

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL HB2334

By: Pope, Tim

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 14-101, as last amended by Section 1, Chapter 125, O.S.L. 1998 (47 O.S. Supp. 1999, Section 14-101), which relates to size and weights of vehicles; modifying penalty for driving oversize or overweight vehicle; directing distribution of certain monies; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 14-101, as last amended by Section 1, Chapter 125, O.S.L. 1998 (47 O.S. Supp. 1999, Section 14-101), is amended to read as follows:

Section 14-101. A. It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise in violation of this chapter, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state and local authorities shall have no power or authority to alter said limitations except as express authority may be granted in this chapter.

B. The provisions of this chapter governing size, weight and load shall not apply to fire apparatus, Department of Transportation research testing equipment, vehicles used by retail implement dealers while hauling implements of husbandry or to implements of husbandry, including farm tractors, temporarily moved upon a

highway, or to a vehicle operated under the terms of a special permit issued as herein provided.

C. All size, weight and load provisions covered by this chapter shall be subject to the limitations imposed by Title 23, United States Code, Section 127, and such other rules and regulations developed herein. Provided further that any size and weight provision authorized by the United States Congress for use on the National System of Interstate and Defense Highways, including but not limited to height, axle weight, gross weight, combinations of vehicles or load thereon shall be authorized for immediate use on such segments of the National System of Interstate and Defense Highways and any other highways or portions thereof as designated by the Transportation Commission or their duly authorized representative.

D. Any vehicle permitted for movement on the highways of this state as provided in Section 14-101 et seq. of this title, other than a vehicle permitted solely for overweight movement, shall be moved only during daylight hours. As used in Section 14-101 et seq. of this title, "daylight hours" shall mean one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

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

- 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),
- f. The day following Thanksgiving Day (the fourth Friday in November),
- g. Christmas Eve (December 24),
- h. Christmas Day (December 25), and

- i. New Year's Eve (December 31).

For the purposes of the prohibition of movement on holidays as prescribed in this paragraph, the holidays listed above shall be deemed to begin at twelve o'clock noon on the day preceding the holiday and continue through the holiday named above.

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).

F. Any person who is convicted of a violation of any of the provisions of this section involving driving an overweight vehicle shall be punished by imprisonment in the county jail for not more than six (6) months, and by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by both such find and imprisonment. One-half (1/2) of any fine monies paid pursuant to this subsection shall be deposited into the county road fund for maintenance and repair of county roads in the county in which the violation occurred.

SECTION 2. This act shall become effective November 1, 2000.

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