

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 58th Legislature (2021)

4 HOUSE BILL 2053

                                  By: McCall

7                                   AS INTRODUCED

8                   An Act relating to motor vehicles; amending 47 O.S.  
9                   2011, Section 12-405, which relates to tires and  
10                  wheels; requiring officers issuing citation make  
11                  certain notation; and providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14           SECTION 1.           AMENDATORY           47 O.S. 2011, Section 12-405, is  
15 amended to read as follows:

16           Section 12-405. A. Every solid rubber tire on a vehicle shall  
17 have rubber on its entire traction surface at least one (1) inch  
18 thick above the edge of the flange of the entire periphery.

19           B. A person shall not operate or move on any hard-surfaced  
20 highway any vehicle having any metal tire in contact with the  
21 roadway, except when authorized by special permit as provided in  
22 subsection E of this section.

23           C. 1. Any tire on a vehicle moved on a highway shall not have  
24 on its periphery any block, stud, flange, cleat or spike or any

1 other protuberance of any material other than rubber which projects  
2 beyond the tread of the traction surface of the tire, except that it  
3 shall be permissible:

4 a. to use farm tractors or implements of husbandry with  
5 tires having protuberances which will not injure the  
6 highway,

7 b. to use tire chains of reasonable proportions upon any  
8 vehicle when required for safety because of snow, ice,  
9 or other conditions tending to cause a vehicle to  
10 skid, or

11 c. for pneumatic tires equipped with or having on their  
12 periphery studs of metal, porcelain or other material  
13 to be sold or used in this state, if constructed to  
14 provide resiliency upon contact with the road surface,  
15 so that not more than three percent (3%) in the  
16 aggregate of the traction surface of such tire be  
17 composed of such studs and so that such studs do not  
18 project more than three-thirty-seconds (3/32) of an  
19 inch beyond the tread of the traction surface of such  
20 tire and have a rate of wear which will so limit such  
21 projection.

22 2. The exceptions permitted in paragraph 1 of this subsection  
23 shall be subject to the following restrictions:  
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1 a. the use of such tires or tire chains shall be limited  
2 to vehicles with rated capacities up to and including  
3 two (2) tons,

4 b. any tire so equipped shall not be used on a public  
5 highway earlier than November 1 of each year or later  
6 than April 1 of the following year, and

7 c. copies of this subsection shall be posted in all  
8 places at which tires or tire chains are sold, and a  
9 printed or written warning on the time limitation for  
10 the use of such tires or tire chains shall be  
11 furnished to each buyer, purchaser, or user by the  
12 seller of such studded tires or tire chains.

13 D. Operator selectable "on demand" studded tires having  
14 traction-enhancing studs located outside the normal tread area which  
15 allows their operation as conventional tires on dry roads or as  
16 studded tires on ice-coated roads by the expedient of reducing or  
17 increasing the air pressure within the tires, shall be exempt from  
18 the prohibitions of subsection C of this section with the following  
19 exceptions:

20 1. The use of such tires shall be limited to vehicles with  
21 rated capacities up to and including two (2) tons;

22 2. Any such tire shall not be deflated so that the studs lower  
23 and make contact with the road surface earlier than November 1 of  
24 each year or later than April 1 of the following year.

1 E. The Department of Public Safety and local authorities in  
2 their respective jurisdictions may in their discretion issue special  
3 permits authorizing the operation upon a highway of traction engines  
4 or tractors having movable tracks with transverse corrugations upon  
5 the periphery of such movable tracks or farm tractors or other farm  
6 machinery, the operation of which upon a highway would otherwise be  
7 prohibited under this section.

8 F. A person shall not operate any vehicle when one or more of  
9 the tires in use on that vehicle is in unsafe operating condition or  
10 has a tread depth less than two-thirty-seconds (2/32) inch measured  
11 in any two adjacent tread grooves at three equally spaced intervals  
12 around the circumference of the tire; provided, such measurements  
13 shall not be made at the location of any tread wear indicator, tie  
14 bar, hump, or fillet. In the event a citation is issued under this  
15 subsection, the officer shall include the tread depth of the  
16 offending tire on the citation. As used in this subsection, an  
17 unsafe tire includes, but is not limited to, any tire:

- 18 1. On which the ply or cord is exposed in the tread area;
- 19 2. Which has been regrooved or recut below the original groove  
20 depth, except tires that have been designed with under-rubber  
21 sufficient for regrooving and are so marked;
- 22 3. Marked "Farm Implement Only", "Not for Highway Use", or any  
23 other marking that would indicate that the tire is not for normal  
24 highway use; provided, no such marking shall be altered or removed;

1 4. On which any bulges, bumps, or knots show in the tread or  
2 sidewall area; or

3 5. On the front steering axle of a truck-tractor which has  
4 tread depth measuring less than four-thirty-seconds (4/32) inch.

5 G. Every wheel on a vehicle shall not be cracked and shall be  
6 securely fastened to the hub of the vehicle with all lug nuts  
7 properly affixed.

8 SECTION 2. This act shall become effective November 1, 2021.

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10 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/25/2021 -  
11 DO PASS.

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