

1 ENGROSSED SENATE
2 BILL NO. 410

By: Corn of the Senate

3 and

4 Thompson of the House

5
6
7 [motor vehicles - movement of certain vehicles -
8 width, height and length of vehicles - effective
9 date -

10 emergency]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-101, as
14 last amended by Section 1, Chapter 62, O.S.L. 2005 (47 O.S. Supp.
15 2006, Section 14-101), is amended to read as follows:

16 Section 14-101. A. It is a misdemeanor for any person to drive
17 or move or for the owner to cause or knowingly permit to be driven
18 or moved on any highway any vehicle or vehicles of a size or weight
19 exceeding the limitations stated in this chapter or otherwise in
20 violation of this chapter, and the maximum size and weight of
21 vehicles herein specified shall be lawful throughout this state and
22 local authorities shall have no power or authority to alter said
23 limitations except as express authority may be granted in this
24 chapter.

1 B. The provisions of this chapter governing size, weight and
2 load shall not apply to fire apparatus, vehicles transporting heavy
3 equipment on any highway other than an interstate and defense
4 highway to and from areas during emergencies for the purpose of
5 fighting fires, Department of Transportation research testing
6 equipment, vehicles used by retail implement dealers while hauling
7 implements of husbandry or to implements of husbandry, including
8 farm tractors, temporarily moved upon a highway, or to a vehicle
9 operated under the terms of a special permit issued as herein
10 provided.

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

23 D. Any vehicle permitted for movement on the highways of this
24 state as provided in Section 14-101 et seq. of this title, other

1 than a special combination vehicle, a longer combination vehicle, or
2 a vehicle permitted solely for overweight movement, shall be moved
3 only during daylight hours. As used in Section 14-101 et seq. of
4 this title, "daylight hours" shall mean one-half (1/2) hour before
5 sunrise to one-half (1/2) hour after sunset.

6 E. 1. Any vehicle permitted for movement on the highways of
7 this state as provided in Section 14-101 et seq. of this title,
8 except for a special combination vehicle, a longer combination
9 vehicle, or a vehicle permitted solely for overweight movement,
10 shall not be moved at any time on the following holidays:

- 11 a. New Year's Day (January 1),
- 12 b. Memorial Day (the last Monday in May),
- 13 c. The Fourth of July (Independence Day),
- 14 d. Labor Day (the first Monday in September),
- 15 e. Thanksgiving Day (the fourth Thursday in November),
- 16 and
- 17 f. Christmas Day (December 25).

18 2. Any vehicle permitted for movement on the highways of this
19 state as provided in Section 14-101 et seq. of this title shall be
20 allowed to move on the following holidays:

- 21 a. Martin Luther King, Jr.'s Birthday (the third Monday
22 in January),
- 23 b. President's Day, also known as Washington's Birthday
24 (the third Monday in February), and

1 c. Veteran's Day (November 11).

2 SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-103, as
3 last amended by Section 7, Chapter 279, O.S.L. 2003 (47 O.S. Supp.
4 2006, Section 14-103), is amended to read as follows:

5 Section 14-103. Except as otherwise provided for by this
6 chapter:

7 A. No vehicle, with or without load, shall have a total outside
8 width in excess of one hundred two (102) inches excluding:

9 1. Tire bulge;

10 2. Approved safety devices;

11 3. A retracted awning with a width of eight (8) inches or less
12 or other appurtenance of four (4) inches or less which is attached
13 to the side of a recreational vehicle, as defined in Section 1102 of
14 this title; and

15 4. Pins used as a safety precaution or as a load-assisting
16 device if the pins do not extend the overall width of the vehicle
17 beyond nine (9) feet. The State of Oklahoma hereby declares it has
18 determined, in accordance with 23 C.F.R., Section 658.15, that such
19 pins are necessary for the safe and efficient operation of motor
20 vehicles.

21 The provisions of this subsection shall not apply to any person
22 engaged in the hauling of round baled hay with a total outside width
23 of eleven (11) feet or less when the hay is owned by such person and
24 is being hauled for any purpose other than resale. The provisions

1 of this subsection shall also not apply to any county official or
2 employee engaged in the hauling or pulling of a trailer or equipment
3 owned by the county on the county roads of such county.

4 B. No vehicle, with or without load, shall exceed a height of
5 thirteen and one-half (13 1/2) feet.

6 C. 1. No single truck, with or without load, shall have an
7 overall length, inclusive of front and rear bumpers, in excess of
8 forty-five (45) feet.

