

THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2008

Committee Substitute for
House Bill No. 3193

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3193 - By: DENNEY of the House and JUSTICE of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-405.1, as renumbered by Section 35, Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2007, Section 11-314), which relates to approaching certain vehicles displaying flashing lights; requiring drivers to take certain actions when approaching wreckers and tow vehicles on highways; amending 47 O.S. 2001, Section 14-109, as last amended by Section 2, Chapter 324, O.S.L. 2007 (47 O.S. Supp. 2007, Section 14-109), which relates to vehicle load and weight limits; providing exception to permit requirement for certain vehicles; 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 11-405.1, as renumbered
2 by Section 35, Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2007, Section 11-314), is amended
3 to read as follows:

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

7 1. If traveling on a highway that consists of two or more lanes that carry traffic in
8 the same direction of travel as that of the driver, the driver shall proceed with due
9 caution and shall, if possible and with due regard to the road, weather, and traffic

1 conditions, change lanes into a lane that is not adjacent to the stationary authorized
2 emergency vehicle, wrecker, or tow vehicle; or if the driver is not able to change lanes or
3 if to do so would be unsafe, the driver shall proceed with due caution and reduce the
4 speed of the motor vehicle to a safe speed for the existing road, weather, and traffic
5 conditions; and

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

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

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

15 Section 14-109. A. On any road or highway:
16 1. No single axle weight shall exceed twenty thousand (20,000) pounds; and
17 2. The total gross weight in pounds imposed thereon by a vehicle or combination of
18 vehicles shall not exceed the value given in the following table corresponding to the
19 distance in feet between the extreme axles of the group measured longitudinally to the
20 nearest foot.

| 21 Distance in Feet | Maximum Load in Pounds |
|----------------------------|------------------------|
| 22 Between the Extremes of | |

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

| 1 | Any Group of 2 or More | | Carried on Any Group of 2 or | | | |
|----|------------------------|--------|------------------------------|---------|---------|---------|
| 2 | Consecutive Axles | | More Consecutive Axles | | | |
| 3 | 2 Axles | | 3 Axles | 4 Axles | 5 Axles | 6 Axles |
| 4 | 4 | 34,000 | ----- | ----- | ----- | ----- |
| 5 | 5 | 34,000 | ----- | ----- | ----- | ----- |
| 6 | 6 | 34,000 | ----- | ----- | ----- | ----- |
| 7 | 7 | 34,000 | ----- | ----- | ----- | ----- |
| 8 | 8 | 34,000 | 42,000 | ----- | ----- | ----- |
| 9 | 9 | 39,000 | 42,500 | ----- | ----- | ----- |
| 10 | 10 | 40,000 | 43,500 | ----- | ----- | ----- |
| 11 | 11 | ----- | 44,000 | ----- | ----- | ----- |
| 12 | 12 | ----- | 45,000 | 50,000 | ----- | ----- |
| 13 | 13 | ----- | 45,500 | 50,500 | ----- | ----- |
| 14 | 14 | ----- | 46,500 | 51,500 | ----- | ----- |
| 15 | 15 | ----- | 47,000 | 52,000 | ----- | ----- |
| 16 | 16 | ----- | 48,000 | 52,500 | 58,000 | ----- |
| 17 | 17 | ----- | 48,500 | 53,500 | 58,500 | ----- |
| 18 | 18 | ----- | 49,500 | 54,000 | 59,000 | ----- |
| 19 | 19 | ----- | 50,000 | 54,500 | 60,000 | ----- |
| 20 | 20 | ----- | 51,000 | 55,500 | 60,500 | 66,000 |
| 21 | 21 | ----- | 51,500 | 56,000 | 61,000 | 66,500 |
| 22 | 22 | ----- | 52,500 | 56,500 | 61,500 | 67,000 |

| | | | | | | |
|----|----|-------|--------|--------|--------|--------|
| 1 | 23 | ----- | 53,000 | 57,500 | 62,500 | 68,000 |
| 2 | 24 | ----- | 54,000 | 58,000 | 63,000 | 68,500 |
| 3 | 25 | ----- | 54,500 | 58,500 | 63,500 | 69,000 |
| 4 | 26 | ----- | 56,000 | 59,500 | 64,000 | 69,500 |
| 5 | 27 | ----- | 57,500 | 60,000 | 65,000 | 70,000 |
| 6 | 28 | ----- | 59,000 | 60,500 | 65,500 | 71,000 |
| 7 | 29 | ----- | 60,500 | 61,500 | 66,000 | 71,500 |
| 8 | 30 | ----- | 62,000 | 62,000 | 66,500 | 72,000 |
| 9 | 31 | ----- | 63,500 | 63,500 | 67,000 | 72,500 |
| 10 | 32 | ----- | 64,000 | 64,000 | 68,000 | 73,500 |
| 11 | 33 | ----- | ----- | 64,500 | 68,500 | 74,000 |
| 12 | 34 | ----- | ----- | 65,000 | 69,000 | 74,500 |
| 13 | 35 | ----- | ----- | 66,000 | 70,000 | 75,000 |
| 14 | 36 | ----- | ----- | 68,000 | 70,500 | 75,500 |
| 15 | 37 | ----- | ----- | 68,000 | 71,000 | 76,000 |
| 16 | 38 | ----- | ----- | 69,000 | 72,000 | 77,000 |
| 17 | 39 | ----- | ----- | 70,000 | 72,500 | 77,500 |
| 18 | 40 | ----- | ----- | 71,000 | 73,000 | 78,000 |
| 19 | 41 | ----- | ----- | 72,000 | 73,500 | 78,500 |
| 20 | 42 | ----- | ----- | 73,000 | 74,000 | 79,000 |
| 21 | 43 | ----- | ----- | 73,280 | 75,000 | 80,000 |
| 22 | 44 | ----- | ----- | 73,280 | 75,500 | 80,500 |

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

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

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

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

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

10 E. Exceptions to this section will be:

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

- 13 a. calculation of weight for a utility or refuse collection vehicle shall be
14 "Gross Vehicle Weight". The "Gross Vehicle Weight" of a utility or
15 refuse collection vehicle may not exceed the otherwise applicable
16 weight by more than fifteen percent (15%). The weight on individual
17 axles must not exceed the manufacturer's component rating which
18 includes axle, suspension, wheels, rims, brakes, and tires as shown on
19 the vehicle certification label or tag, and
20 b. utility or refuse collection vehicles operated under these exceptions will
21 not be allowed to operate on interstate highways;

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

- 5 a. the vehicles are registered for the maximum allowable rate,
- 6 b. the vehicles do not exceed five percent (5%) of the gross limits set forth
7 in subsection A of this section, and
- 8 c. the vehicles operating pursuant to the provisions of this paragraph will
9 not be allowed to operate on the National System of Interstate and
10 Defense Highways; ~~and~~

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

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

19 4. A combination of a wrecker or tow vehicle and another vehicle or vehicle
20 combination if:

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

1 **b.** the wrecker or tow vehicle is towing the other vehicle or vehicle
2 combination directly to the nearest authorized place of repair,
3 terminal, or vehicle storage facility.

4 Vehicles operating pursuant to the provisions of this paragraph will not be allowed to
5 operate on the National System of Interstate and 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, coal,
9 and flour 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 SECTION 3. This act shall become effective November 1, 2008.

16 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT AND
17 TRANSPORTATION, dated 02-27-08 - DO PASS, As Amended and Coauthored.