

**ILLINOIS STATE POLICE
ENF-034, OVERWEIGHT TICKET AND BONDING**

RESCINDS: ENF-034, 2012-043, revised 06-18-2012.	REVISED: 09-14-2015 2015-070
RELATED DOCUMENTS: ENF-013, ENF-015	RELATED CALEA STANDARDS: 61.1.2, 61.1.5, 61.2.5

I. POLICY

The Illinois State Police (ISP) will use the Illinois State Police Overweight Ticket and Complaint, form ISP 5-78 (a copy of this form is available in each District), to document arrest and bond information on overweight vehicles.

II. PROCEDURES

II.A. When completing an overweight complaint form, use a black ballpoint pen and press firmly.

II.A.1. Print all the required information, except signatures.

II.A.2. If an entry is not applicable, use the letters "N/A". Completion instructions are contained in Addendum 1.

II.B. Bonding

II.B.1. Bonding procedures are set forth in:

II.B.1.a. 625 ILCS 5/1-100 et seq., "Illinois Vehicle Code"

II.B.1.b. 705 ILCS 105/0.01 et seq., "Clerks of Courts Act"

II.B.1.c. 720 ILCS 5/1-1 et seq., "Criminal Code of 2012"

II.B.1.d. 730 ILCS 5/5-9-1, "Unified Code of Corrections: Authorized fines."

II.B.1.e. Supreme Court Rule 526(b), "Bail in Certain Truck Offenses"

II.B.2. Instructions for computing overweight bail are contained in Addendum 1.

II.C. Distribution

Having properly entered all the required applicable information:

II.C.1. Give the defendant the violator's and court communication copies.

II.C.2. Convey the complaint and court disposition copies of the Overweight Ticket and Complaint to the clerk of the circuit court with the cash bail or authorized bond certificate.

II.C.3. Upon completion of data entry, the police report copy will be forwarded to the Records Management Section, where the ticket will be imaged.

| Indicates new or revised items.

-End of Directive-

**ILLINOIS STATE POLICE
ENF-034, OVERWEIGHT TICKET AND BONDING
ADDENDUM 1, TICKET COMPLETION INSTRUCTIONS**

RESCINDS: ENF-034, Addendum 1, 2015-070, revised 09-14-2015.	REVISED: 02-16-2016 2015-070A
RELATED DOCUMENTS: ENF-013, ENF-015	RELATED CALEA STANDARDS: 61.1.2, 61.1.5, 61.2.5

COMPLAINT SECTION

1. **Case #** - Leave blank. For court use.
2. **ISP District of Occurrence** – Record the two-digit numeric (i.e. 07, 05, 20) for the District in which the violation occurred.
3. **ISP District of Assignment** – Record the two-digit numeric for the officer’s assigned district.
4. **County of** – Record the county in which the violation occurred.
5. **Township of** – Record the township in which the violation occurred. Use the applicable designator in place of the township name “Chicago” for activity that occurs on interstate highways in the city of Chicago.
6. **Scale #** - Record the location where the vehicle was weighed, indicating the state scale number (33W, 15, 34, etc.).
 - a. If the vehicle was weighed at a private scale, record the name and location of the scale.
 - b. If weighed on a state semi-portable scale, record the appropriate portable scale number (201, 202, etc.).
7. **Scale Operator** – Record the name of the person operating the scale.
8. Check the box labeled “People State of Illinois v.”

DEFENDANT SECTION

9. **NAME** – Record the last name, first name, and middle name, or initial, of the violator.
10. Check whether Female or Male.
11. **ADDRESS** – Record the complete street address, including City, State, and Zip Code of the violator.
12. **DR. LIC #** - Record the driver’s license number of the violator and check if it is a Commercial Driver’s License.
13. **CLASS** – Record the class of driver’s license issued.
14. **STATE** – Record the state in which the driver’s license was issued.
15. **DOB** – Record the violator’s date of birth, using numeric designators for the month, day, and year.
16. **HGT** – Record the violator’s height.
17. **WGT** – Record the violator’s weight.
18. **EYES** – Record the color of the violator’s eyes.
19. **Undersigned states that on** – Record the date the violation occurred (numeric designators), the time of the violation, and check off a.m. or p.m.

VEHICLE SECTION

20. **REG NO.** – Record the base plate registration number of the vehicle (power unit).
21. **YEAR** – Record the year in which the base plate registration expires.
22. **STATE** – Record the state in which the base plate was issued.
23. **NO. AXLES** – Record the number of load bearing axles of the vehicle or combination of vehicles.
24. **ICC or US DOT #** - Record the Illinois Commerce Commission or the United States Department of Transportation number.
25. **COLOR** – Record the color of the vehicle.
26. **YEAR** – Record the year in which the vehicle was manufactured.
27. **MAKE** – Record the make of the vehicle (e.g., Chevrolet, Mack, Peterbilt, etc. – abbreviations permitted).
28. **TYPE** – Record the type of vehicle (e.g., truck, semitrailer, dump, garbage, trailer, etc. – abbreviations permitted).
29. **On a Public Highway, namely on** – Record the exact location of the offense from the nearest intersecting numbered state, county or township highway name street or mile post number (if applicable).

