

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

THE STATE SENATE
Monday, March 27, 2000

Committee Substitute for
ENGROSSED
House Bill No. 2460

COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2460 - By:
OSTRANDER of the House and HERBERT of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 40-105, which relates to required equipment on motorcycles; modifying equipment required to be on motorcycles; specifying type of helmet and eye protection to be worn by certain people operating or riding on motorcycles; amending 47 O.S. 1991, Section 14-103, as last amended by Section 3, Chapter 27, O.S.L. 1995 (47 O.S. Supp. 1999, Section 14-103), which relates to the width, height and length of a vehicle load; stating certain parameters for outside width of vehicles operating on any road or highway; clarifying language; adding exclusion; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 40-105, is amended to read as follows:

Section 40-105. ~~The following equipment shall be required on A.~~
In addition to other requirements prescribed by federal or state law or by local ordinance, all motorcycles, motor-driven cycles, and all motor scooters, except when operated on actual trail rides conducted outside of public roads and highways, shall be equipped with:

~~A. Rear View Mirrors: All vehicles covered under this section shall be equipped with two~~

1 1. Two rearview mirrors, containing a reflection surface of not
2 less than three (3) inches in diameter, mounted one on each side of
3 the vehicle and positioned so as to enable the operator to clearly
4 view the roadway for a distance of two hundred (200) feet to the
5 rear of his vehicle-;

6 ~~B. Windshield: All vehicles covered under this section shall~~
7 ~~be equipped with a~~

8 2. A windshield of sufficient quality, size and thickness to
9 protect the operator from foreign objects,~~except that in.~~ In lieu
10 of such windshield, the operator shall wear goggles, sunlasses with
11 polycarbonate lenses or a face shield of material and design to
12 protect him the operator from foreign objects-;

13 ~~C. Brakes: All vehicles covered under this section shall be~~
14 ~~equipped with brakes~~

15 3. Brakes adequate to control the movement of ~~same~~ the vehicle
16 and to stop and hold such vehicles the vehicle, including two
17 separate means of applying the brakes,~~one.~~ One means shall be
18 effective to apply the brakes to the front wheel, and one means
19 shall be effective to apply the brakes to the rear wheel or wheels-
20 ~~All such vehicles shall be equipped with a;~~

21 4. A stop lamp on the rear of the vehicle, which shall ~~display~~
22 ~~a red or amber light, or any shade of color between red and amber,~~
23 ~~visible from a distance of not less than one hundred (100) feet to~~

1 ~~the rear in normal sunlight, and which shall be actuated upon~~
2 ~~application of the service brake~~ comply with the requirements of
3 Sections 12-206 and 12-219 of this title;

4 ~~D. Speedometer: All vehicles covered under this section shall~~
5 ~~be equipped with a~~

6 5. A properly operating speedometer capable of registering at
7 least the maximum legal speed limit for that vehicle;

8 ~~E. Fenders: All vehicles covered under this section shall be~~
9 ~~equipped with a~~

10 6. A fender over each wheel. All fenders shall be of the type
11 provided by the manufacturer;

12 ~~F. Lights: All vehicles covered under this section shall carry~~
13 ~~at~~

14 7. At least one lighted headlamp ~~capable of showing a white~~
15 ~~light visible at least three hundred (300) feet in the direction in~~
16 ~~which the same are proceeding, and one tail lamp mounted on the rear~~
17 ~~which, when lighted, shall emit a red light plainly visible from at~~
18 ~~least three hundred (300) feet to the rear, and such lights required~~
19 ~~by this section shall be burning whenever such vehicles are in~~
20 ~~motion during the period from one-half hour after sunset and one-~~
21 ~~half hour before sunrise and at any other time when, due to~~
22 ~~insufficient light or unfavorable atmospheric conditions, persons~~
23 ~~and vehicles on the streets are not clearly discernible at a~~

1 ~~distance of at least five hundred (500) feet ahead., but not more~~
2 ~~than two lighted headlamps, which shall comply with the requirements~~
3 ~~of Sections 12-201 through 12-203 and, for motor-driven cycles,~~
4 ~~Section 12-224 of this title;~~

5 8. At least one tail light which shall comply with the
6 requirements of Section 12-204 of this title;

7 9. At least one rear reflector which shall comply with the
8 requirements of Section 12-205 of this title; and

9 10. A horn which shall comply with the requirements of Section
10 12-401 of this title.

