

1 ENGROSSED HOUSE
2 BILL NO. 2080

By: Jackson of the House

and

Sweeden of the Senate

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7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Sections 14-109, as amended by Section 2,
9 Chapter 286, O.S.L. 2002 and 14-116a, as amended by
10 Section 11, Chapter 390, O.S.L. 2004 (47 O.S. Supp.
11 2006, Sections 14-109 and 14-116a), which relate to
12 load limits and transportation of manufactured homes;
13 providing tiered fine schedule for overweight
14 violations; providing for increase in fine under
15 certain circumstances; requiring assignment of safety
16 ratings under certain circumstances; stating time
17 limitation; providing notice procedures and
18 guidelines; prohibiting operation of commercial motor
19 vehicles under certain circumstances; providing an
20 exception; prohibiting agencies from using motor
21 carriers with certain rating; providing penalty for
22 certain violation; providing administrative review of
23 proposed or final safety rating; providing request
24 and administrative review procedures; providing for
request of rating change; providing procedures for
rating change request; making final ratings available
to certain agencies and the public; providing for
assessment of administrative penalties; defining
term; amending 47 O.S. 2001, Section 1129, as amended
by Section 19, Chapter 390, O.S.L. 2004 (47 O.S.
Supp. 2006, Section 1129), which relates to the
Oklahoma Vehicle License and Registration Act;
modifying requirements for use of special mobilized
machinery; providing for codification; and providing
an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-109, as
 2 amended by Section 2, Chapter 286, O.S.L. 2002 (47 O.S. Supp. 2006,
 3 Section 14-109), is amended to read as follows:

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

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

7 2. The total gross weight in pounds imposed thereon by a
 8 vehicle or combination of vehicles shall not exceed the value given
 9 in the following table corresponding to the distance in feet between
 10 the extreme axles of the group measured longitudinally to the
 11 nearest foot.

Distance in Feet		Maximum Load in Pounds				
Between the Extremes of		Carried on Any Group of 2 or				
Any Group of 2 or More		More Consecutive Axles				
Consecutive Axles		2 Axles	3 Axles	4 Axles	5 Axles	6 Axles
4	34,000	-----	-----	-----	-----	-----
5	34,000	-----	-----	-----	-----	-----
6	34,000	-----	-----	-----	-----	-----
7	34,000	-----	-----	-----	-----	-----
8	34,000	42,000	-----	-----	-----	-----
9	39,000	42,500	-----	-----	-----	-----
10	40,000	43,500	-----	-----	-----	-----
11	-----	44,000	-----	-----	-----	-----

1	12	-----	45,000	50,000	-----	-----
2	13	-----	45,500	50,500	-----	-----
3	14	-----	46,500	51,500	-----	-----
4	15	-----	47,000	52,000	-----	-----
5	16	-----	48,000	52,500	58,000	-----
6	17	-----	48,500	53,500	58,500	-----
7	18	-----	49,500	54,000	59,000	-----
8	19	-----	50,000	54,500	60,000	-----
9	20	-----	51,000	55,500	60,500	66,000
10	21	-----	51,500	56,000	61,000	66,500
11	22	-----	52,500	56,500	61,500	67,000
12	23	-----	53,000	57,500	62,500	68,000
13	24	-----	54,000	58,000	63,000	68,500
14	25	-----	54,500	58,500	63,500	69,000
15	26	-----	56,000	59,500	64,000	69,500
16	27	-----	57,500	60,000	65,000	70,000
17	28	-----	59,000	60,500	65,500	71,000
18	29	-----	60,500	61,500	66,000	71,500
19	30	-----	62,000	62,000	66,500	72,000
20	31	-----	63,500	63,500	67,000	72,500
21	32	-----	64,000	64,000	68,000	73,500
22	33	-----	-----	64,500	68,500	74,000
23	34	-----	-----	65,000	69,000	74,500
24	35	-----	-----	66,000	70,000	75,000

