



Legislative & Regulatory Update

December 30, 2009

Several new laws affecting the trucking industry take effect on January 1, 2010. Following is a summary of the various changes to laws that affect trucking industry companies.

Uniform 80,000# Truck Access

On January 1, Illinois will join the other 49 states that use the Federal Bridge Formula and a corresponding 80,000-pound gross weight limit for commercial vehicles as the default weight limit on nearly all roads, state and local.

Illinois' outdated 73,280-pound limit will be eliminated as of the first of the year. In addition, the 18,000-pound axle and 32,000-pound tandem limits will be eliminated. The default axle and tandem weight limit for all roads in Illinois as of January 1 will be 20,000-pounds and 34,000-pounds, respectively, unless a road is posted for a lower limit.

Please note that if you currently have a Special Haul Vehicle (SHV), you will still need to pay for the SHV sticker and the vehicle is still limited to a gross weight of 72,000-pounds. However, as of January 1, the axle-weight limit has increased from 18,000-pounds to 20,000-pounds and the tandem weight limit has increased from 32,000-pounds to 34,000-pounds for SHV's.

It is also important to note that state and local jurisdictions will still have the ability to post roads and bridges with a lower limit in certain circumstances. An elevated structure (bridge, culvert, etc.) that has been inspected and rated to a lower weight limit may be posted for the lower weight limit. Local jurisdictions will also have the ability to post roads for up to 90 days for freeze-thaw cycles.

Also, the cost for overweight fines will be doubled as of 1/1/10. The fee schedule for overweight fines will be as follows:

Up to and including 2,000 pounds overweight:	\$100
2,001 through 2,500 pounds overweight:	\$270
2,501 through 3,000 pounds overweight:	\$330
3,001 through 3,500 pounds overweight:	\$520
3,501 through 4,000 pounds overweight:	\$600
4,001 through 4,500 pounds overweight:	\$850
4,501 through 5,000 pounds overweight:	\$950
5,001 or more pounds:	\$1,500 for the first 500 pounds overweight and \$150 for each additional increment of 500 pounds overweight or fraction thereof.

Uniform 80,000# truck access was included in the \$29-billion Capital Bill for road, bridge, and school construction. The capital construction plan is funded by increases in automobile registration fees, non-CDL driver's license fees, and title transfer fees. Funds will also come from applying the state's 6.25% sales tax to candy, non-carbonated beverages, and beauty

products. The Capital Bill also relies on increased taxes on beer, wine, and liquor as well as selling lotto tickets over the internet and legalizing video poker throughout the state.

UNIFORM 65 MPH SPEED LIMIT ON RURAL INTERSTATES

As of January 1, the maximum speed limit on rural interstates outside of Cook, DuPage, Kane, Lake, McHenry, and Will Counties for trucks and other combination vehicles will be 65 mph, the same as for automobiles.

The Illinois Department of Transportation has advised that they will begin removing the 55 mph signs on January 4. However, the Illinois State Police has indicated that they will begin enforcement of the new speed limits on the law's effective date, January 1.

Drivers should be aware that speed limits have changed only on rural interstates and only in areas outside of the 6-county Chicago-area.

There are several areas particularly in Will and Kane Counties, where the speed limit will remain split 65/55 for cars and trucks. In addition, the new law does not affect four-lane divided highways that are not classified as a rural interstate.

TEXTING WHILE DRIVING BAN

Texting while driving is a violation of state law and the offense is considered a moving violation as of January 1.

The new law prohibits a person from "operating a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message."

Motorists may use an electronic communication device in hands-free or voice-activated mode, to report an emergency, while parked on the shoulder of a roadway, or if the vehicle is stopped due to normal traffic being obstructed and the vehicle is in neutral or park.

Truck drivers are permitted to read only a message that is displayed on a permanently installed communication device.

CELL PHONES BANNED IN SCHOOL ZONES/CONSTRUCTION ZONES

The use of a wireless telephone is now prohibited at any time in a school speed zone or in a highway construction zone. Wireless phones can be used in the school zone or work zone in the event of an emergency or if the phone is used in a voice-activated mode.

UNIFORM 8' 6" TRUCK WIDTH

As of January 1, Illinois' legal vehicle width limit is 102" on all vehicles for all roads. Prior to the passage of this legislation, 102" wide vehicles were restricted to Class I and Class II highways only and the limit for Class III roads and local roads was 96".

ANTI-INDEMNIFICATION FOR MOTOR CARRIER CONTRACTS

Effective upon Governor Quinn's signature on August 26, 2009, certain provisions in motor carrier contracts are void.

The new law voids any contract provision that a company, such as a manufacturer, asks a motor carrier to sign that attempts to indemnify or hold the company harmless, against any liability for loss or damage resulting from the negligence of the company.

IDLING FINES INCREASE IN CHICAGO AND METRO-EAST ST. LOUIS AREAS

Beginning on January 1, the fine for violating the state's 10-minute diesel idling limit will increase from \$50 for a first offense and \$150 for a second offense to \$90 for a first offense and \$500 for a second offense.

Diesel engine idling limits are in affect only in the Chicago-area and in the Metro-East St. Louis-area. The engine idling limit remains 10-minutes per hour and the list of exemptions from the idling limit still remain in effect, including when the outdoor temperature is above 80-degrees or below 32-degrees.

LEGISLATOR CONTACT INFORMATION

Want a way to continually communicate with lawmakers about trucking industry issues that are vital to the success of the industry in this state?

To see who your Legislators are go to:

<http://www.elections.il.gov/DistrictLocator/SelectSearchType.aspx>

For the contact information of your legislator, go to:

<http://www.ilga.gov>

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