



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0397

Introduced 2/8/2021, by Rep. Martin J. Moylan

SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-111
625 ILCS 5/15-301

from Ch. 95 1/2, par. 15-111
from Ch. 95 1/2, par. 15-301

Amends the Illinois Vehicle Code. Provides that the Department of Transportation may issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified by the Code or otherwise not in conformity with the Code upon any State or local highway. Deletes language providing that local authorities may issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified by the Code or otherwise not in conformity with the Code upon local highways under their jurisdiction. Makes conforming changes. Effective January 1, 2026.

LRB102 03971 HEP 13987 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
5 changing Sections 15-111 and 15-301 as follows:

6 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

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

8 (a) No vehicle or combination of vehicles with pneumatic
9 tires may be operated, unladen or with load, when the total
10 weight on the road surface exceeds the following: 20,000
11 pounds on a single axle; 34,000 pounds on a tandem axle with no
12 axle within the tandem exceeding 20,000 pounds; 80,000 pounds
13 gross weight for vehicle combinations of 5 or more axles; or a
14 total weight on a group of 2 or more consecutive axles in
15 excess of that weight produced by the application of the
16 following formula: $W = 500 \text{ times the sum of } (LN \text{ divided by } N-1)$
17 $+ 12N + 36$, where "W" equals overall total weight on any group
18 of 2 or more consecutive axles to the nearest 500 pounds, "L"
19 equals the distance measured to the nearest foot between
20 extremes of any group of 2 or more consecutive axles, and "N"
21 equals the number of axles in the group under consideration.

22 The above formula when expressed in tabular form results
23 in allowable loads as follows:

1	Distance measured					
2	to the nearest					
3	foot between the					
4	extremes of any		Maximum weight in pounds			
5	group of 2 or		of any group of			
6	more consecutive		2 or more consecutive axles			
7	axles					
8	feet	2 axles	3 axles	4 axles	5 axles	6 axles
9	4	34,000				
10	5	34,000				
11	6	34,000				
12	7	34,000				
13	8	38,000*	42,000			
14	9	39,000	42,500			
15	10	40,000	43,500			
16	11		44,000			
17	12		45,000	50,000		
18	13		45,500	50,500		
19	14		46,500	51,500		
20	15		47,000	52,000		
21	16		48,000	52,500	58,000	
22	17		48,500	53,500	58,500	
23	18		49,500	54,000	59,000	
24	19		50,000	54,500	60,000	
25	20		51,000	55,500	60,500	66,000

1	21	51,500	56,000	61,000	66,500
2	22	52,500	56,500	61,500	67,000
3	23	53,000	57,500	62,500	68,000
4	24	54,000	58,000	63,000	68,500
5	25	54,500	58,500	63,500	69,000
6	26	55,500	59,500	64,000	69,500
7	27	56,000	60,000	65,000	70,000
8	28	57,000	60,500	65,500	71,000
9	29	57,500	61,500	66,000	71,500
10	30	58,500	62,000	66,500	72,000
11	31	59,000	62,500	67,500	72,500
12	32	60,000	63,500	68,000	73,000
13	33		64,000	68,500	74,000
14	34		64,500	69,000	74,500
15	35		65,500	70,000	75,000
16	36		66,000	70,500	75,500
17	37		66,500	71,000	76,000
18	38		67,500	72,000	77,000
19	39		68,000	72,500	77,500
20	40		68,500	73,000	78,000
21	41		69,500	73,500	78,500
22	42		70,000	74,000	79,000
23	43		70,500	75,000	80,000
24	44		71,500	75,500	
25	45		72,000	76,000	
26	46		72,500	76,500	

1	47	73,500	77,500
2	48	74,000	78,000
3	49	74,500	78,500
4	50	75,500	79,000
5	51	76,000	80,000
6	52	76,500	
7	53	77,500	
8	54	78,000	
9	55	78,500	
10	56	79,500	
11	57	80,000	

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

16 Vehicles not in a combination having more than 4 axles may
17 not exceed the weight in the table in this subsection (a) for 4
18 axles measured between the extreme axles of the vehicle.

19 Vehicles in a combination having more than 6 axles may not
20 exceed the weight in the table in this subsection (a) for 6
21 axles measured between the extreme axles of the combination.

