



Sen. Lawrence M. Walsh

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09300SB2327sam001

LRB093 20380 DRH 47998 a

1 AMENDMENT TO SENATE BILL 2327

2 AMENDMENT NO. _____. Amend Senate Bill 2327 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 15-111, 15-201, 15-202, and 15-301 as
6 follows:

7 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

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

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

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

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

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

23 (4) any single axle of a 2-axle truck weighing 36,000
24 pounds or less and not a part of a combination of vehicles,

1 shall not exceed 20,000 pounds;

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

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

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

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

22 (9) tandem axles on a 3-axle truck registered as a
23 Special Hauling Vehicle, manufactured prior to or in the
24 model year of 2014 and first registered in Illinois prior
25 to January 1, 2015, with a distance greater than 72 inches
26 but not more than 96 inches between any series of 2 axles,
27 is allowed a combined weight on the series not to exceed
28 36,000 pounds and neither axle of the series may exceed
29 18,000 pounds. Any vehicle of this type manufactured after
30 the model year of 2014 or first registered in Illinois
31 after December 31, 2014 may not exceed a combined weight of
32 32,000 pounds through the series of 2 axles and neither
33 axle of the series may exceed 18,000 pounds;

34 (10) tandem axles on a 4-axle truck mixer, whose fourth

1 axle is a road surface engaging mixer trailing axle,
2 registered as a Special Hauling Vehicle, used exclusively
3 for the mixing and transportation of concrete and
4 manufactured prior to or in the model year of 2014 and
5 first registered in Illinois prior to January 1, 2015, with
6 a distance greater than 72 inches but not more than 96
7 inches between any series of 2 axles, is allowed a combined
8 weight on the series not to exceed 36,000 pounds and
9 neither axle of the series may exceed 18,000 pounds. Any
10 vehicle of this type manufactured after the model year of
11 2014 or first registered in Illinois after December 31,
12 2014 may not exceed a combined weight of 32,000 pounds
13 through the series of 2 axles and neither axle of the
14 series may exceed 18,000 pounds;

15 (11) 4-axle vehicles or a 5 or more axle combination of
16 vehicles: The weight transmitted upon the road surface
17 through any series of 3 axles whose centers are more than
18 96 inches apart, measured between extreme axles in the
19 series, may not exceed those allowed in the table contained
20 in subsection (f) of this Section. No axle or tandem axle
21 of the series may exceed the maximum weight permitted under
22 this Section for a single or tandem axle.

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

29 (b) On non-designated highways, the gross weight of
30 vehicles and combination of vehicles including the weight of
31 the vehicle or combination and its maximum load shall be
32 subject to the foregoing limitations and further shall not
33 exceed the following gross weights dependent upon the number of
34 axles and distance between extreme axles of the vehicle or

1 combination measured longitudinally to the nearest foot.

2 VEHICLES HAVING 2 AXLES 36,000 pounds

3 VEHICLES OR COMBINATIONS

4 HAVING 3 AXLES

5	With Tandem		With or	
6	Axles		Without	
7			Tandem Axles	
8	Minimum		Minimum	
9	distance to	Maximum	distance to	Maximum
10	nearest foot	Gross	nearest foot	Gross
11	between	Weight	between	Weight
12	extreme axles	(pounds)	extreme axles	(pounds)
13	10 feet	41,000	16 feet	46,000
14	11	42,000	17	47,000
15	12	43,000	18	47,500
16	13	44,000	19	48,000
17	14	44,500	20	49,000
18	15	45,000	21 feet or more	50,000

20 VEHICLES OR COMBINATIONS HAVING 4 AXLES

21	Minimum		Minimum	
22	distance to	Maximum	distance to	Maximum
23	nearest foot	Gross	nearest foot	Gross
24	between	Weight	between	Weight
25	extreme axles	(pounds)	extreme axles	(pounds)
26	15 feet	50,000	26 feet	57,500
27	16	50,500	27	58,000
28	17	51,500	28	58,500
29	18	52,000	29	59,500
30	19	52,500	30	60,000
31	20	53,500	31	60,500
32	21	54,000	32	61,500

1	22	54,500	33	62,000
2	23	55,500	34	62,500
3	24	56,000	35	63,500
4	25	56,500	36 feet or more	64,000

5 A vehicle not in a combination having more than 4 axles may
6 not exceed the weight in the table in this subsection (b) for 4
7 axles measured between the extreme axles of the vehicle.

