

Frequently Asked Questions regarding HB5646



What are oversize/overweight vehicles?

Oversize/overweight vehicles (OSOW) are those with weights or dimensions which exceed the legal limit permitted by law.

Can OSOW vehicles travel on any roads?

No. Under current Illinois law, it is at the discretion of the government entity who owns the road as to whether or not they will allow OSOW vehicles to travel on their road.

How do permits help OSOW truckers?

Permits are legal documents which make that which is illegal (OSOW vehicles), legal. In essence, a permit provides the owner or operator of an OSOW vehicle protection to break the law.

Who owns the roads in my community?

Each road or road segment has individual ownership. With any given county, township or municipality, different roads are owned by different units of government. The unit of government who owns the road is responsible to maintain the road.

Who has authority to issue permits on local roads in my community?

Only the unit of government who owns the road has authority to issue an OSOW permit. That means only IDOT can issue permits for state highways in your community, and only the county highways department can issue permits on county owned roads, etc.

Is the State of Illinois or IDOT pushing this bill?

No, this bill was not introduced by IDOT.

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If IDOT did not introduce this bill, who did?

This bill was introduced by only one association representing a small segment of the trucking industry. There are other associations representing trucking in Illinois, however, none have supported this bill nor previous versions of it.

The short title says “Overdimension Vehicles”. Does this include overweight vehicles?

Yes. The short title is deceiving and meant to distract from the reality that this bill intends to revoke local authority to oversee overweight and oversize (overdimension).

If this bill passed, what would stop IDOT from routing OSOW vehicles on my local street?

Absolutely nothing. Although IDOT did not introduce this bill and has not offered any support for it at this time, it would be safe to assume IDOT would use their new authority to route vehicles off their failing infrastructure and onto local roads. This would push the financial burden of road repairs on local government and their local taxpayers.

How would IDOT know about local events such as parades, school pick-up/dismissal or public works projects?

They wouldn't know. They would be able to route vehicles anywhere through a local community with no knowledge of special events which may be occurring.

If this bill passed, would the State of Illinois compensate my local community for road damage?

There is no provision for the State of Illinois to compensate local government for damage to local roadways and bridges they route OSOW vehicles over. The local taxpayer would have to pay for it.

If this bill passed, would the State of Illinois assume liability for personal or property damage?

There is no provision in the bill for the State of Illinois to assume liability in the event people were hurt or killed due to an OSOW vehicle routed incorrectly on a local road. The bill also does not hold the State of Illinois accountable for damage to private property caused by OSOW vehicles. In either case, the afflicted parties would be left to fight for their own compensation.

Would the bill indemnify local government?

No. Even though the bill would give the State of Illinois authority to route the biggest and heaviest vehicles on roads someone else owns, there is no statutory indemnification to local government. Victims of personal injury or private property damage could seek recompense from the local government who had absolutely no control or input into the permit route. The local taxpayers would be left to pay for it.

This bill seems like an overreach of government authority. Is it?

Absolutely. This bill is the equivalent of government telling one person they are allowed to park their car in the neighbor's garage.

Is this bill even Constitutional?

Constitutionality is left to the courts, but it's not a stretch to see one unit of government cannot tell someone to break the law (operating OSOW vehicles) on someone else's property.

Has there ever been a study done to investigate local permitting of OSOW vehicles?

Yes. From 2014-2016, the Chicago Metropolitan Agency for Planning (CMAP), which is a government agency, spent \$250,000 of taxpayer funds to conduct an exhaustive study on this

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very topic. The conclusion and recommendation was that it is unrealistic for IDOT to permit OSOW vehicles on local roads.

If IDOT issued permits for our local roads, would the community be compensated?

No. The bill does not provide a provision for State of Illinois to share any permit fees or other funding with local government after routing OSOW vehicles on their roads.

Is there an online system being used by local government to improve permitting?

Yes. Currently more than 140 local municipalities, townships and counties are using Oxcart Permit Systems to process their permits. Upon conclusion of the CMAP study, the Metropolitan Mayors Caucus (MMC) endorsed Oxcart as the compliant solution to solve the challenges raised by the study. Oxcart has received broad support from both local government and the trucking associations who actually represent OSOW carriers.

If I oppose this bill, am I being “anti-business”?

Not at all. While local OSOW permitting is another regulation and expense for the trucking industry, proper permitting actually protects the industry by providing them safe routing and relief from costly enforcement. The use of an efficient and modern online permitting software such as Oxcart actually makes trucking more profitable.

Do communities have the authority to issue OSOW permits for free?

Yes. Under the current law, there is nothing which requires local government to collect fees for OSOW permits. The primary goal is to provide truckers a legal document with safe and practical routing. The law does not prohibit local government from assessing fees for their time and efforts reviewing routes.

Would the State of Illinois pay for engineering studies to examine all the local roads and bridges?

There is no provision within the proposed legislation to require the State of Illinois to pay for extremely expensive engineering studies of local roads and bridges. Given the dire financial situation the State of Illinois is in, this idea seems highly unlikely.

What if my community does not want to allow any OSOW vehicles on our local roads?

Under the current law, communities are not required to allow OSOW vehicles on their local roads. The law provides legal limits for size and weight, and local government has no mandate to provide permits to vehicles which exceed them. Under the proposed legislation, local communities would not be able to stop IDOT from routing these vehicles on the local roads.