22 Local authorities, with respect to streets and highways
23 under their jurisdiction, without additional fees, may also by
24 ordinance or resolution allow the weight limitations of this
25 subsection, provided the maximum gross weight on any one axle
26 shall not exceed 20,000 pounds and the maximum total weight on

1 any tandem axle shall not exceed 34,000 pounds, on designated
2 highways when appropriate regulatory signs giving notice are
3 erected upon the street or highway or portion of any street or
4 highway affected by the ordinance or resolution.

5 The following are exceptions to the above formula:

6 (1) Vehicles for which a different limit is
7 established and posted in accordance with Section 15-316
8 of this Code.

9 (2) Vehicles for which the Department of
10 Transportation issues ~~and local authorities issue~~
11 overweight permits under authority of Section 15-301 of
12 this Code. These vehicles are not subject to the bridge
13 formula.

14 (3) Cities having a population of more than 50,000 may
15 permit by ordinance axle loads on 2-axle motor vehicles 33
16 1/2% above those provided for herein, but the increase
17 shall not become effective until the city has officially
18 notified the Department of the passage of the ordinance
19 and shall not apply to those vehicles when outside of the
20 limits of the city, nor shall the gross weight of any
21 2-axle motor vehicle operating over any street of the city
22 exceed 40,000 pounds.

23 (4) Weight limitations shall not apply to vehicles
24 (including loads) operated by a public utility when
25 transporting equipment required for emergency repair of
26 public utility facilities or properties or water wells.

1 (4.5) A 3-axle or 4-axle vehicle (including when
2 laden) operated or hired by a municipality within Cook,
3 Lake, McHenry, Kane, DuPage, or Will county being operated
4 for the purpose of performing emergency sewer repair that
5 would be subject to a weight limitation less than 66,000
6 pounds under the formula in this subsection (a) shall have
7 a weight limitation of 66,000 pounds or the vehicle's
8 gross vehicle weight rating, whichever is less. This
9 paragraph (4.5) does not apply to vehicles being operated
10 on the National System of Interstate and Defense Highways,
11 or to vehicles being operated on bridges or other elevated
12 structures constituting a part of a highway.

13 (5) 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
16 of tandem axles is 36 feet or more, notwithstanding the
17 lower limit resulting from the application of the above
18 formula.

19 (6) A truck, not in combination and used exclusively
20 for the collection of rendering materials, may, when
21 laden, transmit upon the road surface, except when on part
22 of the National System of Interstate and Defense Highways,
23 the following maximum weights: 22,000 pounds on a single
24 axle; 40,000 pounds on a tandem axle.

25 (7) A truck not in combination, equipped with a self
26 compactor or an industrial roll-off hoist and roll-off

1 container, used exclusively for garbage, refuse, or
2 recycling operations, may, when laden, transmit upon the
3 road surface, except when on part of the National System
4 of Interstate and Defense Highways, the following maximum
5 weights: 22,000 pounds on a single axle; 40,000 pounds on
6 a tandem axle; 40,000 pounds gross weight on a 2-axle
7 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.
8 This vehicle is not subject to the bridge formula.

9 (7.5) A 3-axle rear discharge truck mixer registered
10 as a Special Hauling Vehicle, used exclusively for the
11 mixing and transportation of concrete in the plastic
12 state, may, when laden, transmit upon the road surface,
13 except when on part of the National System of Interstate
14 and Defense Highways, the following maximum weights:
15 22,000 pounds on single axle; 40,000 pounds on a tandem
16 axle; 54,000 pounds gross weight on a 3-axle vehicle. This
17 vehicle is not subject to the bridge formula.

18 (8) Except as provided in paragraph (7.5) of this
19 subsection (a), tandem axles on a 3-axle truck registered
20 as a Special Hauling Vehicle, manufactured prior to or in
21 the model year of 2024 and first registered in Illinois
22 prior to January 1, 2025, with a distance greater than 72
23 inches but not more than 96 inches between any series of 2
24 axles, is allowed a combined weight on the series not to
25 exceed 36,000 pounds and neither axle of the series may
26 exceed 20,000 pounds. Any vehicle of this type

1 manufactured after the model year of 2024 or first
2 registered in Illinois after December 31, 2024 may not
3 exceed a combined weight of 34,000 pounds through the
4 series of 2 axles and neither axle of the series may exceed
5 20,000 pounds.

6 A 3-axle combination sewer cleaning jetting vacuum
7 truck registered as a Special Hauling Vehicle, used
8 exclusively for the transportation of non-hazardous solid
9 waste, manufactured before or in the model year of 2014,
10 first registered in Illinois before January 1, 2015, may,
11 when laden, transmit upon the road surface, except when on
12 part of the National System of Interstate and Defense
13 Highways, the following maximum weights: 22,000 pounds on
14 a single axle; 40,000 pounds on a tandem axle; 54,000
15 pounds gross weight on a 3-axle vehicle. This vehicle is
16 not subject to the bridge formula.

