

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 2872

By: Perryman

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; creating the
8 Oklahoma Safe Freight Act; defining term; requiring
9 installation of safety equipment on certain vehicles;
10 describing performance standards of certain
11 equipment; requiring certain certification of
12 equipment; requiring certain inspections and reports;
13 requiring certain repairs before operation;
14 authorizing the promulgation of rules and procedures;
15 providing for codification; and providing an
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 14-103H of Title 47, unless
20 there is created a duplication in numbering, reads as follows:

21 A. This section shall be known and may be cited as the
22 "Oklahoma Safe Freight Act".

23 B. As used in this section "side underride guard" means a
24 device installed on or near the side of a trailer or semitrailer
that prevents or limits the probability that a vehicle striking the
side of the trailer or semitrailer with the device will slide under
the side of the trailer or semitrailer in a side-impact crash.

1 C. No later than January 1, 2022, all trailers or semitrailers
2 manufactured, sold or registered in this state shall be equipped
3 with side underride guards that meet the performance standards
4 described in subsection D of this section if:

5 1. The trailer has a gross vehicle weight rating of ten
6 thousand (10,000) pounds or more; or

7 2. The semitrailer has a gross vehicle weight rating of ten
8 thousand (10,000) pounds or more.

9 D. A side underride guard shall be considered to meet the
10 performance standards required by this section if the side underride
11 guard is able to prevent intrusion from the body or frame of a
12 vehicle into the passenger compartment of a passenger motor vehicle
13 that contacts the guard while traveling thirty-five (35) miles per
14 hour at any angle between ten (10) degrees and ninety (90) degrees.

15 E. To ensure that all trailers and semitrailers are maintained
16 in safe and proper operating condition at all times, the Department
17 of Public Safety shall require that any trailer or semitrailer
18 involved in an accident, as defined in Section 390.5 of Title 49,
19 Code of Federal Regulations, or a successor regulation, undergo and
20 pass an inspection, as described in appendix G to subchapter B of
21 Chapter III of Title 49, Code of Federal Regulations, or successor
22 regulations, to certify that all components of the trailer,
23 semitrailer or single-unit truck, as applicable, are in safe and
24 proper operating condition.

1 F. The Department of Public Safety shall require drivers to
2 conduct a pretrip inspection of the comprehensive underride
3 protection system required under this section on their trailers or
4 semitrailers to ensure the dimensional integrity of such guards.
5 Pretrip inspections shall be required to identify any metal
6 perforated by rust or corrosion that compromises structural
7 integrity, cracked welds, cracked or fractured vertical members,
8 cuts and tears in any underride guard and missing fasteners and
9 loose fasteners. The results of these inspections shall be included
10 in a driver vehicle inspection report. In addition, drivers are to
11 complete any necessary repairs to, or replacement of, the underride
12 protection system before the vehicle is operated.

13 G. The Department of Public Safety is authorized to promulgate
14 rules necessary to implement the provisions of this section.

15 SECTION 2. This act shall become effective November 1, 2020.

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