

1 **SENATE FLOOR VERSION**

2 February 5, 2019

3 SENATE BILL NO. 374

By: Bergstrom

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5
6 An Act relating to motor vehicles; amending 47 O.S.
7 2011, Section 14-107, which relates to definitions;
8 defining terms; amending 47 O.S. 2011, Section 14-
9 109, as last amended by Section 1, Chapter 52, O.S.L.
10 2018 (47 O.S. Supp. 2018, Section 14-109), which
11 relates to gross weight of load; removing certain
12 special permit definition; providing for certain
13 exemptions to certain vehicles from certain weight
14 limits; deleting certain definition; and providing a
15 provisional effective date.

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

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

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

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

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

1 Section 14-109. 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

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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

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.

11 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
12 February 5, 2019 - DO PASS
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