1	36	-----	-----	68,000	70,500	75,500
2	37	-----	-----	68,000	71,000	76,000
3	38	-----	-----	69,000	72,000	77,000
4	39	-----	-----	70,000	72,500	77,500
5	40	-----	-----	71,000	73,000	78,000
6	41	-----	-----	72,000	73,500	78,500
7	42	-----	-----	73,000	74,000	79,000
8	43	-----	-----	73,280	75,000	80,000
9	44	-----	-----	73,280	75,500	80,500
10	45	-----	-----	73,280	76,000	81,000
11	46	-----	-----	73,280	76,500	81,500
12	47	-----	-----	73,500	77,500	82,000
13	48	-----	-----	74,000	78,000	83,000
14	49	-----	-----	74,500	78,500	83,500
15	50	-----	-----	75,500	79,000	84,000
16	51	-----	-----	76,000	80,000	84,500
17	52	-----	-----	76,500	80,500	85,000
18	53	-----	-----	77,500	81,000	86,000
19	54	-----	-----	78,000	81,500	86,500
20	55	-----	-----	78,500	82,500	87,000
21	56	-----	-----	79,500	83,000	87,500
22	57	-----	-----	80,000	83,500	88,000
23	58	-----	-----	-----	84,000	89,000
24	59	-----	-----	-----	85,000	89,500

1 60 ----- ----- ----- 85,500 90,000

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

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

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

20 E. Exceptions to this section will be:

21 1. Utility or refuse collection vehicles used by counties,
22 cities, or towns or by private companies contracted by counties,
23 cities, or towns if the following conditions are met:

- 1 a. calculation of weight for a utility or refuse
2 collection vehicle shall be "Gross Vehicle Weight".
3 The "Gross Vehicle Weight" of a utility or refuse
4 collection vehicle may not exceed the otherwise
5 applicable weight by more than fifteen percent (15%).
6 The weight on individual axles must not exceed the
7 manufacturer's component rating which includes axle,
8 suspension, wheels, rims, brakes, and tires as shown
9 on the vehicle certification label or tag, and
10 b. utility or refuse collection vehicles operated under
11 these exceptions will not be allowed to operate on
12 interstate highways;

13 2. Vehicles transporting timber, pulpwood, and chips in their
14 natural state, vehicles transporting oil field fluids, oil field
15 equipment, or equipment used in oil and gas well drilling or
16 exploration, and vehicles transporting grain, if the following
17 conditions are met:

- 18 a. the vehicles are registered for the maximum allowable
19 rate,
20 b. the vehicles do not exceed five percent (5%) of the
21 gross limits set forth in subsection A of this
22 section, and
23 c. the vehicles operating pursuant to the provisions of
24 this paragraph will not be allowed to operate on the

1 National System of Interstate and Defense Highways;
2 and

3 3. Vehicles transporting rock, sand, gravel, and coal if the
4 following conditions are met:

5 a. the vehicles are registered for the maximum allowable
6 rate,

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

10 c. the vehicles operating pursuant to the provisions of
11 this paragraph will not be allowed to operate on the
12 National System of Interstate and Defense Highways.

13 F. Utility or refuse collection vehicles, vehicles transporting
14 timber, pulpwood, and chips in their natural state, vehicles
15 transporting oil field equipment or equipment used in oil and gas
16 well drilling or exploration, vehicles transporting rock, sand,
17 gravel, and coal and vehicles transporting grain, operating under
18 exceptions shall purchase an annual special overload permit for One
19 Hundred Dollars (\$100.00). This fee shall be apportioned as
20 provided for in Section 1104 of this title.

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

1 H. Any person convicted of violating the provisions of this
2 subsection shall be punished by a per-pound fine as follows:

<u>Pounds Overweight</u>	<u>Fine per Pound</u>
	<u>Overweight</u>
<u>Seven Hundred (700) to Two Thousand (2,000)</u>	<u>\$0.03</u>
<u>Two Thousand One (2,001) to Five Thousand (5,000)</u>	<u>\$0.05</u>
<u>Five Thousand One (5,001) to Seven Thousand Five</u>	
<u>Hundred (7,500)</u>	<u>\$0.07</u>
<u>Seven Thousand Five Hundred One (7,501) to Ten</u>	
<u>Thousand (10,000)</u>	<u>\$0.09</u>
<u>Ten Thousand One (10,001) to Twelve Thousand</u>	
<u>Five Hundred (12,500)</u>	<u>\$0.11</u>
<u>Twelve Thousand Five Hundred One (12,501) to</u>	
<u>Fifteen Thousand (15,000)</u>	<u>\$0.13</u>
<u>Fifteen Thousand One (15,001) or more</u>	<u>\$0.15</u>

