

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing  
 5 Sections 3-815 and 18b-101 as follows:

6 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

7 Sec. 3-815. Flat weight tax; vehicles of the second  
 8 division.

9 (a) Except as provided in Section 3-806.3 and 3-804.3,  
 10 every owner of a vehicle of the second division registered  
 11 under Section 3-813, and not registered under the mileage  
 12 weight tax under Section 3-818, shall pay to the Secretary of  
 13 State, for each registration year, for the use of the public  
 14 highways, a flat weight tax at the rates set forth in the  
 15 following table, the rates including the \$10 registration fee:

16 SCHEDULE OF FLAT WEIGHT TAX

17 REQUIRED BY LAW

18 Gross Weight in Lbs.	Total Fees
19 Including Vehicle	each Fiscal
20 and Maximum	year
21 Load	Class
22 8,000 lbs. and less	B \$98
23 8,001 lbs. to 12,000 lbs.	D 138

1	12,001 lbs. to 16,000 lbs.	F	242
2	16,001 lbs. to 26,000 lbs.	H	490
3	26,001 lbs. to 28,000 lbs.	J	630
4	28,001 lbs. to 32,000 lbs.	K	842
5	32,001 lbs. to 36,000 lbs.	L	982
6	36,001 lbs. to 40,000 lbs.	N	1,202
7	40,001 lbs. to 45,000 lbs.	P	1,390
8	45,001 lbs. to 50,000 lbs.	Q	1,538
9	50,001 lbs. to 54,999 lbs.	R	1,698
10	55,000 lbs. to 59,500 lbs.	S	1,830
11	59,501 lbs. to 64,000 lbs.	T	1,970
12	64,001 lbs. to 73,280 lbs.	V	2,294
13	73,281 lbs. to 77,000 lbs.	X	2,622
14	77,001 lbs. to 80,000 lbs.	Z	2,790

15           Beginning with the 2010 registration year a \$1 surcharge  
16 shall be collected for vehicles registered in the 8,000 lbs.  
17 and less flat weight plate category above to be deposited into  
18 the State Police Vehicle Fund.

19           Beginning with the 2014 registration year, a \$2 surcharge  
20 shall be collected in addition to the above fees for vehicles  
21 registered in the 8,000 lb. and less flat weight plate category  
22 as described in this subsection (a) to be deposited into the  
23 Park and Conservation Fund for the Department of Natural  
24 Resources to use for conservation efforts. The monies deposited  
25 into the Park and Conservation Fund under this Section shall  
26 not be subject to administrative charges or chargebacks unless

1 otherwise authorized by this Act.

2 All of the proceeds of the additional fees imposed by this  
3 amendatory Act of the 96th General Assembly shall be deposited  
4 into the Capital Projects Fund.

5 (a-1) A Special Hauling Vehicle is a vehicle or combination  
6 of vehicles of the second division registered under Section  
7 3-813 transporting asphalt or concrete in the plastic state or  
8 a vehicle or combination of vehicles that are subject to the  
9 gross weight limitations in subsection (a) of Section 15-111  
10 for which the owner of the vehicle or combination of vehicles  
11 has elected to pay, in addition to the registration fee in  
12 subsection (a), \$125 to the Secretary of State for each  
13 registration year. The Secretary shall designate this class of  
14 vehicle as a Special Hauling Vehicle.

15 (a-5) Beginning January 1, 2015, upon the request of the  
16 vehicle owner, a \$10 surcharge shall be collected in addition  
17 to the above fees for vehicles in the 12,000 lbs. and less flat  
18 weight plate categories as described in subsection (a) to be  
19 deposited into the Secretary of State Special License Plate  
20 Fund. The \$10 surcharge is to identify vehicles in the 12,000  
21 lbs. and less flat weight plate categories as a covered farm  
22 vehicle. The \$10 surcharge is an annual, flat fee that shall be  
23 based on an applicant's new or existing registration year for  
24 each vehicle in the 12,000 lbs. and less flat weight plate  
25 categories. A designation as a covered farm vehicle under this  
26 subsection (a-5) shall not alter a vehicle's registration as a

1 registration in the 12,000 lbs. or less flat weight category.  
 2 The Secretary shall adopt any rules necessary to implement this  
 3 subsection (a-5).

