



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1644

Introduced 2/9/2011, by Sen. John M. Sullivan

SYNOPSIS AS INTRODUCED:

| | |
|------------------------|------------------------------|
| 625 ILCS 5/1-105.4 new | |
| 625 ILCS 5/1-190.05 | |
| 625 ILCS 5/3-401 | from Ch. 95 1/2, par. 3-401 |
| 625 ILCS 5/3-815 | from Ch. 95 1/2, par. 3-815 |
| 625 ILCS 5/3-818 | from Ch. 95 1/2, par. 3-818 |
| 625 ILCS 5/12-202 | from Ch. 95 1/2, par. 12-202 |
| 625 ILCS 5/15-101 | from Ch. 95 1/2, par. 15-101 |
| 625 ILCS 5/15-111 | from Ch. 95 1/2, par. 15-111 |
| 625 ILCS 5/15-112 | from Ch. 95 1/2, par. 15-112 |
| 625 ILCS 5/15-113 | from Ch. 95 1/2, par. 15-113 |
| 625 ILCS 5/15-301 | from Ch. 95 1/2, par. 15-301 |
| 625 ILCS 5/15-307 | from Ch. 95 1/2, par. 15-307 |
| 625 ILCS 5/15-316 | from Ch. 95 1/2, par. 15-316 |

Amends the Illinois Vehicle Code. Defines "auxiliary power unit". Provides that trucks equipped with auxiliary power units may exceed weight limits by the lessor of the weight of the auxiliary power unit or 400 pounds, provided specified conditions are met. Provides that home rule counties or municipalities shall not impose further weight limits or require permits for any weight and size in excess of local restrictions on trucks and other commercial vehicles when gaining access to or egress from points of loading or unloading by the most direct and shortest route available. Makes changes to Sections concerning: the effect of provisions regarding weight and axle limits; requirements for clearance, identification, and side marker lamps; and when the Department of Transportation or a local authority may restrict highway use. Makes changes to a Section concerning wheel and axle loads and gross weights and conforming changes to various other Sections. Preempts home rule powers.

LRB097 09216 HEP 49351 b

HOME RULE 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 changing
5 Sections 1-190.05, 3-401, 3-815, 3-818, 12-202, 15-101,
6 15-111, 15-112, 15-113, 15-301, 15-307, and 15-316 and by
7 adding Section 1-105.4 as follows:

8 (625 ILCS 5/1-105.4 new)

9 Sec. 1-105.4. Auxiliary power unit, or APU. Small engines
10 used on commercial trucks to provide power for auxiliary loads,
11 such as heating, air conditioning, and lighting in sleeper
12 berths, which allows the operator to shut off the main engine
13 while resting. Auxiliary power units may also be referred to as
14 idle reduction units.

15 (625 ILCS 5/1-190.05)

16 Sec. 1-190.05. Special hauling vehicle. A vehicle or
17 combination of vehicles transporting asphalt or concrete in the
18 plastic state or a vehicle or combination of vehicles that is
19 subject to the weight limitations in subsection ~~subsections~~ (a)
20 ~~and (b)~~ of Section 15-111 for which the owner of the vehicle or
21 combination of vehicles has elected to pay, in addition to the
22 registration fees stated in subsection (a) or (c) of Section

1 3-815 or Section 3-818, \$100 to the Secretary of State for each
2 registration year.

3 (Source: P.A. 90-89, eff. 1-1-98.)

4 (625 ILCS 5/3-401) (from Ch. 95 1/2, par. 3-401)

5 Sec. 3-401. Effect of provisions.

6 (a) It shall be unlawful for any person to violate any
7 provision of this Chapter or to drive or move or for an owner
8 knowingly to permit to be driven or moved upon any highway any
9 vehicle of a type required to be registered hereunder which is
10 not registered or for which the appropriate fee has not been
11 paid when and as required hereunder, except that when
12 application accompanied by proper fee has been made for
13 registration of a vehicle it may be operated temporarily
14 pending complete registration upon displaying a duplicate
15 application duly verified or other evidence of such application
16 or otherwise under rules and regulations promulgated by the
17 Secretary of State.

18 (b) The appropriate fees required to be paid under the
19 various provisions of this Act for registration of vehicles
20 shall mean the fee or fees which would have been paid
21 initially, if proper and timely application had been made to
22 the Secretary of State for the appropriate registration
23 required, whether such registration be a flat weight
24 registration, a single trip permit, a reciprocity permit or a
25 supplemental application to an original prorated application

1 together with payment of fees due under the supplemental
2 application for prorated decals.

3 (c) Effective October 1, 1984, no vehicle required to pay a
4 Federal Highway Users Tax shall be registered unless proof of
5 payment, in a form prescribed and approved by the Secretary of
6 State, is submitted with the appropriate registration.
7 Notwithstanding any other provision of this Code, failure of
8 the applicant to comply with this paragraph shall be deemed
9 grounds for the Secretary to refuse registration.

10 (c-1) A vehicle may not be registered by the Secretary of
11 State unless that vehicle:

12 (1) was originally manufactured for operation on
13 highways;

14 (2) is a modification of a vehicle that was originally
15 manufactured for operation on highways; or

16 (3) was assembled from component parts designed for use
17 in vehicles to be operated on highways.

18 (d) Second division vehicles.

19 (1) A vehicle of the second division moved or operated
20 within this State shall have had paid for it the
21 appropriate registration fees and flat weight tax, as
22 evidenced by the Illinois registration issued for that
23 vehicle, for the gross weight of the vehicle and load being
24 operated or moved within this State. Second division
25 vehicles of foreign jurisdictions operated within this
26 State under a single trip permit, fleet reciprocity plan,

1 prorate registration plan, or apportioned registration
2 plan, instead of second division vehicle registration
3 under Article VIII of this Chapter, must have had paid for
4 it the appropriate registration fees and flat weight tax in
5 the base jurisdiction of that vehicle, as evidenced by the
6 maximum gross weight shown on the foreign registration
7 cards, plus any appropriate fees required under this Code.

8 (2) If a vehicle and load are operated in this State
9 and the appropriate fees and taxes have not been paid or
10 the vehicle and load exceed the registered gross weight for
11 which the required fees and taxes have been paid by 2001
12 pounds or more, the operator or owner shall be fined as
13 provided in Section 15-113 of this Code. However, an owner
14 or operator shall not be subject to arrest under this
15 subsection for any weight in excess of 80,000 pounds.
16 Further, ~~for any unregistered vehicle or vehicle~~
17 ~~displaying expired registration,~~ no fine shall exceed the
18 actual cost of what the appropriate registration for that
19 vehicle and load should have been as established in
20 subsection (a) of Section 3-815 of this Chapter regardless
21 of the route traveled. For purposes of this paragraph (2),
22 "appropriate registration" means the full annual cost of
23 the required registration and its associated fees.

24 (3) Any person operating a legal combination of
25 vehicles displaying valid registration shall not be
26 considered in violation of the registration provision of

1 this subsection unless the total gross weight of the
2 combination exceeds the total licensed weight of the
3 vehicles in the combination. The gross weight of a vehicle
4 exempt from the registration requirements of this Chapter
5 shall not be included when determining the total gross
6 weight of vehicles in combination.

7 (4) If the defendant claims that he or she had
8 previously paid the appropriate Illinois registration fees
9 and taxes for this vehicle before the alleged violation,
10 the defendant shall have the burden of proving the
11 existence of the payment by competent evidence. Proof of
12 proper Illinois registration issued by the Secretary of
13 State, or the appropriate registration authority from the
14 foreign state, shall be the only competent evidence of
15 payment.

16 (Source: P.A. 94-239, eff. 1-1-06.)

17 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

18 Sec. 3-815. Flat weight tax; vehicles of the second
19 division.

20 (a) Except as provided in Section 3-806.3, every owner of a
21 vehicle of the second division registered under Section 3-813,
22 and not registered under the mileage weight tax under Section
23 3-818, shall pay to the Secretary of State, for each
24 registration year, for the use of the public highways, a flat
25 weight tax at the rates set forth in the following table, the

1 rates including the \$10 registration fee:

2 SCHEDULE OF FLAT WEIGHT TAX

3 REQUIRED BY LAW

| 4 | Gross Weight in Lbs. | | Total Fees |
|----|----------------------------|-------|-------------|
| 5 | Including Vehicle | | each Fiscal |
| 6 | and Maximum | | year |
| 7 | Load | Class | |
| 8 | 8,000 lbs. and less | B | \$98 |
| 9 | 8,001 lbs. to 12,000 lbs. | D | 138 |
| 10 | 12,001 lbs. to 16,000 lbs. | F | 242 |
| 11 | 16,001 lbs. to 26,000 lbs. | H | 490 |
| 12 | 26,001 lbs. to 28,000 lbs. | J | 630 |
| 13 | 28,001 lbs. to 32,000 lbs. | K | 842 |
| 14 | 32,001 lbs. to 36,000 lbs. | L | 982 |
| 15 | 36,001 lbs. to 40,000 lbs. | N | 1,202 |
| 16 | 40,001 lbs. to 45,000 lbs. | P | 1,390 |
| 17 | 45,001 lbs. to 50,000 lbs. | Q | 1,538 |
| 18 | 50,001 lbs. to 54,999 lbs. | R | 1,698 |
| 19 | 55,000 lbs. to 59,500 lbs. | S | 1,830 |
| 20 | 59,501 lbs. to 64,000 lbs. | T | 1,970 |
| 21 | 64,001 lbs. to 73,280 lbs. | V | 2,294 |
| 22 | 73,281 lbs. to 77,000 lbs. | X | 2,622 |
| 23 | 77,001 lbs. to 80,000 lbs. | Z | 2,790 |

24 Beginning with the 2010 registration year a \$1 surcharge
 25 shall be collected for vehicles registered in the 8,000 lbs.
 26 and less flat weight plate category above to be deposited into

1 the State Police Vehicle Fund.

