

1 AN ACT concerning transportation.

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

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

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

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

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

19 (b) The local authority enacting any such ordinance or  
20 resolution shall erect or cause to be erected and maintained  
21 signs designating the provision of the ordinance or resolution  
22 at each end of that portion of any highway affected thereby,  
23 and the ordinance or resolution shall not be effective unless

1 and until such signs are erected and maintained.

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

8 (c-1) (Blank).

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

16 (d-1) (Blank).

17 (d-2) (Blank).

18 (e) When any vehicle is operated in violation of this  
19 Section, the owner or driver of the vehicle shall be deemed  
20 guilty of a violation and either the owner or the driver of the  
21 vehicle may be prosecuted for the violation. Any person, firm,  
22 or corporation convicted of violating this Section shall be  
23 fined \$50 for any weight exceeding the posted limit up to the  
24 axle or gross weight limit allowed a vehicle as provided for in  
25 subsections (a) or (b) of Section 15-111 and \$75 per every 500  
26 pounds or fraction thereof for any weight exceeding that which

1 is provided for in subsections (a) or (b) of Section 15-111.

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

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

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