4 (b) Except as provided in Section 3-806.3, every camping  
 5 trailer, motor home, mini motor home, travel trailer, truck  
 6 camper or van camper used primarily for recreational purposes,  
 7 and not used commercially, nor for hire, nor owned by a  
 8 commercial business, may be registered for each registration  
 9 year upon the filing of a proper application and the payment of  
 10 a registration fee and highway use tax, according to the  
 11 following table of fees:

MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
8,000 lbs and less	\$78
8,001 Lbs. to 10,000 Lbs	90
10,001 Lbs. and Over	102

CAMPING TRAILER OR TRAVEL TRAILER	
Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
3,000 Lbs. and Less	\$18
3,001 Lbs. to 8,000 Lbs.	30
8,001 Lbs. to 10,000 Lbs.	38
10,001 Lbs. and Over	50

1 Every house trailer must be registered under Section 3-819.

2 (c) Farm Truck. Any truck used exclusively for the owner's  
 3 own agricultural, horticultural or livestock raising  
 4 operations and not-for-hire only, or any truck used only in the  
 5 transportation for-hire of seasonal, fresh, perishable fruit  
 6 or vegetables from farm to the point of first processing, may  
 7 be registered by the owner under this paragraph in lieu of  
 8 registration under paragraph (a), upon filing of a proper  
 9 application and the payment of the \$10 registration fee and the  
 10 highway use tax herein specified as follows:

11 SCHEDULE OF FEES AND TAXES

12 Gross Weight in Lbs.		Total Amount for
13 Including Truck and		each
14 Maximum Load	Class	Fiscal Year
15 16,000 lbs. or less	VF	\$150
16 16,001 to 20,000 lbs.	VG	226
17 20,001 to 24,000 lbs.	VH	290
18 24,001 to 28,000 lbs.	VJ	378
19 28,001 to 32,000 lbs.	VK	506
20 32,001 to 36,000 lbs.	VL	610
21 36,001 to 45,000 lbs.	VP	810
22 45,001 to 54,999 lbs.	VR	1,026
23 55,000 to 64,000 lbs.	VT	1,202
24 64,001 to 73,280 lbs.	VV	1,290
25 73,281 to 77,000 lbs.	VX	1,350
26 77,001 to 80,000 lbs.	VZ	1,490

1           In the event the Secretary of State revokes a farm truck  
2 registration as authorized by law, the owner shall pay the flat  
3 weight tax due hereunder before operating such truck.

4           Any combination of vehicles having 5 axles, with a distance  
5 of 42 feet or less between extreme axles, that are subject to  
6 the weight limitations in subsection (a) of Section 15-111 for  
7 which the owner of the combination of vehicles has elected to  
8 pay, in addition to the registration fee in subsection (c),  
9 \$125 to the Secretary of State for each registration year shall  
10 be designated by the Secretary as a Special Hauling Vehicle.

11           (d) The number of axles necessary to carry the maximum load  
12 provided shall be determined from Chapter 15 of this Code.

13           (e) An owner may only apply for and receive 5 farm truck  
14 registrations, and only 2 of those 5 vehicles shall exceed  
15 59,500 gross weight in pounds per vehicle.

16           (f) Every person convicted of violating this Section by  
17 failure to pay the appropriate flat weight tax to the Secretary  
18 of State as set forth in the above tables shall be punished as  
19 provided for in Section 3-401.

20           (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;  
21 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

22           (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

23           Sec. 18b-101. Definitions. Unless the context otherwise  
24 clearly requires, as used in this Chapter:

25           "Agricultural commodities" means any agricultural

1 commodity, non-processed food, feed, fiber, or livestock,  
2 including insects.

3 "Agricultural operations" means the operation of a motor  
4 vehicle or combination of vehicles transporting agricultural  
5 commodities or farm supplies for agricultural purposes.

6 "Air mile" means a nautical mile, which is equivalent to  
7 6,076 feet or 1,852 meters. Accordingly, 100 air miles are  
8 equivalent to 115.08 statute miles or 185.2 kilometers.

9 "Commercial motor vehicle" means any self propelled or  
10 towed vehicle used on public highways in interstate and  
11 intrastate commerce to transport passengers or property when  
12 the vehicle has a gross vehicle weight, a gross vehicle weight  
13 rating, a gross combination weight, or a gross combination  
14 weight rating of 10,001 or more pounds; or the vehicle is used  
15 or designed to transport more than 15 passengers, including the  
16 driver; or the vehicle is designed to carry 15 or fewer  
17 passengers and is operated by a contract carrier transporting  
18 employees in the course of their employment on a highway of  
19 this State; or the vehicle is used or designed to transport  
20 between 9 and 15 passengers, including the driver, for direct  
21 compensation; or the vehicle is used in the transportation of  
22 hazardous materials in a quantity requiring placarding under  
23 the Illinois Hazardous Materials Transportation Act. This  
24 definition shall not include farm machinery, fertilizer  
25 spreaders, and other special agricultural movement equipment  
26 described in Section 3-809 nor implements of husbandry as

