

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1436

BY: APPLE, HOLT, DAVIS,  
CAMPBELL, SULLIVAN and  
BOECKMAN of the HOUSE

and

TALIAFERRO of the SENATE

COMMITTEE SUBSTITUTE AN ACT RELATING TO MOTOR VEHICLES; AMENDING SECTION 4, CHAPTER 219, O.S.L. 1990 (47 O.S. SUPP. 1990, SECTION 1-107.4), WHICH RELATES TO CLASS D MOTOR VEHICLES; AUTHORIZING DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RULE TO CLASSIFY CERTAIN VEHICLES AS CLASS D MOTOR VEHICLES UNDER CERTAIN CONDITIONS; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY Section 4, Chapter 219, O.S.L. 1990 (47 O.S. Supp. 1990, Section 1-107.4), is amended to read as follows:

Section 1-107.4 Class D Motor Vehicle.

A. Any motor vehicle or combination of vehicles, regardless of weight, which:

1. Is marked and used as a firefighting vehicle;
2. Is designed and used solely as a recreational vehicle;

3. Is a single or combination vehicle with a gross combined weight rating of less than twenty-six thousand one (26,001) pounds; or

4. Is a single or combination farm vehicle with a gross combined weight rating of more than twenty-six thousand one (26,001) pounds if:

- a. it is entitled to be registered with a farm tag and has a farm tag attached thereto, and
- b. it is controlled and operated by a farmer, his family or his employees, and
- c. it is used to transport either agricultural products, farm machinery, farm supplies or any combination of those materials to or from a farm, and
- d. it is not used in the operations of a common or contract motor carrier, and
- e. it is used within one hundred fifty (150) air miles of the person's farm or as otherwise provided by federal law.

B. In addition to vehicles described in subsection A of this section, the Department of Public Safety may provide by rule promulgated in accordance with the Administrative Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma Statutes, that any motor vehicle or combination of vehicles regardless of weight, which is marked and used as a county or municipal vehicle, may be included within the definition of a Class D motor vehicle if such inclusion will not result in the loss of federal funds to the State of Oklahoma pursuant to federal law or regulation.

C. Provided, however, a Class D Motor Vehicle shall not include any vehicle which is:

1. Designed to carry sixteen or more passengers, including the driver; or

2. Required to be placarded for hazardous materials under 49 C.F.R., Part 172, subpart F.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-979

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