ENGROSSED SENATE
BILL NO. 1115

By: Stipe of the Senate

and

Tyler of the House

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 14-118, as last amended by Section 4, Chapter 125, O.S.L. 1998 (47 O.S. Supp. 1999, Section 14-118), which relates to size, weight and load; prohibiting certain vehicles from crossing load restricted bridges and modifying weight restriction thereto without certain approval; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 14-118, as last amended by Section 4, Chapter 125, O.S.L. 1998 (47 O.S. Supp. 1999, Section 14-118), is amended to read as follows:

Section 14-118. A. 1. Pursuant to such rules as may be prescribed by Oklahoma agencies of jurisdiction, Oklahoma motor carriers may engage in any activity in which carriers subject to the jurisdiction of the federal government may be authorized by federal legislation to engage. Provided further, the Transportation Commission shall formulate, for the State Trunk Highway System, including the National System of Interstate and Defense Highways, and for all other highways or portions thereof, rules and regulations governing the movement of vehicles or loads which exceed the size or weight limitations specified by the provisions of Chapter 14 of this title.

2. Such rules shall be the basis for the development of a system by the Commissioner of Public Safety for the issuance of permits for the movement of oversize or overweight vehicles or loads. Such system shall include, but not be limited to, provisions for duration, seasonal factors, hours of the day or days when valid,

special requirements as to flags, flagmen and warning or safety devices, and other such items as may be consistent with the intent of this section. The permit system shall include provisions for the collection of permit fees as well as for the issuance of the permits by telephone, electronic transfer or such other methods of issuance as may be deemed feasible.

3. The Department of Public Safety is authorized to charge a fee of Two Dollars ($2.00) for each permit requested to be issued by facsimile machine or by any other means of electronic transmission, transfer or delivery. The fee shall be in addition to any other fee or fees assessed for the permit. The fee shall be deposited in the State Treasury to the credit of the Department of Public Safety Revolving Fund, as established in Section 6-117 of this title, and the monies shall be expended by the Department solely for the purposes provided for in Chapter 14 of this title.

4. It is the purpose of this section to permit the movement of necessary overweight and oversize vehicles or loads consistent with the following obligations:

a. protection of the motoring public from potential traffic hazards,

b. protection of highway surfaces, structures, and private property, and

c. provision for normal flow of traffic with a minimum of interference.

B. The Transportation Commission shall prepare and publish a map of the State of Oklahoma showing by appropriate symbols the various highway structures and bridges in terms of maximum size and weight restrictions. This map shall be titled "Oklahoma Load Limit Map" and shall be revised periodically to maintain a reasonably current status and in no event shall a period of two (2) years lapse between revisions and publication of same. Provided, further, the Secretary of the Department of Transportation shall prepare and

publish a map of the State of Oklahoma showing the advantages of this state as a marketing, warehousing and distribution network center for motor transportation sensitive industries.

C. The Commissioner of Public Safety, or an authorized representative, shall have the authority, within the limitations formulated under provisions of Chapter 14 of this title, to issue, withhold or revoke special permits for the operation of vehicles or combinations of vehicles or loads which exceed the size or weight limitations of Chapter 14 of this title. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms or conditions of such special permit.

D. It shall be permissible in the transportation of empty trucks on any road or highway to tow by use of saddle mounts, i.e., mounting the front wheels of one vehicle on the bed of another leaving the rear wheels only of such towed vehicle in contact with the roadway. One or more vehicles may be full mounted on the towing or towed vehicles engaged in any driveaway or towaway operation. No more than three saddle mounts may be permitted in such combinations. The towed vehicles shall be securely fastened and operated under the applicable safety requirements of the United States Department of Transportation and such combinations shall not exceed an overall length of seventy-five (75) feet.

E. The Commissioner of Public Safety, upon application of any person engaged in the transportation of forest products in the raw state, which is defined to be tree-length logs moving from the forest directly to the mill, or upon application of any person engaged in the transportation of overwidth or overheight equipment used in soil conservation work, or upon application of any person engaged in the hauling for hire or for resale, of round baled hay with a total outside width of eleven (11) feet or less, shall issue

an annual permit, upon payment of a fee of Twenty-five Dollars ($25.00) each year, authorizing the operation by such persons of such motor vehicle load lengths and widths upon the highways of this state except on the National System of Interstate and Defense Highways. Provided, however, the restriction on use of the National System of Interstate and Defense Highways shall not be applicable to persons engaged in the hauling of round baled hay with a total outside width of eleven (11) feet or less.

F. Farm equipment including, but not limited to, implements of husbandry as defined in Section 1-125 of this title shall be exempted from the requirement for special permits due to size. Such equipment may move on any highway, except those highways which are part of the National System of Interstate and Defense Highways, during the hours of darkness and shall be subject to the requirements as provided in Section 12-215 of this title. In addition to those requirements, tractors pulling machinery over thirteen (13) feet wide must have two amber flashing warning lamps symmetrically mounted, laterally and widely spaced as practicable, visible from both front and rear, mounted at least thirty-nine (39) inches high.

G. Any rubber-tired road construction vehicle including rubber-tired truck cranes and special mobilized machinery either self-propelled or drawn carrying no load other than component parts safely secured to the machinery and its own weight, but which is overweight by any provisions of this chapter, shall be authorized to move on the highways of the State of Oklahoma. Such vehicles shall not cross any load restricted bridge without a route study approved by the Secretary of Transportation. Movement of such vehicles shall be authorized on the Federal Interstate System of Highways only by special permit secured from the Commissioner of Public Safety or an authorized representative upon determination that the objectives of

this section will be served by such a permit and that federal weight restrictions will not be violated. The special permit shall be:

1. A single-trip permit issued under the provisions of this section and Section 14-116 of this title; or

2. A special annual overweight permit which shall be issued for one calendar year period upon payment of a fee of Sixty Dollars ($60.00).

The weight of any axle on such vehicle shall not exceed ~~six hundred fifty (650) pounds multiplied by the nominal width of the tire~~ twenty thousand (20,000) pounds. The vehicle shall be required to carry the safety equipment adjudged necessary for the health and welfare of the driving public. If any oversized vehicle does not come under the other limitations of the present laws, it shall be deemed that the same shall travel only between the hours of sunrise and sunset. The vehicle, being overweight but of legal dimension, shall be allowed continuous travel. The vehicles, except special mobilized machinery, shall be exempt from the laws of this state relating to motor vehicle registration, licensing or other fees or taxes in lieu of ad valorem taxes.

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.

Passed the Senate the 8th day of March, 2000.

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President of the Senate

Passed the House of Representatives the ____ day of _____, 2000.

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Speaker of the House of Representatives