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) ~~(b)~~ of Section
 10 15-111 for which the owner of the vehicle or combination of
 11 vehicles has elected to pay, in addition to the registration
 12 fee in 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 (b) Except as provided in Section 3-806.3, every camping
 16 trailer, motor home, mini motor home, travel trailer, truck
 17 camper or van camper used primarily for recreational purposes,
 18 and not used commercially, nor for hire, nor owned by a
 19 commercial business, may be registered for each registration
 20 year upon the filing of a proper application and the payment of
 21 a registration fee and highway use tax, according to the
 22 following table of fees:

23 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER

| | |
|--------------------------|---------------|
| 24 Gross Weight in Lbs. | Total Fees |
| 25 Including Vehicle and | Each |
| 26 Maximum Load | Calendar Year |

| | | |
|---|--------------------------|------|
| 1 | 8,000 lbs and less | \$78 |
| 2 | 8,001 Lbs. to 10,000 Lbs | 90 |
| 3 | 10,001 Lbs. and Over | 102 |

CAMPING TRAILER OR TRAVEL TRAILER

| | | |
|----|---------------------------|---------------|
| 5 | Gross Weight in Lbs. | Total Fees |
| 6 | Including Vehicle and | Each |
| 7 | Maximum Load | Calendar Year |
| 8 | 3,000 Lbs. and Less | \$18 |
| 9 | 3,001 Lbs. to 8,000 Lbs. | 30 |
| 10 | 8,001 Lbs. to 10,000 Lbs. | 38 |
| 11 | 10,001 Lbs. and Over | 50 |

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

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

SCHEDULE OF FEES AND TAXES

| | | | |
|----|----------------------|-------|------------------|
| 23 | Gross Weight in Lbs. | | Total Amount for |
| 24 | Including Truck and | | each |
| 25 | Maximum Load | Class | Fiscal Year |
| 26 | 16,000 lbs. or less | VF | \$150 |

| | | | |
|----|-----------------------|----|-------|
| 1 | 16,001 to 20,000 lbs. | VG | 226 |
| 2 | 20,001 to 24,000 lbs. | VH | 290 |
| 3 | 24,001 to 28,000 lbs. | VJ | 378 |
| 4 | 28,001 to 32,000 lbs. | VK | 506 |
| 5 | 32,001 to 36,000 lbs. | VL | 610 |
| 6 | 36,001 to 45,000 lbs. | VP | 810 |
| 7 | 45,001 to 54,999 lbs. | VR | 1,026 |
| 8 | 55,000 to 64,000 lbs. | VT | 1,202 |
| 9 | 64,001 to 73,280 lbs. | VV | 1,290 |
| 10 | 73,281 to 77,000 lbs. | VX | 1,350 |
| 11 | 77,001 to 80,000 lbs. | VZ | 1,490 |

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

15 Any combination of vehicles having 5 axles, with a distance
16 of 42 feet or less between extreme axles, that are subject to
17 the weight limitations in subsection (a) ~~and (b)~~ of Section
18 15-111 for which the owner of the combination of vehicles has
19 elected to pay, in addition to the registration fee in
20 subsection (c), \$125 to the Secretary of State for each
21 registration year shall be designated by the Secretary as a
22 Special Hauling Vehicle.

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

25 (e) An owner may only apply for and receive 5 farm truck
26 registrations, and only 2 of those 5 vehicles shall exceed

1 59,500 gross weight in pounds per vehicle.

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

6 (Source: P.A. 95-1009, eff. 12-15-08; 96-34, eff. 7-13-09.)

7 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

8 Sec. 3-818. (a) Mileage weight tax option. Any owner of a
9 vehicle of the second division may elect to pay a mileage
10 weight tax for such vehicle in lieu of the flat weight tax set
11 out in Section 3-815. Such election shall be binding to the end
12 of the registration year. Renewal of this election must be
13 filed with the Secretary of State on or before July 1 of each
14 registration period. In such event the owner shall, at the time
15 of making such election, pay the \$10 registration fee and the
16 minimum guaranteed mileage weight tax, as hereinafter
17 provided, which payment shall permit the owner to operate that
18 vehicle the maximum mileage in this State hereinafter set
19 forth. Any vehicle being operated on mileage plates cannot be
20 operated outside of this State. In addition thereto, the owner
21 of that vehicle shall pay a mileage weight tax at the following
22 rates for each mile traveled in this State in excess of the
23 maximum mileage provided under the minimum guaranteed basis:

24 BUS, TRUCK OR TRUCK TRACTOR

25 Maximum Mileage

| 1 | | Minimum | Mileage | Weight Tax | |
|----|-----------------------|------------|------------|--------------|-----------|
| 2 | | Guaranteed | Permitted | for Mileage | |
| 3 | Gross Weight | Mileage | Under | in excess of | |
| 4 | Vehicle and | Weight | Guaranteed | Guaranteed | |
| 5 | Load | Class | Tax | Mileage | |
| 6 | 12,000 lbs. or less | MD | \$73 | 5,000 | 26 Mills |
| 7 | 12,001 to 16,000 lbs. | MF | 120 | 6,000 | 34 Mills |
| 8 | 16,001 to 20,000 lbs. | MG | 180 | 6,000 | 46 Mills |
| 9 | 20,001 to 24,000 lbs. | MH | 235 | 6,000 | 63 Mills |
| 10 | 24,001 to 28,000 lbs. | MJ | 315 | 7,000 | 63 Mills |
| 11 | 28,001 to 32,000 lbs. | MK | 385 | 7,000 | 83 Mills |
| 12 | 32,001 to 36,000 lbs. | ML | 485 | 7,000 | 99 Mills |
| 13 | 36,001 to 40,000 lbs. | MN | 615 | 7,000 | 128 Mills |
| 14 | 40,001 to 45,000 lbs. | MP | 695 | 7,000 | 139 Mills |
| 15 | 45,001 to 54,999 lbs. | MR | 853 | 7,000 | 156 Mills |
| 16 | 55,000 to 59,500 lbs. | MS | 920 | 7,000 | 178 Mills |
| 17 | 59,501 to 64,000 lbs. | MT | 985 | 7,000 | 195 Mills |
| 18 | 64,001 to 73,280 lbs. | MV | 1,173 | 7,000 | 225 Mills |
| 19 | 73,281 to 77,000 lbs. | MX | 1,328 | 7,000 | 258 Mills |
| 20 | 77,001 to 80,000 lbs. | MZ | 1,415 | 7,000 | 275 Mills |

TRAILER

| 22 | | Maximum | Mileage | |
|----|--------------|------------|------------|--------------|
| 23 | | Minimum | Mileage | Weight Tax |
| 24 | | Guaranteed | Permitted | for Mileage |
| 25 | Gross Weight | Mileage | Under | in excess of |
| 26 | Vehicle and | Weight | Guaranteed | Guaranteed |

| 1 | Load | Class | Tax | Tax | Mileage |
|---|-----------------------|-------|------|-------|-----------|
| 2 | 14,000 lbs. or less | ME | \$75 | 5,000 | 31 Mills |
| 3 | 14,001 to 20,000 lbs. | MF | 135 | 6,000 | 36 Mills |
| 4 | 20,001 to 36,000 lbs. | ML | 540 | 7,000 | 103 Mills |
| 5 | 36,001 to 40,000 lbs. | MM | 750 | 7,000 | 150 Mills |

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

16 In preparing rate schedules on registration applications,
17 the Secretary of State shall add to the above rates, the \$10
18 registration fee. The Secretary may decline to accept any
19 renewal filed after July 1st.

20 The number of axles necessary to carry the maximum load
21 provided shall be determined from Chapter 15 of this Code.

22 Every owner of a second division motor vehicle for which he
23 has elected to pay a mileage weight tax shall keep a daily
24 record upon forms prescribed by the Secretary of State, showing
25 the mileage covered by that vehicle in this State. Such record
26 shall contain the license number of the vehicle and the miles

1 traveled by the vehicle in this State for each day of the
2 calendar month. Such owner shall also maintain records of fuel
3 consumed by each such motor vehicle and fuel purchases
4 therefor. On or before the 10th day of July the owner shall
5 certify to the Secretary of State upon forms prescribed
6 therefor, summaries of his daily records which shall show the
7 miles traveled by the vehicle in this State during the
8 preceding 12 months and such other information as the Secretary
9 of State may require. The daily record and fuel records shall
10 be filed, preserved and available for audit for a period of 3
11 years. Any owner filing a return hereunder shall certify that
12 such return is a true, correct and complete return. Any person
13 who willfully makes a false return hereunder is guilty of
14 perjury and shall be punished in the same manner and to the
15 same extent as is provided therefor.

16 At the time of filing his return, each owner shall pay to
17 the Secretary of State the proper amount of tax at the rate
18 herein imposed.

19 Every owner of a vehicle of the second division who elects
20 to pay on a mileage weight tax basis and who operates the
21 vehicle within this State, shall file with the Secretary of
22 State a bond in the amount of \$500. The bond shall be in a form
23 approved by the Secretary of State and with a surety company
24 approved by the Illinois Department of Insurance to transact
25 business in this State as surety, and shall be conditioned upon
26 such applicant's paying to the State of Illinois all money

1 becoming due by reason of the operation of the second division
2 vehicle in this State, together with all penalties and interest
3 thereon.

4 Upon notice from the Secretary that the registrant has
5 failed to pay the excess mileage fees, the surety shall
6 immediately pay the fees together with any penalties and
7 interest thereon in an amount not to exceed the limits of the
8 bond.

9 (Source: P.A. 94-239, eff. 1-1-06.)

10 (625 ILCS 5/12-202) (from Ch. 95 1/2, par. 12-202)

11 Sec. 12-202. Clearance, identification and side marker
12 lamps.

13 (a) Second division vehicles with a GVWR over 10,000 pounds
14 ~~Every motor vehicle of the second division,~~ the length of which
15 together with any trailer or trailers in tow thereof, is more
16 than 25 feet or the width of which is more than 80 inches
17 exclusive of mirrors, bumpers and other required safety
18 devices, while being operated on the highways of this State
19 during the period from sunset to sunrise, shall display on the
20 front of the vehicle 2 yellow or amber lights, one on each
21 upper front corner of the vehicle, which shall be plainly
22 visible at a distance of at least 500 feet; also on the rear
23 thereof in a horizontal line, 3 red lights plainly visible at a
24 distance of not less than 500 feet; also on the front of the
25 body of that vehicle near the lower left hand corner one yellow

1 or amber tinted reflector, and near the lower right hand corner
2 one yellow or amber tinted reflector; also red reflectors on
3 the rear of the body of that vehicle, not more than 12 inches
4 from the lower left and right hand corners. All motor vehicles
5 of the second division more than 20 feet long, and all trailers
6 and semitrailers, except trailers and semitrailers having a
7 gross weight of 3,000 pounds or less including the weight of
8 the trailer and maximum load, while being operated on the
9 highways of this State during the period from sunset to
10 sunrise, shall display on each side of the vehicle at
11 approximately the one-third points of the length of the same,
12 at a height not exceeding 5 feet above the surface of the road,
13 and reflecting on a line approximately at right angles to the
14 center line of the vehicle, 2 amber tinted reflectors. After
15 January, 1974, all new motor vehicles of the second division
16 more than 20 feet long, and all trailers and semitrailers
17 except trailers and semitrailers having a gross weight of 3,000
18 pounds or less including the weight of the trailer and maximum
19 load sold as new in this State, while being operated on the
20 highways of this State during period from sunset to sunrise,
21 shall display on each side of the vehicle, not more than 12
22 inches from the front, one amber tinted reflector, and not more
23 than 12 inches from the rear one red reflector at a height not
24 exceeding 5 feet above the surface of the road, and reflecting
25 on a line approximately at right angles to the center line of
26 the vehicle, approved by the Department.

1 (b) Every trailer and semitrailer having a gross weight of
2 3,000 pounds or less including the weight of the trailer and
3 maximum load, towed either by a motor vehicle of the first
4 division or a motor vehicle of the second division shall be
5 equipped with 2 red reflectors, which will be visible when hit
6 by headlight beams 300 feet away at night, on the rear of the
7 body of such trailer, not more than 12 inches from the lower
8 left hand and lower right hand corners.

9 (c) Every vehicle designated in paragraph (a) or (b) of
10 this Section that is manufactured after December 31, 1973,
11 shall, at the places and times specified in paragraph (a) or
12 (b) of this Section, display reflectors and clearance,
13 identification, and side marker lamps in conformance with the
14 specifications prescribed by the Department.

15 (Source: P.A. 78-1297.)