11 ~~G.—Headgear: B.~~ No person under eighteen (18) years of age
12 shall operate or ride upon any ~~vehicle covered under this section~~
13 motorcycle, motor-driven cycle, or motor scooter unless such person
14 is ~~equipped with and~~ properly wearing ~~on the head~~ a crash helmet of
15 a type which complies with standards established by ~~the Department~~
16 ~~of Public Safety. All crash helmets shall consist of lining,~~
17 ~~padding and chin straps and be of the type as not to distort the~~
18 ~~view of the driver. The Commissioner of the Department of Public~~
19 ~~Safety is hereby authorized to approve or disapprove protective~~
20 ~~headgear and eye-protective devices sold and required herein, and to~~
21 ~~issue and enforce regulations establishing standards and~~
22 ~~specifications for approval thereof. The Commissioner shall publish~~
23 ~~lists of all approved protective headgear and eye-protective devices~~

1 ~~by name and type. Provided, however, the Department may not~~
2 ~~recommend one brand in preference to another if quality is identical~~
3 49 C.F.R. Section 571.218.

4 SECTION 2. AMENDATORY 47 O.S. 1991, Section 14-103, as
5 last amended by Section 3, Chapter 27, O.S.L. 1995 (47 O.S. Supp.
6 1999, Section 14-103), is amended to read as follows:

7 Section 14-103. Except as otherwise provided for by this
8 chapter:

9 A. No vehicle, with or without load, shall have a total outside
10 width in excess of one hundred and two (102) inches excluding ~~both~~
11 tire:

12 1. Tire bulge and approved;

13 2. Approved safety devices when operated on any road or highway
14 in this state; and

15 3. A retracted awning with a width of eight (8) inches or less
16 which is attached to the side of a recreational vehicle, as defined
17 in Section 1102 of this title.

18 The provisions of this subsection shall not apply to any person
19 engaged in the hauling of round baled hay with a total outside width
20 of eleven (11) feet or less when the hay is owned by such person and
21 is being hauled for any purpose other than resale.

22 B. No vehicle, with or without load, shall exceed a height of
23 thirteen and one-half (13 1/2) feet.

1 C. 1. No single truck, with or without load, shall have an
2 overall length, inclusive of front and rear bumpers, in excess of
3 forty-five (45) feet.

4 2. No single bus, with or without load, shall have an overall
5 length, inclusive of front and rear bumpers, in excess of forty-five
6 (45) feet.

7 3. a. On the National Network of highways which includes the
8 National System of Interstate and Defense Highways and
9 four-lane divided Federal Aid Primary System Highways,
10 no semitrailer operating in a truck
11 tractor/semitrailer combination shall have a length
12 greater than fifty-three (53) feet, except as provided
13 for in subsection C of Section 14-118 of this title
14 which shall apply to semitrailers exceeding fifty-
15 three (53) feet but not exceeding fifty-nine (59) feet
16 six (6) inches. On the National System of Interstate
17 and Defense Highways and four-lane divided Federal Aid
18 Primary System Highways, no semitrailer or trailer
19 operating in a truck- tractor/semitrailer and trailer
20 combination shall have a length greater than fifty-
21 three (53) feet.

