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SHORT TITLE: Roads, bridges and ferries and motor vehicles;
requiring the Department of Public Safety to promulgate rules to
allow a ten percent variance on axle weight under certain
conditions. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1356

By: Rabon

AS INTRODUCED

An Act relating to roads, bridges and ferries;
creating the County Road Enhancement Revolving
Fund; providing for apportionment of portion of
certain fund; requiring the Department of Public
Safety to issue certain permit; requiring the
Department to promulgate certain rules and design
certain application; requiring the Department to
issue certain sticker; requiring certain sticker to
be placed in certain position; specifying
qualifications for certain permit; requiring
certain persons to designate the counties in which
certain vehicles will be operated; establishing
certain fee; requiring certain revenues be
deposited into certain fund; providing for
codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 14-122 of Title 47, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving
fund for the Department of Public Safety to be designated as the
"County Road Enhancement Revolving Fund". The fund shall be a
continuing fund, not subject to fiscal year limitations, and shall

consist of monies deposited pursuant to Section 5 of this act. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department of Public Safety for improvements of county roads in the counties designated pursuant to Section 3 of this act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance.

B. All monies except the twenty-five-dollar administrative fee authorized by Section 2 of this act shall be deposited into the County Road Enhancement Revolving Fund. The funds shall be apportioned among each of the various counties in which any commercial motor vehicle, trailer, semitrailer, or combination of those vehicles, or a truck-tractor or a combination of a truck-tractor is permitted to operate pursuant to Section 2 of this act. The funds shall be apportioned in proportion to the amount of permits issued pursuant to this act to that county.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-123 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. The Department shall promulgate rules and design an application to effectuate the issuance of a permit to any person who qualifies for such permit pursuant to this section. The permit shall allow a tolerance of ten percent (10%) of the maximum allowable axle weight as specified in Section 14-109 of Title 47 of the Oklahoma Statutes, for the operation of a commercial motor vehicle, trailer, semitrailer, or combination of those vehicles, or a truck-tractor or a combination of a truck-tractor.

B. The Department shall also issue a sticker which shall be displayed on the right side of the inside surface of the front windshield. Such sticker shall signify that the operator of such vehicle has obtained a permit to operate in an overweight capacity pursuant to the provisions of this act.

C. To qualify for such permit:

1. The vehicle must be properly registered pursuant to the Oklahoma Vehicle License and Registration Act for the maximum gross weight applicable to the vehicle pursuant to Section 14-109 of Title 47 of the Oklahoma Statutes; and

2. An administrative fee of Twenty-five Dollars (\$25.00) shall be paid to the Department of Public Safety.

D. Any permit issued pursuant to this act:

1. Shall be valid for one (1) calendar year;

2. Shall be carried in the vehicle for which it is issued; and

3. Shall not authorize the vehicle or combination of vehicles to be operated on the National System of Interstate and Defense Highways with a weight greater than that which is authorized by federal law.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-124 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Any person applying for a permit pursuant to this act shall:

1. Designate in the application the counties in which the vehicle will be operated; and

2. Pay a two-hundred-dollar permit fee per county in which the vehicle will be operated.

B. The permit issued pursuant to this act shall not authorize a person to operate any vehicle that is not designated on his or her application.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-125 of Title 47, unless there is created a duplication in numbering, reads as follows:

The Department of Public Safety shall promulgate rules to allow for the transfer of permits issued pursuant to this act if the vehicle for which the permit was originally issued is sold, destroyed or permanently inoperable.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-126 of Title 47, unless there is created a duplication in numbering, reads as follows:

Any revenues generated pursuant to Section 3 of this act shall be apportioned as follows:

1. Seventy-five percent (75%) shall be deposited directly into the County Road Enhancement Revolving Fund;

2. Twenty-five percent (25%) shall be deposited into the State Transportation Fund.

SECTION 6. This act shall become effective November 1, 1998.

46-2-2508

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