

# ILLINOIS STATE POLICE DIRECTIVE

## ENF-034, OVERWEIGHT TICKET, FINES, AND PRE-TRIAL RELEASE

<b>RESCINDS:</b> ENF-034, 2023-034, revised 01-03-2023.	<b>REVISED:</b> 01-10-2024 <span style="float: right;"><b>2024-008</b></span>
<b>RELATED DOCUMENTS:</b> ENF-012, ENF-013, ENF-015	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> 61.1.2, 61.1.4, 61.1.5

### 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 troop), or TraCS, to document arrest and pre-trial release information on overweight vehicles.

### II. PROCEDURES

#### II.A. Accountability

- II.A.1. Officers must submit ISP Overweight Ticket and Complaint, form ISP 5-78, via the Department's Traffic and Criminal Software (TraCS) application, providing the officer has functioning TraCS software.
- II.A.2. Officers who do not have access to a mobile data computer (MDC) or functioning TraCS software at the time of the issuance of the ISP Overweight Ticket and Complaint form, ISP 5-78, will complete a paper copy of the ISP 5-78 and enter the required information from the ISP 5-78 into TraCS when they return to their troop/work unit.
- II.A.3. The original ISP 5-78 will be forwarded to the Patrol and Investigative Records Section (PIRS) where it will be archived pursuant to the Illinois Secretary of State's State Records Act.
- II.A.4. If completing a paper overweight complaint form, use a black ballpoint pen and press firmly. Print all the required information, except signatures. If an entry is not applicable, use the letters "N/A". Completion instructions are contained in Addendum 1.

#### II.B. Pre-trial release procedures and applicable fines and assessments as set forth in:

- II.B.1. 625 ILCS 5/1-100 et seq., "Illinois Vehicle Code"
- II.B.2. 705 ILCS 105/0.01 et seq., "Clerks of Courts Act"
- II.B.3. 720 ILCS 5/1-1 et seq., "Criminal Code of 2012"
- II.B.4. 730 ILCS 5/5 9 1, "Unified Code of Corrections: Authorized fines"

#### 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.

| Indicates new or revised items.

-End of Directive-

**ILLINOIS STATE POLICE DIRECTIVE  
ENF-034, OVERWEIGHT TICKET, FINES, AND PRE-TRIAL RELEASE  
ADDENDUM 1, TICKET COMPLETION INSTRUCTIONS**

<b>RESCINDS:</b> ENF-034, Addendum 1, 2023-038, revised 01-03-2023	<b>REVISED:</b> 01-10-2024 <b>2024-008</b>
<b>RELATED DOCUMENTS:</b> ENF-012, ENF-013, ENF-015	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> 61.1.2, 61.1.5

**COMPLAINT SECTION**

1. **Case #** - Leave blank. For court use.
2. **ISP Troop of Occurrence** – Record the two-digit numeric (i.e. 07, 05, 20) for the Troop in which the violation occurred.
3. **ISP Troop of Assignment** – Record the two-digit numeric for the officer’s assigned troop.
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.).

**FINES AND ASSESSMENTS 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.
  - 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. **Assessment Schedule Number** - Record the proper assessment schedule number.
41. **Assessments** - Record the proper amount as indicated by the Assessment Schedule Number.
42. **Total Fine** - Enter the amount of the total of all fines and fees.
43. **Pre-trial release** – The violator shall be issued a Notice to Appear (see ISP Directive ENF-015, "Notice to Appear."

**COURT PLACE/DATE SECTION**

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

**SIGNATURE SECTION**

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

| Indicates new or revised items.

**-End of Addendum-**