

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2479

By: Frix

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6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 14-109, as last amended by Section 2,
9 Chapter 317, O.S.L. 2019 (47 O.S. Supp. 2020, Section
10 14-109), which relates to load limits and gross
11 weight of vehicle and load; allowing certain vehicles
12 an exception to operate on roadways; stating that
13 certain vehicles shall be considered a load that
14 cannot be easily dismantled, divided or nondivisible;
15 requiring certain vehicles purchase annual permit;
16 providing for deposit of monies collected into the
17 Weight Station Improvement Revolving Fund; requiring
18 Department of Public Safety create certain fee; and
19 providing an effective date.

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

26 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
27 last amended by Section 2, Chapter 317, O.S.L. 2019 (47 O.S. Supp.
28 2020, Section 14-109), is amended to read as follows:

29 Section 14-109. A. On any road or highway:

30 1. No single axle weight shall exceed twenty thousand (20,000)
31 pounds; and

32 2. The total gross weight in pounds imposed thereon by a
33 vehicle or combination of vehicles shall not exceed the value
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1 calculated in accordance with the Federal Bridge formula imposed by
2 23 U.S.C., Section 127.

3 B. Except as to gross limits, the formula of this section shall
4 not apply to a truck-tractor and dump semitrailer when used as a
5 combination unit. In no event shall the maximum load in pounds
6 carried by any set of tandem axles exceed thirty-four thousand
7 (34,000) pounds. Any vehicle operating with split tandem axles or
8 tri-axles shall adhere to the formula.

9 C. Except for loads moving under special permits as provided in
10 this title, no department or agency of this state or any county,
11 city, or public entity thereof shall pay for any material that
12 exceeds the legal weight limits moving in interstate or intrastate
13 commerce in excess of the legal load limits of this state.

14 D. 1. An annual special overload permit may be purchased for
15 vehicles transporting rock, sand, gravel, coal, flour, timber,
16 pulpwood, and chips in their natural state, oil field fluids, oil
17 field equipment or equipment used in oil and gas well drilling or
18 exploration, and vehicles transporting grain, fertilizer,
19 cottonseed, cotton, livestock, peanuts, canola, sunflowers,
20 soybeans, feed, any other raw agricultural products, and any other
21 unprocessed agricultural products, if the following conditions are
22 met:

23 a. the vehicles are registered for the maximum allowable
24 rate,

- 1 b. the vehicles do not exceed five percent (5%) of the
2 gross limits set forth in subsection A of this
3 section,
4 c. the vehicles do not exceed eight percent (8%) of the
5 axle limits set forth in subsection A of this section,
6 d. no component of the vehicles exceeds the
7 manufacturer's component weight rating as shown on the
8 vehicle certification label or tag, and
9 e. the vehicles operating pursuant to the provisions of
10 this paragraph will not be allowed to operate on the
11 National System of Interstate and Defense Highways.

12 2. Vehicles operating pursuant to this section must register
13 for the maximum allowable rate and additionally shall purchase a
14 nontransferable annual special overload permit from the Department
15 of Public Safety for a fee of Three Hundred Fifty Dollars (\$350.00).
16 All monies collected shall be deposited to the credit of the Highway
17 Construction and Maintenance Fund.

18 E. 1. Oversize or overweight vehicles used for specialized
19 transportation if the maximum weight does not exceed twenty-three
20 thousand (23,000) pounds on any single axle and:

- 21 a. is a dual lane trailer with dual lane axles and the
22 width of the transport vehicle or trailer exceeds
23 twelve (12) feet in width, or
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1 b. the overall gross vehicle weight of a single trailer
2 meets or exceeds three hundred thousand (300,000)
3 pounds, originates or terminates at the Tulsa Port of
4 Catoosa, and the trip is confined within a thirty-mile
5 radius of the Port.

6 2. Permit fees for oversize or overweight vehicles used for
7 specialized transportation shall be in accordance with subsection A
8 of Section 14-116 of this title.

9 3. Vehicles operating pursuant to the provisions of this
10 paragraph will not be allowed to operate on the National System of
11 Interstate and Defense Highways.