9 2. No single bus, with or without load, shall have an overall
10 length, inclusive of front and rear bumpers, in excess of forty-five
11 (45) feet.

12 3. a. On the National Network of Highways which includes the
13 National System of Interstate and Defense Highways and
14 four-lane divided Federal Aid Primary System Highways,
15 no semitrailer operating in a truck-
16 tractor/semitrailer combination shall have a length
17 greater than fifty-three (53) feet, except as provided
18 in subsection C of Section 14-118 of this title which
19 shall apply to semitrailers exceeding fifty-three (53)
20 feet but not exceeding fifty-nine (59) feet six (6)
21 inches. On the National System of Interstate and
22 Defense Highways and four-lane divided Federal Aid
23 Primary System Highways, no semitrailer or trailer
24 operating in a truck-tractor/semitrailer and trailer

1 combination shall have a length greater than fifty-
2 three (53) feet.

3 b. On roads and highways not a part of the National
4 System of Interstate and Defense Highways or four-lane
5 divided Federal Aid Primary System Highways, no
6 semitrailer operating in a truck-tractor/semitrailer
7 combination shall have a length greater than fifty-
8 three (53) feet and no semitrailer or trailer
9 operating in a truck-tractor/semitrailer and trailer
10 combination shall have a length greater than twenty-
11 nine (29) feet. Except as provided for in subsection
12 D of Section 14-118 of this title, no other
13 combination of vehicles shall have an overall length,
14 inclusive of front and rear bumpers, in excess of
15 seventy (70) feet on all roads and highways. For the
16 purposes of this paragraph, oil field rig-up trucks
17 shall be considered to be truck-tractors, when towing
18 a trailer or semitrailer.

19 4. No combination of vehicles shall consist of more than two
20 units, except:

21 a. one truck and semitrailer or truck-tractor/semitrailer
22 combination may tow one complete trailer or
23 semitrailer, or
24

1 b. vans, suburbans, blazers or other similar types of
2 vehicles and self-propelled recreational vehicles with
3 a three-quarter (3/4) ton or more rated capacity, may
4 tow a semitrailer and one complete trailer or
5 semitrailer for recreational purposes only, provided
6 the overall length, inclusive of the front and rear
7 bumpers, does not exceed sixty-five (65) feet.

8 5. Poles and gas lines used to maintain public utility
9 services, not to include new construction, may be moved during
10 daylight hours, and during nighttime hours only in an emergency,
11 subject to traffic and road restrictions promulgated by the
12 Commissioner of Public Safety, when the overall length does not
13 exceed eighty (80) feet. When this length is exceeded, these loads
14 are subject to the requirements of Section 14-118 of this title.

15 6. For the purposes of paragraphs 1, 3, and 4 of this
16 subsection, the length of unitized equipment, which is defined to be
17 equipment so constructed and attached to a rubber-tired vehicle that
18 the vehicle and load become a unit and are for all practical
19 purposes inseparable, shall be the length of the vehicle itself, and
20 shall not include any protrusion of the equipment load so
21 constructed or attached. Said equipment shall not protrude for a
22 distance greater than two-thirds (2/3) of the wheel base of said
23 vehicle, shall not impair the driver's vision, and if less than
24 seven (7) feet above the roadway, shall be safely marked, flagged or

1 illuminated. Any such protruding structure shall be securely held
2 in place to prevent dropping or swaying. Unitized equipment shall
3 carry such safety equipment as shall be determined to be necessary
4 for the safety, health, and welfare of the driving public by the
5 Commissioner of Public Safety.

6 7. For the purposes of paragraphs 1, 3, and 4 of this
7 subsection, a truck-tractor, when being towed by another vehicle
8 with the wheels of its steering axle raised off the roadway, shall
9 be considered to be a semitrailer as defined in Section 1-162 of
10 this title.

11 8. The provisions of paragraphs 1 and 3 of this subsection
12 shall not apply to any contractor or subcontractor, or agents or
13 employees of any contractor or subcontractor, while engaged in
14 transporting material to the site of a project being constructed by,
15 for, or on behalf of this state or any city, town, county, or
16 subdivision of this state.