VIOLATION SECTION

30. **Overweight on** – If the offense is for an axle overweight, gross overweight, or bridge formula violation, insert an “X” in the proper box.
 - a. 15-111() – If the offense is for an overweight on axle, bridge, or gross, check the box and record the letter “a.”

Record the total weight of the particular axle, or axles, that was found to be in violation.

Record the axle, or series of axles for bridge and gross violations (e.g., #1 axle for steering, axle #2-3 for drive, axles #4-5 for rear trailer tandem, axles #2-5 for inner bridge formula, or axles #1-5 for gross).

Record the number of pounds in excess of the allowable weight for the axle found to be in violation.

Record the Axle Permit number or the Gross Permit number.
 - b. 3-401(d)(2) – If the violation is of this section, check the box.

Record the gross weight of the vehicle.

Record the number of pounds in excess of the allowable weight for the vehicle found to be in violation.
31. If the violation is another ILCS or local ordinance, check the appropriate box and enter the proper identifying references.

WEIGHTS SECTION

32. Record the gross weight of the axles being checked. (**NOTE:** Axle 1 is always the front axle of the truck or truck-tractor. Use the other numbers sequentially for the other axles on the vehicle or combination of vehicles.) If weighing by axle, weigh as follows:
 - a. Axle 1 is always the front axle of the truck or truck-tractor and should be weighed separately.
 - b. Axle 2 may be weighed separately, or in tandem with Axle 3. If weighed in tandem, record the weight on the line marked "Axle 3."
 - c. Axle 4 may be weighed separately, in tandem with Axle 5 or as part of a tri-axle with Axle 5 and Axle 6. If weighed in tandem, record the weight on the line marked "Axle 5." If weighed as tri-axle, record the weight on the line marked "Axle 6."
33. Record the state of Illinois inspection number(s) of the scale where the vehicle was weighed.
34. Record the month and year the scale was tested (the certificate is valid for one year from the date of inspection).
35. Record the distance, by measurement, to the nearest foot, between the center of the extreme axles being checked on the vehicle.
36. When applicable, check the Functioning Auxiliary Power Unit box.
37. Record the weather conditions which existed at the time of the arrest (clear, cloudy, rain, snow, sleet, ice, etc.).

BOND SECTION

38. **Lbs. in excess** - Record the amount of the gross pounds in excess.
39. **Fine** - Record the amount of fine for the overweight violation.
 - a. Fines for violating 625 ILCS 5/15-111(a), overweight on axle, bridge, or gross are found in section 625 ILCS 5/15-113.
 - b. Fines for violations of section 625 ILCS 5/15-111(c), overweight on axle or gross (permit), are found in sections 625 ILCS 5/15-113.2 and 625 ILCS 5/15-113.3 (for bond line purposes, use the minimum applicable provided for in the statutes).
 - c. Fines for overweight violations using a fraudulent permit or a permit not covering the specific move are found in 625 ILCS 5/15-113.1.
 - d. Fines for overweight on registration are found in section 625 ILCS 5/15-113, however, no fine for this section will exceed the cost of the registration that would have been required.
40. **Clerk Fee** - Record the proper amount of the Clerk fee. Refer to the circuit clerk in the county in which the violation occurred to collect the proper clerk fee.
41. **Court Automation** - Record the proper amount of the applicable Court Automation fee. Refer to the circuit clerk in the county in which the violation occurred to collect the applicable Court Automation fee.
42. **Document Storage** - Record the proper amount of any applicable Document Storage fee. Refer to the circuit clerk in the county in which the violation occurred to collect the proper Document Storage fee.
43. **Court Fund** - Record the proper amount for the Court Fund. Refer to the county in which the violation occurred to collect the proper court fund fee as provided in 55 ILCS 5/5-1101.

44. **Surcharge** – Record the proper amount of any applicable Surcharge. Compute the amount of penalty assessment required by 730 ILCS 5/5-9-1(c) at \$10 per \$40, or fraction thereof, of the fine imposed on the Fine line.
45. **Other** - Refer to the circuit clerk in the county in which the violation occurred to collect any other fees required by the circuit clerk and this amount must be added to the court costs.
46. **Total Bail** - Enter the amount of the total of all fines and fees.
47. **Bill paid** (Check the correct box)
 - a. If the violator has posted a cash bail or E-Bond, check the correct box provided.
 - b. If the violator posted an authorized bond certificate, record the certificate number posted by the violator.
 - c. The violator may be issued a Notice to Appear (see ISP directive ENF-015, "Notice to Appear"). If so, enter the NTA number.
 - d. The violator may be issued an I-Bond (see ISP directive ENF-013, "Bonding Procedures"). If so, enter the I-Bond number.

COURT PLACE/DATE SECTION

48. Record the complete address of the circuit court to which the violator must report.
49. Record the numeric month, day and year on which the violator is to appear in court.
50. Record the exact time, indicating with an "X" whether a.m. or p.m., at which the violator may appear in court.

SIGNATURE SECTION

51. Record the numeric month, day, and year in which the complaint was issued.
52. Officer's name, print rank and ID. If a Truck Weighing Inspector (TWI) issues the complaint, the inspector will sign, then print TWI number.
53. The violator should sign the citation on the line provided.
54. Sworn Officers will comply with ENF-012, by completing the ISP e-Stop card when required.

| Indicates new or revised items.

-End of Addendum-