

ILLINOIS STATE POLICE DIRECTIVE ENF-035, PERMIT MOVEMENTS

RESCINDS: ENF-035, 2014-002, revised 01-11-2014.	REVISED: 10-24-2017 2017-065
RELATED DOCUMENTS: None	RELATED CALEA STANDARDS: 61.1.5, 61.3.3

I. POLICY

The Illinois State Police (ISP) will:

- I.A. Strictly enforce statutes pertaining to oversize and overweight permits in accordance with the provisions of the Illinois Compiled Statutes (ILCS).
- I.B. Expedite the movement of trucks with specialized cargo (livestock, hazardous materials, garbage, concrete, or hot asphalt) after receiving appropriate Illinois Department of Transportation (IDOT) authorization.

II. DEFINITIONS

Concurrence of movements - a request for authorization to move an overweight truck.

III. PROCEDURES

III.A. Violation of permit

- III.A.1. All permits issued by the IDOT for oversize and overweight will be checked carefully to determine if any provisions have been violated.
- III.A.2. The following offenses will be considered a violation of an oversize/overweight permit issued by the IDOT. These violations of permit will not render the entire permit null and void:
 - III.A.2.a. Incorrect license number or state
 - III.A.2.b. Incorrect make, model, description, or serial number
 - III.A.2.c. Incorrect number of axles
 - III.A.2.d. Gross, tandem, or single axle weights that are in excess of those permitted
 - III.A.2.e. Width, length, and/or height in excess of the permit
 - III.A.2.f. Failure to comply with the general conditions, specific provisions, and notes listed on the permit
 - III.A.2.g. Movement of the permit load within one day before or one day after the effective or expiration dates
 - III.A.2.h. Movement of load off of required route of travel listed on the permit

NOTE: This list is not comprehensive, but reflects the most prevalent instances of permit violations.

- III.A.3. Under a violation of permit, the permittee must either bring the permit load into conformance with the conditions of the permit or purchase a new permit before continuing.
- III.A.4. When a driver has violated a provision listed in a permit, the following procedures will apply:
 - III.A.4.a. A citation will be issued for "violation of permit," 625 ILCS 5/15-301(j).

III.A.4.b. A citation should be issued for the related Illinois Vehicle Code section violated, i.e.:

- III.A.4.b.1) 625 ILCS 5/15-102, "Width of vehicles"
- III.A.4.b.2) 625 ILCS 5/15-103, "Height of vehicles"
- III.A.4.b.3) 625 ILCS 5/15-107, "Length of vehicles"
- III.A.4.b.4) 625 ILCS 5/15-111, "Wheel and axle loads and gross weights"

III.A.4.c. The permit number is to be written on the left margin of the citation.

III.A.4.d. The following information is to be written on either the face or the back of the permit:

- III.A.4.d.1) Citation number
- III.A.4.d.2) Location
- III.A.4.d.3) Time and date of stop
- III.A.4.d.4) Provision of the permit that was violated
- III.A.4.d.5) Name and ID number of the arresting officer

III.A.5. The permit is to be returned to the driver of the vehicle.

III.B. If the driver is unable to adjust the load to conform to the existing permit, the driver will not be allowed to proceed before obtaining a new permit.

III.C. When an over-dimension permit is issued for height, length, or width, and specifies weights be legal, either axle or gross, it is not a permit violation if the vehicle is found to be overweight since no request was made to exceed the legal weight limits. In this case, if the excess weight exceeds the statutory tolerance, an overweight citation will be issued and bond collected in accordance with 625 ILCS 5/15-113.

III.D. When a permit is issued for excess weight and the actual weight exceeds that specified in the permit, the statutory tolerance does not apply and the bond is computed under 625 ILCS 5/15-113.2 for axle weight or 625 ILCS 5/15-113.3 for gross weight.

III.E. When a driver of a vehicle operating under permit is arrested for violations of the Illinois Vehicle Code other than a permit violation, no notation will be made on the permit or citation.

III.F. When a permit move is on the permitted route, but moving during off hours, issue a citation for violation of 625 ILCS 5/15-301(j) or 15-301(h).

III.F.1. The fact the movement is operating during off hours does not invalidate the rest of the permit.

III.F.2. The load would be allowed to move during approved hours.