17 (9) A 4-axle truck mixer registered as a Special
18 Hauling Vehicle, used exclusively for the mixing and
19 transportation of concrete in the plastic state, and not
20 operated on a highway that is part of the National System
21 of Interstate Highways, is allowed the following maximum
22 weights: 20,000 pounds on any single axle; 36,000 pounds
23 on a series of axles greater than 72 inches but not more
24 than 96 inches; and 34,000 pounds on any series of 2 axles
25 greater than 40 inches but not more than 72 inches. The
26 gross weight of this vehicle may not exceed the weights

1 allowed by the bridge formula for 4 axles. The bridge
2 formula does not apply to any series of 3 axles while the
3 vehicle is transporting concrete in the plastic state, but
4 no axle or tandem axle of the series may exceed the maximum
5 weight permitted under this paragraph (9) of subsection
6 (a).

7 (10) Combinations of vehicles, registered as Special
8 Hauling Vehicles that include a semitrailer manufactured
9 prior to or in the model year of 2024, and registered in
10 Illinois prior to January 1, 2025, having 5 axles with a
11 distance of 42 feet or less between extreme axles, may not
12 exceed the following maximum weights: 20,000 pounds on a
13 single axle; 34,000 pounds on a tandem axle; and 72,000
14 pounds gross weight. This combination of vehicles is not
15 subject to the bridge formula. For all those combinations
16 of vehicles that include a semitrailer manufactured after
17 the effective date of P.A. 92-0417, the overall distance
18 between the first and last axles of the 2 sets of tandems
19 must be 18 feet 6 inches or more. Any combination of
20 vehicles that has had its cargo container replaced in its
21 entirety after December 31, 2024 may not exceed the
22 weights allowed by the bridge formula.

23 (11) The maximum weight allowed on a vehicle with
24 crawler type tracks is 40,000 pounds.

25 (12) A combination of vehicles, including a tow truck
26 and a disabled vehicle or disabled combination of

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

10 (i) is specifically designed as a tow truck having
11 a gross vehicle weight rating of at least 18,000
12 pounds and is equipped with air brakes, provided that
13 air brakes are required only if the towing vehicle is
14 towing a vehicle, semitrailer, or tractor-trailer
15 combination that is equipped with air brakes;

16 (ii) is equipped with flashing, rotating, or
17 oscillating amber lights, visible for at least 500
18 feet in all directions;

19 (iii) is capable of utilizing the lighting and
20 braking systems of the disabled vehicle or combination
21 of vehicles; and

22 (iv) does not engage in a tow exceeding 20 miles
23 from the initial point of wreck or disablement. Any
24 additional movement of the vehicles may occur only
25 upon issuance of authorization for that movement under
26 the provisions of Sections 15-301 through 15-318 of

1 this Code. The towing vehicle, however, may tow any
2 disabled vehicle to a point where repairs are actually
3 to occur. This movement shall be valid only on State
4 routes. The tower must abide by posted bridge weight
5 limits.

6 (12.5) The vehicle weight limitations in this Section
7 do not apply to a covered heavy duty tow and recovery
8 vehicle. The covered heavy duty tow and recovery vehicle
9 license plate must cover the operating empty weight of the
10 covered heavy duty tow and recovery vehicle only.

11 (13) Upon and during a declaration of an emergency
12 propane supply disaster by the Governor under Section 7 of
13 the Illinois Emergency Management Agency Act:

14 (i) a truck not in combination, equipped with a
15 cargo tank, used exclusively for the transportation of
16 propane or liquefied petroleum gas may, when laden,
17 transmit upon the road surface, except when on part of
18 the National System of Interstate and Defense
19 Highways, the following maximum weights: 22,000 pounds
20 on a single axle; 40,000 pounds on a tandem axle;
21 40,000 pounds gross weight on a 2-axle vehicle; 54,000
22 pounds gross weight on a 3-axle vehicle; and

23 (ii) a truck when in combination with a trailer
24 equipped with a cargo tank used exclusively for the
25 transportation of propane or liquefied petroleum gas
26 may, when laden, transmit upon the road surface,

1 except when on part of the National System of
2 Interstate and Defense Highways, the following maximum
3 weights: 22,000 pounds on a single axle; 40,000 pounds
4 on a tandem axle; 90,000 pounds gross weight on a
5 5-axle or 6-axle vehicle.

