

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER d: FORESTRY

PART 1530
THE FOREST PRODUCTS TRANSPORTATION ACT

Section	
1530.10	Definitions
1530.20	Intent of Forest Products Transportation Act
1530.30	Correspondence and Inquiries Regarding this Act
1530.40	Enforcement of Act
1530.50	Proof of Ownership
1530.60	Requirements and Format for "Proof of Ownership"
1530.70	Registration (Repealed)
1530.80	Violations (Repealed)
1530.90	Effective Date (Repealed)
EXHIBIT A	Purchase Agreement for Purpose of Transportation
EXHIBIT B	Daily Hauling Log

AUTHORITY: Implementing and authorized by the Forest Products Transportation Act [225 ILCS 740].

SOURCE: Adopted February 26, 1974, effective March 15, 1974; codified at 5 Ill. Reg. 10655; amended at 7 Ill. Reg. 8765, effective July 15, 1983; amended at 13 Ill. Reg. 17379, effective October 27, 1989; amended at 14 Ill. Reg. 18239, effective October 29, 1990; amended at 16 Ill. Reg. 8489, effective May 26, 1992; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 27 Ill. Reg. 7752, effective April 21, 2003.

Section 1530.10 Definitions

The following terms are defined as is set forth in Sections 2 through 2.07 inclusive of the Forest Products Transportation Act (the Act), as amended [225 ILCS 740/2-2.07]:

- a) *Department means the Department of Natural Resources.*
- b) *"Tree" or "trees" means any tree, standing or felled, living or dead, and includes both those trees included within the definition of "timber" in Section 2 of the Timber Buyers Licensing Act [225 ILCS 735] and Christmas trees. The term does not apply to trees or parts of trees that have been cut into firewood.*

- c) *"Forest product" means logs which can be used for sawing or processing into lumber for building or structural purposes, for the manufacture of furniture or for the manufacture of any article.*
- d) *"Person" means any person, partnership, firm, association, business trust or corporation.*
- e) *"Timber grower" means the owner, tenant or operator of land in this State who has an interest in, or is entitled to receive any part of the proceeds from the sale of timber grown in this State and includes persons exercising authority to sell timber.*
- f) *"Proof of ownership" means a printed document provided by the Department that serves as a written bill of lading. The information required in this document is established by Section 1530.60.*
- g) *"Owner", when referring to trees or forest products grown or growing on public lands under the jurisdiction of the federal government, the State or any unit of local government or school district within the State, means the person empowered by law, or by action of the corporate authorities of the governmental entity pursuant to law, to sell or dispose of trees and forest products from the governmental lands.*

(Source: Amended at 27 Ill. Reg. 7752, effective April 21, 2003)

Section 1530.20 Intent of Forest Products Transportation Act

Nothing in this Act affects the rights of the owners of trees or forest products nor imposes any duties or liabilities on them not otherwise imposed by law. This Act is, rather, intended to protect the rights of the owners of trees and forest products as well as the interests of the public in trees and forest products on public lands.

Section 1530.30 Correspondence and Inquiries Regarding this Act

All correspondence and/or inquiries regarding this Act shall be directed to:

Department of Natural Resources
Office of Law Enforcement
One Natural Resources Way
Springfield IL 62702-1271

(Source: Amended at 27 Ill. Reg. 7752, effective April 21, 2003)

Section 1530.40 Enforcement of Act

Any law enforcement officer employed and authorized by the State of Illinois, Department of Natural Resources, county or local municipality of and within the State of Illinois has the authority to apprehend persons violating any provision of the Forest Products Transportation Act and these Rules and Regulations and to cooperate with the Department in the enforcement of same.

Section 1530.50 Proof of Ownership

- a) Any person hauling, conveying or transporting 2 or more "trees" or "forest products" or either of them (as defined herein), on any road or highway in this State shall be required to show proof of ownership or that such hauling, conveying or transporting is with the consent of the owner or duly authorized agent of the owner with respect to such "trees" or "forest products".
- b) Complete "proof of ownership" shall be available for inspection at all times and shall be kept with the vehicle or other conveyance load.
- c) A timber grower registration may be used in lieu of "proof of ownership" by timber growers transporting their own products.
- d) Interstate haulers conveying forest products or trees whose origin was a state other than Illinois may show documents required by the Federal Motor Carrier Safety Administration as "proof of ownership".

(Source: Amended at 27 Ill. Reg. 7752, effective April 21, 2003)

Section 1530.60 Requirements and Format for "Proof of Ownership"

The "proof of ownership" required under the Act and as set forth in this Part shall be completed on forms provided by the Department and contain the following minimum information:

- a) Point of origin. Shall be a legal description of the location of the timber, woodland, log yard, etc., and shall include the county, township, range and section of origin, when located outside corporate limits. Within corporate limits a street address or other usable location should be given.
- b) Point of destination.
- c) Seller's name, address, phone number and signature. "Seller's name" shall be the name of the timber grower, timber buyer or sawmill from which the timber was

purchased. When timber is removed from a sawmill or concentration yard and transported to another location, the businesses/areas shall be identified as the "seller".

- d) Transporter's name, address and phone number if different from buyers.
- e) Buyer's (that person who now owns the transported forest products, tree or trees, as defined in the Act) name, address, timber buyer's license number (when applicable), phone number and signature.
- f) Date over-the-road hauling will occur. This date may be a period of time that is inclusive of the timber purchase contract dates.
- g) Statement that the "forest products, tree or trees" have been purchased from the designated seller or are being transported with knowledge and consent of the buyer or that the person in possession is an agent or employee of the buyer.
- h) Date of purchase. For all purposes except the payment of harvest fees, the date of purchase shall be the date the purchase agreement was made. Harvest fees shall be due within one month after the quarter in which payments are made.
- i) Daily hauling log. For each load of "forest products or trees" hauled, the transporter shall record the date the load was hauled, the number of logs, and the destination. (If hauling pulpwood, the transporter may record "pulpwood" in place of the number of logs.) Each record entry shall be signed by the driver of the conveyance hauling the "forest products or trees".

(Source: Amended at 27 Ill. Reg. 7752, effective April 21, 2003)

Section 1530.70 Registration (Repealed)

(Source: Repealed at 27 Ill. Reg. 7752, effective April 21, 2003)

Section 1530.EXHIBIT A Purchase Agreement for Purpose of Transportation

Date: _____, 20 ____

The undersigned seller: (Check one - if licensed buyer, must give license number)

Timber Grower _____ Sawmill _____ Concentration Yard _____
Timber Buyer _____ License No. _____ Phone: AC () _____ - _____

(Name) (Address)

stipulates that the undersigned buyer, _____

(Name)

License Number _____
(Address)

Phone: AC () _____ - _____ has purchased from the seller "forest products, tree or trees"

List Species: _____

Removal from the seller's control shall be on _____, or between _____
(Date) (Date)
and _____
(Date)

If transportation is to be by conveyance other than the buyer's own means, the contracted transporter's name, address, phone number and status (employee, contract hauler, etc.) should be given here:

Point of origin (location of timber, woodland, log yard, etc.) by county, township, range and section number is:

Point of destination:

We hereby certify that the aforementioned forest products, tree or trees have been purchased from the designated seller or are being transported with the knowledge and consent of the buyer, and that the person in possession is an agent or employee of the buyer.

Date of purchase: _____

Signature of Seller

Signature of Buyer

Provide Daily Log of Loads Hauled on Reverse

(Source: Amended at 27 Ill. Reg. 7752, effective April 21, 2003)

