

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1777

By: Thompson of the House

and

Lamb of the Senate

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9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to transportation; amending 47 O.S.
11 2001, Section 14-101, as last amended by Section 1,
12 Chapter 62, O.S.L. 2005 (47 O.S. Supp. 2006, Section
13 14-101), which relates to oversize and overweight
14 permits; removing exemption for certain vehicles;
15 directing Commissioner of Public Safety to issue
16 certain annual overweight permits; amending 47 O.S.
17 2001, Section 14-109, as amended by Section 2,
18 Chapter 286, O.S.L. 2002 (47 O.S. Supp. 2006, Section
19 14-109), which relates to load weights; modifying
20 certain exceptions; amending 69 O.S. 2001, Section
21 4025, which relates to signs; directing Department of
22 Transportation to allow signs in certain counties;
23 providing effective dates; and declaring an
24 emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-101, as
last amended by Section 1, Chapter 62, O.S.L. 2005 (47 O.S. Supp.
2006, Section 14-101), is amended to read as follows:

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

10 B. ~~The provisions of this chapter governing size, weight and~~
11 ~~load shall not apply to fire apparatus, vehicles transporting heavy~~
12 ~~equipment on any highway other than an interstate and defense~~
13 ~~highway to and from areas during emergencies for the purpose of~~
14 ~~fighting fires, Department of Transportation research testing~~
15 ~~equipment, vehicles used by retail implement dealers while hauling~~
16 ~~implements of husbandry or to Commissioner of Public Safety is~~
17 directed to issue annual overweight permits to:

18 1. Municipalities and rural fire districts for the
19 transportation of fire fighting apparatus at no cost to the
20 municipalities or rural fire districts;

21 2. Owners of implements of husbandry, including farm which
22 includes tractors, that are temporarily moved upon a highway, or to
23 a vehicle operated under the terms of a special permit issued as
24 herein provided at no cost to the owner; and

1 3. Retail implement dealers while hauling implements of
2 husbandry at no cost to the dealer.

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

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

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

24 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),
- and
- f. Christmas Day (December 25).

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).

SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-109, as amended by Section 2, Chapter 286, O.S.L. 2002 (47 O.S. Supp. 2006, Section 14-109), is amended to read as follows:

Section 14-109. A. On any road or highway:

1. No single axle weight shall exceed twenty thousand (20,000) pounds; and

2. The total gross weight in pounds imposed thereon by a vehicle or combination of vehicles shall not exceed the value given in the following table corresponding to the distance in feet between

1	21	-----	51,500	56,000	61,000	66,500
2	22	-----	52,500	56,500	61,500	67,000
3	23	-----	53,000	57,500	62,500	68,000
4	24	-----	54,000	58,000	63,000	68,500
5	25	-----	54,500	58,500	63,500	69,000
6	26	-----	56,000	59,500	64,000	69,500
7	27	-----	57,500	60,000	65,000	70,000
8	28	-----	59,000	60,500	65,500	71,000
9	29	-----	60,500	61,500	66,000	71,500
10	30	-----	62,000	62,000	66,500	72,000
11	31	-----	63,500	63,500	67,000	72,500
12	32	-----	64,000	64,000	68,000	73,500
13	33	-----	-----	64,500	68,500	74,000
14	34	-----	-----	65,000	69,000	74,500
15	35	-----	-----	66,000	70,000	75,000
16	36	-----	-----	68,000	70,500	75,500
17	37	-----	-----	68,000	71,000	76,000
18	38	-----	-----	69,000	72,000	77,000
19	39	-----	-----	70,000	72,500	77,500
20	40	-----	-----	71,000	73,000	78,000
21	41	-----	-----	72,000	73,500	78,500
22	42	-----	-----	73,000	74,000	79,000
23	43	-----	-----	73,280	75,000	80,000
24	44	-----	-----	73,280	75,500	80,500

1	45	-----	-----	73,280	76,000	81,000
2	46	-----	-----	73,280	76,500	81,500
3	47	-----	-----	73,500	77,500	82,000
4	48	-----	-----	74,000	78,000	83,000
5	49	-----	-----	74,500	78,500	83,500
6	50	-----	-----	75,500	79,000	84,000
7	51	-----	-----	76,000	80,000	84,500
8	52	-----	-----	76,500	80,500	85,000
9	53	-----	-----	77,500	81,000	86,000
10	54	-----	-----	78,000	81,500	86,500
11	55	-----	-----	78,500	82,500	87,000
12	56	-----	-----	79,500	83,000	87,500
13	57	-----	-----	80,000	83,500	88,000
14	58	-----	-----	-----	84,000	89,000
15	59	-----	-----	-----	85,000	89,500
16	60	-----	-----	-----	85,500	90,000

17 B. Except as to gross limits, the table in subsection A of this
18 section shall not apply to a truck-tractor and dump semitrailer when
19 used as a combination unit. In no event shall the maximum load in
20 pounds carried by any set of tandem axles exceed thirty-four
21 thousand (34,000) pounds for vehicles exempt from the table;
22 however, any vehicle operating with split tandem axles or tri-axles
23 shall adhere to the table.