8

9

COMBINATIONS HAVING 5 OR MORE AXLES

10	Minimum distance to	Maximum
11	nearest foot between	Gross Weight
12	extreme axles	(pounds)
13	42 feet or less	72,000
14	43	73,000
15	44 feet or more	73,280

16 VEHICLES OPERATING ON CRAWLER TYPE TRACKS 40,000 pounds

17

TRUCKS EQUIPPED WITH SELFCOMPACTORS

18

OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE

19

OR REFUSE HAULS ONLY AND TRUCKS USED FOR

20

THE COLLECTION OF RENDERING MATERIALS

21

On Highway Not Part of National System

22

of Interstate and Defense Highways

23

with 2 axles 36,000 pounds

24

with 3 axles 54,000 pounds

25

TWO AXLE TRUCKS EQUIPPED WITH

26

A FRONT LOADING COMPACTOR USED EXCLUSIVELY

27

FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING

28

with 2 axles 40,000 pounds

29

(b-1) A vehicle transporting agricultural cash crops or

30

loads of fruits or vegetables and ensilage on a designated or

1 non-designated highway, during the harvest season only, is in
2 compliance with this Section if its gross weight is less than
3 80,000 pounds and exceeds the gross weight permitted by this
4 Section by not more than 10% and the vehicle is traveling from
5 the field to the first point of storage, marketing, or
6 processing. The operator of the vehicle, however, must abide by
7 posted bridge weight limits. For the purpose of this Section,
8 "cash crops" means cultivated plants or agricultural produce
9 grown for direct sale and includes, but is not limited to:
10 corn, soybeans, wheat, oats, grain sorghum, canola, and rice.

11 This subsection (b-1) does not apply to the National System
12 of Interstate and Defense Highways.

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

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

25 A combination of vehicles, including a tow truck and a
26 disabled vehicle or disabled combination of vehicles, that
27 exceeds the weight restriction imposed by this Code, may be
28 operated on a public highway in this State provided that
29 neither the disabled vehicle nor any vehicle being towed nor
30 the tow truck itself shall exceed the weight limitations
31 permitted under this Chapter. During the towing operation,
32 neither the tow truck nor the vehicle combination shall exceed
33 24,000 pounds on a single rear axle and 44,000 pounds on a
34 tandem rear axle, provided the towing vehicle:

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

7 (2) is equipped with flashing, rotating, or
8 oscillating amber lights, visible for at least 500 feet in
9 all directions;

10 (3) is capable of utilizing the lighting and braking
11 systems of the disabled vehicle or combination of vehicles;
12 and

13 (4) does not engage in a tow exceeding 20 miles from
14 the initial point of wreck or disablement. Any additional
15 movement of the vehicles may occur only upon issuance of
16 authorization for that movement under the provisions of
17 Sections 15-301 through 15-319 of this Code.

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

30 The Department may by rule or regulation prescribe
31 additional requirements. However, nothing in this Code shall
32 prohibit a tow truck under instructions of a police officer
33 from legally clearing a disabled vehicle, that may be in
34 violation of weight limitations of this Chapter, from the

