

1 ENGROSSED HOUSE
2 BILL NO. 2322

By: Roan of the House

and

Ellis of the Senate

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7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Sections 1-107.4, as last amended by Section 1,
9 Chapter 388, O.S.L. 2009 and 1-135, as amended by
10 Section 3, Chapter 521, O.S.L. 2004 (47 O.S. Supp.
11 2009, Sections 1-107.4 and 1-135), which relate to
12 definitions of vehicles and motorcycles; clarifying
13 scope of definitions; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2001, Section 1-107.4, as
17 last amended by Section 1, Chapter 388, O.S.L. 2009 (47 O.S. Supp.
18 2009, Section 1-107.4), is amended to read as follows:

19 Section 1-107.4

20 CLASS D MOTOR VEHICLE

21 A. A Class D motor vehicle is any motor vehicle or combination
22 of vehicles which:

23 1. Regardless of weight:

24 a. is marked and used as an authorized emergency vehicle,
as defined in Section 1-103 of this title, or

b. is designed and used solely as a recreational vehicle;

1 2. Is a single or combination vehicle with a gross combined
2 weight rating of less than twenty-six thousand one (26,001) pounds;

3 3. Is a single or combination farm vehicle with a gross
4 combined weight rating of more than twenty-six thousand one (26,001)
5 pounds if:

6 a. it is entitled to be registered with a farm tag and
7 has a farm tag attached thereto,

8 b. it is controlled and operated by a farmer, his or her
9 family or employees,

10 c. it is used to transport either agricultural products,
11 farm machinery, farm supplies or any combination of
12 those materials to or from a farm,

13 d. it is not used in the operations of a common or
14 contract motor carrier, and

15 e. it is used within one hundred fifty (150) air miles of
16 the person's farm or as otherwise provided by federal
17 law; or

18 4. Is operated by a licensed driver employed by a unit of local
19 government that operates a commercial motor vehicle within the
20 boundaries of that unit of local government for the purpose of
21 removing snow or ice from a roadway by plowing, sanding or salting,
22 if:

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- a. the properly licensed employee who ordinarily operates a commercial vehicle for these purposes is unable to operate the vehicle, or
- b. the employing governmental entity determines that a snow or ice emergency requires additional assistance.

B. A Class D Motor Vehicle shall not include any vehicle which is:

1. Designed to carry sixteen or more passengers, including the driver; or

2. Required to be placarded for hazardous materials under 49 C.F.R., Part 172, subpart F; provided, a farm vehicle, as defined in paragraph 3 of subsection A of this section, which is required to be placarded for hazardous materials under 49 C.F.R., Part 172, subpart F, shall be considered to be a Class D motor vehicle.

SECTION 2. AMENDATORY 47 O.S. 2001, Section 1-135, as amended by Section 3, Chapter 521, O.S.L. 2004 (47 O.S. Supp. 2009, Section 1-135), is amended to read as follows:

Section 1-135. Motorcycle.

A motorcycle is any motor vehicle having:

- 1. A seat or saddle for the use of each rider;
- 2. Not more than three wheels in contact with the ground, but excluding a tractor; and

