operating  
18 gauge on the cargo tank which indicates the amount of propane  
19 as a percent of capacity of the cargo tank. The cargo tank must  
20 have the capacity displayed on the cargo tank, or documentation  
21 of the capacity of the cargo tank must be available in the  
22 vehicle. For the purposes of this subsection, propane weighs  
23 4.2 pounds per gallon. This subsection does not apply to  
24 municipalities. Nothing in this subsection shall allow cargo  
25 tank vehicles to cross bridges with posted weight restrictions  
26 if the vehicle exceeds the posted weight limit.

1 (Source: P.A. 96-1337, eff. 1-1-11.)