16 SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-116a, as
17 amended by Section 11, Chapter 390, O.S.L. 2004 (47 O.S. Supp. 2006,
18 Section 14-116a), is amended to read as follows:

19 Section 14-116a. A. Any person, firm, or corporation who moves
20 or transports any load or manufactured home without a permit issued
21 by the Department of Public Safety as required by the provisions of
22 this chapter shall be deemed guilty of a misdemeanor and upon
23 conviction thereof shall be punished as follows:

1 1. For the first such violation, by a fine of Five Hundred
2 Dollars (\$500.00);

3 2. For the second such violation, by a fine of One Thousand
4 Dollars (\$1,000.00); and

5 3. For the third and subsequent violations, by a fine of not
6 less than One Thousand Dollars (\$1,000.00) nor more than Five
7 Thousand Dollars (\$5,000.00).

8 Provided, if the weight of load and vehicle is such that an
9 overweight permit is required for the movement of the load and
10 vehicle, then the fine imposed by this subsection shall be increased
11 by the appropriate per-pound fine prescribed in subsection H of
12 Section 14-109 of this title.

13 B. The permit shall be carried by the operator of the vehicle
14 moving or transporting the load or manufactured home and shall be
15 available for inspection by any law enforcement officer. If said
16 operator is found not to possess a permit, the load or manufactured
17 home shall not continue to be moved or transported. Thereafter, the
18 load or manufactured home shall not be moved or transported further
19 except by the operator of a vehicle moving or transporting the load
20 or manufactured home who is in possession of a permit authorizing
21 the movement of the load or manufactured home.

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 230.9-1 of Title 47, unless
24 there is created a duplication in numbering, reads as follows:

1 A. 1. Following a compliance review of an intrastate motor
2 carrier operation, the Department of Public Safety, using the
3 factors prescribed in subsection B of this section, as computed
4 under the Safety Fitness Rating Methodology set forth in appendix B
5 of 49 C.F.R., Part 385, shall determine whether the present
6 operations of the motor carrier are consistent with the safety
7 fitness standard set forth in 49 C.F.R., Section 385.5, and assign a
8 safety rating accordingly.

9 2. Unless otherwise specifically provided in this section, a
10 safety rating shall be issued to a motor carrier within thirty (30)
11 days following the completion of a compliance review.

12 B. 1. The Department shall provide a motor carrier written
13 notice of any safety rating resulting from a compliance review as
14 soon as practicable, but not later than thirty (30) days after the
15 review. The notice shall be given as provided in Section 2-116 of
16 Title 47 of the Oklahoma Statutes and shall include a list of
17 Federal Motor Carrier Safety Regulations and Hazardous Materials
18 Regulations compliance deficiencies, which the motor carrier shall
19 correct.

20 2. If the safety rating is "satisfactory" or improves a
21 previous "unsatisfactory" safety rating, it shall be final and
22 become effective on the date of the notice.

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1 3. In all other cases, a notice of a proposed safety rating
2 shall be issued and shall become the final safety rating after the
3 following time period:

4 a. for motor carriers transporting hazardous materials
5 in quantities requiring placarding or transporting
6 passengers by commercial motor vehicle, forty-five
7 (45) days after the date of the notice, or

8 b. for all other motor carriers operating commercial
9 motor vehicles, sixty (60) days after the date of the
10 notice.

11 4. A proposed safety rating of "unsatisfactory" is a notice to
12 the motor carrier that the Department has made a preliminary
13 determination that the motor carrier does not meet acceptable
14 standards to continue operating in intrastate commerce and that the
15 prohibitions in subsection C of this section shall be imposed after
16 the applicable time period, as provided in paragraph 3 of this
17 subsection, if necessary safety improvements are not made.

