

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1360

6 By: Ballenger

7 COMMITTEE SUBSTITUTE

8 An Act relating to size, weight and load of motor
9 vehicles; amending 47 O.S. 2011, Section 14-116,
10 which relates to certain permit fees; providing for
11 certain cancellation or revision fee; authorizing
12 certain rules; providing for deposit of such fee;
13 providing an effective date; and declaring an
14 emergency.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-116, is
17 amended to read as follows:

18 Section 14-116. A. The Commissioner of Public Safety shall
19 charge a minimum permit fee of Forty Dollars (\$40.00) for any permit
20 issued pursuant to the provisions of Section 14-101 et seq. of this
21 title. In addition to the permit fee, the Commissioner shall charge
22 a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of
23 the legal load limit. The Commissioner of Public Safety shall
24 establish any necessary rules for collecting the fees. Provided,
for any permit which is canceled or revised by the requester for

1 reasons other than an error in the permit caused by the Department
2 of Public Safety, the Commissioner shall charge and the requester
3 shall pay a cancellation or revision fee of Forty Dollars (\$40.00).
4 Any such cancellation or revision of a permit shall be made within
5 twenty-four (24) hours of the time the permit is issued. The
6 Commissioner of Public Safety shall establish any necessary rules
7 for changes that can be made to revise a permit. The proceeds from
8 each cancellation or revision fee shall be deposited to the credit
9 of the Department of Public Safety Revolving Fund.

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

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1 provided for in Section 14-118 of this title, shall be credited to
2 the Department of Public Safety Revolving Fund.

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

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

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

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

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

23 F. The first deliverer of motor vehicles designated truck
24 carriers or well service carriers manufactured in Oklahoma shall not

1 be required to purchase an overweight permit when being delivered to
2 the first purchaser.

3 G. Except as provided in Section ~~4 of this act~~ 14-122 of this
4 title, the first One Million Two Hundred Sixteen Thousand Dollars
5 (\$1,216,000.00) of proceeds from both the permit fees and the
6 overweight permit fees imposed pursuant to subsection A of this
7 section collected monthly shall be apportioned as provided in
8 Section 1104 of this title. All proceeds collected from both the
9 permit fees and the overweight permit fees imposed pursuant to
10 subsection A of this section in excess of One Million Two Hundred
11 Sixteen Thousand Dollars (\$1,216,000.00) shall be deposited in the
12 Weigh Station Improvement Revolving Fund as provided in Section 1167
13 of this title for the purpose set forth in that section and may be
14 used for motor carrier permitting systems and motor carrier safety
15 and enforcement.

16 SECTION 2. This act shall become effective July 1, 2012.

17 SECTION 3. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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