6 Vehicles operating under this paragraph (13) are not
7 subject to the bridge formula.

8 (14) A vehicle or combination of vehicles that uses
9 natural gas or propane gas as a motor fuel may exceed the
10 above weight limitations by up to 2,000 pounds, the total
11 allowance is calculated by an amount that is equal to the
12 difference between the weight of the vehicle attributable
13 to the natural gas or propane gas tank and fueling system
14 carried by the vehicle, and the weight of a comparable
15 diesel tank and fueling system. This paragraph (14) shall
16 not allow a vehicle to exceed any posted weight limit on a
17 highway or structure.

18 (15) An emergency vehicle or fire apparatus that is a
19 vehicle designed to be used under emergency conditions to
20 transport personnel and equipment, and used to support the
21 suppression of fires and mitigation of other hazardous
22 situations on a Class I highway, may not exceed 86,000
23 pounds gross weight, or any of the following weight
24 allowances:

25 (i) 24,000 pounds on a single steering axle;

26 (ii) 33,500 pounds on a single drive axle;

- 1 (iii) 62,000 pounds on a tandem axle; or
2 (iv) 52,000 pounds on a tandem rear drive steer
3 axle.

4 (16) A bus, motor coach, or recreational vehicle may
5 carry a total weight of 24,000 pounds on a single axle, but
6 may not exceed other weight provisions of this Section.

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

23 The Department may by rule or regulation prescribe
24 additional requirements. However, nothing in this Code shall
25 prohibit a tow truck under instructions of a police officer
26 from legally clearing a disabled vehicle, that may be in

1 violation of weight limitations of this Chapter, from the
2 roadway to the berm or shoulder of the highway. If in the
3 opinion of the police officer that location is unsafe, the
4 officer is authorized to have the disabled vehicle towed to
5 the nearest place of safety.

6 For the purpose of this subsection, gross vehicle weight
7 rating, or GVWR, means the value specified by the manufacturer
8 as the loaded weight of the tow truck.

9 (b) As used in this Section, "recycling haul" or
10 "recycling operation" means the hauling of non-hazardous,
11 non-special, non-putrescible materials, such as paper, glass,
12 cans, or plastic, for subsequent use in the secondary
13 materials market.

14 (c) No vehicle or combination of vehicles equipped with
15 pneumatic tires shall be operated, unladen or with load, upon
16 the highways of this State in violation of the provisions of
17 any permit issued under the provisions of Sections 15-301
18 through 15-318 of this Chapter.

19 (d) No vehicle or combination of vehicles equipped with
20 other than pneumatic tires may be operated, unladen or with
21 load, upon the highways of this State when the gross weight on
22 the road surface through any wheel exceeds 800 pounds per inch
23 width of tire tread or when the gross weight on the road
24 surface through any axle exceeds 16,000 pounds.

25 (e) No person shall operate a vehicle or combination of
26 vehicles over a bridge or other elevated structure

1 constituting part of a highway with a gross weight that is
2 greater than the maximum weight permitted by the Department,
3 when the structure is sign posted as provided in this Section.

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

17 (g) Upon the trial of any person charged with a violation
18 of subsection (e) or (f) of this Section, proof of the
19 determination of the maximum allowable weight by the
20 Department and the existence of the signs, constitutes
21 conclusive evidence of the maximum weight that can be
22 maintained with safety to the bridge or structure.

23 (Source: P.A. 99-78, eff. 7-20-15; 99-717, eff. 8-5-16;
24 100-366, eff. 1-1-18; 100-728, eff. 1-1-19.)

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

2 (a) The Department, with respect to State and local
3 highways, ~~under its jurisdiction and local authorities with~~
4 ~~respect to highways under their jurisdiction~~ may, in its ~~their~~
5 discretion, upon application and good cause being shown
6 therefor, issue a special permit authorizing the applicant to
7 operate or move a vehicle or combination of vehicles of a size
8 or weight of vehicle or load exceeding the maximum specified
9 in this Code or otherwise not in conformity with this Code upon
10 any State or local highway ~~under the jurisdiction of the party~~
11 ~~granting such permit and for the maintenance of which the~~
12 ~~party is responsible~~. Applications and permits other than
13 those in written or printed form may only be accepted from and
14 issued to the company or individual making the movement.
15 Except for an application to move directly across a highway,
16 it shall be the duty of the applicant to establish in the
17 application that the load to be moved by such vehicle or
18 combination cannot reasonably be dismantled or disassembled,
19 the reasonableness of which shall be determined by the
20 Secretary of the Department. For the purpose of over length
21 movements, more than one object may be carried side by side as
22 long as the height, width, and weight laws are not exceeded and
23 the cause for the over length is not due to multiple objects.
24 For the purpose of over height movements, more than one object
25 may be carried as long as the cause for the over height is not
26 due to multiple objects and the length, width, and weight laws