16 (625 ILCS 5/15-101) (from Ch. 95 1/2, par. 15-101)

17 Sec. 15-101. Scope and effect of Chapter 15.

18 (a) It is unlawful for any person to drive or move on, upon
19 or across or for the owner to cause or knowingly permit to be
20 driven or moved on, upon or across any highway any vehicle or
21 vehicles of a size and weight exceeding the limitations stated
22 in this Chapter or otherwise in violation of this Chapter, and
23 the maximum size and weight of vehicles herein specified shall
24 be lawful throughout this State, and local authorities,
25 including a home rule county or municipality, shall have no

1 power or authority to alter such limitations except as express
2 authority may be granted in this Chapter.

3 (b) The provisions of this Chapter governing size, weight
4 and load do not apply to fire apparatus or equipment for snow
5 and ice removal operations owned or operated by any
6 governmental body, or to implements of husbandry, as defined in
7 Chapter 1 of this Code, temporarily operated or towed in a
8 combination upon a highway provided such combination does not
9 consist of more than 3 vehicles or, in the case of hauling
10 fresh, perishable fruits or vegetables from farm to the point
11 of first processing, not more than 3 wagons being towed by an
12 implement of husbandry, or to a vehicle operated under the
13 terms of a special permit issued hereunder.

14 (c) The provisions of this Chapter governing size, weight,
15 and load do not apply to any snow and ice removal equipment
16 that is no more than 12 feet in width, if the equipment
17 displays flags at least 18 inches square mounted on the
18 driver's side of the snow plow.

19 These vehicles must be equipped with an illuminated
20 rotating, oscillating, or flashing amber light or lights, or a
21 flashing amber strobe light or lights, mounted on the top of
22 the cab and of sufficient intensity to be visible at 500 feet
23 in normal sunlight. If the load on the transport vehicle blocks
24 the visibility of the amber lighting from the rear of the
25 vehicle, the vehicle must also be equipped with an illuminated
26 rotating, oscillating, or flashing amber light or lights, or a

1 flashing amber strobe light or lights, mounted on the rear of
2 the load and of sufficient intensity to be visible at 500 feet
3 in normal sunlight.

4 (d) The setting of size and weight limits is an exclusive
5 power and function of the State. Except as granted in this
6 Chapter, a home rule unit may not set size and weight limits.
7 This Section is a denial and limitation of home rule powers and
8 functions under subsection (h) of Section 6 of Article VII of
9 the Illinois Constitution.

10 (Source: P.A. 94-270, eff. 1-1-06.)

11 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

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

13 (a) No ~~On non-designated highways,~~ no vehicle or
14 combination of vehicles ~~equipped~~ with pneumatic tires may be
15 operated, unladen or with load, when the total weight on
16 ~~transmitted to~~ the road surface exceeds the following: 20,000
17 pounds on a single axle; ~~or~~ 34,000 pounds on a tandem axle with
18 no axle within the tandem exceeding 20,000 pounds; ~~except:~~

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

21 ~~(2) vehicles for which the Department of~~
22 ~~Transportation and local authorities issue overweight~~
23 ~~permits under authority of Section 15-301 of this Code;~~

24 ~~(3) tow trucks subject to the conditions provided in~~
25 ~~subsection (d) may not exceed 24,000 pounds on a single~~

1 ~~rear axle or 44,000 pounds on a tandem rear axle;~~

2 ~~(4) any single axle of a 2 axle truck weighing 36,000~~
3 ~~pounds or less and not a part of a combination of vehicles,~~
4 ~~shall not exceed 20,000 pounds;~~

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

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

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

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

25 ~~(9) tandem axles on a 3 axle truck registered as a~~
26 ~~Special Hauling Vehicle, manufactured prior to or in the~~

1 ~~model year of 2014 and first registered in Illinois prior~~
2 ~~to January 1, 2015, with a distance greater than 72 inches~~
3 ~~but not more than 96 inches between any series of 2 axles,~~
4 ~~is allowed a combined weight on the series not to exceed~~
5 ~~36,000 pounds and neither axle of the series may exceed~~
6 ~~20,000 pounds. Any vehicle of this type manufactured after~~
7 ~~the model year of 2014 or first registered in Illinois~~
8 ~~after December 31, 2014 may not exceed a combined weight of~~
9 ~~34,000 pounds through the series of 2 axles and neither~~
10 ~~axle of the series may exceed 20,000 pounds;~~

11 ~~(10) a 4-axle truck mixer registered as a Special~~
12 ~~Hauling Vehicle, used exclusively for the mixing and~~
13 ~~transportation of concrete in the plastic state and~~
14 ~~manufactured prior to or in the model year of 2014 and~~
15 ~~first registered in Illinois prior to January 1, 2015, is~~
16 ~~allowed the following maximum weights: 20,000 pounds on any~~
17 ~~single axle; 36,000 pounds on any series of 2 axles greater~~
18 ~~than 72 inches but not more than 96 inches; and 34,000~~
19 ~~pounds on any series of 2 axles greater than 40 inches but~~
20 ~~not more than 72 inches;~~

21 ~~(11) 4-axle vehicles or a 5 or more axle combination of~~
22 ~~vehicles: The weight transmitted upon the road surface~~
23 ~~through any series of 3 axles whose centers are more than~~
24 ~~96 inches apart, measured between extreme axles in the~~
25 ~~series, may not exceed those allowed in the table contained~~
26 ~~in subsection (f) of this Section. No axle or tandem axle~~

1 ~~of the series may exceed the maximum weight permitted under~~
2 ~~this Section for a single or tandem axle.~~

3 ~~No vehicle or combination of vehicles equipped with other~~
4 ~~than pneumatic tires may be operated, unladen or with load,~~
5 ~~upon the highways of this State when the gross weight on the~~
6 ~~road surface through any wheel exceeds 800 pounds per inch~~
7 ~~width of tire tread or when the gross weight on the road~~
8 ~~surface through any axle exceeds 16,000 pounds.~~

9 ~~(b) On non designated highways, the gross weight of~~
10 ~~vehicles and combination of vehicles including the weight of~~
11 ~~the vehicle or combination and its maximum load shall be~~
12 ~~subject to the federal bridge formula provided in subsection~~
13 ~~(f) of this Section.~~

14 ~~VEHICLES OPERATING ON CRAWLER TYPE TRACKS 40,000 pounds~~

15 ~~TRUCKS EQUIPPED WITH SELFCOMPACTORS~~
16 ~~OR ROLL OFF HOISTS AND ROLL OFF CONTAINERS FOR GARBAGE,~~
17 ~~REFUSE, OR RECYCLING HAULS ONLY AND TRUCKS USED FOR~~
18 ~~THE COLLECTION OF RENDERING MATERIALS~~
19 ~~On Highway Not Part of National System~~
20 ~~of Interstate and Defense Highways~~
21 ~~with 2 axles _____ 36,000 pounds~~
22 ~~with 3 axles _____ 54,000 pounds~~

23 ~~TWO AXLE TRUCKS EQUIPPED WITH~~

1 ~~A FRONT LOADING COMPACTOR USED EXCLUSIVELY~~

2 ~~FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING~~

3 ~~with 2 axles _____ 40,000 pounds~~

4 ~~A 4 axle truck mixer registered as a Special Hauling~~
5 ~~Vehicle, used exclusively for mixing and transportation of~~
6 ~~concrete in the plastic state, manufactured before or in the~~
7 ~~model year of 2014, and first registered in Illinois before~~
8 ~~January 1, 2015, is allowed a maximum gross weight listed in~~
9 ~~the table of subsection (f) of this Section for 4 axles. This~~
10 ~~vehicle, while loaded with concrete in the plastic state, is~~
11 ~~not subject to the series of 3 axles requirement provided for~~
12 ~~in subdivision (a)(11) of this Section, but no axle or tandem~~
13 ~~axle of the series may exceed the maximum weight permitted~~
14 ~~under subdivision (a)(10) of this Section.~~

15 ~~(b) 1) As used in this Section, a "recycling haul" or~~
16 ~~"recycling operation" means the hauling of segregated,~~
17 ~~non hazardous, non special, homogeneous non putrescible~~
18 ~~materials, such as paper, glass, cans, or plastic, for~~
19 ~~subsequent use in the secondary materials market.~~

20 ~~(c) Cities having a population of more than 50,000 may~~
21 ~~permit by ordinance axle loads on 2 axle motor vehicles 33 1/2%~~
22 ~~above those provided for herein, but the increase shall not~~
23 ~~become effective until the city has officially notified the~~
24 ~~Department of the passage of the ordinance and shall not apply~~
25 ~~to those vehicles when outside of the limits of the city, nor~~

1 ~~shall the gross weight of any 2 axle motor vehicle operating~~
2 ~~over any street of the city exceed 40,000 pounds.~~

3 ~~(d) Weight limitations shall not apply to vehicles~~
4 ~~(including loads) operated by a public utility when~~
5 ~~transporting equipment required for emergency repair of public~~
6 ~~utility facilities or properties or water wells.~~

7 ~~A combination of vehicles, including a tow truck and a~~
8 ~~disabled vehicle or disabled combination of vehicles, that~~
9 ~~exceeds the weight restriction imposed by this Code, may be~~
10 ~~operated on a public highway in this State provided that~~
11 ~~neither the disabled vehicle nor any vehicle being towed nor~~
12 ~~the tow truck itself shall exceed the weight limitations~~
13 ~~permitted under this Chapter. During the towing operation,~~
14 ~~neither the tow truck nor the vehicle combination shall exceed~~
15 ~~24,000 pounds on a single rear axle and 44,000 pounds on a~~
16 ~~tandem rear axle, provided the towing vehicle:~~

17 ~~(1) is specifically designed as a tow truck having a~~
18 ~~gross vehicle weight rating of at least 18,000 pounds and~~
19 ~~is equipped with air brakes, provided that air brakes are~~
20 ~~required only if the towing vehicle is towing a vehicle,~~
21 ~~semitrailer, or tractor-trailer combination that is~~
22 ~~equipped with air brakes;~~

23 ~~(2) is equipped with flashing, rotating, or~~
24 ~~oscillating amber lights, visible for at least 500 feet in~~
25 ~~all directions;~~

26 ~~(3) is capable of utilizing the lighting and braking~~

1 ~~systems of the disabled vehicle or combination of vehicles;~~
2 ~~and~~

3 ~~(4) does not engage in a tow exceeding 20 miles from~~
4 ~~the initial point of wreck or disablement. Any additional~~
5 ~~movement of the vehicles may occur only upon issuance of~~
6 ~~authorization for that movement under the provisions of~~
7 ~~Sections 15 301 through 15 319 of this Code. The towing~~
8 ~~vehicle, however, may tow any disabled vehicle from the~~
9 ~~initial point of wreck or disablement to a point where~~
10 ~~repairs are actually to occur. This movement shall be valid~~
11 ~~only on State routes. The tower must abide by posted bridge~~
12 ~~weight limits.~~

