

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 SENATE BILL 1266

By: Bergstrom

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7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 14-109, as last amended by Section 2,
10 Chapter 317, O.S.L. 2019 (47 O.S. Supp. 2019, Section
11 14-109), which relates to gross weight of load;
12 modifying certain distinction; modifying certain
13 gross weight limit on certain highways; providing an
14 effective date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
17 last amended by Section 2, Chapter 317, O.S.L. 2019 (47 O.S. Supp.
18 2019, Section 14-109), is amended to read as follows:

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

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

22 2. The total gross weight in pounds imposed thereon by a
23 vehicle or combination of vehicles shall not exceed the value
24 calculated in accordance with the Federal Bridge formula imposed by
25 23 U.S.C., Section 127.

1 B. On any state highway:

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

4 2. The total gross weight in pounds imposed thereon by a
5 vehicle or combination of vehicles shall not exceed the value
6 calculated in the Federal Bridge Formula imposed by 23 USC, Section
7 127.

8 C. Except as to gross limits, the formula of this section shall
9 not apply to a truck-tractor and dump semitrailer when used as a
10 combination unit. In no event shall the maximum load in pounds
11 carried by any set of tandem axles exceed thirty-four thousand
12 (34,000) pounds. Any vehicle operating with split tandem axles or
13 tri-axles shall adhere to the formula.

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

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

1 soybeans, feed, any other raw agricultural products, and any other
2 unprocessed agricultural products, if the following conditions are
3 met:

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

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

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

4 a. is a dual lane trailer with dual lane axles and the
5 width of the transport vehicle or trailer exceeds
6 twelve (12) feet in width, or

7 b. the overall gross vehicle weight of a single trailer
8 meets or exceeds three hundred thousand (300,000)
9 pounds, originates or terminates at the Tulsa Port of
10 Catoosa, and the trip is confined within a thirty-mile
11 radius of the Port.

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

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

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

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

22 a. calculation of weight for a utility or refuse
23 collection vehicle shall be "Gross Vehicle Weight".

24 The "Gross Vehicle Weight" of a utility or refuse
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1 collection vehicle may not exceed the otherwise
2 applicable weight by more than fifteen percent (15%).
3 The weight on individual axles must not exceed the
4 manufacturer's component rating which includes axle,
5 suspension, wheels, rims, brakes, and tires as shown
6 on the vehicle certification label or tag, and

- 7 b. utility or refuse collection vehicles operated under
8 these exceptions will not be allowed to operate on
9 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:
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- 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.~~ H. 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.~~ I. On the Interstate Highway System, a vehicle carrying
15 fluid milk products shall be considered a load that cannot be easily
16 dismantled or divided, or "nondivisible".

17 ~~F.~~ J. 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~~ G 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.

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

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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