

EHB 3193

1 THE STATE SENATE
2 Wednesday, March 26, 2008

3 ENGROSSED

4 House Bill No. 3193

5 ENGROSSED HOUSE BILL NO. 3193 - By: Denney and Sherrer of the House
6 and Justice of the Senate.

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

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

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

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

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

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

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

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

15 SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-109, as
16 last amended by Section 2, Chapter 324, O.S.L. 2007 (47 O.S. Supp.
17 2007, Section 14-109), is amended to read as follows:

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

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

21 2. The total gross weight in pounds imposed thereon by a
22 vehicle or combination of vehicles shall not exceed the value given
23 in the following table corresponding to the distance in feet between

1 the extreme axles of the group measured longitudinally to the
 2 nearest foot.

3 Distance in Feet

4 Between the Extremes of

Maximum Load in Pounds

5 Any Group of 2 or More

Carried on Any Group of 2 or

6 Consecutive Axles

More Consecutive Axles

7		2 Axles	3 Axles	4 Axles	5 Axles	6 Axles
8	4	34,000	-----	-----	-----	-----
9	5	34,000	-----	-----	-----	-----
10	6	34,000	-----	-----	-----	-----
11	7	34,000	-----	-----	-----	-----
12	8	34,000	42,000	-----	-----	-----
13	9	39,000	42,500	-----	-----	-----
14	10	40,000	43,500	-----	-----	-----
15	11	-----	44,000	-----	-----	-----
16	12	-----	45,000	50,000	-----	-----
17	13	-----	45,500	50,500	-----	-----
18	14	-----	46,500	51,500	-----	-----
19	15	-----	47,000	52,000	-----	-----
20	16	-----	48,000	52,500	58,000	-----
21	17	-----	48,500	53,500	58,500	-----
22	18	-----	49,500	54,000	59,000	-----
23	19	-----	50,000	54,500	60,000	-----

1	20	-----	51,000	55,500	60,500	66,000
2	21	-----	51,500	56,000	61,000	66,500
3	22	-----	52,500	56,500	61,500	67,000
4	23	-----	53,000	57,500	62,500	68,000
5	24	-----	54,000	58,000	63,000	68,500
6	25	-----	54,500	58,500	63,500	69,000
7	26	-----	56,000	59,500	64,000	69,500
8	27	-----	57,500	60,000	65,000	70,000
9	28	-----	59,000	60,500	65,500	71,000
10	29	-----	60,500	61,500	66,000	71,500
11	30	-----	62,000	62,000	66,500	72,000
12	31	-----	63,500	63,500	67,000	72,500
13	32	-----	64,000	64,000	68,000	73,500
14	33	-----	-----	64,500	68,500	74,000
15	34	-----	-----	65,000	69,000	74,500
16	35	-----	-----	66,000	70,000	75,000
17	36	-----	-----	68,000	70,500	75,500
18	37	-----	-----	68,000	71,000	76,000
19	38	-----	-----	69,000	72,000	77,000
20	39	-----	-----	70,000	72,500	77,500
21	40	-----	-----	71,000	73,000	78,000
22	41	-----	-----	72,000	73,500	78,500
23	42	-----	-----	73,000	74,000	79,000

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

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

1 manufacturer's component rating which includes axle,
2 suspension, wheels, rims, brakes, and tires as shown
3 on the vehicle certification label or tag, and

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

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

12 a. the vehicles are registered for the maximum allowable
13 rate,

14 b. the vehicles do not exceed five percent (5%) of the
15 gross limits set forth in subsection A of this
16 section, and

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

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

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

10 4. A combination of a wrecker or tow vehicle and another
11 vehicle or vehicle combination if:

- 12 a. the service provided by the wrecker or tow vehicle is
13 needed to remove disabled, abandoned, or accident-
14 damaged vehicles, and
15 b. the wrecker or tow vehicle is towing the other vehicle
16 or vehicle combination directly to the nearest
17 authorized place of repair, terminal, or vehicle
18 storage facility.

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

22 F. Utility or refuse collection vehicles, vehicles transporting
23 timber, pulpwood, and chips in their natural state, vehicles

1 transporting oil field equipment or equipment used in oil and gas
2 well drilling or exploration, vehicles transporting rock, sand,
3 gravel, coal, and flour and vehicles transporting grain, operating
4 under exceptions shall purchase an annual special overload permit
5 for One Hundred Dollars (\$100.00). This fee shall be apportioned as
6 provided for in Section 1104 of this title.

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

11 SECTION 3. This act shall become effective November 1, 2008.

12 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
13 dated 3-25-08 - DO PASS.