13 ~~Gross weight limits shall not apply to the combination of~~
14 ~~the tow truck and vehicles being towed. The tow truck license~~
15 ~~plate must cover the operating empty weight of the tow truck~~
16 ~~only. The weight of each vehicle being towed shall be covered~~
17 ~~by a valid license plate issued to the owner or operator of the~~
18 ~~vehicle being towed and displayed on that vehicle. If no valid~~
19 ~~plate issued to the owner or operator of that vehicle is~~
20 ~~displayed on that vehicle, or the plate displayed on that~~
21 ~~vehicle does not cover the weight of the vehicle, the weight of~~
22 ~~the vehicle shall be covered by the third tow truck plate~~
23 ~~issued to the owner or operator of the tow truck and~~
24 ~~temporarily affixed to the vehicle being towed. If a roll back~~
25 ~~carrier is registered and being used as a tow truck, however,~~
26 ~~the license plate or plates for the tow truck must cover the~~

1 ~~gross vehicle weight, including any load carried on the bed of~~
2 ~~the roll-back carrier.~~

3 ~~The Department may by rule or regulation prescribe~~
4 ~~additional requirements. However, nothing in this Code shall~~
5 ~~prohibit a tow truck under instructions of a police officer~~
6 ~~from legally clearing a disabled vehicle, that may be in~~
7 ~~violation of weight limitations of this Chapter, from the~~
8 ~~roadway to the berm or shoulder of the highway. If in the~~
9 ~~opinion of the police officer that location is unsafe, the~~
10 ~~officer is authorized to have the disabled vehicle towed to the~~
11 ~~nearest place of safety.~~

12 ~~For the purpose of this subsection, gross vehicle weight~~
13 ~~rating, or GVWR, shall mean the value specified by the~~
14 ~~manufacturer as the loaded weight of the tow truck.~~

15 ~~(e) No vehicle or combination of vehicles equipped with~~
16 ~~pneumatic tires shall be operated, unladen or with load, upon~~
17 ~~the highways of this State in violation of the provisions of~~
18 ~~any permit issued under the provisions of Sections 15 301~~
19 ~~through 15 319 of this Chapter.~~

20 ~~(f) No vehicle or combination of vehicles with pneumatic tires~~
21 ~~may be operated, unladen or with load, when the total weight on~~
22 ~~the road surface exceeds the following: 20,000 pounds on a~~
23 ~~single axle; 34,000 pounds on a tandem axle with no axle within~~
24 ~~the tandem exceeding 20,000 pounds; 80,000 pounds gross weight~~
25 ~~for vehicle combinations of 5 or more axles; or a total weight~~
26 ~~on a group of 2 or more consecutive axles in excess of that~~

1 weight produced by the application of the following formula: W
 2 = 500 times the sum of (LN divided by N-1) + 12N + 36, where "W"
 3 equals overall total weight on any group of 2 or more
 4 consecutive axles to the nearest 500 pounds, "L" equals the
 5 distance measured to the nearest foot between extremes of any
 6 group of 2 or more consecutive axles, and "N" equals the number
 7 of axles in the group under consideration.

8 The above formula when expressed in tabular form results in
 9 allowable loads as follows:

| | | | | | | |
|----|-------------------|-----------------------------|---------|---------|---------|---------|
| 10 | Distance measured | | | | | |
| 11 | to the nearest | | | | | |
| 12 | foot between the | | | | | |
| 13 | extremes of any | Maximum weight in pounds | | | | |
| 14 | group of 2 or | of any group of | | | | |
| 15 | more consecutive | 2 or more consecutive axles | | | | |
| 16 | axles | | | | | |
| 17 | feet | 2 axles | 3 axles | 4 axles | 5 axles | 6 axles |
| 18 | 4 | 34,000 | | | | |
| 19 | 5 | 34,000 | | | | |
| 20 | 6 | 34,000 | | | | |
| 21 | 7 | 34,000 | | | | |
| 22 | 8 | 38,000* | 42,000 | | | |
| 23 | 9 | 39,000 | 42,500 | | | |
| 24 | 10 | 40,000 | 43,500 | | | |
| 25 | 11 | | 44,000 | | | |

| | | | | | |
|----|----|--------|--------|--------|--------|
| 1 | 12 | 45,000 | 50,000 | | |
| 2 | 13 | 45,500 | 50,500 | | |
| 3 | 14 | 46,500 | 51,500 | | |
| 4 | 15 | 47,000 | 52,000 | | |
| 5 | 16 | 48,000 | 52,500 | 58,000 | |
| 6 | 17 | 48,500 | 53,500 | 58,500 | |
| 7 | 18 | 49,500 | 54,000 | 59,000 | |
| 8 | 19 | 50,000 | 54,500 | 60,000 | |
| 9 | 20 | 51,000 | 55,500 | 60,500 | 66,000 |
| 10 | 21 | 51,500 | 56,000 | 61,000 | 66,500 |
| 11 | 22 | 52,500 | 56,500 | 61,500 | 67,000 |
| 12 | 23 | 53,000 | 57,500 | 62,500 | 68,000 |
| 13 | 24 | 54,000 | 58,000 | 63,000 | 68,500 |
| 14 | 25 | 54,500 | 58,500 | 63,500 | 69,000 |
| 15 | 26 | 55,500 | 59,500 | 64,000 | 69,500 |
| 16 | 27 | 56,000 | 60,000 | 65,000 | 70,000 |
| 17 | 28 | 57,000 | 60,500 | 65,500 | 71,000 |
| 18 | 29 | 57,500 | 61,500 | 66,000 | 71,500 |
| 19 | 30 | 58,500 | 62,000 | 66,500 | 72,000 |
| 20 | 31 | 59,000 | 62,500 | 67,500 | 72,500 |
| 21 | 32 | 60,000 | 63,500 | 68,000 | 73,000 |
| 22 | 33 | | 64,000 | 68,500 | 74,000 |
| 23 | 34 | | 64,500 | 69,000 | 74,500 |
| 24 | 35 | | 65,500 | 70,000 | 75,000 |
| 25 | 36 | | 66,000 | 70,500 | 75,500 |
| 26 | 37 | | 66,500 | 71,000 | 76,000 |

| | | | | |
|----|----|--------|--------|--------|
| 1 | 38 | 67,500 | 72,000 | 77,000 |
| 2 | 39 | 68,000 | 72,500 | 77,500 |
| 3 | 40 | 68,500 | 73,000 | 78,000 |
| 4 | 41 | 69,500 | 73,500 | 78,500 |
| 5 | 42 | 70,000 | 74,000 | 79,000 |
| 6 | 43 | 70,500 | 75,000 | 80,000 |
| 7 | 44 | 71,500 | 75,500 | |
| 8 | 45 | 72,000 | 76,000 | |
| 9 | 46 | 72,500 | 76,500 | |
| 10 | 47 | 73,500 | 77,500 | |
| 11 | 48 | 74,000 | 78,000 | |
| 12 | 49 | 74,500 | 78,500 | |
| 13 | 50 | 75,500 | 79,000 | |
| 14 | 51 | 76,000 | 80,000 | |
| 15 | 52 | 76,500 | | |
| 16 | 53 | 77,500 | | |
| 17 | 54 | 78,000 | | |
| 18 | 55 | 78,500 | | |
| 19 | 56 | 79,500 | | |
| 20 | 57 | 80,000 | | |

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

25 Vehicles not in a combination having more than 4 axles may
 26 not exceed the weight in the table in this subsection (a) ~~(f)~~

1 for 4 axles measured between the extreme axles of the vehicle.

2 Vehicles in a combination having more than 6 axles may not
3 exceed the weight in the table in this subsection (a) ~~(f)~~ for 6
4 axles measured between the extreme axles of the combination.

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

14 The following are exceptions to the above formula:

15 (1) Vehicles for which a different limit is established
16 and posted in accordance with Section 15-316 of this Code
17 ~~Two consecutive sets of tandem axles may carry a total~~
18 ~~weight of 34,000 pounds each if the overall distance~~
19 ~~between the first and last axles of the consecutive sets of~~
20 ~~tandem axles is 36 feet or more.~~

21 (2) Vehicles for which the Department of
22 Transportation and local authorities issue overweight
23 permits under authority of Section 15-301 of this Code.
24 These vehicles are not subject to the bridge formula
25 ~~Vehicles for which a different limit is established and~~
26 ~~posted in accordance with Section 15 316 of this Code.~~

1 (3) Cities having a population of more than 50,000 may
2 permit by ordinance axle loads on 2 axle motor vehicles 33
3 1/2% above those provided for herein, but the increase
4 shall not become effective until the city has officially
5 notified the Department of the passage of the ordinance and
6 shall not apply to those vehicles when outside of the
7 limits of the city, nor shall the gross weight of any 2
8 axle motor vehicle operating over any street of the city
9 exceed 40,000 pounds ~~Vehicles for which the Department of~~
10 ~~Transportation and local authorities issue overweight~~
11 ~~permits under authority of Section 15-301 of this Code.~~
12 ~~These vehicles are not subject to the bridge formula.~~

13 (4) Weight limitations shall not apply to vehicles
14 (including loads) operated by a public utility when
15 transporting equipment required for emergency repair of
16 public utility facilities or properties or water wells ~~Tow~~
17 ~~trucks subject to the conditions provided in subsection (d)~~
18 ~~may not exceed 24,000 pounds on a single rear axle or~~
19 ~~44,000 pounds on a tandem rear axle.~~

20 (5) Two consecutive sets of tandem axles may carry a
21 total weight of 34,000 pounds each if the overall distance
22 between the first and last axles of the consecutive sets of
23 tandem axles is 36 feet or more, notwithstanding the lower
24 limit resulting from the application of the above formula ~~A~~
25 ~~tandem axle on a 3-axle truck registered as a Special~~
26 ~~Hauling Vehicle, manufactured prior to or in the model year~~

1 ~~of 2014, and registered in Illinois prior to January 1,~~
2 ~~2015, with a distance between 2 axles in a series greater~~
3 ~~than 72 inches but not more than 96 inches may not exceed a~~
4 ~~total weight of 36,000 pounds and neither axle of the~~
5 ~~series may exceed 20,000 pounds.~~

6 (6) A truck, not in combination and specially equipped
7 with a selfcompactor or an industrial roll-off hoist and
8 roll-off container, used exclusively for garbage or refuse
9 operations may, when laden, transmit upon the road surface
10 the following maximum weights: 22,000 pounds on a single
11 axle; 40,000 pounds on a tandem axle ~~A truck not in~~
12 ~~combination, equipped with a self compactor or an~~
13 ~~industrial roll-off hoist and roll-off container, used~~
14 ~~exclusively for garbage, refuse, or recycling operations,~~
15 ~~may, when laden, transmit upon the road surface, except~~
16 ~~when on part of the National System of Interstate and~~
17 ~~Defense Highways, the following maximum weights: 22,000~~
18 ~~pounds on a single axle; 40,000 pounds on a tandem axle;~~
19 ~~36,000 pounds gross weight on a 2 axle vehicle; 54,000~~
20 ~~pounds gross weight on a 3 axle vehicle. This vehicle is~~
21 ~~not subject to the bridge formula.~~

22 (7) A truck, not in combination and used exclusively
23 for the collection of rendering materials, may, when laden,
24 transmit upon the road surface the following maximum
25 weights: 22,000 pounds on a single axle; 40,000 pounds on a
26 tandem axle ~~Combinations of vehicles, registered as~~

