

THE HOUSE OF REPRESENTATIVES
Tuesday, February 24, 2009

House Bill No. 2054

HOUSE BILL NO. 2054 - By: THOMPSON of the House.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 14-101, as last amended by Section 1, Chapter 324, O.S.L. 2007 (47 O.S. Supp. 2008, Section 14-101), which relates to the issuance of annual overweight permits; allowing Commissioner of Public Safety to issue certain permit; providing for the issuance of oversize and overweight annual vehicle permits for specific motor vehicles and motor carriers; providing procedures and guidelines for issuing permits; prohibiting transferability of permits between permittees; providing for transferability of permits between vehicles; providing for the replacement of permits under certain circumstances; prohibiting replacement of permits under certain circumstances; providing for codification; and providing an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-101, as last amended by
2 Section 1, Chapter 324, O.S.L. 2007 (47 O.S. Supp. 2008, Section 14-101), is amended to
3 read as follows:

4 Section 14-101. A. It is a misdemeanor for any person to drive or move or for the
5 owner to cause or knowingly permit to be driven or moved on any highway any vehicle or
6 vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise
7 in violation of this chapter, and the maximum size and weight of vehicles herein specified
8 shall be lawful throughout this state and local authorities shall have no power or

1 authority to alter said limitations except as express authority may be granted in this
2 chapter.

3 B. The Commissioner of Public Safety is directed to issue annual overweight
4 permits to:

5 1. Municipalities and rural fire districts for the transportation of firefighting
6 apparatus at no cost to the municipalities or rural fire districts;

7 2. Owners of implements of husbandry, which includes tractors that are
8 temporarily moved upon a highway at no cost to the owner; ~~and~~

9 3. Retail implement dealers while hauling implements of husbandry at no cost to
10 the dealer; and

11 4. Owners of certain vehicles as provided for in Section 2 of this act.

12 C. All size, weight and load provisions covered by this chapter shall be subject to
13 the limitations imposed by Title 23, United States Code, Section 127, and such other
14 rules and regulations developed herein. Provided further that any size and weight
15 provision authorized by the United States Congress for use on the National System of
16 Interstate and Defense Highways, including but not limited to height, axle weight, gross
17 weight, combinations of vehicles or load thereon shall be authorized for immediate use on
18 such segments of the National System of Interstate and Defense Highways and any other
19 highways or portions thereof as designated by the Transportation Commission or their
20 duly authorized representative.

21 D. Any vehicle permitted for movement on the highways of this state as provided in
22 Section 14-101 et seq. of this title, other than a vehicle permitted solely for overweight

1 movement, shall be moved only during daylight hours. As used in Section 14-101 et seq.
2 of this title, "daylight hours" shall mean one-half (1/2) hour before sunrise to one-half
3 (1/2) hour after sunset.

4 E. 1. Any vehicle permitted for movement on the highways of this state as
5 provided in Section 14-101 et seq. of this title shall not be moved at any time on the
6 following holidays:

- 7 a. New Year's Day (January 1),
- 8 b. Memorial Day (the last Monday in May),
- 9 c. The Fourth of July (Independence Day),
- 10 d. Labor Day (the first Monday in September),
- 11 e. Thanksgiving Day (the fourth Thursday in November), and
- 12 f. Christmas Day (December 25).

13 2. Any vehicle permitted for movement on the highways of this state as provided in
14 Section 14-101 et seq. of this title shall be allowed to move on the following holidays:

- 15 a. Martin Luther King, Jr.'s Birthday (the third Monday in January),
- 16 b. President's Day, also known as Washington's Birthday (the third
17 Monday in February), and
- 18 c. Veteran's Day (November 11).

19 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma
20 Statutes as Section 14-103G of Title 47, unless there is created a duplication in
21 numbering, reads as follows:

1 A. 1. The Department of Public Safety may issue an annual vehicle permit under
2 the provisions of this subsection to a specific vehicle, for the movement of oversize or
3 overweight loads that cannot reasonably be dismantled. Unless otherwise provided by
4 law, permits issued under this subsection shall be subject to the conditions described in
5 paragraphs 2 through 8 of this subsection.

6 2. Oversize or overweight loads operating under an annual vehicle permit shall not
7 exceed:

- 8 a. twelve (12) feet in width,
- 9 b. fourteen (14) feet in height,
- 10 c. one hundred ten (110) feet in length, or
- 11 d. one hundred twenty thousand (120,000) pounds gross weight.

12 3. Oversize or overweight loads operating under an annual vehicle permit under
13 this subsection shall not transport a load that has more than a twenty-five-foot front
14 overhang, or more than a thirty-foot rear overhang.

15 4. The fee for an annual vehicle permit shall be Four Thousand Dollars (\$4,000.00)
16 and shall be nonrefundable.

17 5. The annual vehicle permit shall be issued for one (1) calendar year period and
18 shall commence upon the date specified on the permit.

19 6. An annual vehicle permit issued pursuant to this subsection shall be
20 nontransferable between permittees.

1 7. The permitted vehicle or vehicle combination shall be registered in accordance
2 with the provisions of Chapter 14 of Title 47 of the Oklahoma Statutes for maximum
3 weight.

4 8. An annual vehicle permit issued pursuant to this subsection may be transferred
5 from one vehicle to another vehicle in the fleet of the permittee provided:

- 6 a. the permitted vehicle is destroyed or otherwise becomes permanently
7 inoperable to the extent that the vehicle will no longer be utilized, and
8 the permittee presents proof to the Department of Public Safety that
9 the negotiable certificate of title or other qualifying documentation has
10 been surrendered to the Department of Public Safety, or
11 b. the certificate of title to the permitted vehicle is transferred to someone
12 other than the permittee, and the permittee presents proof to the
13 Department of Public Safety that the negotiable certificate of title or
14 other qualifying documentation has been transferred from the
15 permittee.

16 B. 1. The Department of Public Safety may issue an annual vehicle permit under
17 this subsection to a specific motor carrier, for the movement of oversize or overweight
18 loads that cannot reasonably be dismantled. An annual vehicle permit issued under this
19 subsection may be transferred from one vehicle to another vehicle in the fleet of the
20 permittee provided:

- 21 a. that no more than one vehicle is operating at a time, and

1 SECTION 3. This act shall become effective November 1, 2009.

2 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02-23-09 -
3 DO PASS.