

**THE HOUSE OF REPRESENTATIVES**  
Wednesday, March 7, 2007

**Committee Substitute for**  
**House Bill No. 2080**

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2080 - By: JACKSON of the House and SWEEDEN of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 14-109, as amended by Section 2, Chapter 286, O.S.L. 2002 and 14-116a, as amended by Section 11, Chapter 390, O.S.L. 2004 (47 O.S. Supp. 2006, Sections 14-109 and 14-116a), which relate to load limits and transportation of manufactured homes; providing tiered fine schedule for overweight violations; providing for increase in fine under certain circumstances; requiring assignment of safety ratings under certain circumstances; stating time limitation; providing notice procedures and guidelines; prohibiting operation of commercial motor vehicles under certain circumstances; providing an exception; prohibiting agencies from using motor carriers with certain rating; providing penalty for certain violation; providing administrative review of proposed or final safety rating; providing request 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 amended by  
 2 Section 2, Chapter 286, O.S.L. 2002 (47 O.S. Supp. 2006, Section 14-109), is amended to  
 3 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) pounds; and
- 6 2. The total gross weight in pounds imposed thereon by a vehicle or combination of  
 7 vehicles shall not exceed the value given in the following table corresponding to the  
 8 distance in feet between the extreme axles of the group measured longitudinally to the  
 9 nearest foot.

10	Distance in Feet		Maximum Load in Pounds			
11	Between the Extremes of		Carried on Any Group of 2 or			
12	Any Group of 2 or More		Consecutive Axles			
13	Consecutive Axles		More Consecutive Axles			
14	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	
15	4	34,000	-----	-----	-----	-----
16	5	34,000	-----	-----	-----	-----
17	6	34,000	-----	-----	-----	-----
18	7	34,000	-----	-----	-----	-----
19	8	34,000	42,000	-----	-----	-----
20	9	39,000	42,500	-----	-----	-----
21	10	40,000	43,500	-----	-----	-----
22	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

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1	34	-----	-----	65,000	69,000	74,500
2	35	-----	-----	66,000	70,000	75,000
3	36	-----	-----	68,000	70,500	75,500
4	37	-----	-----	68,000	71,000	76,000
5	38	-----	-----	69,000	72,000	77,000
6	39	-----	-----	70,000	72,500	77,500
7	40	-----	-----	71,000	73,000	78,000
8	41	-----	-----	72,000	73,500	78,500
9	42	-----	-----	73,000	74,000	79,000
10	43	-----	-----	73,280	75,000	80,000
11	44	-----	-----	73,280	75,500	80,500
12	45	-----	-----	73,280	76,000	81,000
13	46	-----	-----	73,280	76,500	81,500
14	47	-----	-----	73,500	77,500	82,000
15	48	-----	-----	74,000	78,000	83,000
16	49	-----	-----	74,500	78,500	83,500
17	50	-----	-----	75,500	79,000	84,000
18	51	-----	-----	76,000	80,000	84,500
19	52	-----	-----	76,500	80,500	85,000
20	53	-----	-----	77,500	81,000	86,000
21	54	-----	-----	78,000	81,500	86,500
22	55	-----	-----	78,500	82,500	87,000

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1	56	-----	-----	79,500	83,000	87,500
2	57	-----	-----	80,000	83,500	88,000
3	58	-----	-----	-----	84,000	89,000
4	59	-----	-----	-----	85,000	89,500
5	60	-----	-----	-----	85,500	90,000

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

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

16 D. Except for loads moving under special permits as provided in this title, no  
17 department or agency of this state or any county, city, or public entity thereof shall pay  
18 for any material that 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, cities, or towns or by private  
22 companies contracted by counties, cities, or towns if the following conditions are met:

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- 1 a. calculation of weight for a utility or refuse collection vehicle shall be  
2 "Gross Vehicle Weight". The "Gross Vehicle Weight" of a utility or  
3 refuse collection vehicle may not exceed the otherwise applicable  
4 weight by more than fifteen percent (15%). The weight on individual  
5 axles must not exceed the manufacturer's component rating which  
6 includes axle, suspension, wheels, rims, brakes, and tires as shown on  
7 the vehicle certification label or tag, and  
8 b. utility or refuse collection vehicles operated under these exceptions will  
9 not be allowed to operate on interstate highways;
- 10 2. Vehicles transporting timber, pulpwood, and chips in their natural state,  
11 vehicles transporting oil field fluids, oil field equipment, or equipment used in oil and gas  
12 well drilling or exploration, and vehicles transporting grain, if the following conditions  
13 are met:
- 14 a. the vehicles are registered for the maximum allowable rate,  
15 b. the vehicles do not exceed five percent (5%) of the gross limits set forth  
16 in subsection A of this section, and  
17 c. the 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; and
- 20 3. Vehicles transporting rock, sand, gravel, and coal if the following conditions are  
21 met:
- 22 a. the vehicles are registered for the maximum allowable rate,

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

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

6           F. Utility or refuse collection vehicles, vehicles transporting timber, pulpwood, and  
7 chips in their natural state, vehicles transporting oil field equipment or equipment used  
8 in oil and gas well drilling or exploration, vehicles transporting rock, sand, gravel, and  
9 coal and vehicles transporting grain, operating under exceptions shall purchase an  
10 annual special overload 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 any truck used by a  
13 private utility company, county, city, or town for the purpose of installing or maintaining  
14 electric, water, or sewer systems.

15           H. Any person convicted of violating the provisions of this subsection shall be  
16 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>

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1	<u>Seven Thousand Five Hundred One (7,501) to Ten</u>	<u>\$0.09</u>
2	<u>Thousand (10,000)</u>	
3	<u>Ten Thousand One (10,001) to Twelve Thousand</u>	<u>\$0.11</u>
4	<u>Five Hundred (12,500)</u>	
5	<u>Twelve Thousand Five Hundred One (12,501) to</u>	<u>\$0.13</u>
6	<u>Fifteen Thousand (15,000)</u>	
7	<u>Fifteen Thousand One (15,001) or more</u>	<u>\$0.15</u>

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

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

- 15 1. For the first such violation, by a fine of Five Hundred Dollars (\$500.00);
- 16 2. For the second such violation, by a fine of One Thousand Dollars (\$1,000.00); and
- 17 3. For the third and subsequent violations, by a fine of not less than One Thousand  
18 Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00).

19 Provided, if the weight of load and vehicle is such that an overweight permit is required  
20 for the movement of the load and vehicle, then the fine imposed by this subsection shall  
21 be increased by the appropriate per-pound fine prescribed in subsection H of Section 14-  
22 109 of this title.

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1        B. The permit shall be carried by the operator of the vehicle moving or transporting  
2 the load or manufactured home and shall be available for inspection by any law  
3 enforcement officer. If said operator is found not to possess a permit, the load or  
4 manufactured home shall not continue to be moved or transported. Thereafter, the load  
5 or manufactured home shall not be moved or transported further except by the operator  
6 of a vehicle moving or transporting the load or manufactured home who is in possession  
7 of a permit authorizing the movement of the load or manufactured home.

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

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

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

20        B. 1. The Department shall provide a motor carrier written notice of any safety  
21 rating resulting from a compliance review as soon as practicable, but not later than  
22 thirty (30) days after the review. The notice shall be given as provided in Section 2-116

1 of Title 47 of the Oklahoma Statutes and shall include a list of Federal Motor Carrier  
2 Safety Regulations and Hazardous Materials Regulations compliance deficiencies, which  
3 the motor carrier shall correct.

4 2. If the safety rating is “satisfactory” or improves a previous “unsatisfactory”  
5 safety rating, it shall be final and become effective on the date of the notice.

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

8 a. for motor carriers transporting hazardous materials  
9 in quantities requiring placarding or transporting  
10 passengers by commercial motor vehicle, forty-five  
11 (45) days after the date of the notice, or

12 b. for all other motor carriers operating commercial  
13 motor vehicles, sixty (60) days after the date of the  
14 notice.

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

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

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

3           C. 1. A motor carrier rated “unsatisfactory” shall be prohibited from operating a  
4 commercial motor vehicle, as follows:

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

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

1           2. A state or local agency shall not use a motor carrier that holds an  
2 “unsatisfactory” rating to transport passengers in a commercial motor vehicle or to  
3 transport hazardous materials in quantities requiring placarding.

4           3. A state or local agency shall not use a motor carrier for other commercial motor  
5 vehicle transportation if that carrier holds an “unsatisfactory” rating.