1 ~~Special Hauling Vehicles that include a semitrailer~~
2 ~~manufactured prior to or in the model year of 2014, and~~
3 ~~registered in Illinois prior to January 1, 2015, having 5~~
4 ~~axles with a distance of 42 feet or less between extreme~~
5 ~~axles, may not exceed the following maximum weights: 20,000~~
6 ~~pounds on a single axle; 34,000 pounds on a tandem axle;~~
7 ~~and 72,000 pounds gross weight. This combination of~~
8 ~~vehicles is not subject to the bridge formula. For all~~
9 ~~those combinations of vehicles that include a semitrailer~~
10 ~~manufactured after the effective date of this amendatory~~
11 ~~Act of the 92nd General Assembly, the overall distance~~
12 ~~between the first and last axles of the 2 sets of tandems~~
13 ~~must be 18 feet 6 inches or more. Any combination of~~
14 ~~vehicles that has had its cargo container replaced in its~~
15 ~~entirety after December 31, 2014 may not exceed the weights~~
16 ~~allowed by the bridge formula.~~

17 (8) A truck not in combination, equipped with a self
18 compactor or an industrial roll-off hoist and roll-off
19 container, used exclusively for garbage, refuse, or
20 recycling operations, may, when laden, transmit upon the
21 road surface, except when on part of the National System of
22 Interstate and Defense Highways, the following maximum
23 weights: 22,000 pounds on a single axle; 40,000 pounds on a
24 tandem axle; 40,000 pounds gross weight on a 2-axle
25 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.
26 This vehicle is not subject to the bridge formula A 4 axle

1 ~~truck mixer registered as a Special Hauling Vehicle, used~~
2 ~~exclusively for the mixing and transportation of concrete~~
3 ~~in the plastic state, manufactured before or in the model~~
4 ~~year of 2014, first registered in Illinois before January~~
5 ~~1, 2015, and not operated on a highway that is part of the~~
6 ~~National System of Interstate Highways, is allowed the~~
7 ~~following maximum weights: 20,000 pounds on any single~~
8 ~~axle; 36,000 pounds on a series of axles greater than 72~~
9 ~~inches but not more than 96 inches; and 34,000 pounds on~~
10 ~~any series of 2 axles greater than 40 inches but not more~~
11 ~~than 72 inches. The gross weight of this vehicle may not~~
12 ~~exceed the weights allowed by the bridge formula for 4~~
13 ~~axles. The bridge formula does not apply to any series of 3~~
14 ~~axles while the vehicle is transporting concrete in the~~
15 ~~plastic state, but no axle or tandem axle of the series may~~
16 ~~exceed the maximum weight permitted under this subsection~~
17 ~~(f).~~

18 (9) Tandem axles on a 3-axle truck registered as a
19 Special Hauling Vehicle, manufactured prior to or in the
20 model year of 2014 and first registered in Illinois prior
21 to January 1, 2015, with a distance greater than 72 inches
22 but not more than 96 inches between any series of 2 axles,
23 is allowed a combined weight on the series not to exceed
24 36,000 pounds and neither axle of the series may exceed
25 20,000 pounds. Any vehicle of this type manufactured after
26 the model year of 2014 or first registered in Illinois

1 after December 31, 2014 may not exceed a combined weight of
2 34,000 pounds through the series of 2 axles and neither
3 axle of the series may exceed 20,000 pounds.

4 (10) A 4-axle truck mixer registered as a Special
5 Hauling Vehicle, used exclusively for the mixing and
6 transportation of concrete in the plastic state,
7 manufactured before or in the model year of 2014, first
8 registered in Illinois before January 1, 2015, and not
9 operated on a highway that is part of the National System
10 of Interstate Highways, is allowed the following maximum
11 weights: 20,000 pounds on any single axle; 36,000 pounds on
12 a series of axles greater than 72 inches but not more than
13 96 inches; and 34,000 pounds on any series of 2 axles
14 greater than 40 inches but not more than 72 inches. The
15 gross weight of this vehicle may not exceed the weights
16 allowed by the bridge formula for 4 axles. The bridge
17 formula does not apply to any series of 3 axles while the
18 vehicle is transporting concrete in the plastic state, but
19 no axle or tandem axle of the series may exceed the maximum
20 weight permitted under this subsection (a).

21 (11) Combinations of vehicles, registered as Special
22 Hauling Vehicles that include a semitrailer manufactured
23 prior to or in the model year of 2014, and registered in
24 Illinois prior to January 1, 2015, having 5 axles with a
25 distance of 42 feet or less between extreme axles, may not
26 exceed the following maximum weights: 20,000 pounds on a

1 single axle; 34,000 pounds on a tandem axle; and 72,000
2 pounds gross weight. This combination of vehicles is not
3 subject to the bridge formula. For all those combinations
4 of vehicles that include a semitrailer manufactured after
5 the effective date of P.A. 92-0417, the overall distance
6 between the first and last axles of the 2 sets of tandems
7 must be 18 feet 6 inches or more. Any combination of
8 vehicles that has had its cargo container replaced in its
9 entirety after December 31, 2014 may not exceed the weights
10 allowed by the bridge formula.

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

13 (13) A combination of vehicles, including a tow truck
14 and a disabled vehicle or disabled combination of vehicles,
15 that exceeds the weight restriction imposed by this Code,
16 may be operated on a public highway in this State provided
17 that neither the disabled vehicle nor any vehicle being
18 towed nor the tow truck itself shall exceed the weight
19 limitations permitted under this Chapter. During the
20 towing operation, neither the tow truck nor the vehicle
21 combination shall exceed 24,000 pounds on a single rear
22 axle and 44,000 pounds on a tandem rear axle, provided the
23 towing vehicle:

24 (i) is specifically designed as a tow truck having
25 a gross vehicle weight rating of at least 18,000 pounds
26 and is equipped with air brakes, provided that air

1 brakes are required only if the towing vehicle is
2 towing a vehicle, semitrailer, or tractor-trailer
3 combination that is equipped with air brakes;

4 (ii) is equipped with flashing, rotating, or
5 oscillating amber lights, visible for at least 500 feet
6 in all directions;

7 (iii) is capable of utilizing the lighting and
8 braking systems of the disabled vehicle or combination
9 of vehicles; and

10 (iv) does not engage in a tow exceeding 20 miles
11 from the initial point of wreck or disablement. Any
12 additional movement of the vehicles may occur only upon
13 issuance of authorization for that movement under the
14 provisions of Sections 15-301 through 15-319 of this
15 Code. The towing vehicle, however, may tow any
16 disablement to a point where repairs are actually to
17 occur. This movement shall be valid only on State
18 routes. The tower must abide by posted bridge weight
19 limits.

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

1 displayed on that vehicle, or the plate displayed on that
2 vehicle does not cover the weight of the vehicle, the weight of
3 the vehicle shall be covered by the third tow truck plate
4 issued to the owner or operator of the tow truck and
5 temporarily affixed to the vehicle being towed. If a roll-back
6 carrier is registered and being used as a tow truck, however,
7 the license plate or plates for the tow truck must cover the
8 gross vehicle weight, including any load carried on the bed of
9 the roll-back carrier.

10 The Department may by rule or regulation prescribe
11 additional requirements. However, nothing in this Code shall
12 prohibit a tow truck under instructions of a police officer
13 from legally clearing a disabled vehicle, that may be in
14 violation of weight limitations of this Chapter, from the
15 roadway to the berm or shoulder of the highway. If in the
16 opinion of the police officer that location is unsafe, the
17 officer is authorized to have the disabled vehicle towed to the
18 nearest place of safety.

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

22 (b) As used in this Section, a "recycling haul" or
23 "recycling operation" means the hauling of segregated,
24 non-hazardous, non-special, homogeneous non-putrescible
25 materials, such as paper, glass, cans, or plastic, for
26 subsequent use in the secondary materials market.

1 (c) No vehicle or combination of vehicles equipped with
2 pneumatic tires shall be operated, unladen or with load, upon
3 the highways of this State in violation of the provisions of
4 any permit issued under the provisions of Sections 15-301
5 through 15-319 of this Chapter.

6 (d) No vehicle or combination of vehicles equipped with
7 other than pneumatic tires may be operated, unladen or with
8 load, upon the highways of this State when the gross weight on
9 the road surface through any wheel exceeds 800 pounds per inch
10 width of tire tread or when the gross weight on the road
11 surface through any axle exceeds 16,000 pounds.

12 (e) No person shall operate a vehicle or combination of
13 vehicles over a bridge or other elevated structure constituting
14 part of a highway with a gross weight that is greater than the
15 maximum weight permitted by the Department, when the structure
16 is sign posted as provided in this Section.

17 (f) The Department upon request from any local authority
18 shall, or upon its own initiative may, conduct an investigation
19 of any bridge or other elevated structure constituting a part
20 of a highway, and if it finds that the structure cannot with
21 safety to itself withstand the weight of vehicles otherwise
22 permissible under this Code the Department shall determine and
23 declare the maximum weight of vehicles that the structures can
24 withstand, and shall cause or permit suitable signs stating
25 maximum weight to be erected and maintained before each end of
26 the structure. No person shall operate a vehicle or combination

1 of vehicles over any structure with a gross weight that is
2 greater than the posted maximum weight.

3 ~~(f-1) A vehicle and load not exceeding 80,000 pounds is~~
4 ~~allowed travel on non-designated highways so long as there is~~
5 ~~no sign prohibiting that access.~~

6 (g) Upon the trial of any person charged with a violation
7 of subsections (e) or (f) of this Section, proof of the
8 determination of the maximum allowable weight by the Department
9 and the existence of the signs, constitutes conclusive evidence
10 of the maximum weight that can be maintained with safety to the
11 bridge or structure ~~No person shall operate a vehicle or~~
12 ~~combination of vehicles over a bridge or other elevated~~
13 ~~structure constituting part of a highway with a gross weight~~
14 ~~that is greater than the maximum weight permitted by the~~
15 ~~Department, when the structure is sign posted as provided in~~
16 ~~this Section.~~

17 ~~(h) The Department upon request from any local authority~~
18 ~~shall, or upon its own initiative may, conduct an investigation~~
19 ~~of any bridge or other elevated structure constituting a part~~
20 ~~of a highway, and if it finds that the structure cannot with~~
21 ~~safety to itself withstand the weight of vehicles otherwise~~
22 ~~permissible under this Code the Department shall determine and~~
23 ~~declare the maximum weight of vehicles that the structures can~~
24 ~~withstand, and shall cause or permit suitable signs stating~~
25 ~~maximum weight to be erected and maintained before each end of~~
26 ~~the structure. No person shall operate a vehicle or combination~~

1 ~~of vehicles over any structure with a gross weight that is~~
2 ~~greater than the posted maximum weight.~~

3 ~~(i) Upon the trial of any person charged with a violation~~
4 ~~of subsections (g) or (h) of this Section, proof of the~~
5 ~~determination of the maximum allowable weight by the Department~~
6 ~~and the existence of the signs, constitutes conclusive evidence~~
7 ~~of the maximum weight that can be maintained with safety to the~~
8 ~~bridge or structure.~~

9 (Source: P.A. 95-51, eff. 1-1-08; 96-34, eff. 1-1-10; 96-37,
10 eff. 7-13-09.)

