

1 limitations except as express authority may be granted in this
2 chapter.

3 B. The Commissioner of Public Safety is directed to issue
4 annual overweight permits to:

5 1. Municipalities and rural fire districts for the
6 transportation of firefighting apparatus at no cost to the
7 municipalities or rural fire districts;

8 2. Owners of implements of husbandry, which includes tractors
9 that are temporarily moved upon a highway at no cost to the owner;

10 3. Retail implement dealers while hauling implements of
11 husbandry at no cost to the dealer; and

12 4. Owners of certain vehicles as provided for in Section 14-
13 103G of this title.

14 C. If a vehicle is issued a license pursuant to Section 1134.4
15 of this title, the license shall also serve as the overweight permit
16 required by this section.

17 D. All size, weight and load provisions covered by this chapter
18 shall be subject to the limitations imposed by Title 23, United
19 States Code, Section 127, and such other rules and regulations
20 developed herein. Provided further that any size and weight
21 provision authorized by the United States Congress for use on the
22 National System of Interstate and Defense Highways, including but
23 not limited to height, axle weight, gross weight, combinations of
24 vehicles or load thereon shall be authorized for immediate use on

1 such segments of the National System of Interstate and Defense
2 Highways and any other highways or portions thereof as designated by
3 the Transportation Commission or their duly authorized
4 representative.

5 E. All size, weight and load provisions covered by Sections 14-
6 101 through 14-123 of this title shall be subject to a gross vehicle
7 weight limit of ninety thousand (90,000) pounds when applied to a
8 vehicle operating off the National System of Interstate and Defense
9 Highways unless such vehicle is operating in full compliance with an
10 overweight permit issued by the Commissioner of Public Safety.

11 F. Any vehicle permitted for movement on the highways of this
12 state as provided in Section 14-101 et seq. of this title, other
13 than a vehicle permitted solely for overweight movement, shall be
14 moved only during daylight hours. As used in Section 14-101 et seq.
15 of this title, "daylight hours" shall mean one-half (1/2) hour
16 before sunrise to one-half (1/2) hour after sunset. The
17 Commissioner of Public Safety, for good cause and consistent with
18 the safe movement of the vehicle, may endorse a permit for the
19 movement of an oversize vehicle to authorize night time travel under
20 such terms and restrictions as the Commissioner may require.

21 G. 1. Any vehicle permitted for movement on the highways of
22 this state as provided in Section 14-101 et seq. of this title shall
23 not be moved at any time on the following holidays:

24 a. New Year's Day (January 1),

- b. Memorial Day (the last Monday in May),
- c. The Fourth of July (Independence Day),
- d. Labor Day (the first Monday in September),
- e. Thanksgiving Day (the fourth Thursday in November),
- and
- f. Christmas Day (December 25).

2. Any vehicle permitted for movement on the highways of this state as provided in Section 14-101 et seq. of this title shall be allowed to move on the following holidays:

- a. Martin Luther King, Jr.'s Birthday (the third Monday in January),
- b. President's Day, also known as Washington's Birthday (the third Monday in February), and
- c. Veteran's Day (November 11).

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

Section 14-109. A. On any interstate highway:

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

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

1 B. 1. Except as to gross limits, the formula of this section
2 shall not apply to a truck-tractor and dump semitrailer when used as
3 a combination unit. In no event shall the maximum load in pounds
4 carried by any set of tandem axles exceed thirty-four thousand
5 (34,000) pounds. Any vehicle operating with split tandem axles or
6 tri-axles shall adhere to the formula.

7 2. For vehicles operating under special permits as provided in
8 this title:

- 9 a. dual wheels shall be required for any vehicle moving
10 loads between twenty-two thousand (22,000) and twenty-
11 three thousand (23,000) pounds, and
12 b. a minimum weight capacity rating of twenty thousand
13 (20,000) pounds shall be required for the steering
14 axle of any vehicle moving loads greater than twenty-
15 three thousand (23,000) pounds.

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

21 D. 1. An annual special overload permit may be purchased for
22 vehicles transporting rock, sand, gravel, coal, flour, timber,
23 pulpwood, and chips in their natural state, oil field fluids, oil
24 field equipment or equipment used in oil and gas well drilling or

1 exploration, and vehicles transporting grain, fertilizer,
2 cottonseed, cotton, livestock, peanuts, canola, sunflowers,
3 soybeans, feed, any other raw agricultural products, and any other
4 unprocessed agricultural products, if the following conditions are
5 met:

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

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

1 E. 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 or forty-six thousand
4 (46,000) pounds on any tandem axle; and:

5 a. the width of the transport vehicle or trailer exceeds
6 twelve (12) feet in width, or

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

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

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

17 F. Exceptions to this section will be:

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

21 a. calculation of weight for a utility or refuse
22 collection vehicle shall be "Gross Vehicle Weight".
23 The "Gross Vehicle Weight" of a utility or refuse
24 collection vehicle may not exceed the otherwise

1 applicable weight by more than fifteen percent (15%).

