

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 1574

By: Johnson (Mike) and Myers of
the Senate

6 and

7 Miller and Martin (Scott)
of the House

8
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicle fees; amending 47
11 O.S. 2001, Sections 14-116, as last amended by
12 Section 1, Chapter 144, O.S.L. 2007, 14-120, and 14-
13 121 (47 O.S. Supp. 2009, Section 14-116), which
14 relate to size, weight and load; modifying certain
15 fees; providing for apportionment of money; providing
16 for codification; providing an effective date; and
17 declaring an emergency.

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

19 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-116, as
20 last amended by Section 1, Chapter 144, O.S.L. 2007 (47 O.S. Supp.
21 2009, Section 14-116), is amended to read as follows:

22 Section 14-116. A. The Commissioner of Public Safety shall
23 charge a minimum permit fee of ~~Twenty Dollars (\$20.00)~~ Forty Dollars
24 (\$40.00) for any permit issued pursuant to the provisions of Section
14-101 et seq. of this title. In addition to the permit fee, the

1 Commissioner shall charge a fee of ~~Five Dollars (\$5.00)~~ Ten Dollars
2 (\$10.00) for each thousand pounds in excess of the legal load limit.
3 The Commissioner of Public Safety shall establish any necessary
4 rules for collecting the fees.

5 B. The Department of Public Safety is authorized to establish
6 an escrow account system for the payment of permit fees. Authorized
7 motor carriers meeting established credit requirements may
8 participate in the escrow account system for permits purchased from
9 all size and weight permit offices in this state. Carriers not
10 choosing to participate in the escrow account system shall be
11 required to make payment of the required fee or fees upon purchase
12 of each permit as required by law. All monies collected through the
13 escrow account system shall be deposited to a special account of the
14 Department of Public Safety and placed in the custody of the State
15 Treasurer. Proceeds from permits purchased using the escrow account
16 system shall be distributed as provided for in subsection G of this
17 section. However, fees collected through such accounts for the
18 electronic transmission, transfer or delivery of permits, as
19 provided for in Section 14-118 of this title, shall be credited to
20 the Department of Public Safety Revolving Fund.

21 C. 1. Application for permits shall be made a reasonable time
22 in advance of the expected time of movement of such vehicles. For
23 emergencies affecting the health or safety of persons or a
24 community, permits may be issued for immediate movement.

1 2. Size and weight permit offices in all districts where
2 applicable shall issue permits to authorize carriers by telephone
3 during weekdays.

4 3. The Commissioner of Public Safety shall develop a system for
5 provisional permits for authorized carriers which may be used in
6 lieu of a regular permit for the movement of oversize and overweight
7 loads when issued an authorization number by the Department of
8 Public Safety. Such provisional permits shall include date of
9 movement, general load description, estimated weight, oversize
10 notation, route of travel, truck or truck-tractor license number,
11 and permit authorization number.

12 D. No overweight permit shall be valid until all license taxes
13 due the State of Oklahoma have been paid.

14 E. No permit violation shall be deemed to have occurred when an
15 oversize or overweight movement is made pursuant to a permit whose
16 stated weight or size exceeds the actual load.

17 F. The first deliverer of motor vehicles designated truck
18 carriers or well service carriers manufactured in Oklahoma shall not
19 be required to purchase an overweight permit when being delivered to
20 the first purchaser.

21 G. The Except as provided in Section 4 of this act, the first
22 One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) of
23 proceeds from both the permit fees and the overweight permit fees
24 imposed pursuant to subsection A of this section collected monthly

1 shall be apportioned as provided in Section 1104 of this title. All
2 proceeds collected from both the permit fees and the overweight
3 permit fees imposed pursuant to subsection A of this section in
4 excess of One Million Two Hundred Sixteen Thousand Dollars
5 (\$1,216,000.00) shall be deposited in the Weigh Station Improvement
6 Revolving Fund as provided in Section 1167 of this title for the
7 purpose set forth in that section and may be used for motor carrier
8 permitting systems and motor carrier safety and enforcement.

