

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1266

By: Bergstrom

4  
5  
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. 2019, Section  
10 14-109), which relates to gross weight of load;  
11 modifying certain distinction; modifying certain  
12 gross weight limit on certain highways; providing an  
13 effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as  
16 last amended by Section 2, Chapter 317, O.S.L. 2019 (47 O.S. Supp.  
17 2019, Section 14-109), is amended to read as follows:

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

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

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

25 B. On any state highway:

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

3        2. The total gross weight in pounds imposed thereon by a  
4 vehicle or combination of vehicles shall not exceed one hundred  
5 twenty-three thousand (123,000) pounds.

6        C. Except as to gross limits, the formula of this section shall  
7 not apply to a truck-tractor and dump semitrailer when used as a  
8 combination unit. In no event shall the maximum load in pounds  
9 carried by any set of tandem axles exceed thirty-four thousand  
10 (34,000) pounds. Any vehicle operating with split tandem axles or  
11 tri-axles shall adhere to the formula.

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

17        ~~D.~~ E. 1. An annual special overload permit may be purchased  
18 for vehicles transporting rock, sand, gravel, coal, flour, timber,  
19 pulpwood, and chips in their natural state, oil field fluids, oil  
20 field equipment or equipment used in oil and gas well drilling or  
21 exploration, and vehicles transporting grain, fertilizer,  
22 cottonseed, cotton, livestock, peanuts, canola, sunflowers,  
23 soybeans, feed, any other raw agricultural products, and any other  
24

1 unprocessed agricultural products, if the following conditions are  
2 met:

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

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

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

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

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

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

~~F.~~ G. Exceptions to this section will be:

1. Utility or refuse collection vehicles used by counties, cities, or towns or by private companies contracted by counties, cities, or towns if the following conditions are met:

- a. calculation of weight for a utility or refuse collection vehicle shall be "Gross Vehicle Weight". The "Gross Vehicle Weight" of a utility or refuse collection vehicle may not exceed the otherwise applicable weight by more than fifteen percent (15%). The weight on individual axles must not exceed the

1 manufacturer's component rating which includes axle,  
2 suspension, wheels, rims, brakes, and tires as shown  
3 on the vehicle certification label or tag, and

4 b. utility or refuse collection vehicles operated under  
5 these exceptions will not be allowed to operate on  
6 interstate highways;

7 2. A combination of a wrecker or tow vehicle and another  
8 vehicle or vehicle combination if:

9 a. the service provided by the wrecker or tow vehicle is  
10 needed to remove disabled, abandoned, or accident-  
11 damaged vehicles, and

12 b. the wrecker or tow vehicle is towing the other vehicle  
13 or vehicle combination directly to the nearest  
14 appropriate place of repair, terminal, or vehicle  
15 storage facility;

16 3. A vehicle operating pursuant to the provisions of paragraph  
17 2 of this subsection will not be allowed to operate on the National  
18 System of Interstate and Defense Highways unless it is a covered  
19 heavy-duty tow and recovery vehicle that:

20 a. is transporting a disabled vehicle from the place  
21 where the vehicle became disabled to the nearest  
22 appropriate repair facility, and  
23  
24  
25

1           b.    has a gross vehicle weight that is equal to or exceeds  
2                    the gross vehicle weight of the disabled vehicle being  
3                    transported; and

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

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

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

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

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

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

23           2.    To be eligible for the exception provided in this  
24    subsection, the operator of the vehicle must obtain written proof or  
25

1 certification of the weight of the auxiliary power or idle reduction  
2 technology unit and be able to demonstrate or certify that the idle  
3 reduction technology is fully functional.

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

10 ~~H.~~ I. On the Interstate Highway System, a vehicle carrying  
11 fluid milk products shall be considered a load that cannot be easily  
12 dismantled or divided, or "nondivisible".

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

20 SECTION 2. This act shall become effective July 1, 2020.

21 SECTION 3. It being immediately necessary for the preservation  
22 of the public peace, health or safety, an emergency is hereby  
23  
24  
25

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

57-2-3726 JD 1/10/2020 2:56:04 PM