12 F. Exceptions to this section will be:

13 1. Public electric utility vehicles or rural electric
14 cooperative vehicles regulated by the Corporation Commission,
15 ~~Utility~~ utility or refuse collection vehicles used by counties,
16 cities, or towns or by private companies contracted by counties,
17 cities, or towns if the following conditions are met:

18 a. calculation of weight for a public electric utility
19 vehicle or rural electric cooperative vehicle, utility
20 or refuse collection vehicle shall be "Gross Vehicle
21 Weight". The "Gross Vehicle Weight" of a public
22 electric utility vehicle or rural electric cooperative
23 vehicle, utility or refuse collection vehicle may not
24 exceed the otherwise applicable weight by more than

1 fifteen percent (15%). The weight on individual axles
2 must not exceed the manufacturer's component rating
3 which includes axle, suspension, wheels, rims, brakes,
4 and tires as shown on the vehicle certification label
5 or tag, and

- 6 b. public electric utility vehicle or rural electric
7 cooperative vehicle, utility or refuse collection
8 vehicles operated under these exceptions will not be
9 allowed to operate on interstate highways;

10 2. A combination of a wrecker or tow vehicle and another
11 vehicle or vehicle combination if:

- 12 a. the service provided by the wrecker or tow vehicle is
13 needed to remove disabled, abandoned, or accident-
14 damaged vehicles, and
15 b. the wrecker or tow vehicle is towing the other vehicle
16 or vehicle combination directly to the nearest
17 appropriate place of repair, terminal, or vehicle
18 storage facility;

19 3. A vehicle operating pursuant to the provisions of paragraph
20 2 of this subsection will not be allowed to operate on the National
21 System of Interstate and Defense Highways unless it is a covered
22 heavy-duty tow and recovery vehicle that:

1 a. is transporting a disabled vehicle from the place
2 where the vehicle became disabled to the nearest
3 appropriate repair facility, and

4 b. has a gross vehicle weight that is equal to or exceeds
5 the gross vehicle weight of the disabled vehicle being
6 transported; and

7 4. On the interstate highway system a vehicle designed to be
8 used under emergency conditions to transport personnel and equipment
9 and to support the suppression of fires and mitigation of other
10 hazardous situations with a vehicle weight limit up to a maximum
11 gross vehicle weight of eighty-six thousand (86,000) pounds with
12 less than:

13 a. twenty-four thousand (24,000) pounds on a single
14 steering axle,

15 b. thirty-three thousand five hundred (33,500) pounds on
16 a single drive axle,

17 c. sixty-two thousand (62,000) pounds on a tandem axle,
18 or

19 d. fifty-two thousand (52,000) pounds on a tandem rear
20 drive steer axle.

21 G. 1. Any vehicle utilizing an auxiliary power or idle
22 reduction technology unit in order to promote reduction of fuel use
23 and emissions because of engine idling shall be allowed an
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1 additional four hundred (400) pounds total to the total gross weight
2 limits set by this section.

3 2. To be eligible for the exception provided in this
4 subsection, the operator of the vehicle must obtain written proof or
5 certification of the weight of the auxiliary power or idle reduction
6 technology unit and be able to demonstrate or certify that the idle
7 reduction technology is fully functional.

8 3. Written proof or certification of the weight of the
9 auxiliary power or idle reduction technology unit must be available
10 to law enforcement officers if the vehicle is found in violation of
11 applicable weight laws. The additional weight allowed cannot exceed
12 four hundred (400) pounds or the actual proven or certified weight
13 of the unit, whichever is less.

14 H. On the Interstate Highway System, a vehicle carrying fluid
15 milk products shall be considered a load that cannot be easily
16 dismantled or divided, or "nondivisible".

17 I. Utility, refuse collection vehicles or a combination of a
18 wrecker or tow vehicle as described in paragraphs 1 and 2 of
19 subsection F of this section operating under exceptions shall
20 purchase an annual special overload permit from the Department of
21 Public Safety for One Hundred Dollars (\$100.00). All monies
22 collected shall be deposited to the credit of the Highway
23 Construction and Maintenance Fund.

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1 J. A public electric utility vehicle or rural electric
2 cooperative vehicle regulated by the Corporation Commission, whose
3 "Gross Vehicle Weight" does not exceed the otherwise applicable
4 weight by more than fifteen percent (15%) and whose weight on
5 individual axles does not exceed the manufacturer's component rating
6 which includes axle, suspension, wheels, rims, brakes, and tires as
7 shown on the vehicle certification label or tag, shall be considered
8 a load that cannot be easily dismantled or divided, or
9 "nondivisible".

10 K. A public electric utility vehicle or rural electric
11 cooperative vehicle regulated by the Corporation Commission
12 operating under these exceptions shall purchase an annual special
13 overload permit from the Department of Public Safety. All monies
14 collected shall be deposited to the credit of the Weigh Station
15 Improvement Revolving Fund as provided in Section 1167 of this
16 title. The Department shall determine a reasonable fee for the said
17 annual special overload permit.

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

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