

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3193

By: Denney

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; requiring drivers  
8 to yield the right-of-way for wreckers and tow  
9 vehicles; amending Section 36, Chapter 411, O.S.L.  
10 2003 (47 O.S. Supp. 2007, Section 12-218.1), which  
11 relates to lights on wreckers and tow vehicles;  
12 authorizing use of fog lamps in lieu of certain  
13 lamps; amending 47 O.S. 2001, Section 14-109, as last  
14 amended by Section 2, Chapter 324, O.S.L. 2007 (47  
15 O.S. Supp. 2007, Section 14-109), which relates to  
16 vehicle load and weight limits; providing exception  
17 to permit requirement for certain vehicles; providing  
18 for codification; and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 11-407 of Title 47, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. Upon the immediate approach of wreckers or tow vehicles  
24 making use of flashing red or blue lights as provided for in Section  
12-218.1 of Title 47 of the Oklahoma Statutes, the driver of every  
other vehicle shall yield the right-of-way and shall immediately  
drive to a position parallel to, and as close as possible to, the  
right-hand edge or curb of the roadway clear of any intersection and

1 shall stop and remain in such position until the wrecker or tow  
2 vehicle has passed.

3 B. This section shall not operate to relieve any operator of a  
4 wrecker or tow vehicle from the duty to drive with due regard for  
5 the safety of all persons using the roadway.

6 SECTION 2. AMENDATORY Section 36, Chapter 411, O.S.L.  
7 2003 (47 O.S. Supp. 2007, Section 12-218.1), is amended to read as  
8 follows:

9 Section 12-218.1 A. Flashing red or blue lights or a  
10 combination of flashing red and blue lights may be used on wreckers  
11 and tow vehicles at the scene of an emergency.

12 B. Any wrecker or tow vehicle that is not presently equipped  
13 with daytime running lamps shall be permitted to use front or rear  
14 fog lamps.

15 SECTION 3. 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  
24



1	21	-----	51,500	56,000	61,000	66,500
2	22	-----	52,500	56,500	61,500	67,000
3	23	-----	53,000	57,500	62,500	68,000
4	24	-----	54,000	58,000	63,000	68,500
5	25	-----	54,500	58,500	63,500	69,000
6	26	-----	56,000	59,500	64,000	69,500
7	27	-----	57,500	60,000	65,000	70,000
8	28	-----	59,000	60,500	65,500	71,000
9	29	-----	60,500	61,500	66,000	71,500
10	30	-----	62,000	62,000	66,500	72,000
11	31	-----	63,500	63,500	67,000	72,500
12	32	-----	64,000	64,000	68,000	73,500
13	33	-----	-----	64,500	68,500	74,000
14	34	-----	-----	65,000	69,000	74,500
15	35	-----	-----	66,000	70,000	75,000
16	36	-----	-----	68,000	70,500	75,500
17	37	-----	-----	68,000	71,000	76,000
18	38	-----	-----	69,000	72,000	77,000
19	39	-----	-----	70,000	72,500	77,500
20	40	-----	-----	71,000	73,000	78,000
21	41	-----	-----	72,000	73,500	78,500
22	42	-----	-----	73,000	74,000	79,000
23	43	-----	-----	73,280	75,000	80,000
24	44	-----	-----	73,280	75,500	80,500

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

24

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

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

12 E. Exceptions to this section will be:

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

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

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

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

9           a. the vehicles are registered for the maximum allowable  
10           rate,

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

14           c. the vehicles operating pursuant to the provisions of  
15           this paragraph will not be allowed to operate on the  
16           National System of Interstate and Defense Highways;  
17           and

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

20           a. the vehicles are registered for the maximum allowable  
21           rate,

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

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

5 4. A combination of a wrecker or tow vehicle and another  
6 vehicle or vehicle combination if:

7 a. the nature of the service provided by the wrecker or  
8 tow vehicle is needed to remove disabled, abandoned,  
9 or accident-damaged vehicles, and

10 b. the wrecker or tow vehicle is towing the other vehicle  
11 or vehicle combination directly to the nearest  
12 authorized place of repair, terminal, or vehicle  
13 storage facility.

14 Vehicles operating pursuant to the provisions of this paragraph will  
15 not be allowed to operate on the National System of Interstate and  
16 Defense Highways.

17 F. Utility or refuse collection vehicles, vehicles transporting  
18 timber, pulpwood, and chips in their natural state, vehicles  
19 transporting oil field equipment or equipment used in oil and gas  
20 well drilling or exploration, vehicles transporting rock, sand,  
21 gravel, coal, and flour and vehicles transporting grain, operating  
22 under exceptions shall purchase an annual special overload permit  
23 for One Hundred Dollars (\$100.00). This fee shall be apportioned as  
24 provided for in Section 1104 of this title.

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

5 SECTION 4. This act shall become effective November 1, 2008.

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7 51-2-9318 GRS 01/07/08

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