9 SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-120, is
10 amended to read as follows:

11 Section 14-120. A. Manufactured items, with the exception of
12 manufactured homes as defined in Section 1102 of this title and
13 industrialized housing as defined in subsection B of Section 14-103A
14 of this title, exceeding sixteen (16) feet but not exceeding twenty-
15 three (23) feet in width traveling:

16 1. From a point of manufacture in the State of Oklahoma to a
17 point of delivery in the State of Oklahoma or to a point of delivery
18 in another state; or

19 2. From a point of manufacture outside the State of Oklahoma to
20 a point of delivery in the State of Oklahoma or to a point of
21 delivery in another state shall be permitted, upon receipt of a
22 special movement permit issued under the provisions of subsection B
23 of this section, to travel on any state or U.S. highway in Oklahoma.
24 Provided, however, the Commissioner of Public Safety is authorized

1 to allow such items in excess of twenty-three (23) feet in width to
2 travel on such highway if it is in the best interest of the state
3 and a special moving permit has been issued. Provided, further,
4 that no such load in excess of the limitations set forth in the
5 applicable United States Code shall be permitted to travel upon any
6 portion of the National System of Interstate and Defense Highways.

7 B. Every person desiring to transport manufactured items
8 pursuant to the provisions of this section shall apply to the
9 Department of Public Safety for a special movement permit on an
10 application form prescribed by the Department. Upon approval of the
11 application by the Department, a special movement permit shall be
12 issued for a fee of ~~Two Hundred Fifty Dollars (\$250.00)~~ Five Hundred
13 Dollars (\$500.00). ~~All~~ Except as provided in Section 4 of this act,
14 monies received from such special movement permit fees shall be
15 deposited in the State Treasury to the credit of the General Revenue
16 Fund. A permit issued pursuant to the provisions of this subsection
17 shall expire upon the completion of one trip specified in subsection
18 A of this section. The special movement permit, and fee related
19 thereto, shall be in addition to the permit and fees required by
20 Section 14-116 of this title.

21 C. Highway escorts shall be required for transportation of
22 items pursuant to the provisions of this section according to rules
23 and regulations prescribed by the Department of Public Safety.

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1 SECTION 3. AMENDATORY 47 O.S. 2001, Section 14-121, is
2 amended to read as follows:

3 Section 14-121. A. No person shall operate a special
4 combination vehicle within this state without a special combination
5 vehicle permit for the vehicle issued by the Department of Public
6 Safety. Such permit may be issued for operation upon Federal Aid
7 Interstate Highways or four-lane divided Federal Aid Primary
8 Highways and for access or egress between points of origin or
9 destination.

10 B. The Commissioner of Public Safety shall promulgate rules for
11 the issuance of special combination vehicle permits and shall
12 collect an annual fee of ~~One Hundred Twenty Dollars (\$120.00)~~ Two
13 Hundred Forty Dollars (\$240.00) for each such permit issued. ~~Fees~~
14 Except as provided in Section 4 of this act, fees collected pursuant
15 to this section shall be remitted to the State Treasurer to be
16 credited to the General Revenue Fund in the State Treasury.

17 C. For the purposes of this section, a special combination
18 vehicle shall consist of a truck-tractor semitrailer combination
19 towing two complete trailers or semitrailers. No semitrailer or
20 trailer used in such a combination shall have a length greater than
21 twenty-nine (29) feet nor shall a special combination vehicle exceed
22 the weight limitations imposed by Sections 14-109 and 14-116 of this
23 title.

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1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 14-122 of Title 47, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Notwithstanding the provisions of Section 1104 of Title 47
5 of the Oklahoma Statutes, the first Twenty Million Dollars
6 (\$20,000,000.00) of the following fees shall be deposited in the
7 General Revenue Fund to be apportioned as follows:

8 1. Twenty Dollars (\$20.00) of any fee collected for a minimum
9 permit fee pursuant to Section 14-116 of Title 47 of the Oklahoma
10 Statutes;

11 2. Five Dollars (\$5.00) of any fee collected for excess weight
12 pursuant to Section 14-116 of Title 47 of the Oklahoma Statutes;

13 3. Two Hundred Fifty Dollars (\$250.00) of any fee collected
14 pursuant to Section 14-120 of Title 47 of the Oklahoma Statutes; and

15 4. One Hundred Twenty Dollars (\$120.00) of any fee collected
16 pursuant to Section 14-121 of Title 47 of the Oklahoma Statutes.

17 B. Any fees collected pursuant to Sections 14-116, 14-120 and
18 14-121 of Title 47 of the Oklahoma Statutes that are in excess of
19 Twenty Million Dollars (\$20,000,000.00) shall be apportioned as
20 otherwise provided for in the sections specified in this subsection.

21 SECTION 5. This act shall become effective July 1, 2010.

22 SECTION 6. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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