11 (625 ILCS 5/15-112) (from Ch. 95 1/2, par. 15-112)

12 Sec. 15-112. Officers to weigh vehicles and require removal
13 of excess loads.

14 (a) Any police officer having reason to believe that the
15 weight of a vehicle and load is unlawful shall require the
16 driver to stop and submit to a weighing of the same either by
17 means of a portable or stationary scales that have been tested
18 and approved at a frequency prescribed by the Illinois
19 Department of Agriculture, or for those scales operated by the
20 State, when such tests are requested by the Department of State
21 Police, whichever is more frequent. If such scales are not
22 available at the place where such vehicle is stopped, the
23 police officer shall require that such vehicle be driven to the
24 nearest available scale that has been tested and approved
25 pursuant to this Section by the Illinois Department of

1 Agriculture. Notwithstanding any provisions of the Weights and
2 Measures Act or the United States Department of Commerce NIST
3 handbook 44, multi or single draft weighing is an acceptable
4 method of weighing by law enforcement for determining a
5 violation of Chapter 3 or 15 of this Code. Law enforcement is
6 exempt from the requirements of commercial weighing
7 established in NIST handbook 44.

8 Within 18 months after the effective date of this
9 amendatory Act of the 91st General Assembly, all municipal and
10 county officers, technicians, and employees who set up and
11 operate portable scales for wheel load or axle load or both and
12 issue citations based on the use of portable scales for wheel
13 load or axle load or both and who have not successfully
14 completed initial classroom and field training regarding the
15 set up and operation of portable scales, shall attend and
16 successfully complete initial classroom and field training
17 administered by the Illinois Law Enforcement Training
18 Standards Board.

19 (b) Whenever an officer, upon weighing a vehicle and the
20 load, determines that the weight is unlawful, such officer
21 shall require the driver to stop the vehicle in a suitable
22 place and remain standing until such portion of the load is
23 removed as may be necessary to reduce the weight of the vehicle
24 to the limit permitted under this Chapter, or to the limit
25 permitted under the terms of a permit issued pursuant to
26 Sections 15-301 through 15-318 and shall forthwith arrest the

1 driver or owner. All material so unloaded shall be cared for by
2 the owner or operator of the vehicle at the risk of such owner
3 or operator; however, whenever a 3 or 4 axle vehicle with a
4 tandem axle dimension greater than 72 inches, but less than 96
5 inches and registered as a Special Hauling Vehicle is
6 transporting asphalt or concrete in the plastic state that
7 exceeds axle weight or gross weight limits by less than 4,000
8 pounds, the owner or operator of the vehicle shall accept the
9 arrest ticket or tickets for the alleged violations under this
10 Section and proceed without shifting or reducing the load being
11 transported or may shift or reduce the load under the
12 provisions of subsection (d) or (e) of this Section, when
13 applicable. Any fine imposed following an overweight violation
14 by a vehicle registered as a Special Hauling Vehicle
15 transporting asphalt or concrete in the plastic state shall be
16 paid as provided in subsection 4 of paragraph (a) of Section
17 16-105 of this Code.

18 (c) The Department of Transportation may, at the request of
19 the Department of State Police, erect appropriate regulatory
20 signs on any State highway directing second division vehicles
21 to a scale. The Department of Transportation may also, at the
22 direction of any State Police officer, erect portable
23 regulating signs on any highway directing second division
24 vehicles to a portable scale. Every such vehicle, pursuant to
25 such sign, shall stop and be weighed.

26 (d) Whenever any axle load of a vehicle exceeds the axle or

1 tandem axle weight limits permitted by paragraph (a) ~~or (f)~~ of
2 Section 15-111 by 2000 pounds or less, the owner or operator of
3 the vehicle must shift or remove the excess so as to comply
4 with paragraph (a) ~~or (f)~~ of Section 15-111. No overweight
5 arrest ticket shall be issued to the owner or operator of the
6 vehicle by any officer if the excess weight is shifted or
7 removed as required by this paragraph.

8 (e) Whenever the gross weight of a vehicle with a
9 registered gross weight of 77,000 ~~80,000~~ pounds or less exceeds
10 the weight limits of paragraph (a) ~~(b) or (f)~~ of Section 15-111
11 of this Chapter by 2000 pounds or less, the owner or operator
12 of the vehicle must remove the excess. Whenever the gross
13 weight of a vehicle with a registered gross weight of 77,000
14 ~~80,000~~ pounds or more exceeds the weight limits of paragraph
15 (a) ~~(b) or (f)~~ of Section 15-111 by 1,000 pounds or less or
16 2,000 pounds or less if weighed on wheel load weighers, the
17 owner or operator of the vehicle must remove the excess. In
18 either case no arrest ticket for any overweight violation of
19 this Code shall be issued to the owner or operator of the
20 vehicle by any officer if the excess weight is removed as
21 required by this paragraph. A person who has been granted a
22 special permit under Section 15-301 of this Code shall not be
23 granted a tolerance on wheel load weighers.

24 (e-5) Auxiliary power or idle reduction unit (APU) weight.

25 1. A vehicle with a fully functional APU will be
26 allowed an additional 400 pounds or the certified unit

1 weight, whichever is less. The additional pounds may be
2 allowed in gross, axles, or bridge formula weight limits
3 above the legal weight limits. This tolerance will be given
4 in addition to the limits in subsection (d) of this
5 Section.

6 2. An operator of a vehicle equipped with an APU shall
7 carry written certification showing the weight of the APU,
8 which shall be displayed upon the request of any law
9 enforcement officer.

10 3. The operator may be required to demonstrate or
11 certify that the APU is fully functional at all times.

12 4 This allowance will not be granted above the weight
13 limits specified on any loads permitted under Section
14 15-301 of this Code.

15 (f) Whenever an axle load of a vehicle exceeds axle weight
16 limits allowed by the provisions of a permit an arrest ticket
17 shall be issued, but the owner or operator of the vehicle may
18 shift the load so as to comply with the provisions of the
19 permit. Where such shifting of a load to comply with the permit
20 is accomplished, the owner or operator of the vehicle may then
21 proceed.

22 (g) Any driver of a vehicle who refuses to stop and submit
23 his vehicle and load to weighing after being directed to do so
24 by an officer or removes or causes the removal of the load or
25 part of it prior to weighing is guilty of a business offense
26 and shall be fined not less than \$500 nor more than \$2,000.

1 (Source: P.A. 96-34, eff. 1-1-10.)

2 (625 ILCS 5/15-113) (from Ch. 95 1/2, par. 15-113)

3 Sec. 15-113. Violations; Penalties.

4 (a) Whenever any vehicle is operated in violation of the
5 provisions of Section 15-111 or subsection (d) of Section
6 3-401, the owner or driver of such vehicle shall be deemed
7 guilty of such violation and either the owner or the driver of
8 such vehicle may be prosecuted for such violation. Any person
9 charged with a violation of any of these provisions who pleads
10 not guilty shall be present in court for the trial on the
11 charge. Any person, firm or corporation convicted of any
12 violation of Section 15-111 including, but not limited to, a
13 maximum axle or gross limit specified on a regulatory sign
14 posted in accordance with paragraph (e) or (f) ~~(g) or (h)~~ of
15 Section 15-111, shall be fined according to the following
16 schedule:

17 Up to and including 2000 pounds overweight, the fine is \$100

18 From 2001 through 2500 pounds overweight, the fine is \$270

19 From 2501 through 3000 pounds overweight, the fine is \$330

20 From 3001 through 3500 pounds overweight, the fine is \$520

1 From 3501 through 4000 pounds overweight, the fine is \$600

2 From 4001 through 4500 pounds overweight, the fine is \$850

3 From 4501 through 5000 pounds overweight, the fine is \$950

4 From 5001 or more pounds overweight, the fine shall be computed
5 by assessing \$1500 for the first 5000 pounds overweight and
6 \$150 for each additional increment of 500 pounds overweight or
7 fraction thereof.

8 In addition any person, firm or corporation convicted of 4
9 or more violations of Section 15-111 within any 12 month period
10 shall be fined an additional amount of \$5,000 for the fourth
11 and each subsequent conviction within the 12 month period.
12 Provided, however, that with regard to a firm or corporation, a
13 fourth or subsequent conviction shall mean a fourth or
14 subsequent conviction attributable to any one employee-driver.

15 (b) Whenever any vehicle is operated in violation of the
16 provisions of Sections 15-102, 15-103 or 15-107, the owner or
17 driver of such vehicle shall be deemed guilty of such violation
18 and either may be prosecuted for such violation. Any person,
19 firm or corporation convicted of any violation of Sections
20 15-102, 15-103 or 15-107 shall be fined for the first or second
21 conviction an amount equal to not less than \$50 nor more than
22 \$500, and for the third and subsequent convictions by the same

1 person, firm or corporation within a period of one year after
2 the date of the first offense, not less than \$500 nor more than
3 \$1,000.

4 (c) All proceeds of the additional fines imposed by this
5 amendatory Act of the 96th General Assembly shall be deposited
6 into the Capital Projects Fund.

7 (Source: P.A. 96-34, eff. 1-1-10; 96-1000, eff. 7-2-10.)

8 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

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

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

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

25 (b) The application for any such permit shall: (1) state
26 whether such permit is requested for a single trip or for

1 limited continuous operation; (2) state if the applicant is an
2 authorized carrier under the Illinois Motor Carrier of Property
3 Law, if so, his certificate, registration or permit number
4 issued by the Illinois Commerce Commission; (3) specifically
5 describe and identify the vehicle or vehicles and load to be
6 operated or moved except that for vehicles or vehicle
7 combinations registered by the Department as provided in
8 Section 15-319 of this Chapter, only the Illinois Department of
9 Transportation's (IDT) registration number or classification
10 need be given; (4) state the routing requested including the
11 points of origin and destination, and may identify and include
12 a request for routing to the nearest certified scale in
13 accordance with the Department's rules and regulations,
14 provided the applicant has approval to travel on local roads;
15 and (5) state if the vehicles or loads are being transported
16 for hire. No permits for the movement of a vehicle or load for
17 hire shall be issued to any applicant who is required under the
18 Illinois Motor Carrier of Property Law to have a certificate,
19 registration or permit and does not have such certificate,
20 registration or permit.

21 (c) The Department or local authority when not inconsistent
22 with traffic safety is authorized to issue or withhold such
23 permit at its discretion; or, if such permit is issued at its
24 discretion to prescribe the route or routes to be traveled, to
25 limit the number of trips, to establish seasonal or other time
26 limitations within which the vehicles described may be operated

1 on the highways indicated, or otherwise to limit or prescribe
2 conditions of operations of such vehicle or vehicles, when
3 necessary to assure against undue damage to the road
4 foundations, surfaces or structures, and may require such
5 undertaking or other security as may be deemed necessary to
6 compensate for any injury to any roadway or road structure. The
7 Department shall maintain a daily record of each permit issued
8 along with the fee and the stipulated dimensions, weights,
9 conditions and restrictions authorized and this record shall be
10 presumed correct in any case of questions or dispute. The
11 Department shall install an automatic device for recording
12 applications received and permits issued by telephone. In
13 making application by telephone, the Department and applicant
14 waive all objections to the recording of the conversation.

