

HB4883



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4883

by Rep. Brad Halbrook

SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-301
625 ILCS 5/15-308

from Ch. 95 1/2, par. 15-301
from Ch. 95 1/2, par. 15-308

Amends the Permits Article of the Size, Weight, Load and Permits Chapter of the Illinois Vehicle Code. Allows the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, in their discretion and upon application in writing, to issue a special permit for limited continuous operation, authorizing the applicant to move loads of logging products on a specified vehicles. Provides that the fees for special permits for increased axle loads to be used for hauling logging products is \$5 per axle.

LRB104 13315 LNS 25584 b

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
5 changing Sections 15-301 and 15-308 as follows:

6 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

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

8 (a) The Department with respect to highways under its
9 jurisdiction and local authorities with respect to highways
10 under their jurisdiction may, in their discretion, upon
11 application and good cause being shown therefor, issue a
12 special permit authorizing the applicant to operate or move a
13 vehicle or combination of vehicles of a size or weight of
14 vehicle or load exceeding the maximum specified in this Code
15 or otherwise not in conformity with this Code upon any highway
16 under the jurisdiction of the party granting such permit and
17 for the maintenance of which the party is responsible.
18 Applications and permits other than those in written or
19 printed form may only be accepted from and issued to the
20 company or individual making the movement. Except for an
21 application to move directly across a highway, it shall be the
22 duty of the applicant to establish in the application that the
23 load to be moved by such vehicle or combination cannot

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

1 (a-1) As used in this Section, "extreme heavy duty tow and
2 recovery vehicle" means a tow truck manufactured as a unit
3 having a lifting capacity of not less than 50 tons, and having
4 either 4 axles and an unladen weight of not more than 80,000
5 pounds or 5 axles and an unladen weight not more than 90,000
6 pounds. Notwithstanding otherwise applicable gross and axle
7 weight limits, an extreme heavy duty tow and recovery vehicle
8 may lawfully travel to and from the scene of a disablement and
9 clear a disabled vehicle if the towing service has obtained an
10 extreme heavy duty tow and recovery permit for the vehicle.
11 The form and content of the permit shall be determined by the
12 Department with respect to highways under its jurisdiction and
13 by local authorities with respect to highways under their
14 jurisdiction.

15 (b) The application for any such permit shall: (1) state
16 whether such permit is requested for a single trip or for
17 limited continuous operation; (2) (blank); (3) specifically
18 describe and identify the vehicle or vehicles and load to be
19 operated or moved; (4) state the routing requested, including
20 the points of origin and destination, and may identify and
21 include a request for routing to the nearest certified scale
22 in accordance with the Department's rules and regulations,
23 provided the applicant has approval to travel on local roads;
24 and (5) (blank).

25 (c) The Department or local authority when not
26 inconsistent with traffic safety is authorized to issue or

1 withhold such permit at its discretion; or, if such permit is
2 issued at its discretion to prescribe the route or routes to be
3 traveled, to limit the number of trips, to establish seasonal
4 or other time limitations within which the vehicles described
5 may be operated on the highways indicated, or otherwise to
6 limit or prescribe conditions of operations of such vehicle or
7 vehicles, when necessary to assure against undue damage to the
8 road foundations, surfaces or structures, and may require such
9 undertaking or other security as may be deemed necessary to
10 compensate for any injury to any roadway or road structure.
11 The Department shall maintain a daily record of each permit
12 issued along with the fee and the stipulated dimensions,
13 weights, conditions, and restrictions authorized and this
14 record shall be presumed correct in any case of questions or
15 dispute. The Department shall install an automatic device for
16 recording telephone conversations involving permit
17 applications. The Department and applicant waive all
18 objections to the recording of the conversation.

19 (d) The Department shall, upon application in writing from
20 any local authority, issue an annual permit authorizing the
21 local authority to move oversize highway construction,
22 transportation, utility, and maintenance equipment over roads
23 under the jurisdiction of the Department. The permit shall be
24 applicable only to equipment and vehicles owned by or
25 registered in the name of the local authority, and no fee shall
26 be charged for the issuance of such permits.

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

16 As used in this Section: ~~"agricultural~~

17 "Agricultural commodities" means:

18 (1) cultivated plants or agricultural produce grown,
19 including, but not limited to, corn, soybeans, wheat,
20 oats, grain sorghum, canola, and rice;

21 (2) livestock, including, but not limited to, hogs,
22 equine, sheep, and poultry;

23 (3) ensilage; and

24 (4) fruits and vegetables.

25 "Logging products" means any products produced from the
26 felling and bucking, yarding, or loading of timber.