22 b. On roads and highways not a part of the National
23 System of Interstate and Defense Highways or four-lane

1 divided Federal Aid Primary System Highways, no
2 semitrailer operating in a truck-tractor/semitrailer
3 combination shall have a length greater than fifty-
4 three (53) feet and no semitrailer or trailer
5 operating in a truck-tractor/semitrailer and trailer
6 combination shall have a length greater than twenty-
7 nine (29) feet. Except as provided for in subsection
8 D of Section 14-118 of this title, no other
9 combination of vehicles shall have an overall length,
10 inclusive of front and rear bumpers, in excess of
11 seventy (70) feet on all roads and highways. For the
12 purposes of this paragraph, oil field rig-up trucks
13 shall be considered to be truck-tractors, when towing
14 a trailer or semitrailer.

15 4. No combination of vehicles shall consist of more than two
16 units, except:

- 17 a. one truck and semitrailer or truck-tractor/semitrailer
18 combination may tow one complete trailer or
19 semitrailer; or
20 b. vans, suburbans, blazers or other similar types of
21 vehicles and self-propelled recreational vehicles with
22 a three-quarter (3/4) ton or more rated capacity, may
23 tow a semitrailer and one complete trailer or

1 semitrailer for recreational purposes only, provided
2 the overall length, inclusive of the front and rear
3 bumpers, does not exceed sixty-five (65) feet.

4 5. Poles and gas lines used to maintain public utility
5 services, not to include new construction, may be moved during
6 daylight hours, and during nighttime hours only in an emergency,
7 subject to traffic and road restrictions promulgated by the
8 Commissioner of Public Safety, when the overall length does not
9 exceed eighty (80) feet. When this length is exceeded, these loads
10 are subject to the requirements of Section 14-118 of this title.

11 6. For the purposes of subparagraphs 1, 3, and 4 of this
12 paragraph, the length of unitized equipment, which is defined to be
13 equipment so constructed and attached to a rubber-tired vehicle that
14 the vehicle and load become a unit and are for all practical
15 purposes inseparable, shall be the length of the vehicle itself, and
16 shall not include any protrusion of the equipment load so
17 constructed or attached. Said equipment shall not protrude for a
18 distance greater than two-thirds (2/3) of the wheel base of said
19 vehicle, shall not impair the driver's vision, and if less than
20 seven (7) feet above the roadway, shall be safely marked, flagged or
21 illuminated. Any such protruding structure shall be securely held
22 in place to prevent dropping or swaying. Unitized equipment shall
23 carry such safety equipment as shall be determined to be necessary

1 for the safety, health, and welfare of the driving public by the
2 Commissioner of Public Safety.

3 7. For the purposes of subparagraphs 1, 3, and 4 of this
4 paragraph, a truck-tractor, when being towed by another vehicle with
5 the wheels of its steering axle raised off the roadway, shall be
6 considered to be a semitrailer as defined in Section 1-162 of this
7 title.

8 8. The provisions of subparagraphs 1 and 3 of this paragraph
9 shall not apply to any contractor or subcontractor, or his agents or
10 employees, while engaged in transporting material to the site of a
11 project being constructed by, for, or on behalf of this state or any
12 city, town, county, or subdivision of this state.

13 9. Special mobilized machinery, as defined in Section 1102 of
14 this title, which exceeds the size provisions of this section shall
15 only use the highways of the State of Oklahoma by special permit
16 issued by the Commissioner of Public Safety or his authorized
17 representative. Such special permit shall be:

- 18 a. a single-trip permit issued under the provisions of
19 Section 14-116 of this title, or
20 b. a special annual oversize permit issued for one
21 calendar year period upon payment of a fee of Ten
22 Dollars (\$10.00) plus any amount as provided by
23 subsection D of Section 1129 of this title.

1 SECTION 3. This act shall become effective November 1, 2000.
2 COMMITTEE REPORT BY: COMMITTEE ON VETERANS, MILITARY AFFAIRS &
3 PUBLIC SAFETY, dated 3-21-00 - DO PASS, As Amended.