18 5. A motor carrier may request the Department to perform an
19 administrative review of a proposed or final safety rating, as
20 prescribed in subsection E of this section.

21 6. A motor carrier may request a change to a proposed or final
22 safety rating based upon its corrective actions, as prescribed in
23 subsection F of this section.

1 C. 1. A motor carrier rated "unsatisfactory" shall be
2 prohibited from operating a commercial motor vehicle, as follows:

3 a. motor carriers transporting hazardous materials
4 in quantities requiring placarding, and motor
5 carriers transporting passengers in a commercial
6 motor vehicle, shall be prohibited from
7 operating a commercial motor vehicle beginning
8 on the effective date of the notice of proposed
9 "unsatisfactory" rating, and

10 b. all other motor carriers shall be prohibited
11 from operating a commercial motor vehicle
12 beginning on the effective date of the notice of
13 proposed "unsatisfactory" rating; provided, if
14 the Department determines the motor carrier is
15 making a good-faith effort to improve its safety
16 fitness, the Department may allow the motor
17 carrier to operate for up to sixty (60)
18 additional days.

19 2. A state or local agency shall not use a motor carrier that
20 holds an "unsatisfactory" rating to transport passengers in a
21 commercial motor vehicle or to transport hazardous materials in
22 quantities requiring placarding.

1 3. A state or local agency shall not use a motor carrier for
2 other commercial motor vehicle transportation if that carrier holds
3 an "unsatisfactory" rating.

4 4. If a proposed "unsatisfactory" safety rating becomes final,
5 the Federal Motor Carrier Safety Administration will issue an order
6 placing its interstate operations out of service. Any motor carrier
7 that operates commercial motor vehicles in violation of this section
8 will be subject to the penalty provisions listed in 49 U.S.C.
9 Section 521(b).

10 D. 1. A commercial motor vehicle owner or operator that has
11 failed to pay civil penalties imposed by the Department, or has
12 failed to abide by a payment plan, may be prohibited from operating
13 commercial motor vehicles in intrastate commerce.

14 2. A broker, freight forwarder, or for-hire motor carrier that
15 has failed to pay civil penalties imposed by the Department, or has
16 failed to abide by a payment plan, may be prohibited from operating
17 in interstate commerce, and its registration may be suspended.

18 E. 1. A motor carrier may request the Department to conduct
19 an administrative review if it believes the Department has committed
20 an error in assigning its proposed safety rating or its final safety
21 rating.

22 2. The request shall explain the error the motor carrier
23 believes the Department committed in issuing the safety rating. The
24 motor carrier shall include a list of all factual and procedural

1 issues in dispute, and any information or documents that support its
2 argument.

3 3. The motor carrier shall submit its request in writing to
4 the Size and Weight Enforcement Section of the Oklahoma Highway
5 Patrol Division of the Department.

6 4. If a motor carrier has received a notice of a proposed
7 "unsatisfactory" safety rating, it shall submit its request within
8 fifteen (15) days from the date of the notice. The Department shall
9 issue a written decision prior to the effective date of the notice.

10 5. A motor carrier shall make a request for an administrative
11 review within ninety (90) days of the date of a proposed safety
12 rating issued under paragraph 3 of subsection B of this section, the
13 date of a final safety rating issued under paragraph 2 of subsection
14 B of this section, or the date of a denial of a request for a change
15 in rating under paragraph 9 of subsection F of this section.

16 6. The Department may ask the motor carrier to submit
17 additional data and attend a conference to discuss the safety
18 rating. If the motor carrier does not provide the information
19 requested, or does not attend the conference, the Department may
20 dismiss the request for review.

21 7. The Department shall notify the motor carrier in writing of
22 its decision following the administrative review. The Department
23 shall complete its review:

24 a. within thirty (30) days after receiving a request

1 from a hazardous materials or passenger motor carrier
2 that has received a proposed or final
3 "unsatisfactory" safety rating, or

4 b. within forty-five (45) days after receiving a request
5 from any other motor carrier that has received a
6 proposed or final "unsatisfactory" safety rating.

7 8. The decision resulting from the administrative review
8 constitutes final agency action.

