

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 374

By: Bergstrom

4  
5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 14-107, which relates to definitions;  
9 defining terms; amending 47 O.S. 2011, Section 14-  
10 109, as last amended by Section 1, Chapter 52, O.S.L.  
11 2018 (47 O.S. Supp. 2018, Section 14-109), which  
12 relates to gross weight of load; removing certain  
13 special permit definition; providing for certain  
14 exemptions to certain vehicles from certain weight  
15 limits; deleting certain definition; and providing a  
16 provisional effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-107, is  
19 amended to read as follows:

20 Section 14-107. As used in this chapter:

21 1. "Axle load" means the total load transmitted to the road by  
22 all wheels whose centers are included between two parallel  
23 transverse vertical planes forty (40) inches apart, extending across  
24 the full width of the vehicle;

25 2. "Tandem axle" means any two or more consecutive axles whose  
26 centers are more than forty (40) inches apart, but not more than  
27 ninety-five (95) inches apart;

1 3. "Split tandem axle" means any group of two or more  
2 consecutive axles where the center of any two adjacent axles exceeds  
3 ninety-five (95) inches, but does not exceed one hundred twenty  
4 (120) inches; ~~and~~

5 4. "Nondivisible" means any load or vehicle exceeding  
6 applicable length or weight which, if separated into smaller loads  
7 or vehicles, would:

- 8 a. compromise the intended use of the vehicle,  
9 b. destroy the value of the load or vehicle, or  
10 c. require more than eight (8) hours to dismantle using  
11 appropriate equipment;

12 5. "Dual lane axles" also known as "trunnion axles" means an  
13 axle configuration with two individual axles mounted in the same  
14 transverse plane, with four tires on each axle, connected at a pivot  
15 point that allows each individual axle to oscillate in a vertical  
16 plane to provide constant and equal weight distribution on each  
17 individual axle; and

18 6. "Dual lane axles group" also known as "trunnion axle group"  
19 means two or more consecutive trunnion axles that are individually  
20 attached to, and/or articulated from, the vehicle, and may include a  
21 weight equalizing suspension system.

22 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-109, as  
23 last amended by Section 1, Chapter 52, O.S.L. 2018 (47 O.S. Supp.  
24 2018, Section 14-109), is amended to read as follows:

1 A. On any ~~interstate~~ road or 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 accordance with the Federal Bridge formula imposed by  
7 23 U.S.C., Section 127.

8 B. ~~1.~~ Except as to gross limits, the formula of this section  
9 shall not apply to a truck-tractor and dump semitrailer when used as  
10 a 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 ~~2. For vehicles operating under special permits as provided in~~  
15 ~~this title:~~

16 ~~a. dual wheels shall be required for any vehicle moving~~  
17 ~~loads between twenty-two thousand (22,000) and twenty-~~  
18 ~~three thousand (23,000) pounds, and~~

19 ~~b. a minimum weight capacity rating of twenty thousand~~  
20 ~~(20,000) pounds shall be required for the steering~~  
21 ~~axle of any vehicle moving loads greater than twenty-~~  
22 ~~three thousand (23,000) pounds.~~

23 C. Except for loads moving under special permits as provided in  
24 this title, no department or agency of this state or any county,

1 city, or public entity thereof shall pay for any material that  
2 exceeds the legal weight limits moving in interstate or intrastate  
3 commerce in excess of the legal load limits of this state.

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

- 13 a. the vehicles are registered for the maximum allowable  
14 rate,
- 15 b. the vehicles do not exceed five percent (5%) of the  
16 gross limits set forth in subsection A of this  
17 section,
- 18 c. the vehicles do not exceed eight percent (8%) of the  
19 axle limits set forth in subsection A of this section,
- 20 d. no component of the vehicles exceeds the  
21 manufacturer's component weight rating as shown on the  
22 vehicle certification label or tag, and  
23  
24  
25

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

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

10 E. 1. Oversize or overweight vehicles used for specialized  
11 transportation if the maximum weight does not exceed twenty-three  
12 thousand (23,000) pounds on any single axle ~~or forty-six thousand~~  
13 ~~(46,000) pounds on any tandem axle;~~ and:

14 a. is a dual lane trailer with dual lane axles and the  
15 width of the transport vehicle or trailer exceeds  
16 twelve (12) feet in width, or

17 b. the overall gross vehicle weight of a single trailer  
18 meets or exceeds three hundred thousand (300,000)  
19 pounds, originates or terminates at the Tulsa Port of  
20 Catoosa, and the trip is confined within a thirty-mile  
21 radius of the Port.

