

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 2ND CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2625

By: Jones of the House

and

Burrage of the Senate

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9 2ND CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 2001, Section 14-111, as last amended by Section 1 of
12 Enrolled House Bill No. 2967 of the 2nd Session of
13 the 52nd Oklahoma Legislature, which relates to
14 weighing motor vehicles; providing an exception to
15 certain certificate requirement; and declaring an
16 emergency.

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

18 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-111, as
19 last amended by Section 1 of Enrolled House Bill No. 2967 of the 2nd
20 Session of the 52nd Oklahoma Legislature, is amended to read as
21 follows:

22 Section 14-111. A. Any officer of the Department of Public
23 Safety, the Corporation Commission, any sheriff, or any salaried
24 deputy sheriff is authorized to stop any vehicle upon any road or

1 highway in order to weigh such vehicle by means of portable or
2 stationary scales, or cause the same to be weighed by any official
3 weigher, or upon any privately owned scales and may require that
4 such vehicles be driven to the nearest or most convenient available
5 scales for the purpose of weighing. In the event that any axle
6 weight or the gross weight of any such vehicle be found to exceed
7 the maximum weight authorized by law, or by permit issued therefor,
8 the officer may require, in the case of separable loads, the driver,
9 operator or owner thereof to unload at the site such portion of the
10 load as may be necessary to decrease the weight of such vehicle to
11 the maximum weight authorized by law. Provided, however, that if
12 such load consists of livestock, perishable merchandise, or
13 merchandise that may be destroyed by the weather, then the driver
14 shall be permitted to proceed to the nearest practical unloading
15 point in the direction of destination before discharging such excess
16 cargo. All material so unloaded shall be cared for by the owner or
17 operator of such vehicle at the risk of such owner or operator.

18 B. The operator of any truck or other vehicle transporting farm
19 products for hire or other merchandise for hire shall have in his or
20 her possession a certificate carrying the following information:
21 name of the operator; driver license number; vehicle registration
22 number; Corporation Commission permit number; and statement of owner
23 authorizing transportation of the products by above named operator.
24 For the purposes of this section "certificate" includes electronic

1 manifests and other similar documents that include all of the
2 information required pursuant to this section.

3 Should the vehicle be loaded with livestock, the certificate
4 shall include the number of animals, and should the livestock be the
5 property of more than one person, a certificate signed by each owner
6 carrying the above information including the number of animals owned
7 by each owner shall be carried by the operator. Should the operator
8 be the owner of the merchandise or livestock, the merchandise or
9 livestock having just been purchased, the operator shall have in his
10 or her possession a bill of sale for such merchandise or livestock.
11 Should the operator be the owner of livestock or other farm products
12 produced by the operator, the operator shall be required to show
13 satisfactory identification and ownership of the vehicle. Any
14 officer as outlined in this chapter shall have the authority to stop
15 any vehicle loaded with livestock, merchandise or other farm
16 products and investigate as to the ownership of the merchandise,
17 livestock or other farm products. Should the operator of any
18 vehicle be unable to establish to the satisfaction of the officer
19 the ownership of the merchandise, livestock or other products, or
20 shall not have the certificate as specified in this section for the
21 transportation of such merchandise, livestock or other farm
22 products, the merchandise, livestock or other farm products and the
23 vehicle in which they are being transported shall be impounded by
24 the officer and any expense as to the care of any livestock shall be

1 the responsibility of the owner or operator of the vehicle, and any
2 loss or damage of the merchandise, livestock or other farm products
3 shall be the responsibility of the operator or owner, or both.

4 The provisions of this subsection shall not apply to a person
5 who is transporting horses or livestock; provided, the person shall
6 not have been hired to transport the horses or livestock and the
7 transporting vehicle displays on both sides in plainly visible
8 letters not less than two (2) inches in height the words "NOT FOR
9 HIRE".

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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15 52-2-10935 GRS 05/20/10
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