

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1766

By: Schulz

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6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2001, Section 14-113, which relates to oversized and  
9 overweight vehicles; authorizing counties to issue  
10 certain permits; restricting use of funds for certain  
11 purpose; requiring certain notice; requiring certain  
disclosure; authorizing counties to issue citations  
for certain violations; stating distribution of  
fines; authorizing use for certain purpose; and  
declaring an emergency.

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

16 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-113, is  
17 amended to read as follows:

18 Section 14-113. ~~The~~ A. Except as provided in subsection B of  
19 this section, the Director of the Department of Transportation with  
20 respect to highways on the state highway system, or local  
21 authorities with respect to highways under their jurisdiction, as  
22 defined in Title 69 of the Oklahoma Statutes, may prohibit the  
23 operation of vehicles on any such highways, or impose restrictions  
24 as to the weights of vehicles to be operated upon any state or

1 federal highway or any detour established for such highways, or for  
2 any bridge located upon such highways or detours, whenever any such  
3 highway, detour or bridge by reason of deterioration, rain, snow or  
4 other climatic conditions will be seriously damaged or destroyed  
5 unless the use of vehicles thereon is prohibited or the permissible  
6 weight reduced. Such restrictions shall be effective when signs  
7 giving notice thereof are erected upon the highway, detour, bridge,  
8 or portion thereof affected by such action, and the Department of  
9 Public Safety has been notified. The purpose of this provision with  
10 respect to local authorities is to give such authorities an  
11 opportunity to prevent or minimize an immediate threat of serious  
12 harm or destruction to any highway, detour or bridge under their  
13 jurisdiction due to rain, snow or other climatic conditions.  
14 ~~Nothing stated herein shall be construed to grant local authorities~~  
15 ~~the right to issue permits designed to regulate the use of~~  
16 ~~overweight vehicles upon highways subject to their jurisdiction, and~~  
17 ~~the issuance of such permits is expressly prohibited.~~

18 B. In addition to other permitting requirements provided by  
19 law, counties are authorized to issue permits designed to regulate  
20 the movement of oversized and overweight vehicles upon highways  
21 subject to their jurisdiction and the issuance of such permits and  
22 the fee associated with such permits shall be established by  
23 resolution of the Board of County Commissioners. One hundred  
24 percent (100%) of the fees generated by oversized and overweight

1 permits issued by a county shall be deposited in the county treasury  
2 in a separate fund for such purpose and monies deposited therein  
3 shall be used solely for construction or maintenance of any county  
4 road or bridge. Any county authorizing such permit requirement  
5 pursuant to this subsection shall notify and provide a copy of the  
6 resolution creating the permit to the Department of Public Safety  
7 and the Department of Transportation. Both Departments shall  
8 maintain a list of such counties and disclose the list to any person  
9 or entity applying for any oversize and overweight permit through  
10 the Department of Public Safety.

11 C. One-half (1/2) of the total amount of any fine resulting  
12 from a citation issued by a county size and weights deputy,  
13 excluding costs and additional penalties, imposed for a violation of  
14 any statute governing size, weight and load requirements,  
15 established in Section 14-101 through 14-121 of this title shall be  
16 deposited in the county's designated fund as authorized in  
17 subsection B of this section. Such monies shall be available for  
18 use by the county for any purpose relating to construction or  
19 maintenance of any county road or bridge. The remaining one-half  
20 (1/2) of the total amount of any fine issued by a county size and  
21 weights deputy shall be deposited and distributed as otherwise  
22 required by law.

23 SECTION 2. It being immediately necessary for the preservation  
24 of the public peace, health and safety, an emergency is hereby

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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