9 9. Any motor carrier may request a rating change under the
10 provisions of subsection F of this section.

11 F. 1. A motor carrier that has taken action to correct the
12 deficiencies that resulted in a proposed or final rating of
13 "conditional" or "unsatisfactory" may request a rating change at any
14 time.

15 2. A motor carrier shall make this request in writing to the
16 Size and Weight Enforcement Section of the Oklahoma Highway Patrol
17 Division of the Department.

18 3. The motor carrier shall base its request upon evidence that
19 it has taken corrective actions, and that its operations currently
20 meet the safety standard and factors specified in 49 U.S.C.,
21 Sections 385.5 and 385.7. The request shall include a written
22 description of corrective actions taken and other documentation the
23 carrier wishes the Department to consider.

1 4. The Department shall make a final determination on the
2 request for change based upon the documentation the motor carrier
3 submits and any additional relevant information.

4 5. The Department shall perform reviews of requests made by
5 motor carriers with a proposed or final "unsatisfactory" safety
6 rating in the following time periods after the request of the motor
7 carrier:

- 8 a. within thirty (30) days for motor carriers
9 transporting passengers in commercial motor vehicles
10 or placardable quantities of hazardous materials, or
- 11 b. within forty-five (45) days for all other motor
12 carriers.

13 6. The filing of a request for change to a proposed or final
14 safety rating under this subsection does not stay the forty-five-day
15 period specified in subparagraph a of paragraph 1 of subsection C of
16 this section for motor carriers transporting passengers or hazardous
17 materials. If the motor carrier has submitted evidence that
18 corrective actions have been taken pursuant to this section and the
19 Department cannot make a final determination within the forty-five-
20 day period, the period before the proposed safety rating becomes
21 final may be extended for up to ten (10) days at the discretion of
22 the Department.

23 7. The Department may allow a motor carrier with a proposed
24 rating of "unsatisfactory", except those transporting passengers in

1 commercial motor vehicles or placardable quantities of hazardous
2 materials, to continue to operate in intrastate commerce for up to
3 sixty (60) days beyond the sixty (60) days specified in the proposed
4 rating, if the Department determines that the motor carrier is
5 making a good faith effort to improve its safety status. This
6 additional period would begin on the effective date of the notice of
7 the proposed "unsatisfactory" rating.

8 8. If the Department determines that the motor carrier has
9 taken the corrective actions required and that its operations
10 currently meet the safety standard and factors specified in 49
11 U.S.C., Sections 385.5 and 385.7, the agency shall notify the motor
12 carrier in writing of its upgraded safety rating.

13 9. If the Department determines that the motor carrier has not
14 taken all the corrective actions required, or that its operations
15 still fail to meet the safety standard and factors specified in 49
16 U.S.C., Sections 385.5 and 385.7, the agency shall notify the motor
17 carrier in writing.

18 10. Any motor carrier whose request for change is denied in
19 accordance with paragraph 9 of this subsection may request
20 administrative review under the procedures of subsection E of this
21 section. The motor carrier shall make the request within ninety
22 (90) days of the denial of the request for a rating change. If the
23 proposed rating has become final, it shall remain in effect during
24 the period of any administrative review.

1 G. 1. Final ratings will be made available to other federal,
2 state, and local agencies in writing, telephonically, or by remote
3 computer access.

4 2. The final safety rating assigned to a motor carrier shall
5 be made available to the public upon request. Any person requesting
6 the assigned rating of a motor carrier shall provide the Department
7 with the name of the motor carrier, principal office address, and,
8 if known, the United States Department of Transportation number, if
9 any.

10 3. Requests for ratings shall be addressed to the Size and
11 Weight Enforcement Section of the Oklahoma Highway Patrol Division
12 of the Department.

13 H. 1. Notwithstanding the provisions of Sections 230.6 and
14 230.9 of Title 47 of the Oklahoma Statutes, the Department shall
15 assess, when the rating and circumstances warrant, an administrative
16 penalty as provided in 49 C.F.R., Part 386, Appendix B, using the
17 Uniform Fine Assessment developed and maintained by the Upper Great
18 Plains Transportation Institute for the Federal Motor Carrier Safety
19 Administration.