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

19 (a-1) As used in this Section, "extreme heavy duty tow and
20 recovery vehicle" means a tow truck manufactured as a unit
21 having a lifting capacity of not less than 50 tons, and having
22 either 4 axles and an unladen weight of not more than 80,000
23 pounds or 5 axles and an unladen weight not more than 90,000
24 pounds. Notwithstanding otherwise applicable gross and axle
25 weight limits, an extreme heavy duty tow and recovery vehicle
26 may lawfully travel to and from the scene of a disablement and

1 clear a disabled vehicle if the towing service has obtained an
2 extreme heavy duty tow and recovery permit for the vehicle.
3 The form and content of the permit shall be determined by the
4 Department with respect to highways under its jurisdiction and
5 by local authorities with respect to highways under their
6 jurisdiction.

7 (b) The application for any such permit shall: (1) state
8 whether such permit is requested for a single trip or for
9 limited continuous operation; (2) state if the applicant is an
10 authorized carrier under the Illinois Motor Carrier of
11 Property Law, if so, his certificate, registration, or permit
12 number issued by the Illinois Commerce Commission; (3)
13 specifically describe and identify the vehicle or vehicles and
14 load to be operated or moved; (4) state the routing requested,
15 including the points of origin and destination, and may
16 identify and include a request for routing to the nearest
17 certified scale in accordance with the Department's rules and
18 regulations, provided the applicant has approval to travel on
19 local roads; and (5) state if the vehicles or loads are being
20 transported for hire. No permits for the movement of a vehicle
21 or load for hire shall be issued to any applicant who is
22 required under the Illinois Motor Carrier of Property Law to
23 have a certificate, registration, or permit and does not have
24 such certificate, registration, or permit.

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 applications received and permits issued by
17 telephone. In making application by telephone, the Department
18 and applicant waive all objections to the recording of the
19 conversation.

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

1 be charged for the issuance of such permits.

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

17 As used in this Section, "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 Permits may be issued for a period not to exceed 40 days
26 and moves may be made of a distance not to exceed 50 miles from

1 a field, an on-farm grain storage facility, a warehouse as
2 defined in the Grain Code, or a livestock management facility
3 as defined in the Livestock Management Facilities Act over any
4 highway except the National System of Interstate and Defense
5 Highways. The operator of the vehicle, however, must abide by
6 posted bridge and posted highway weight limits. All implements
7 of husbandry operating under this Section between sunset and
8 sunrise shall be equipped as prescribed in Section 12-205.1.

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

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

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

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

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

16	Single axle	2000 pounds
17	Tandem axle	3000 pounds
18	Gross	5000 pounds

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

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

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

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

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

21 (h) Violation of any rule, limitation or condition or
22 provision of any permit issued in accordance with the
23 provisions of this Section shall not render the entire permit
24 null and void but the violator shall be deemed guilty of
25 violation of permit and guilty of exceeding any size, weight,
26 or load limitations in excess of those authorized by the

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

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

24 (j) Whenever any vehicle is operated or movement made in
25 violation of a permit issued in accordance with this Section,
26 the person to whom such permit was granted, or the driver of

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

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

26 (l) Notwithstanding any other provision of this Section,

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

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

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

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

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

26 (2) no rear tandem axle of the tow truck exceeds

1 50,000 pounds;

2 (2.1) no triple rear axle on a manufactured recovery
3 unit exceeds 60,000 pounds;

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

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

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

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

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

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

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

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

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

26 (12) the permit issued to the tow truck is carried in

1 the tow truck and exhibited on demand by a police officer;
2 and

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

5 (o) (Blank).

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

1 (Source: P.A. 100-70, eff. 8-11-17; 100-728, eff. 1-1-19;
2 100-830, eff. 1-1-19; 100-863, eff. 8-14-18; 100-1090, eff.
3 1-1-19; 101-81, eff. 7-12-19; 101-547, eff. 1-1-20.)

4 Section 99. Effective date. This Act takes effect January
5 1, 2026.