22 2. Permit fees for oversize or overweight vehicles used for  
23 specialized transportation shall be in accordance with subsection A  
24 of Section 14-116 of Title 47.

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

4           F. Exceptions to this section will be:

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

- 8           a. calculation of weight for a utility or refuse  
9 collection vehicle shall be "Gross Vehicle Weight".  
10 The "Gross Vehicle Weight" of a utility or refuse  
11 collection vehicle may not exceed the otherwise  
12 applicable weight by more than fifteen percent (15%).  
13 The weight on individual axles must not exceed the  
14 manufacturer's component rating which includes axle,  
15 suspension, wheels, rims, brakes, and tires as shown  
16 on the vehicle certification label or tag, and  
17           b. utility or refuse collection vehicles operated under  
18 these exceptions will not be allowed to operate on  
19 interstate highways;

20           2. A combination of a wrecker or tow vehicle and another  
21 vehicle or vehicle combination if:

- 22           a. the service provided by the wrecker or tow vehicle is  
23 needed to remove disabled, abandoned, or accident-  
24 damaged vehicles, and

1           b. the wrecker or tow vehicle is towing the other vehicle  
2           or vehicle combination directly to the nearest  
3           authorized place of repair, terminal, or vehicle  
4           storage facility; and

5           3. Vehicles operating pursuant to the provisions of this  
6 paragraph will not be allowed to operate on the National System of  
7 Interstate and Defense Highways unless it is a covered heavy-duty  
8 tow and recovery vehicle that:

9           a. is transporting a disabled vehicle from the place  
10           where the vehicle became disabled to the nearest  
11           appropriate repair facility, and

12           b. has a gross vehicle weight that is equal to or exceeds  
13           the gross vehicle weight of the disabled vehicle being  
14           transported; and

15           4. On the Interstate System a vehicle designed to be used under  
16 emergency conditions to transport personnel and equipment and to  
17 support the suppression of fires and mitigation of other hazardous  
18 situations with a vehicle weight limit up to a maximum gross vehicle  
19 weight of eight-six thousand (86,000) pounds with less than:

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

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

- 1           c. sixty-two thousand (62,000) pounds on a tandem axle,  
2                   or  
3           d. fifty-two thousand (52,000) pounds on a tandem rear  
4                   drive steer axle.

5           G. 1. Any vehicle utilizing an auxiliary power or idle  
6 reduction technology unit in order to promote reduction of fuel use  
7 and emissions because of engine idling shall be allowed an  
8 additional four hundred (400) pounds total to the total gross weight  
9 limits set by this section.

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

15           3. Written proof or certification of the weight of the  
16 auxiliary power or idle reduction technology unit must be available  
17 to law enforcement officers if the vehicle is found in violation of  
18 applicable weight laws. The additional weight allowed cannot exceed  
19 four hundred (400) pounds or the actual proven or certified weight  
20 of the unit, whichever is less.

21           H. Utility, refuse collection vehicles or a combination of a  
22 wrecker or tow vehicle as described in paragraph 1 and 2 of  
23 subsection ~~E~~ F of this section operating under exceptions shall  
24 purchase an annual special overload permit from the Department of  
25



1 Public Safety for One Hundred Dollars (\$100.00). All monies  
2 collected shall be deposited to the credit of the Highway  
3 Construction and Maintenance Fund.

4 ~~I. For purposes of this section, "utility vehicle" shall mean~~  
5 ~~any truck used by a private utility company, county, city, or town~~  
6 ~~for the purpose of installing or maintaining electric, water, or~~  
7 ~~sewer systems.~~

8 SECTION 3. This act shall become effective in accordance with  
9 the provisions of Section 58 of Article V of the Oklahoma  
10 Constitution.

12 57-1-288 JD 1/16/2019 10:34:48 AM