

# THE DANGER OF HOUSE BILL 0397

## THIS IS A DIRECT ASSAULT ON LOCAL GOVERNMENT AUTHORITY

This bill drastically changes regulations pertaining to the largest and heaviest vehicles on Illinois highways, commonly known as “permit loads”. In 2010, the trucking industry successfully increased the legal weight and size limits of vehicles on local roads. The bill goes even further by dismantling local regulation of oversize and overweight (OSOW) vehicles which exceed what is legal. In summary, this bill:

- Revokes local oversight of heavy truck traffic**
- Pushes heavy truck traffic from state highways onto local highways**
- Removes local government ability to capture fees for permits**
- Replaces local authority with State of Illinois authority**
- Limits home-rule authority**



**These are the OSOW vehicles which would travel on local roads with no local permits.**

### **IDOT assumes local authority**

Under HB0397, local authority to issue permits for OSOW vehicles is revoked in 2026. At that point the Illinois Department of Transportation would assume sole authority to route OSOW vehicles on all municipal, township and county owned and maintained highways.

- This bill would allow IDOT to route the heaviest loads around their failing infrastructure and push the burden onto the local road system.
- The bill does not provide for any compensation to local government for damage to pavement, bridges or other infrastructure.
- The bill does not provide for any local input as to routing.
- The bill does not transfer liability from local government to IDOT.

Imagine the vehicles pictured above travelling on local highways:

- *How does IDOT know when and where there is a parade or block party in your town?*
- *How does IDOT know when school is letting out and there are parents picking up children?*
- *How does IDOT know when public works is repairing a water main break and has a road shut down?*
- *How does IDOT know where low wires, overhead lights and traffic signal masts would be an impedance?*
- *How does IDOT know if intersections and pavement have been engineered to accommodate excessive weights and dimensions?*

IDOT does not have accurate local road ownership or engineering data because most local units of government do not have sufficient data to provide IDOT. The infinite and ever-changing amount of data needed from all units of local government, to guarantee safe and protective routing, will not be available by 2026.

- *Will the legislation or IDOT fund comprehensive studies for local government and their tens of thousands of highway miles?*
- *Will IDOT assume liability for crashes resulting in property damage, injury or death?*
- *Will IDOT enter into governmental agreements which each of the 1400 municipalities, 1400 townships and 102 counties?*

### **Local government loses revenue for an unfunded mandate**

In order to build communities, Illinois needs OSOW vehicles. To lawfully operate on Illinois highways, they must carry permits as required by statute. Receiving, reviewing and issuing permits requires manpower and technology, both unfunded mandates by the legislature. The purpose of OSOW permits is to guarantee safe passage of vehicles on local highways, under the regulatory oversight of local government.

In return for the review and processing of permits, local government levies fees. Under HB0397, local government would not only lose their authority to control heavy truck traffic through permitting, but they also lose the associated fees. IDOT, however, would gain the revenue for permitting OSOW movements on highways which they do not own or maintain.

This bill creates an incredible overreach of state government.

### **Cooperation, not consolidation**

In 2014, at the request of the trucking industry, the Chicago Metropolitan Agency for Planning (CMAP) began a [\\$250,000 taxpayer funded study](#) of local OSOW permitting. This study included input from local government of all levels, the trucking industry and IDOT. The study concluded in 2016.

During the study, the idea of consolidating authority by having IDOT issue OSOW permits on local roads was found to be unfeasible. Instead, local government was encouraged to seek technology which allows them to cooperate on a single platform while still maintaining local autonomy and authority.

HB0397 completely ignores the thorough and dynamic nature of the [CMAP study](#). Instead, this bill offers an impractically simplistic solution to local permitting, in direct contradiction to the finding of the study. As of January 29, 2021, when this bill was introduced, nearly 200 units of local government are doing exactly as the study recommended by participating in a cooperative platform to process OSOW permits. This has brought much needed relief to the trucking industry and has been well received by several major trucking associations.

### **Summary**

We are in a day when the State of Illinois is withholding local revenues. The State of Illinois is failing to provide adequate funding for local road improvements. The federal infrastructure bill is calling on local government to pony up matching funds for road repairs.

Local government cannot afford yet another unfunded mandate.

## **COMING TO MAIN STREET WITH NO LOCAL OVERSIGHT**