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

23 (e) As an exception to paragraph (a) of this Section, the
24 Department and local authorities, with respect to highways
25 under their respective jurisdictions, in their discretion and
26 upon application in writing may issue a special permit for

1 limited continuous operation, authorizing the applicant to
2 move loads of agricultural commodities on a 2 axle single
3 vehicle registered by the Secretary of State with axle loads
4 not to exceed 35%, on a 3 or 4 axle vehicle registered by the
5 Secretary of State with axle loads not to exceed 20%, and on a
6 5 axle vehicle registered by the Secretary of State not to
7 exceed 10% above those provided in Section 15-111. The total
8 gross weight of the vehicle, however, may not exceed the
9 maximum gross weight of the registration class of the vehicle
10 allowed under Section 3-815 or 3-818 of this Code.

11 As used in this Section, "agricultural commodities" means:

12 (1) cultivated plants or agricultural produce grown
13 including, but is not limited to, corn, soybeans, wheat,
14 oats, grain sorghum, canola, and rice;

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

17 (3) ensilage; and

18 (4) fruits and vegetables.

19 Permits may be issued for a period not to exceed 40 days
20 and moves may be made of a distance not to exceed 50 miles from
21 a field, an on-farm grain storage facility, a warehouse as
22 defined in the Illinois Grain Code, or a livestock management
23 facility as defined in the Livestock Management Facilities Act
24 over any highway except the National System of Interstate and
25 Defense Highways. The operator of the vehicle, however, must
26 abide by posted bridge and posted highway weight limits. All

1 implements of husbandry operating under this Section between
2 sunset and sunrise shall be equipped as prescribed in Section
3 12-205.1.

4 (e-1) Upon a declaration by the Governor that an emergency
5 harvest situation exists, a special permit issued by the
6 Department under this Section shall not be required from
7 September 1 through December 31 during harvest season
8 emergencies, provided that the weight does not exceed 20% above
9 the limits provided in Section 15-111. All other restrictions
10 that apply to permits issued under this Section shall apply
11 during the declared time period. With respect to highways under
12 the jurisdiction of local authorities, the local authorities
13 may, at their discretion, waive special permit requirements
14 during harvest season emergencies. This permit exemption shall
15 apply to all vehicles eligible to obtain permits under this
16 Section, including commercial vehicles in use during the
17 declared time period.

18 (f) The form and content of the permit shall be determined
19 by the Department with respect to highways under its
20 jurisdiction and by local authorities with respect to highways
21 under their jurisdiction. Every permit shall be in written form
22 and carried in the vehicle or combination of vehicles to which
23 it refers and shall be open to inspection by any police officer
24 or authorized agent of any authority granting the permit and no
25 person shall violate any of the terms or conditions of such
26 special permit. Violation of the terms and conditions of the

1 permit shall not be deemed a revocation of the permit; however,
2 any vehicle and load found to be off the route prescribed in
3 the permit shall be held to be operating without a permit. Any
4 off route vehicle and load shall be required to obtain a new
5 permit or permits, as necessary, to authorize the movement back
6 onto the original permit routing. No rule or regulation, nor
7 anything herein shall be construed to authorize any police
8 officer, court, or authorized agent of any authority granting
9 the permit to remove the permit from the possession of the
10 permittee unless the permittee is charged with a fraudulent
11 permit violation as provided in paragraph (i). However, upon
12 arrest for an offense of violation of permit, operating without
13 a permit when the vehicle is off route, or any size or weight
14 offense under this Chapter when the permittee plans to raise
15 the issuance of the permit as a defense, the permittee, or his
16 agent, must produce the permit at any court hearing concerning
17 the alleged offense.

18 If the permit designates and includes a routing to a
19 certified scale, the permittee, while enroute to the designated
20 scale, shall be deemed in compliance with the weight provisions
21 of the permit provided the axle or gross weights do not exceed
22 any of the permitted limits by more than the following amounts:

| | | |
|----|-------------|-------------|
| 23 | Single axle | 2000 pounds |
| 24 | Tandem axle | 3000 pounds |
| 25 | Gross | 5000 pounds |

26 (g) The Department is authorized to adopt, amend, and to

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

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

19 (2) Vehicles escorting oversized loads more than
20 12-feet wide must be equipped with a rotating or flashing
21 amber light mounted on top as specified under Section
22 12-215.

23 The Department shall establish reasonable rules and
24 regulations regarding liability insurance or self insurance
25 for vehicles with oversized loads promulgated under The
26 Illinois Administrative Procedure Act. Police vehicles may be

1 required for escort under circumstances as required by rules
2 and regulations of the Department.

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

19 (i) Whenever any vehicle is operated or movement made under
20 a fraudulent permit the permit shall be void, and the person,
21 firm, or corporation to whom such permit was granted, the
22 driver of such vehicle in addition to the person who issued
23 such permit and any accessory, shall be guilty of fraud and
24 either one or all persons may be prosecuted for such violation.
25 Any person, firm, or corporation committing such violation
26 shall be guilty of a Class 4 felony and the Department shall

1 not issue permits to the person, firm or corporation convicted
2 of such violation for a period of one year after the date of
3 conviction. Penalties for violations of this Section shall be
4 in addition to any penalties imposed for violation of other
5 Sections of this Act.

6 (j) Whenever any vehicle is operated or movement made in
7 violation of a permit issued in accordance with this Section,
8 the person to whom such permit was granted, or the driver of
9 such vehicle, is guilty of such violation and either, but not
10 both, persons may be prosecuted for such violation as stated in
11 this subsection (j). Any person, firm or corporation convicted
12 of such violation shall be guilty of a petty offense and shall
13 be fined for the first offense, not less than \$50 nor more than
14 \$200 and, for the second offense by the same person, firm or
15 corporation within a period of one year, not less than \$200 nor
16 more than \$300 and, for the third offense by the same person,
17 firm or corporation within a period of one year after the date
18 of the first offense, not less than \$300 nor more than \$500 and
19 the Department shall not issue permits to the person, firm or
20 corporation convicted of a third offense during a period of one
21 year after the date of conviction for such third offense.

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

1 (1) Notwithstanding any other provision of this Section,
2 the Department, with respect to highways under its
3 jurisdiction, and local authorities, with respect to highways
4 under their jurisdiction, may at their discretion authorize the
5 movement of a vehicle in violation of any size or weight
6 requirement, or both, that would not ordinarily be eligible for
7 a permit, when there is a showing of extreme necessity that the
8 vehicle and load should be moved without 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 highways under its
17 jurisdiction and local authorities with respect to highways
18 under their jurisdiction, in their discretion and upon
19 application in writing, may issue a special permit for
20 continuous limited operation, authorizing the applicant to
21 operate a tow-truck that exceeds the weight limits provided for
22 in subsection (a) ~~(d)~~ of Section 15-111, provided:

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

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

1 (2.1) no triple rear axle on a manufactured recovery
2 unit exceeds 60,000 pounds;

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

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

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

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

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

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

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

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

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

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

1 and

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

4 (o) The Department, with respect to highways under its
5 jurisdiction, and local authorities, with respect to highways
6 under their jurisdiction, in their discretion and upon
7 application in writing, may issue a special permit for
8 continuous limited operation, authorizing the applicant to
9 transport raw milk that exceeds the weight limits provided for
10 in subsection (a) ~~subsections (b) and (f)~~ of Section 15-111 of
11 this Code, provided:

12 (1) no single axle exceeds 20,000 pounds;

13 (2) no gross weight exceeds 80,000 pounds;

14 (3) permits issued by the State are good only for
15 federal and State highways and are not applicable to
16 interstate highways; and

17 (4) all road and bridge postings must be obeyed.

18 (Source: P.A. 95-331, eff. 8-21-07; 95-666, eff. 10-11-07.)

19 (625 ILCS 5/15-307) (from Ch. 95 1/2, par. 15-307)

20 Sec. 15-307. Fees for Overweight-Gross Loads. Fees for
21 special permits to move vehicles, combinations of vehicles and
22 loads with overweight-gross loads shall be paid at the flat
23 rate fees established in this Section for weights in excess of
24 legal gross weights, by the applicant to the Department.

25 (a) With respect to fees for overweight-gross loads listed

1 in this Section and for overweight-axle loads listed in Section
2 15-306, one fee only shall be charged, whichever is the
3 greater, but not for both.

4 (b) In lieu of the fees stated in this Section and Section
5 15-306, with respect to combinations of vehicles consisting of
6 a 3-axle truck tractor with a tandem axle composed of 2
7 consecutive axles drawing a semitrailer, or other vehicle
8 approved by the Department, equipped with a tandem axle
9 composed of 3 consecutive axles, weighing over 80,000 pounds
10 but not more than 88,000 pounds gross weight, the fees shall be
11 at the following rates:

| 12 | Distance | Rate |
|----|--------------------------------------|-------|
| 13 | For the first 45 miles | \$10 |
| 14 | From 45 miles to 90 miles | 12.50 |
| 15 | From 90 miles to 135 miles | 15.00 |
| 16 | From 135 miles to 180 miles | 17.50 |
| 17 | From 180 miles to 225 miles | 20.00 |
| 18 | For each additional 45 miles or part | |
| 19 | thereof in excess of the rate for | |
| 20 | 225 miles, an additional | 2.50 |

21 For such combinations weighing over 88,000 pounds but not
22 more than 100,000 pounds gross weight, the fees shall be at the
23 following rates:

| 24 | Distance | Rate |
|----|---------------------------|------|
| 25 | For the first 45 miles | 15 |
| 26 | From 45 miles to 90 miles | 25 |

| | | |
|---|--------------------------------------|----|
| 1 | From 90 miles to 135 miles | 35 |
| 2 | From 135 miles to 180 miles | 45 |
| 3 | From 180 miles to 225 miles | 55 |
| 4 | For each additional 45 miles or part | |
| 5 | thereof in excess of the rate for | |
| 6 | 225 miles, an additional | 10 |

7 For such combination weighing over 100,000 pounds but not
8 more than 110,000 pounds gross weight, the fees shall be at the
9 following rates:

| 10 | Distance | Rate |
|----|--------------------------------------|-------|
| 11 | For the first 45 miles | \$20 |
| 12 | From 45 miles to 90 miles | 32.50 |
| 13 | From 90 miles to 135 miles | 45 |
| 14 | From 135 miles to 180 miles | 57.50 |
| 15 | From 180 miles to 225 miles | 70 |
| 16 | For each additional 45 miles or part | |
| 17 | thereof in excess of the rate for | |
| 18 | 225 miles an additional | 12.50 |

19 For such combinations weighing over 110,000 pounds but not
20 more than 120,000 pounds gross weight, the fees shall be at the
21 following rates:

| 22 | Distance | Rate |
|----|-----------------------------|------|
| 23 | For the first 45 miles | \$30 |
| 24 | From 46 miles to 90 miles | 55 |
| 25 | From 90 miles to 135 miles | 80 |
| 26 | From 135 miles to 180 miles | 105 |

| | | |
|---|--------------------------------------|-----|
| 1 | From 180 miles to 225 miles | 130 |
| 2 | For each additional 45 miles or part | |
| 3 | thereof in excess of the rate | |
| 4 | for 225 miles an additional | 25 |

5 Payment of overweight fees for the above combinations also
6 shall include fees for overwidth dimensions of 4 feet or less,
7 overheight and overlength. Any overwidth in excess of 4 feet
8 shall be charged an additional fee of \$15.

