

**EHB 1967**

**THE STATE SENATE**  
**Wednesday, April 13, 2005**

**ENGROSSED**

**House Bill No. 1967**

**As Amended**

ENGROSSED HOUSE BILL NO. 1967 - By: PERRY and COVEY of the House and GUMM of the Senate.

[ motor vehicles - amending 47 O.S., Section 14-116 - size, weight and load of vehicles - permit fee proceeds - effective date - emergency ]

SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-116, as amended by Section 25, Chapter 397, O.S.L. 2003 (47 O.S. Supp. 2004, Section 14-116), is amended to read as follows:

Section 14-116. A. The Commissioner of Public Safety shall charge a minimum permit fee of Twenty Dollars (\$20.00) for any permit issued pursuant to the provisions of Section 14-101 et seq. of this title. In addition to the permit fee, the Commissioner shall charge a fee of Five Dollars (\$5.00) for each thousand pounds in excess of the legal load limit. The Commissioner of Public Safety shall establish any necessary rules for collecting the fees.

B. The Department of Public Safety is authorized to establish an escrow account system for the payment of permit fees. Authorized motor carriers meeting established credit requirements may participate in the escrow account system for permits purchased from

1 all size and weight permit offices in this state. Carriers not  
2 choosing to participate in the escrow account system shall be  
3 required to make payment of the required fee or fees upon purchase  
4 of each permit as required by law. All monies collected through the  
5 escrow account system shall be deposited to a special account of the  
6 Department of Public Safety and placed in the custody of the State  
7 Treasurer. Proceeds from permits purchased using the escrow account  
8 system shall be distributed as provided for in subsection G of this  
9 section. However, fees collected through such accounts for the  
10 electronic transmission, transfer or delivery of permits, as  
11 provided for in Section 14-118 of this title, shall be credited to  
12 the Department of Public Safety Revolving Fund.

13 C. 1. Application for permits shall be made a reasonable time  
14 in advance of the expected time of movement of such vehicles. For  
15 emergencies affecting the health or safety of persons or a  
16 community, permits may be issued for immediate movement.

17 2. Size and weight permit offices in all districts where  
18 applicable shall issue permits to authorize carriers by telephone  
19 during weekdays.

20 3. The Commissioner of Public Safety shall develop a system for  
21 provisional permits for authorized carriers which may be used in  
22 lieu of a regular permit for the movement of oversize and overweight  
23 loads when issued an authorization number by the Department of

1 Public Safety. Such provisional permits shall include date of  
2 movement, general load description, estimated weight, oversize  
3 notation, route of travel, truck or truck-tractor license number,  
4 and permit authorization number.

5 D. No overweight permit shall be valid until all license taxes  
6 due the State of Oklahoma have been paid.

7 E. No permit violation shall be deemed to have occurred when an  
8 oversize or overweight movement is made pursuant to a permit whose  
9 stated weight or size exceeds the actual load.

10 F. The first deliverer of motor vehicles designated truck  
11 carriers or well service carriers manufactured in Oklahoma shall not  
12 be required to purchase an overweight permit when being delivered to  
13 the first purchaser.

14 G. The proceeds from permit fees shall be deposited in the  
15 ~~General Revenue Fund in the State Treasury. However, the proceeds~~  
16 ~~from overweight permit fees shall be apportioned~~ Weigh Station  
17 Improvement Revolving Fund as provided in Section ~~1104~~ 1167 of this  
18 title for the purpose set forth in the fund and may be used for  
19 motor carrier permitting systems and motor carrier safety and  
20 enforcement.

21 SECTION 2. This act shall become effective July 1, 2005.

22 SECTION 3. It being immediately necessary for the preservation  
23 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.  
3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-6-05 - DO  
4 PASS, As Amended.