17 9. Special mobilized machinery, as defined in Section 1102 of
18 this title, which exceeds the size provisions of this section shall
19 only use the highways of the State of Oklahoma by special permit
20 issued by the Commissioner of Public Safety or an authorized
21 representative of the Commissioner. Such special permit shall be:

- 22 a. a single-trip permit issued under the provisions of
23 Section 14-116 of this title, or

24

1 b. a special annual oversize permit issued for one (1)
2 calendar year period upon payment of a fee of ~~Ten~~
3 ~~Dollars (\$10.00)~~ Thirty Dollars (\$30.00) plus any
4 amount as provided by subsection H of Section 14-118
5 of this title.

6 SECTION 3. AMENDATORY 47 O.S. 2001, Section 14-116, as
7 amended by Section 25, Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2006,
8 Section 14-116), is amended to read as follows:

9 Section 14-116. A. The Commissioner of Public Safety shall
10 charge a minimum permit fee of ~~Twenty Dollars (\$20.00)~~ Thirty
11 Dollars (\$30.00) for any permit issued pursuant to the provisions of
12 Section 14-101 et seq. of this title. In addition to the permit
13 fee, the Commissioner shall charge a fee of ~~Five Dollars (\$5.00)~~ Ten
14 Dollars (\$10.00) for each thousand pounds in excess of the legal
15 load limit. The Commissioner of Public Safety shall establish any
16 necessary rules for collecting the fees.

17 B. The Department of Public Safety is authorized to establish
18 an escrow account system for the payment of permit fees. Authorized
19 motor carriers meeting established credit requirements may
20 participate in the escrow account system for permits purchased from
21 all size and weight permit offices in this state. Carriers not
22 choosing to participate in the escrow account system shall be
23 required to make payment of the required fee or fees upon purchase
24 of each permit as required by law. All monies collected through the

1 escrow account system shall be deposited to a special account of the
2 Department of Public Safety and placed in the custody of the State
3 Treasurer. Proceeds from permits purchased using the escrow account
4 system shall be distributed as provided for in ~~subsection~~
5 subsections G and H of this section. However, fees collected
6 through such accounts for the electronic transmission, transfer or
7 delivery of permits, as provided for in Section 14-118 of this
8 title, shall be credited to the Department of Public Safety
9 Revolving Fund.

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

14 2. Size and weight permit offices in all districts where
15 applicable shall issue permits to authorize ~~carriers~~ the movement of
16 oversize and overweight loads by telephone during weekdays.

17 3. The Commissioner of Public Safety shall ~~develop a system~~
18 adopt rules for provisional permits for authorized carriers which
19 may be used in lieu of a regular permit for the movement of oversize
20 and overweight loads when issued an authorization number by the
21 Department of Public Safety. Such provisional permits shall
22 include, at a minimum, the name of the authorized carrier, the date
23 of movement, general load description, estimated weight, oversize
24 notation, route of travel, truck or truck-tractor license number,

1 and permit authorization number. Each provisional permit shall be
2 supplied upon request to an authorized carrier by the Department
3 upon payment of a fee of Thirty Dollars (\$30.00) each, which shall
4 be applied to the total final cost of the permit. The Department
5 shall not be responsible for lost, stolen, or misplaced provisional
6 permits.

7 D. No overweight permit shall be valid until all ~~license~~
8 vehicle registration fees and taxes due the State of Oklahoma have
9 been paid.

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

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

17 G. ~~The~~ Of the proceeds from permit fees, other than overweight
18 permit fees:

19 1. Ten Dollars (\$10.00) of each permit shall be deposited in
20 the Department of Public Safety Revolving Fund for the purposes of
21 the administration and enforcement of size and weights permitting by
22 the Department of Public Safety; and

23 2. The remainder of each permit fee shall be deposited in the
24 General Revenue Fund in the State Treasury. ~~However,~~

1 H. Of the proceeds from overweight permit fees:

2 1. Ten Dollars (\$10.00) of each permit fee shall be deposited
3 in the Department of Public Safety Revolving Fund for the purposes
4 of the administration and enforcement of size and weights permitting
5 by the Department of Public Safety;

6 2. Five Dollars (\$5.00) of each additional fee charged for each
7 one thousand (1,000) pounds in excess of the legal limit shall be
8 deposited in the Department of Public Safety Revolving Fund for the
9 purposes of the administration and enforcement of size and weights
10 permitting by the Department of Public Safety; and

11 3. The remainder of each overweight permit fee and of each
12 additional fee charged for each one thousand (1,000) pounds in
13 excess of the legal load limit shall be apportioned as provided in
14 Section 1104 of this title.

15 SECTION 4. This act shall become effective July 1, 2007.

16 SECTION 5. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