20 2. In determining the amount of any administrative penalty and
21 the reasonable amount of time for abatement of the violation, the
22 Commissioner shall include, but not be limited to, consideration of
23 the nature, circumstances and gravity of the violation, and with
24 respect to the person found to have committed the violation, the

1 degree of culpability, history of prior offenses, effect on ability
2 to continue to do business and such other matters as justice and
3 public safety may require. In each case, the penalty shall be
4 calculated to induce further compliance.

5 I. As used in this section, "compliance review" means an on-
6 site examination of motor carrier operations, such as hours of
7 service of drivers, maintenance and inspection, driver
8 qualification, commercial driver license requirements, financial
9 responsibility, collisions, hazardous materials, and other safety
10 and transportation records to determine whether a motor carrier
11 meets safety standards.

12 SECTION 4. AMENDATORY 47 O.S. 2001, Section 1129, as
13 amended by Section 19, Chapter 390, O.S.L. 2004 (47 O.S. Supp. 2006,
14 Section 1129), is amended to read as follows:

15 Section 1129. A. Special mobilized machinery shall not be
16 subject to any section or provision of the Oklahoma Vehicle License
17 and Registration Act, Section 1101 et seq. of this title, except the
18 provisions of this section.

19 Special mobilized machinery shall be permitted the use of the
20 highways of this state when proper registration and permits, as
21 provided in this section, are in the possession of the operator. If
22 such equipment is not certified and registered as special mobilized
23 machinery, and no permits are in possession of the operator, the

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1 equipment shall comply with Sections 14-101 through 14-121 of this
2 title.

3 B. Owners of qualifying equipment hereunder may elect to
4 register such equipment either under this section or under other
5 applicable provisions of this act. Application covering qualifying
6 equipment may be made to the Oklahoma Tax Commission or their
7 authorized agents for registering special mobilized machinery. Upon
8 payment of a registration fee of Twenty-five Dollars (\$25.00), the
9 applicant shall be granted a certificate of registration in
10 acknowledgment of qualification by the Commission. The certificate
11 of registration must at all times be carried with the equipment and
12 be available for inspection by an investigating officer.

13 C. In addition to the registration fee, the Commission shall
14 collect at time of registration an additional fee of Five Hundred
15 Fifty Dollars (\$550.00) per unit for equipment qualifying under the
16 terms of this section. This fee of Five Hundred Fifty Dollars
17 (\$550.00) shall include the constitutional ad valorem tax and shall
18 be allocated by the Commission in the same manner and percentage as
19 registration and permit fees are presently allocated under the
20 provisions of this act. Payment of this fee shall be due on January
21 1 of each calendar year and must be paid in no event later than
22 February 1 of each calendar year. The penalty for noncompliance
23 with this provision shall be a double fee in the amount of One
24 Thousand One Hundred Dollars (\$1,100.00). For qualifying equipment

1 purchased during the calendar year, the Commission shall collect a
2 fee which shall be pro rata of the annual fee as hereinbefore
3 defined. Provided, however, the fee for qualifying equipment
4 registered in another state and utilized for emergency or temporary
5 service, not to exceed thirty (30) days, shall be calculated in the
6 same manner as set forth in subsection A of Section 1122 of this
7 title.

8 D. Other provisions of this section relating to registration
9 and other laws of this state relating to registration, fees, or
10 licensing shall not apply to such special mobilized equipment when
11 the same is manufactured in Oklahoma and sold for delivery and
12 exclusive use without the state or when returned temporarily for
13 modification or repair. In addition, the registration, fees, and
14 licensing provisions of the laws of this state shall not apply to
15 special mobilized equipment temporarily brought into the state, with
16 subsequent movement back out of the state, solely for fabrication,
17 repair, testing, alteration, modification, refurbishing, or
18 maintenance. This subsection shall in no way exempt the equipment
19 described herein from the levy of ad valorem taxes.

20 SECTION 5. This act shall become effective November 1, 2007.
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1 Passed the House of Representatives the 12th day of March, 2007.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2007.

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