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

11 (e-1) A special permit shall be issued by the Department
12 under this Section and shall be required from September 1
13 through December 31 for a vehicle that exceeds the maximum
14 axle weight and gross weight limits under Section 15-111 of
15 this Code or exceeds the vehicle's registered gross weight,
16 provided that the vehicle's axle weight and gross weight do
17 not exceed 10% above the maximum limits under Section 15-111
18 of this Code and does not exceed the vehicle's registered
19 gross weight by 10%. All other restrictions that apply to
20 permits issued under this Section shall apply during the
21 declared time period and no fee shall be charged for the
22 issuance of those permits. Permits issued by the Department
23 under this subsection (e-1) are only valid on federal and
24 State highways under the jurisdiction of the Department,
25 except interstate highways. With respect to highways under the
26 jurisdiction of local authorities, the local authorities may,

1 at their discretion, waive special permit requirements and set
2 a divisible load weight limit not to exceed 10% above a
3 vehicle's registered gross weight, provided that the vehicle's
4 axle weight and gross weight do not exceed 10% above the
5 maximum limits specified in Section 15-111. Permits issued
6 under this subsection (e-1) shall apply to all registered
7 vehicles eligible to obtain permits under this Section,
8 including vehicles used in private or for-hire movement of
9 divisible load agricultural commodities or logging products
10 during the declared time period.

11 (f) The form and content of the permit shall be determined
12 by the Department with respect to highways under its
13 jurisdiction and by local authorities with respect to highways
14 under their jurisdiction. Every permit shall be in written
15 form and carried in the vehicle or combination of vehicles to
16 which it refers and shall be open to inspection by any police
17 officer or authorized agent of any authority granting the
18 permit and no person shall violate any of the terms or
19 conditions of such special permit. Violation of the terms and
20 conditions of the permit shall not be deemed a revocation of
21 the permit; however, any vehicle and load found to be off the
22 route prescribed in the permit shall be held to be operating
23 without a permit. Any off-route vehicle and load shall be
24 required to obtain a new permit or permits, as necessary, to
25 authorize the movement back onto the original permit routing.
26 No rule or regulation, nor anything herein, shall be construed

1 to authorize any police officer, court, or authorized agent of
2 any authority granting the permit to remove the permit from
3 the possession of the permittee unless the permittee is
4 charged with a fraudulent permit violation as provided in
5 subsection (i). However, upon arrest for an offense of
6 violation of permit, operating without a permit when the
7 vehicle is off route, or any size or weight offense under this
8 Chapter when the permittee plans to raise the issuance of the
9 permit as a defense, the permittee, or his agent, must produce
10 the permit at any court hearing concerning the alleged
11 offense.

12 If the permit designates and includes a routing to a
13 certified scale, the permittee, while en route to the
14 designated scale, shall be deemed in compliance with the
15 weight provisions of the permit provided the axle or gross
16 weights do not exceed any of the permitted limits by more than
17 the following amounts:

18	Single axle	2000 pounds
19	Tandem axle	3000 pounds
20	Gross	5000 pounds

21 (g) The Department is authorized to adopt, amend, and make
22 available to interested persons a policy concerning reasonable
23 rules, limitations and conditions or provisions of operation
24 upon highways under its jurisdiction in addition to those
25 contained in this Section for the movement by special permit
26 of vehicles, combinations, or loads which cannot reasonably be

1 dismantled or disassembled, including manufactured and modular
2 home sections and portions thereof. All rules, limitations and
3 conditions or provisions adopted in the policy shall have due
4 regard for the safety of the traveling public and the
5 protection of the highway system and shall have been
6 promulgated in conformity with the provisions of the Illinois
7 Administrative Procedure Act. The requirements of the policy
8 for flagmen and escort vehicles shall be the same for all moves
9 of comparable size and weight. When escort vehicles are
10 required, they shall meet the following requirements:

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

13 (2) Vehicles escorting oversized loads more than 12
14 feet wide must be equipped with a rotating or flashing
15 amber light mounted on top as specified under Section
16 12-215.

17 The Department shall establish reasonable rules and
18 regulations regarding liability insurance or self insurance
19 for vehicles with oversized loads promulgated under the
20 Illinois Administrative Procedure Act. Police vehicles may be
21 required for escort under circumstances as required by rules
22 and regulations of the Department.