9 (c) In lieu of the fees stated in this Section and Section
10 15-306 of this Chapter, with respect to combinations of
11 vehicles consisting of a 3-axle truck tractor with a tandem
12 axle composed of 2 consecutive axles drawing a semitrailer, or
13 other vehicle approved by the Department, equipped with a
14 tandem axle composed of 2 consecutive axles, weighing over
15 80,000 pounds but not more than 88,000 pounds gross weight, the
16 fees shall be at the following rates:

| | | |
|----|--------------------------------------|-------|
| 17 | Distance | Rate |
| 18 | For the first 45 miles | \$20 |
| 19 | From 45 miles to 90 miles | 32.50 |
| 20 | From 90 miles to 135 miles | 45 |
| 21 | From 135 miles to 180 miles | 57.50 |
| 22 | From 180 miles to 225 miles | 70 |
| 23 | For each additional 60 miles or part | |
| 24 | thereof in excess of the rate for | |
| 25 | 225 miles an additional | 12.50 |

1 For such combination weighing over 88,000 pounds but not
 2 more than 100,000 pounds gross weight, the fees shall be at the
 3 following rates:

| 4 Distance | Rate |
|---|------|
| 5 For the first 45 miles | \$30 |
| 6 From 46 miles to 90 miles | 55 |
| 7 From 90 miles to 135 miles | 80 |
| 8 From 135 miles to 180 miles | 105 |
| 9 From 180 miles to 225 miles | 130 |
| 10 For each additional 45 miles or part | |
| 11 thereof in excess of the rate for | |
| 12 225 miles an additional | 25 |

13 Payment of overweight fees for the above combinations also
 14 shall include fees for overwidth dimension of 4 feet or less,
 15 overheight and overlength. Any overwidth in excess of 4 feet
 16 shall be charged an additional overwidth fee of \$15.

17 (d) In lieu of the fees stated in this Section and in
 18 Section 15-306 of this Chapter, with respect to a 3 (or more)
 19 axle mobile crane or water well-drilling vehicle consisting of
 20 a single axle and a tandem axle or 2 tandem axle groups
 21 composed of 2 consecutive axles each, with a distance of
 22 extreme axles not less than 18 feet, weighing not more than
 23 60,000 pounds gross with no single axle weighing more than
 24 21,000 pounds, or any tandem axle group to exceed 40,000
 25 pounds, the fees shall be at the following rates:

| 26 Distance | Rate |
|-------------|------|
|-------------|------|

1 For the first 45 miles \$12.50

2 For each additional 45 miles or portion thereof 9.00

3 For such vehicles weighing over 60,000 pounds but not more
4 than 68,000 pounds with no single axle weighing more than
5 21,000 pounds and no tandem axle group exceeding 48,000 pounds,
6 the fees shall be at the following rates:

| 7 Distance | 8 Rate |
|------------|--------|
|------------|--------|

| | |
|--------------------------|------|
| 9 For the first 45 miles | \$20 |
|--------------------------|------|

| | |
|--|-------|
| 10 For each additional 45 miles or portion thereof | 12.50 |
|--|-------|

11 Payment of overweight fees for the above vehicle shall
12 include overwidth dimension of 4 feet or less, overheight and
13 overlength. Any overwidth in excess of 4 feet shall be charged
14 an additional overwidth fee of \$15.

15 (e) In lieu of the fees stated in this Section and in
16 Section 15-306 of this Chapter, with respect to a 4 (or more)
17 axle mobile crane or water well drilling vehicle consisting of
18 2 sets of tandem axles composed of 2 or more consecutive axles
19 each with a distance between extreme axles of not less than 23
20 feet weighing not more than 72,000 pounds with axle weights on
21 one set of tandem axles not more than 34,000 pounds, and weight
22 in the other set of tandem axles not to exceed 40,000 pounds,
23 the fees shall be at the following rates:

| 23 Distance | 24 Rate |
|-------------|---------|
|-------------|---------|

| | |
|---------------------------|------|
| 24 For the first 45 miles | \$15 |
|---------------------------|------|

| | |
|--|----|
| 25 For each additional 45 miles or portion thereof | 10 |
|--|----|

1 For such vehicles weighing over 72,000 pounds but not more
 2 than 76,000 pounds with axle weights on either set of tandem
 3 axles not more than 44,000 pounds, the fees shall be at the
 4 following rates:

| 5 Distance | Rate |
|---|-------|
| 6 For the first 45 miles | \$20 |
| 7 For each additional 45 miles or portion thereof | 12.50 |

8 Payment of overweight fees for the above vehicle shall
 9 include overwidth dimension of 4 feet or less, overheight and
 10 overlength. Any overwidth in excess of 4 feet shall be charged
 11 an additional fee of \$15.

12 (f) In lieu of fees stated in this Section and in Section
 13 15-306 of this Chapter, with respect to a two axle mobile crane
 14 or water well-drilling vehicle consisting of 2 single axles
 15 weighing not more than 48,000 pounds with no single axle
 16 weighing more than 25,000 pounds, the fees shall be at the
 17 following rates:

| 18 Distance | Rate |
|--|------|
| 19 For the first 45 miles | \$15 |
| 20 For each additional 45 miles or portion thereof | 10 |

21 For such vehicles weighing over 48,000 pounds but not more
 22 than 54,000 pounds with no single axle weighing more than
 23 28,000 pounds, the fees shall be at the following rates:

| 24 Distance | Rate |
|--|-------|
| 25 For the first 45 miles | \$20 |
| 26 For each additional 45 miles or portion thereof | 12.50 |

1 Payment of overweight fees for the above vehicle shall
2 include overwidth dimension of 4 feet or less, overheight and
3 overlength. Any overwidth in excess of 4 feet shall be charged
4 an additional overwidth fee of \$15.

5 (g) Fees for special permits to move vehicles, combinations
6 of vehicles, and loads with overweight gross loads not included
7 in the fee categories shall be paid by the applicant to the
8 Department at the rate of \$50 plus 3.5 cents per ton-mile in
9 excess of legal weight.

10 With respect to fees for overweight gross loads not
11 included in the schedules specified in paragraphs (a) through
12 (e) of Section 15-307 and for overweight axle loads listed in
13 Section 15-306, one fee only shall be charged, whichever is the
14 greater, but not both. An additional fee in accordance with the
15 schedule set forth in Section 15-305 shall be charged for each
16 overdimension.

17 (h) Fees for special permits for continuous limited
18 operation authorizing the applicant to operate vehicles that
19 exceed the weight limits provided for in subsection (a) ~~(d)~~ of
20 Section 15-111.

21 All single axles excluding the steer axle and axles within
22 a tandem are limited to 24,000 pounds or less unless otherwise
23 noted in this subsection (h). Loads up to 12 feet wide and 110
24 feet in length shall be included within this permit. Fees shall
25 be \$250 for a quarterly and \$1,000 for an annual permit. Front
26 tag axle and double tandem trailers are not eligible.

1 The following configurations qualify for the quarterly and
2 annual permits:

3 (1) 3 or more axles, total gross weight of 68,000
4 pounds or less, front tandem or axle 21,000 pounds or less,
5 rear tandem 48,000 pounds or less on 2 or 3 axles, 25,000
6 pounds or less on single axle;

7 (2) 4 or more axles, total gross weight of 76,000
8 pounds or less, front tandem 44,000 pounds or less on 2
9 axles, front axle 20,000 pounds or less, rear tandem 44,000
10 pounds or less on 2 axles and 23,000 pounds or less on
11 single axle or 48,000 pounds or less on 3 axles, 25,000
12 pounds or less on single axle;

13 (3) 5 or more axles, total gross weight of 100,000
14 pounds or less, front tandem 48,000 pounds or less on 2
15 axles, front axle 20,000 pounds or less, 25,000 pounds or
16 less on single axle, rear tandem 48,000 pounds or less on 2
17 axles, 25,000 pounds or less on single axle;

18 (4) 6 or more axles, total gross weight of 120,000
19 pounds or less, front tandem 48,000 pounds or less on 2
20 axles, front axle 20,000 pounds or less, single axle 25,000
21 pounds or less, or rear tandem 60,000 pounds or less on 3
22 axles, 21,000 pounds or less on single axles within a
23 tandem.

24 (Source: P.A. 96-34, eff. 1-1-10.)

25 (625 ILCS 5/15-316) (from Ch. 95 1/2, par. 15-316)

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

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

14 (b) The local authority enacting any such ordinance or
15 resolution shall erect or cause to be erected and maintained
16 signs designating the provision of the ordinance or resolution
17 at each end of that portion of any highway affected thereby,
18 and the ordinance or resolution shall not be effective unless
19 and until such signs are erected and maintained.

20 (c) Local authorities, including home rule counties or
21 municipalities, with respect to highways under their
22 jurisdiction may also, by ordinance or resolution, prohibit the
23 operation of trucks or other commercial vehicles, or may impose
24 limitations as the weight thereof, on designated highways,
25 which prohibitions and limitations shall be designated by
26 appropriate signs placed on such highways.

1 (c-1) (Blank).

2 (c-2) Local authorities, including home rule counties or
3 municipalities, shall not prohibit the operation of trucks and
4 other commercial vehicles or require permits for any weight and
5 size in excess of local restrictions when gaining access to or
6 egress from points of loading or unloading by the most direct
7 and shortest route available, provided the vehicles are of
8 legal weight and size as if the road had not been restricted.

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 not be
23 fined in excess of \$500 ~~\$50~~ for any weight exceeding the posted
24 limit up to the axle or gross weight limit allowed a vehicle as
25 provided for in subsection ~~subsections~~ (a) ~~or (b)~~ of Section
26 15-111 and \$150 ~~\$75~~ per every 500 pounds or fraction thereof

1 for any weight exceeding that which is provided for in
2 subsection ~~subsections~~ (a) ~~or (b)~~ of Section 15-111.

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

7 (g) An ordinance or resolution enacted by a county or
8 township pursuant to subsection (a) of this Section shall not
9 apply to cargo tank vehicles with two or three permanent axles
10 when delivering propane for emergency heating purposes if the
11 cargo tank is loaded at no more than 50 percent capacity, the
12 gross vehicle weight of the vehicle does not exceed 32,000
13 pounds, and the driver of the cargo tank vehicle notifies the
14 appropriate agency or agencies with jurisdiction over the
15 highway before driving the vehicle on the highway pursuant to
16 this subsection. The cargo tank vehicle must have an operating
17 gauge on the cargo tank which indicates the amount of propane
18 as a percent of capacity of the cargo tank. The cargo tank must
19 have the capacity displayed on the cargo tank, or documentation
20 of the capacity of the cargo tank must be available in the
21 vehicle. For the purposes of this subsection, propane weighs
22 4.2 pounds per gallon. This subsection does not apply to
23 municipalities. Nothing in this subsection shall allow cargo
24 tank vehicles to cross bridges with posted weight restrictions
25 if the vehicle exceeds the posted weight limit.

26 (h) The regulation of the right to use highways is an

1 exclusive power and function of the State. Except as granted in
2 this Chapter, a home rule unit may not restrict the right to
3 use highways. This Section is a denial and limitation of home
4 rule powers and functions under subsection (h) of Section 6 of
5 Article VII of the Illinois Constitution.

6 (Source: P.A. 96-1337, eff. 1-1-11.)