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

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

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

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

29 The above formula when expressed in tabular form results in
30 allowable loads as follows:

31 Distance measured
32 to the nearest
33 foot between the

		Maximum weight in pounds				
		of any group of				
		2 or more consecutive axles				
	feet	2 axles	3 axles	4 axles	5 axles	6 axles
5						
6	4	34,000				
7	5	34,000				
8	6	34,000				
9	7	34,000				
10	8	38,000*	42,000			
11	9	39,000	42,500			
12	10	40,000	43,500			
13	11		44,000			
14	12		45,000	50,000		
15	13		45,500	50,500		
16	14		46,500	51,500		
17	15		47,000	52,000		
18	16		48,000	52,500	58,000	
19	17		48,500	53,500	58,500	
20	18		49,500	54,000	59,000	
21	19		50,000	54,500	60,000	
22	20		51,000	55,500	60,500	66,000
23	21		51,500	56,000	61,000	66,500
24	22		52,500	56,500	61,500	67,000
25	23		53,000	57,500	62,500	68,000
26	24		54,000	58,000	63,000	68,500
27	25		54,500	58,500	63,500	69,000
28	26		55,500	59,500	64,000	69,500
29	27		56,000	60,000	65,000	70,000
30	28		57,000	60,500	65,500	71,000
31	29		57,500	61,500	66,000	71,500
32	30		58,500	62,000	66,500	72,000
33	31		59,000	62,500	67,500	72,500
34	32		60,000	63,500	68,000	73,000

1	33	64,000	68,500	74,000
2	34	64,500	69,000	74,500
3	35	65,500	70,000	75,000
4	36	66,000	70,500	75,500
5	37	66,500	71,000	76,000
6	38	67,500	72,000	77,000
7	39	68,000	72,500	77,500
8	40	68,500	73,000	78,000
9	41	69,500	73,500	78,500
10	42	70,000	74,000	79,000
11	43	70,500	75,000	80,000
12	44	71,500	75,500	
13	45	72,000	76,000	
14	46	72,500	76,500	
15	47	73,500	77,500	
16	48	74,000	78,000	
17	49	74,500	78,500	
18	50	75,500	79,000	
19	51	76,000	80,000	
20	52	76,500		
21	53	77,500		
22	54	78,000		
23	55	78,500		
24	56	79,500		
25	57	80,000		

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

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

33 Vehicles in a combination having more than 6 axles may not
34 exceed the weight in the table in this subsection (f) for 6

1 axles measured between the extreme axles of the combination.

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

11 The following are exceptions to the above formula:

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

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

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

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

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

32 (6) A truck not in combination, equipped with a self
33 compactor or an industrial roll-off hoist and roll-off
34 container, used exclusively for garbage or refuse

1 operations, may, when laden, transmit upon the road
2 surface, except when on part of the National System of
3 Interstate and Defense Highways, the following maximum
4 weights: 22,000 pounds on a single axle; 40,000 pounds on a
5 tandem axle; 36,000 pounds gross weight on a 2-axle
6 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.
7 This vehicle is not subject to the bridge formula.

8 (7) Combinations of vehicles, registered as Special
9 Hauling Vehicles that include a semitrailer manufactured
10 prior to or in the model year of 2014, and registered in
11 Illinois prior to January 1, 2015, having 5 axles with a
12 distance of 42 feet or less between extreme axles, may not
13 exceed the following maximum weights: 18,000 pounds on a
14 single axle; 32,000 pounds on a tandem axle; and 72,000
15 pounds gross weight. This combination of vehicles is not
16 subject to the bridge formula. For all those combinations
17 of vehicles that include a semitrailer manufactured after
18 the effective date of this amendatory Act of the 92nd
19 General Assembly, the overall distance between the first
20 and last axles of the 2 sets of tandems must be 18 feet 6
21 inches or more. Any combination of vehicles that has had
22 its cargo container replaced in its entirety after December
23 31, 2014 may not exceed the weights allowed by the bridge
24 formula.

25 No vehicle or combination of vehicles equipped with other
26 than pneumatic tires may be operated, unladen or with load,
27 upon the highways of this State when the gross weight on the
28 road surface through any wheel exceeds 800 pounds per inch
29 width of tire tread or when the gross weight on the road
30 surface through any axle exceeds 16,000 pounds.

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

33 (1) From any State designated highway onto any county,
34 township, or municipal highway for a distance of 5 highway

1 miles for the purpose of loading and unloading, provided:

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

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

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

7 (2) From any State designated highway onto any county
8 or township highway for a distance of 5 highway miles, or
9 any municipal highway for a distance of one highway mile
10 for the purpose of food, fuel, repairs, and rest, provided:

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

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

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

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

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

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

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

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

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

13 (i) Upon the trial of any person charged with a violation
14 of subsections (g) or (h) of this Section, proof of the
15 determination of the maximum allowable weight by the Department
16 and the existence of the signs, constitutes conclusive evidence
17 of the maximum weight that can be maintained with safety to the
18 bridge or structure.