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

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

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

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

19          2. The request shall explain the error the motor carrier believes the Department  
20 committed in issuing the safety rating. The motor carrier shall include a list of all  
21 factual and procedural issues in dispute, and any information or documents that support  
22 its argument.

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

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

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

11           6. The Department may ask the motor carrier to submit additional data and  
12 attend a conference to discuss the safety rating. If the motor carrier does not provide the  
13 information requested, or does not attend the conference, the Department may dismiss  
14 the request for review.

15           7. The Department shall notify the motor carrier in writing of its decision  
16 following the administrative review. The Department shall complete its review:

17           a. within thirty (30) days after receiving a request  
18                                 from a hazardous materials or passenger motor carrier  
19                                 that has received a proposed or final  
20                                 “unsatisfactory” safety rating, or

21           b. within forty-five (45) days after receiving a request  
22                                 from any other motor carrier that has received a

1 proposed or final “unsatisfactory” safety rating.

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

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

6 F. 1. A motor carrier that has taken action to correct the deficiencies that  
7 resulted in a proposed or final rating of “conditional” or “unsatisfactory” may request a  
8 rating change at any time.

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

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

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

19 5. The Department shall perform reviews of requests made by motor carriers with  
20 a proposed or final “unsatisfactory” safety rating in the following time periods after the  
21 request of the motor carrier:

22 a. within thirty (30) days for motor carriers

1 transporting passengers in commercial motor vehicles  
2 or placardable quantities of hazardous materials, or

3 b. within forty-five (45) days for all other motor  
4 carriers.

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

13 7. The Department may allow a motor carrier with a proposed rating of  
14 “unsatisfactory”, except those transporting passengers in commercial motor vehicles or  
15 placardable quantities of hazardous materials, to continue to operate in intrastate  
16 commerce for up to sixty (60) days beyond the sixty (60) days specified in the proposed  
17 rating, if the Department determines that the motor carrier is making a good faith effort  
18 to improve its safety status. This additional period would begin on the effective date of  
19 the notice of the proposed “unsatisfactory” rating.

20 8. If the Department determines that the motor carrier has taken the corrective  
21 actions required and that its operations currently meet the safety standard and factors

1 specified in 49 U.S.C., Sections 385.5 and 385.7, the agency shall notify the motor carrier  
2 in writing of its upgraded safety rating.

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

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

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

14 2. The final safety rating assigned to a motor carrier shall be made available to  
15 the public upon request. Any person requesting the assigned rating of a motor carrier  
16 shall provide the Department with the name of the motor carrier, principal office  
17 address, and, if known, the United States Department of Transportation number, if any.

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

20 H. 1. Notwithstanding the provisions of Sections 230.6 and 230.9 of Title 47 of the  
21 Oklahoma Statutes, the Department shall assess, when the rating and circumstances  
22 warrant, an administrative penalty as provided in 49 C.F.R., Part 386, Appendix B,

1 using the Uniform Fine Assessment developed and maintained by the Upper Great  
2 Plains Transportation Institute for the Federal Motor Carrier Safety Administration.

3 2. In determining the amount of any administrative penalty and the reasonable  
4 amount of time for abatement of the violation, the Commissioner shall include, but not be  
5 limited to, consideration of the nature, circumstances and gravity of the violation, and  
6 with respect to the person found to have committed the violation, the degree of  
7 culpability, history of prior offenses, effect on ability to continue to do business and such  
8 other matters as justice and public safety may require. In each case, the penalty shall be  
9 calculated to induce further compliance.

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

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

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

21 Special mobilized machinery shall be permitted the use of the highways of this state  
22 when proper registration and permits, as provided in this section, are in the possession of

1 the operator. If such equipment is not certified and registered as special mobilized  
2 machinery, and no permits are in possession of the operator, the equipment shall comply  
3 with Sections 14-101 through 14-121 of this title.

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

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

1 qualifying equipment registered in another state and utilized for emergency or  
2 temporary service, not to exceed thirty (30) days, shall be calculated in the same manner  
3 as set forth in subsection A of Section 1122 of this title.

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

13 SECTION 5. This act shall become effective November 1, 2007.

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,  
15 dated 03-06-07 - DO PASS, As Amended and Coauthored.