2 The weight on individual axles must not exceed the
3 manufacturer's component rating which includes axle,
4 suspension, wheels, rims, brakes, and tires as shown
5 on the vehicle certification label or tag, and

- 6 b. utility or refuse collection vehicles operated under
7 these exceptions will not be allowed to operate on
8 interstate highways;

9 2. A combination of a wrecker or tow vehicle and another
10 vehicle or vehicle combination if:

- 11 a. the service provided by the wrecker or tow vehicle is
12 needed to remove disabled, abandoned, or accident-
13 damaged vehicles, and

- 14 b. the wrecker or tow vehicle is towing the other vehicle
15 or vehicle combination directly to the nearest
16 authorized place of repair, terminal, or vehicle
17 storage facility; and

18 ~~Vehicles operating pursuant to the provisions of this paragraph will~~
19 ~~not be allowed to operate on the National System of Interstate and~~
20 ~~Defense Highways~~

21 3. A vehicle designed to be used under emergency conditions to
22 transport personnel and equipment and to support the suppression of
23 fires and mitigation of other hazardous situations operating on the
24 Interstate System with a vehicle weight limit up to a maximum gross

1 vehicle weight of eighty-six thousand (86,000) pounds with less
2 than:

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

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

7 c. sixty-two thousand (62,000) pounds on a tandem axle,
8 or

9 d. fifty-two thousand (52,000) pounds on a tandem rear
10 drive steer axle.

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

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

21 3. Written proof or certification of the weight of the
22 auxiliary power or idle reduction technology unit must be available
23 to law enforcement officers if the vehicle is found in violation of
24 applicable weight laws. The additional weight allowed cannot exceed

1 four hundred (400) pounds or the actual proven or certified weight
2 of the unit, whichever is less.

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

9 I. For purposes of this section, "utility vehicle" shall mean
10 any truck used by a private utility company, county, city, or town
11 for the purpose of installing or maintaining electric, water, or
12 sewer systems.

13 J. Any person who operates a vehicle or combination of vehicles
14 which is seven hundred fifty (750) pounds or more in excess of the
15 gross or axle weight limitations imposed by this section shall, upon
16 conviction or assessment of an administrative penalty, be punished
17 by a fine to be calculated from the amount of weight in excess of
18 the top weight limitation authorized as follows:

19 1. A fine of Two Hundred Dollars (\$200.00), if overweight by
20 seven hundred fifty (750) pounds but not more than three thousand
21 (3,000) pounds;

22 2. A fine of Two Hundred Fifty Dollars (\$250.00), if overweight
23 by three thousand one (3,001) pounds but not more than five thousand
24 (5,000) pounds;

1 3. A fine of Four Hundred Fifty Dollars (\$450.00), if
2 overweight by five thousand one (5,001) pounds but not more than
3 seven thousand (7,000) pounds;

4 4. A fine of Six Hundred Fifty Dollars (\$650.00), if overweight
5 by seven thousand one (7,001) pounds but not more than ten thousand
6 (10,000) pounds; and

7 5. A fine of ten cents (\$0.10) per pound overweight, if
8 overweight by ten thousand one (10,001) pounds or more.

9 K. Any person having multiple offenses as provided for in
10 subsection J of this section within a calendar year shall be subject
11 to the following fines:

12 1. A second offense within one (1) year of any fine pursuant to
13 paragraphs 1 through 4 of subsection J shall receive a fine of one
14 and one half (1 1/2) times the amount of the violation cited; and

15 2. A third and all subsequent offenses within one (1) year of
16 any fine pursuant to paragraphs 1 through 4 of subsection J shall
17 receive a fine of two (2) times the amount of the violation cited.

18 L. If a person commits a violation of the provisions of Section
19 14-101 of this title, or of this section, but is not convicted and
20 assessed a criminal penalty, the Commissioner of Public Safety or
21 designated representative may assess an administrative penalty in an
22 amount authorized by this section, after notice to the violator and
23 an opportunity for hearing. An appeal of an assessment of such
24 administrative penalty may be made to the district court of Oklahoma

1 County pursuant to Sections 318 through 323 of Title 75 of the
2 Oklahoma Statutes. In no event shall a fine be imposed as both a
3 criminal conviction and an administrative penalty as a result of the
4 same violation arising from the same incident.

5 M. In no event shall a fine, in compliance with this section,
6 be imposed in both a criminal conviction and an administrative civil
7 assessment as a result of the same violation arising from the same
8 incident.

9 N. All fines collected pursuant to the provisions of subsection
10 J of this section shall be deposited in the State Treasury to the
11 credit of the Weigh Station Improvement Revolving Fund, as created
12 in Section 1167 of this title for the purpose of enforcing size,
13 weight and load laws of this state.

14 O. No state agency, board, commission or political subdivision
15 shall issue a bond schedule that conflicts with the provisions of
16 this section.

17 ~~SECTION 3. This act shall become effective July 1, 2019.~~

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

22
23 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/11/2019 - DO PASS,
24 As Amended.