19 (Source: P.A. 92-417, eff. 1-1-02; 93-177, eff. 7-11-03;
20 93-186, eff. 1-1-04; revised 1-22-04.)

21 (625 ILCS 5/15-201) (from Ch. 95 1/2, par. 15-201)

22 Sec. 15-201. Vehicles exceeding prescribed weight limits -
23 Preventing use of highway by.

24 The Department of State Police is directed to institute and
25 maintain a non-discriminatory program designed to prevent the
26 use of public highways by vehicles which exceed the maximum
27 weights allowed by Section 15-111 of this Act or which exceeds
28 the maximum weights allowed as evidenced by the license plates
29 attached to such vehicle and which license is required by this
30 Act.

31 (Source: P.A. 84-25.)

32 (625 ILCS 5/15-202) (from Ch. 95 1/2, par. 15-202)

1 Sec. 15-202. Enforcement.

2 Such program shall make provision for an intensive yet
3 non-discriminatory campaign by the State Police to apprehend
4 any violators of the acts above mentioned, and at all times to
5 maintain a vigilant watch for possible violators of such acts.
6 (Source: P.A. 77-506.)

7 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

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

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

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

16 (b) The application for any such permit shall: (1) state
17 whether such permit is requested for a single trip or for
18 limited continuous operation; (2) state if the applicant is an
19 authorized carrier under the Illinois Motor Carrier of Property
20 Law, if so, his certificate, registration or permit number
21 issued by the Illinois Commerce Commission; (3) specifically
22 describe and identify the vehicle or vehicles and load to be
23 operated or moved except that for vehicles or vehicle
24 combinations registered by the Department as provided in
25 Section 15-319 of this Chapter, only the Illinois Department of
26 Transportation's (IDT) registration number or classification
27 need be given; (4) state the routing requested including the
28 points of origin and destination, and may identify and include
29 a request for routing to the nearest certified scale in
30 accordance with the Department's rules and regulations,
31 provided the applicant has approval to travel on local roads;
32 and (5) state if the vehicles or loads are being transported
33 for hire. No permits for the movement of a vehicle or load for
34 hire shall be issued to any applicant who is required under the

1 Illinois Motor Carrier of Property Law to have a certificate,
2 registration or permit and does not have such certificate,
3 registration or permit.

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

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

32 (e) As an exception to paragraph (a) of this Section, the
33 Department and local authorities, with respect to highways
34 under their respective jurisdictions, in their discretion and

1 upon application in writing may issue a special permit for
2 limited continuous operation, authorizing the applicant to
3 move loads of agricultural cash crops or loads of fruits or
4 vegetables and ensilage ~~sweet corn, soybeans, corn, wheat,~~
5 ~~milo, other small grains and ensilage during the harvest season~~
6 ~~only~~ on a 2 axle single vehicle registered by the Secretary of
7 State with axle loads not to exceed 35%, on a 3 or 4 axle
8 vehicle registered by the Secretary of State with axle loads
9 not to exceed 20%, and on a 5 axle vehicle registered by the
10 Secretary of State not to exceed 10% above those provided in
11 Section 15-111. The total gross weight of the vehicle, however,
12 may not exceed 80,000 pounds. As used in this Section, "cash
13 crops" means cultivated plants or agricultural produce grown
14 for direct sale and includes, but is not limited to: corn,
15 soybeans, wheat, oats, grain sorghum, canola, and rice. Permits
16 may be issued for a period not to exceed 40 days and moves may
17 be made of a distance not to exceed 50 ~~25~~ miles from a field,
18 storage, marketing, or processing facility ~~to a specified~~
19 ~~processing plant~~ over any highway except the National System of
20 Interstate and Defense Highways. The operator of the vehicle,
21 however, must abide by posted bridge weight limits. All such
22 vehicles shall be operated in the daytime except when weather
23 or crop conditions require emergency operation at night, but
24 with respect to such night operation, every such vehicle with
25 load shall be equipped with flashing amber lights as specified
26 under Section 12-215.