1 defined in Section 1-130. †

2 "Covered farm vehicle", for purposes of this Chapter and  
3 rule-making under this Chapter, means a straight truck or  
4 articulated vehicle, excluding vehicles transporting hazardous  
5 materials of a type or quantity that requires the vehicle to be  
6 placarded in accordance with the Illinois Hazardous Materials  
7 Transportation Act, registered in this State or another state  
8 and equipped with a special license plate or other designation  
9 by the state in which the vehicle is registered identifying the  
10 vehicle as a covered farm vehicle for law enforcement personnel  
11 and:

12 (1) is operated by a farm or ranch owner or operator,  
13 or an employee or family member of the farm or ranch owner  
14 or operator; and

15 (2) is being used to transport the following to or from  
16 a farm or ranch:

17 (A) agricultural commodities;

18 (B) livestock; or

19 (C) machinery or supplies; and

20 (3) if registered in this State, is:

21 (A) registered as a farm truck under subsection (c)  
22 of Section 3-815 of this Code; or

23 (B) operated in combination as an articulated  
24 vehicle when the truck in the combination is registered  
25 for 12,000 lbs. or less as a covered farm vehicle under  
26 subsections (a) and (a-5) of Section 3-815 of this Code



1 or subsection (a) of Section 3-818 of this Code and  
2 contains in the cab of the motor vehicle a registration  
3 designating the vehicle as a covered farm vehicle under  
4 subsections (a) and (a-5) of Section 3-815 of this Code  
5 and the trailer in the combination is registered as a  
6 farm trailer under subsection (a) of Section 3-819 of  
7 this Code and displays a farm registration license  
8 plate; or

9 (C) a truck registered for 12,000 lbs. or less as a  
10 covered farm vehicle under subsections (a) and (a-5) of  
11 Section 3-815 of this Code or subsection (a) of Section  
12 3-818 of this Code containing in the cab of the motor  
13 vehicle a registration designating the vehicle as a  
14 covered farm vehicle under subsections (a) and (a-5) of  
15 Section 3-815 of this Code that is towing an implement  
16 of husbandry as part of a farming operation; and

17 (4) is not used in for-hire motor carrier operations;  
18 however, for-hire motor carrier operations do not include  
19 the operation of a vehicle meeting the definition of a  
20 covered farm vehicle by a tenant pursuant to a crop share  
21 farm lease agreement to transport the landlord's portion of  
22 the crops under that agreement; and

23 (5) has a gross vehicle weight rating (GVWR), a gross  
24 combination weight rating (GCWR), or a gross vehicle weight  
25 or gross vehicle combination weight, whichever is greater,  
26 that is:

1           (A) 26,001 lbs. or less, for vehicles operating in  
2           interstate commerce; or

3           (B) greater than 26,001 lbs., operating in  
4           interstate commerce and registered in this State; or

5           (C) greater than 26,001 lbs. and traveling  
6           interstate within 150 air miles of the farm or ranch  
7           for which the vehicle is being operated, regardless of  
8           whether it is registered in this State; or

9           (D) greater than 10,000 lbs. and traveling  
10           intrastate.

11           "Direct compensation" means payment made to the motor  
12           carrier by the passengers or a person acting on behalf of the  
13           passengers for the transportation services provided, and not  
14           included in a total package charge or other assessment for  
15           highway transportation services.†

16           "Farm supplies for agricultural purposes" means products  
17           directly related to the growing or harvesting of agricultural  
18           commodities and livestock feed at any time of the year.†

19           "Livestock" means cattle, sheep, goats, swine, poultry  
20           (including egg-producing poultry), fish used for food, and  
21           other animals designated by the Secretary of the United States  
22           Department of Transportation (at his or her sole discretion)  
23           that are part of a foundation herd (including producing dairy  
24           cattle) or offspring.†

25           "Officer" means Illinois State Police Officer.†

26           "Person" means any natural person or individual,

1 governmental body, firm, association, partnership,  
2 copartnership, joint venture, company, corporation, joint  
3 stock company, trust, estate or any other legal entity or their  
4 legal representative, agent or assigns.

5 (Source: P.A. 97-795, eff. 1-1-13.)

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