

1 ENGROSSED HOUSE
2 BILL NO. 3193

By: Denney and Sherrer of the
House

3 and

4 Justice of the Senate

5
6
7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 11-405.1, as renumbered by Section 35,
9 Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2007, Section
10 11-314), which relates to approaching certain
11 vehicles displaying flashing lights; requiring
12 drivers to take certain actions when approaching
13 wreckers and tow vehicles on highways; amending 47
14 O.S. 2001, Section 14-109, as last amended by Section
15 2, Chapter 324, O.S.L. 2007 (47 O.S. Supp. 2007,
16 Section 14-109), which relates to vehicle load and
17 weight limits; providing exception to permit
18 requirement for certain vehicles; and providing an
19 effective date.

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

21 SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-405.1,
22 as renumbered by Section 35, Chapter 397, O.S.L. 2002 (47 O.S. Supp.
23 2007, Section 11-314), is amended to read as follows:

24 Section 11-314. A. The driver of a motor vehicle, upon
approaching a stationary authorized emergency vehicle, wrecker, or
tow vehicle that is displaying a flashing combination red or blue
light or any combination of red or blue lights, shall:

1 1. If traveling on a highway that consists of two or more lanes
2 that carry traffic in the same direction of travel as that of the
3 driver, the driver shall proceed with due caution and shall, if
4 possible and with due regard to the road, weather, and traffic
5 conditions, change lanes into a lane that is not adjacent to the
6 stationary authorized emergency vehicle, wrecker, or tow vehicle; or
7 if the driver is not able to change lanes or if to do so would be
8 unsafe, the driver shall proceed with due caution and reduce the
9 speed of the motor vehicle to a safe speed for the existing road,
10 weather, and traffic conditions; and

11 2. If traveling on a highway other than a highway described in
12 paragraph 1 of this subsection, the driver shall proceed with due
13 caution and reduce the speed of the motor vehicle to a safe speed
14 for the existing road, weather, and traffic conditions.

15 B. This section does not relieve the operator of a stationary
16 authorized emergency vehicle, wrecker, or tow vehicle from the
17 consequences of reckless disregard for the safety of all persons and
18 property upon the highway.

19 SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-109, as
20 last amended by Section 2, Chapter 324, O.S.L. 2007 (47 O.S. Supp.
21 2007, Section 14-109), is amended to read as follows:

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

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

1	18	-----	49,500	54,000	59,000	-----
2	19	-----	50,000	54,500	60,000	-----
3	20	-----	51,000	55,500	60,500	66,000
4	21	-----	51,500	56,000	61,000	66,500
5	22	-----	52,500	56,500	61,500	67,000
6	23	-----	53,000	57,500	62,500	68,000
7	24	-----	54,000	58,000	63,000	68,500
8	25	-----	54,500	58,500	63,500	69,000
9	26	-----	56,000	59,500	64,000	69,500
10	27	-----	57,500	60,000	65,000	70,000
11	28	-----	59,000	60,500	65,500	71,000
12	29	-----	60,500	61,500	66,000	71,500
13	30	-----	62,000	62,000	66,500	72,000
14	31	-----	63,500	63,500	67,000	72,500
15	32	-----	64,000	64,000	68,000	73,500
16	33	-----	-----	64,500	68,500	74,000
17	34	-----	-----	65,000	69,000	74,500
18	35	-----	-----	66,000	70,000	75,000
19	36	-----	-----	68,000	70,500	75,500
20	37	-----	-----	68,000	71,000	76,000
21	38	-----	-----	69,000	72,000	77,000
22	39	-----	-----	70,000	72,500	77,500
23	40	-----	-----	71,000	73,000	78,000
24	41	-----	-----	72,000	73,500	78,500

1	42	-----	-----	73,000	74,000	79,000
2	43	-----	-----	73,280	75,000	80,000
3	44	-----	-----	73,280	75,500	80,500
4	45	-----	-----	73,280	76,000	81,000
5	46	-----	-----	73,280	76,500	81,500
6	47	-----	-----	73,500	77,500	82,000
7	48	-----	-----	74,000	78,000	83,000
8	49	-----	-----	74,500	78,500	83,500
9	50	-----	-----	75,500	79,000	84,000
10	51	-----	-----	76,000	80,000	84,500
11	52	-----	-----	76,500	80,500	85,000
12	53	-----	-----	77,500	81,000	86,000
13	54	-----	-----	78,000	81,500	86,500
14	55	-----	-----	78,500	82,500	87,000
15	56	-----	-----	79,500	83,000	87,500
16	57	-----	-----	80,000	83,500	88,000
17	58	-----	-----	-----	84,000	89,000
18	59	-----	-----	-----	85,000	89,500
19	60	-----	-----	-----	85,500	90,000

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

1 however, any vehicle operating with split tandem axles or tri-axles
2 shall adhere to the table.

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

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

14 E. Exceptions to this section will be:

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

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

1 suspension, wheels, rims, brakes, and tires as shown
2 on the vehicle certification label or tag, and

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

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

- 11 a. the vehicles are registered for the maximum allowable
12 rate,
13 b. the vehicles do not exceed five percent (5%) of the
14 gross limits set forth in subsection A of this
15 section, and
16 c. the vehicles operating pursuant to the provisions of
17 this paragraph will not be allowed to operate on the
18 National System of Interstate and Defense Highways;
19 and

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

- 22 a. the vehicles are registered for the maximum allowable
23 rate,
24

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

4 c. the vehicles operating pursuant to the provisions of
5 this paragraph will not be allowed to operate on the
6 National System of Interstate and Defense Highways;
7 and

8 4. A combination of a wrecker or tow vehicle and another
9 vehicle or vehicle combination if:

10 a. the service provided by the wrecker or tow vehicle is
11 needed to remove disabled, abandoned, or accident-
12 damaged vehicles, and

13 b. the wrecker or tow vehicle is towing the other vehicle
14 or vehicle combination directly to the nearest
15 authorized place of repair, terminal, or vehicle
16 storage facility.

17 Vehicles operating pursuant to the provisions of this paragraph will
18 not be allowed to operate on the National System of Interstate and
19 Defense Highways.

20 F. Utility or refuse collection vehicles, vehicles transporting
21 timber, pulpwood, and chips in their natural state, vehicles
22 transporting oil field equipment or equipment used in oil and gas
23 well drilling or exploration, vehicles transporting rock, sand,
24 gravel, coal, and flour and vehicles transporting grain, operating

