

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 410

By: Corn of the Senate

and

6 Thompson of the House

7  
8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.  
11 2001, Section 14-116, as amended by Section 25,  
12 Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2006, Section  
13 14-116), which relates to size, weight and load of  
14 vehicles; modifying distribution of certain fund;  
15 authorizing certain use of proceeds; and providing an  
16 effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-116, as  
19 amended by Section 25, Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2006,  
20 Section 14-116), is amended to read as follows:

21 Section 14-116. A. The Commissioner of Public Safety shall  
22 charge a minimum permit fee of Twenty Dollars (\$20.00) for any  
23 permit issued pursuant to the provisions of Section 14-101 et seq.  
24 of this title. In addition to the permit fee, the Commissioner  
shall charge a fee of Five Dollars (\$5.00) for each thousand pounds

1 in excess of the legal load limit. The Commissioner of Public  
2 Safety shall establish any necessary rules for collecting the fees.

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

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

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

4        3. The Commissioner of Public Safety shall develop a system for  
5 provisional permits for authorized carriers which may be used in  
6 lieu of a regular permit for the movement of oversize and overweight  
7 loads when issued an authorization number by the Department of  
8 Public Safety. Such provisional permits shall include date of  
9 movement, general load description, estimated weight, oversize  
10 notation, route of travel, truck or truck-tractor license number,  
11 and permit authorization number.

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

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

17        F. The first deliverer of motor vehicles designated truck  
18 carriers or well service carriers manufactured in Oklahoma shall not  
19 be required to purchase an overweight permit when being delivered to  
20 the first purchaser.

21        G. The first One Million Two Hundred Sixteen Thousand Dollars  
22 (\$1,216,000.00) of proceeds from both the permit fees and the  
23 overweight permit fees imposed pursuant to subsection A of this  
24 section collected monthly shall be deposited in the General Revenue

1 ~~Fund in the State Treasury. However, the proceeds from overweight~~  
2 ~~permit fees shall be apportioned as provided in Section 1104 of this~~  
3 ~~title. All proceeds collected from both the permit fees and the~~  
4 ~~overweight permit fees imposed pursuant to subsection A of this~~  
5 ~~section in excess of One Million Two Hundred Sixteen Thousand~~  
6 ~~Dollars (\$1,216,000.00) shall be deposited in the Weigh Station~~  
7 ~~Improvement Revolving Fund as provided in Section ~~1104~~ 1167 of this~~  
8 ~~title for the purpose set forth in that section and may be used for~~  
9 ~~motor carrier permitting systems and motor carrier safety and~~  
10 ~~enforcement.~~

11 SECTION 2. This act shall become effective July 1, 2008.

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