

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 167

By: Allen

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5
6 AS INTRODUCED

7 An Act relating to motor vehicle overload permits;
8 amending 47 O.S. 2011, Section 14-109, as last
9 amended by Section 1, Chapter 52, O.S.L. 2015 (47
10 O.S. Supp. 2016, Section 14-109), which relates to
11 single-axle load limit, modifying certain overload
12 permit exemption; and providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
15 last amended by Section 1, Chapter 52, O.S.L. 2015 (47 O.S. Supp.
16 2016, Section 14-109), is amended to read as follows:

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

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

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

24 B. Except as to gross limits, the formula of this section shall
not apply to a truck-tractor and dump semitrailer when used as a

1 combination unit. In no event shall the maximum load in pounds
2 carried by any set of tandem axles exceed thirty-four thousand
3 (34,000) pounds. Any vehicle operating with split tandem axles or
4 tri-axles shall adhere to the formula.

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

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

- 19 a. the vehicles are registered for the maximum allowable
20 rate,
21 b. the vehicles do not exceed five percent (5%) of the
22 gross limits set forth in subsection A of this
23 section,
24

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

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

15 E. Exceptions to this section will be:

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

- 19 a. calculation of weight for a utility or refuse
20 collection vehicle shall be "Gross Vehicle Weight".
21 The "Gross Vehicle Weight" of a utility or refuse
22 collection vehicle may not exceed the otherwise
23 applicable weight by more than fifteen percent (15%).
24 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 authorized place of repair, terminal, or vehicle
15 storage facility.

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

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

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

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

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

18 H. For purposes of this section, "utility vehicle" shall mean
19 any truck used by a private utility company, county, city, or town
20 for the purpose of installing or maintaining electric, water, or
21 sewer systems.

22 SECTION 2. This act shall become effective November 1, 2017.
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24 56-1-349 JD 1/12/2017 4:08:33 PM