23 (h) Violation of any rule, limitation or condition or
24 provision of any permit issued in accordance with the
25 provisions of this Section shall not render the entire permit
26 null and void but the violator shall be deemed guilty of

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

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

26 (j) Whenever any vehicle is operated or movement made in

1 violation of a permit issued in accordance with this Section,
2 the person to whom such permit was granted, or the driver of
3 such vehicle, is guilty of such violation and either, but not
4 both, persons may be prosecuted for such violation as stated
5 in this subsection (j). Any person, firm, or corporation
6 convicted of such violation shall be guilty of a petty offense
7 and shall be fined, for the first offense, not less than \$50
8 nor more than \$200 and, for the second offense by the same
9 person, firm, or corporation within a period of one year, not
10 less than \$200 nor more than \$300 and, for the third offense by
11 the same person, firm, or corporation within a period of one
12 year after the date of the first offense, not less than \$300
13 nor more than \$500 and the Department may, in its discretion,
14 not issue permits to the person, firm, or corporation
15 convicted of a third offense during a period of one year after
16 the date of conviction or supervision for such third offense.
17 If any violation is the cause or contributing cause in a motor
18 vehicle crash causing damage to property, injury, or death to
19 a person, the Department may, in its discretion, not issue a
20 permit to the person, firm, or corporation for a period of one
21 year after the date of conviction or supervision for the
22 offense.

23 (k) Whenever any vehicle is operated on local roads under
24 permits for excess width or length issued by local
25 authorities, such vehicle may be moved upon a State highway
26 for a distance not to exceed one-half mile without a permit for

1 the purpose of crossing the State highway.

2 (l) Notwithstanding any other provision of this Section,
3 the Department, with respect to highways under its
4 jurisdiction, and local authorities, with respect to highways
5 under their jurisdiction, may at their discretion authorize
6 the movement of a vehicle in violation of any size or weight
7 requirement, or both, that would not ordinarily be eligible
8 for a permit, when there is a showing of extreme necessity that
9 the vehicle and load should be moved without unnecessary
10 delay.

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

15 (m) Penalties for violations of this Section shall be in
16 addition to any penalties imposed for violating any other
17 Section of this Code.

18 (n) The Department with respect to highways under its
19 jurisdiction and local authorities with respect to highways
20 under their jurisdiction, in their discretion and upon
21 application in writing, may issue a special permit for
22 continuous limited operation, authorizing the applicant to
23 operate a tow truck that exceeds the weight limits provided
24 for in subsection (a) of Section 15-111, provided:

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

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

3 (2.1) no triple rear axle on a manufactured recovery
4 unit exceeds 60,000 pounds;

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

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

11 (5) during the tow operation the tow truck does not
12 violate any weight restriction sign;

13 (6) the tow truck is equipped with flashing, rotating,
14 or oscillating amber lights, visible for at least 500 feet
15 in all directions;

16 (7) the tow truck is specifically designed and
17 licensed as a tow truck;

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

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

21 (10) the tow truck is capable of utilizing the
22 lighting and braking systems of the disabled vehicle or
23 combination of vehicles;

24 (11) the tow commences at the initial point of wreck
25 or disablement and terminates at a point where the repairs
26 are actually to occur;

1 (12) the permit issued to the tow truck is carried in
2 the tow truck and exhibited on demand by a police officer;
3 and

4 (13) the movement shall be valid only on State routes
5 approved by the Department.

6 (o) (Blank).

7 (p) In determining whether a load may be reasonably
8 dismantled or disassembled for the purpose of subsection (a),
9 the Department shall consider whether there is a significant
10 negative impact on the condition of the pavement and
11 structures along the proposed route, whether the load or
12 vehicle as proposed causes a safety hazard to the traveling
13 public, whether dismantling or disassembling the load promotes
14 or stifles economic development, and whether the proposed
15 route travels less than 5 miles. A load is not required to be
16 dismantled or disassembled for the purposes of subsection (a)
17 if the Secretary of the Department determines there will be no
18 significant negative impact to pavement or structures along
19 the proposed route, the proposed load or vehicle causes no
20 safety hazard to the traveling public, dismantling or
21 disassembling the load does not promote economic development,
22 and the proposed route travels less than 5 miles. The
23 Department may promulgate rules for the purpose of
24 establishing the divisibility of a load pursuant to subsection
25 (a). Any load determined by the Secretary to be nondivisible
26 shall otherwise comply with the existing size or weight

1 maximums specified in this Chapter.

2 (Source: P.A. 101-81, eff. 7-12-19; 101-547, eff. 1-1-20;
3 102-124, eff. 7-23-21; 102-982, eff. 7-1-23.)

4 (625 ILCS 5/15-308) (from Ch. 95 1/2, par. 15-308)

5 Sec. 15-308. Fees for overweight trucks hauling
6 agricultural commodities or logging products. Fees for special
7 permits for increased axle loads to be used for hauling
8 agricultural commodities, as defined in subsection (e) of
9 Section 15-301, or logging products, as defined in subsection
10 (e) of Section 15-301; limited continuous operation permit
11 only, \$5 per axle.

12 (Source: P.A. 93-971, eff. 8-20-04.)