III.F.3. If an oversize movement operating illegally at night has, in the officer's opinion, grossly endangered the motoring public, the officer may consider a charge of reckless conduct, 720 ILCS 5/12-5. Reckless conduct is a Class A misdemeanor.

III.F.3.a. Appropriate bonding procedures should be utilized to minimize impact to the motoring public.

III.F.3.b. In instances where a custodial arrest is made and the permit move will remain on the highway, the shift commander will be notified.

III.G. If there is any question as to the validity of the permit, the officer should request the District Headquarters contact the IDOT, Station One, (217) 782-2937, Monday through Saturday from 5:00 a.m. until 9:00 p.m.

III.H. Concurrence of movements

III.H.1. Request for authorization to move an overweight truck (carrying cargo specified in paragraph I.B.) should be made only after all reasonable attempts to dispose of the load have been exhausted.

- III.H.2. After bail bond has been posted, the arresting officer or Truck Weight Inspector requesting such authorization will provide the district operations officer with the following information that will be forwarded to the Springfield Communications Center via terminal LYB and IDOT via terminal AIP.
 - III.H.2.a. Contents of the load
 - III.H.2.b. Name of the trucking company
 - III.H.2.c. Origin of the load
 - III.H.2.d. Destination of the load
 - III.H.2.e. Number of axles on the unit
 - III.H.2.f. Amount and location of overweight (axle, tandem, gross, bridge)
 - III.H.2.g. Nearest location to unload
 - III.H.2.h. Routes of travel to unloading location
 - III.H.2.i. Authorization requests involving hazardous materials should include a recommendation as to the safe disposition of the excess load
- III.H.3. If a live load is in danger of expiring and the driver cannot post bond, the driver will be allowed to move the load over approved routes to a place where enforcement/bonding procedures can be completed without endangering the animals.
- III.H.4. Concrete trucks will be weighed with the mixing drum disengaged prior to pulling on the scale.
- III.H.5. Loads of containerized hazardous materials, where the containers can be shifted without unloading to make the load legal, are not normally eligible for a concurrence of movement.
- III.I. Fraudulent permit
 - III.I.1. A fraudulent permit is either a document that purports to have been issued by the IDOT when in fact no such permit was issued or a single trip permit issued by the IDOT that is being used more than once. Any movement under a fraudulent permit would be in violation of 625 ILCS 5/15-301(i), a Class 4 felony.
 - III.I.2. The driver should be charged with any applicable violations of the vehicle code.
 - III.I.3. The fraudulent permit must be confiscated as evidence and the driver given a receipt.
- III.J. Multiple Objects
 - III.J.1. Multiple objects may be carried on permits issued for height provided no other legal dimension or weight is exceeded. If another dimension or weight is exceeded, the permit shall be deemed void and the driver should be cited for the applicable sections violated, i.e. 15-102, 15-107, and/or 15-111.
 - III.J.2. Multiple objects may be carried on a permit issued for width provided no other legal dimension or weight is exceeded. If another dimension or weight is exceeded, the permit shall be deemed void and the driver should be cited for the applicable sections violated, i.e. 15-103, 15-107, and/or 15-111.
 - III.J.3. Multiple objects may be carried on a permit issued for length provided no other legal dimension or weight is exceeded. If another dimension or weight is exceeded, the permit shall be deemed void and the driver should be cited for the applicable sections violated, i.e. 15-102, 15-103, and/or 15-111.
 - III.J.4. Multiple objects are not allowed on permits issued for weight. This would render the permit void and the driver should be cited for all applicable violations. This movement would not be allowed to continue until the additional object(s) are removed.

- III.K. Routing listed on a permit will include one highway mile onto another contiguous state jurisdiction highway provided that no structures are crossed, no posted weight limits are exceeded, over-dimensional moves are not obstructed, all other provisions of the permit are followed, and the route is used for any of the following reasons:
 - III.K.1. To obtain fuel and/or repairs
 - III.K.2. To provide for food or rest for the driver
 - III.K.3. To allow for the legal return to a permitted route after mistakenly going off route
 - III.K.4. To comply with regulatory signs to weigh
- III.L. An escort for a vehicle violating its permit is allowed if the bonding procedures have not taken place and the vehicle needs to be moved for the safety of the public, the vehicle, or the cargo.

| Indicates new or revised items.

-End of Directive-