27 (e-1) Upon a declaration by the Governor that an emergency
28 harvest situation exists, a special permit issued by the
29 Department under this Section shall not be required from
30 September 1 through December 31 during harvest season
31 emergencies, provided that the weight does not exceed 20% above
32 the limits provided in Section 15-111. All other restrictions
33 that apply to permits issued under this Section shall apply
34 during the declared time period. With respect to highways under

1 the jurisdiction of local authorities, the local authorities
2 may, at their discretion, waive special permit requirements
3 during harvest season emergencies. This permit exemption shall
4 apply to all vehicles eligible to obtain permits under this
5 Section, including commercial vehicles in use during the
6 declared time period.

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

33 If the permit designates and includes a routing to a
34 certified scale, the permittee, while enroute to the designated

1 scale, shall be deemed in compliance with the weight provisions
2 of the permit provided the axle or gross weights do not exceed
3 any of the permitted limits by more than the following amounts:

4	Single axle	2000 pounds
5	Tandem axle	3000 pounds
6	Gross	5000 pounds

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

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

26 (2) Vehicles escorting oversized loads more than
27 12-feet wide must be equipped with a rotating or flashing
28 amber light mounted on top as specified under Section
29 12-215.

30 The Department shall establish reasonable rules and
31 regulations regarding liability insurance or self insurance
32 for vehicles with oversized loads promulgated under The
33 Illinois Administrative Procedure Act. Police vehicles may be
34 required for escort under circumstances as required by rules

1 and regulations of the Department.

2 (h) Violation of any rule, limitation or condition or
3 provision of any permit issued in accordance with the
4 provisions of this Section shall not render the entire permit
5 null and void but the violator shall be deemed guilty of
6 violation of permit and guilty of exceeding any size, weight or
7 load limitations in excess of those authorized by the permit.
8 The prescribed route or routes on the permit are not mere
9 rules, limitations, conditions, or provisions of the permit,
10 but are also the sole extent of the authorization granted by
11 the permit. If a vehicle and load are found to be off the route
12 or routes prescribed by any permit authorizing movement, the
13 vehicle and load are operating without a permit. Any off route
14 movement shall be subject to the size and weight maximums,
15 under the applicable provisions of this Chapter, as determined
16 by the type or class highway upon which the vehicle and load
17 are being operated.

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

31 (j) Whenever any vehicle is operated or movement made in
32 violation of a permit issued in accordance with this Section,
33 the person to whom such permit was granted, or the driver of
34 such vehicle, is guilty of such violation and either, but not

1 both, persons may be prosecuted for such violation as stated in
2 this subsection (j). Any person, firm or corporation convicted
3 of such violation shall be guilty of a petty offense and shall
4 be fined for the first offense, not less than \$50 nor more than
5 \$200 and, for the second offense by the same person, firm or
6 corporation within a period of one year, not less than \$200 nor
7 more than \$300 and, for the third offense by the same person,
8 firm or corporation within a period of one year after the date
9 of the first offense, not less than \$300 nor more than \$500 and
10 the Department shall not issue permits to the person, firm or
11 corporation convicted of a third offense during a period of one
12 year after the date of conviction for such third offense.

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

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

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

30 (m) Penalties for violations of this Section shall be in
31 addition to any penalties imposed for violating any other
32 Section of this Code.

33 (n) The Department with respect to highways under its
34 jurisdiction and local authorities with respect to highways

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

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

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

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

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

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

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

21 (7) the tow-truck is specifically designed and
22 licensed as a tow-truck;

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

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

26 (10) the tow-truck is capable of utilizing the lighting
27 and braking systems of the disabled vehicle or combination
28 of vehicles;

29 (11) the tow distance of the tow does not exceed 50
30 miles from the point of disablement to a place of repair or
31 safekeeping;

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

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

3 (Source: P.A. 90-89, eff. 1-1-98; 90-228, eff. 7-25-97; 90-655,
4 eff. 7-30-98; 90-676, eff. 7-31-98; 91-569, eff. 1-1-00.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".