

1 **SENATE FLOOR VERSION**

2 February 21, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 167

5 By: Allen

6 **[motor vehicle overload permits - single-axle load**
7 **limit, - effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
11 last amended by Section 1, Chapter 52, O.S.L. 2015 (47 O.S. Supp.
12 2016, Section 14-109), is amended to read as follows:

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

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

16 2. The total gross weight in pounds imposed thereon by a
17 vehicle or combination of vehicles shall not exceed the value
18 calculated in accordance with the Federal Bridge formula imposed by
19 23 U.S.C., Section 127.

20 B. Except as to gross limits, the formula of this section shall
21 not apply to a truck-tractor and dump semitrailer when used as a
22 combination unit. In no event shall the maximum load in pounds
23 carried by any set of tandem axles exceed thirty-four thousand
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1 (34,000) pounds. Any vehicle operating with split tandem axles or
2 tri-axles shall adhere to the formula.

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

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

- 17 a. the vehicles are registered for the maximum allowable
18 rate,
- 19 b. the vehicles do not exceed five percent (5%) of the
20 gross limits set forth in subsection A of this
21 section,
- 22 c. the vehicles do not exceed eight percent (8%) of the
23 axle limits set forth in subsection A of this section,
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1 d. no component of the vehicles exceeds the
2 manufacturer's component weight rating as shown on the
3 vehicle certification label or tag, and

4 e. the vehicles operating pursuant to the provisions of
5 this paragraph will not be allowed to operate on the
6 National System of Interstate and Defense Highways.

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

13 E. Exceptions to this section will be:

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

17 a. calculation of weight for a utility or refuse
18 collection vehicle shall be "Gross Vehicle Weight".
19 The "Gross Vehicle Weight" of a utility or refuse
20 collection vehicle may not exceed the otherwise
21 applicable weight by more than fifteen percent (15%).
22 The weight on individual axles must not exceed the
23 manufacturer's component rating which includes axle,
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1 suspension, wheels, rims, brakes, and tires as shown
2 on the vehicle certification label or tag, and

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

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

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

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

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

18 F. 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

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

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

20 SECTION 2. This act shall become effective November 1, 2017.

21 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
22 February 21, 2017 - DO PASS AS AMENDED
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