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1 C. Special permits may be issued as provided in this title for
2 divisible loads for vehicle configurations in excess of six (6)
3 axles. The permits may not exceed the Table "B" federal weights
4 formula imposed by Title 23, U.S. Code, Section 127. Vehicles
5 moving under the permits shall not traverse H-15 bridges or less
6 without the express approval of the Secretary of Transportation.

7 D. Except for loads moving under special permits as provided in
8 this title, no department or agency of this state or any county,
9 city, or public entity thereof shall pay for any material that
10 exceeds the legal weight limits moving in interstate or intrastate
11 commerce in excess of the legal load limits of this state.

12 E. Exceptions to this section will be:

13 1. Utility or refuse collection vehicles used by counties,
14 cities, or towns or by private companies contracted by counties,
15 cities, or towns if the following conditions are met:

16 a. calculation of weight for a utility or refuse
17 collection vehicle shall be "Gross Vehicle Weight".
18 The "Gross Vehicle Weight" of a utility or refuse
19 collection vehicle may not exceed the otherwise
20 applicable weight by more than fifteen percent (15%).
21 The weight on individual axles must not exceed the
22 manufacturer's component rating which includes axle,
23 suspension, wheels, rims, brakes, and tires as shown
24 on the vehicle certification label or tag, and

1 b. utility or refuse collection vehicles operated under
2 these exceptions will not be allowed to operate on
3 interstate highways;

4 2. Vehicles transporting timber, pulpwood, and chips in their
5 natural state, vehicles transporting oil field fluids, oil field
6 equipment, or equipment used in oil and gas well drilling or
7 exploration, and vehicles transporting grain, if the following
8 conditions are met:

9 a. the vehicles are registered for the maximum allowable
10 rate,

11 b. the vehicles do not exceed five percent (5%) of the
12 gross limits set forth in subsection A of this
13 section, and

14 c. the vehicles operating pursuant to the provisions of
15 this paragraph will not be allowed to operate on the
16 National System of Interstate and Defense Highways;
17 and

18 3. Vehicles transporting rock, sand, gravel, ~~and~~ coal, and
19 flour if the following conditions are met:

20 a. the vehicles are registered for the maximum allowable
21 rate,

22 b. the vehicles do not exceed five percent (5%) of the
23 axle limits set forth in subsection A of this section,
24 and

1 c. the vehicles operating pursuant to the provisions of
2 this paragraph will not be allowed to operate on the
3 National System of Interstate and Defense Highways.

4 F. Utility or refuse collection vehicles, vehicles transporting
5 timber, pulpwood, and chips in their natural state, vehicles
6 transporting oil field equipment or equipment used in oil and gas
7 well drilling or exploration, vehicles transporting rock, sand,
8 gravel, ~~and~~ coal, and flour and vehicles transporting grain,
9 operating under exceptions shall purchase an annual special overload
10 permit for One Hundred Dollars (\$100.00). This fee shall be
11 apportioned as provided for in Section 1104 of this title.

12 G. For purposes of this section, "utility vehicle" shall mean
13 any truck used by a private utility company, county, city, or town
14 for the purpose of installing or maintaining electric, water, or
15 sewer systems.

16 SECTION 3. AMENDATORY 69 O.S. 2001, Section 4025, is
17 amended to read as follows:

18 Section 4025. A. The Department of Transportation shall issue
19 rules and regulations in accordance with the Administrative
20 Procedures Act, Section 301 et seq. of Title 75 of the Oklahoma
21 Statutes, to implement this program.

22 B. Pursuant to subsection A of this section the Oklahoma
23 Department of Transportation shall not prevent sign placement by
24 contract or by rule in any county with a population of less than

1 five hundred thousand (500,000) people according to the most recent
2 Federal Decennial Census.

3 SECTION 4. Section 1 of this act shall become effective July 1,
4 2008.

5 SECTION 5. Section 2 of this act shall become effective
6 November 1, 2007.

7 SECTION 6. Section 3 of this act shall become effective July 1,
8 2007.

9 SECTION 7. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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