

05/16/2011 11:45:01 AM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1229

By: Ownbey of the House and Simpson of the Senate

Title: Motor vehicles; escort vehicle requirement; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its Amendment No. 1.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HOUSE CONFEREES

Jordan Fred Jordan

Martin (Steve) Steve Martin

McCullough Pat McCullough

Moore J. H. Moore

Morrisette _____

Roan _____

Roberts (Dustin) Dustin Roberts

Schwartz Colby Schwartz

Sherrer Ben Sherrer

Sullivan Alan Sullivan

Tibbs Steve Tibbs

Wesselhoft Paul Wesselhoft

Williams _____

HB1229 CCR A

SENATE CONFEREES

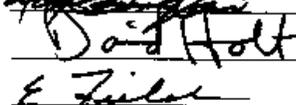
Simpson



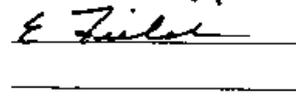
Barrington



Holt



Fields



Ellis

Johnson

(Constance)

House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1229

By: Ownbey of the House

and

Simpson of the Senate

8 An Act relating to motor vehicles; amending 47 O.S.
2001, Section 14-120.1, which relates to oversize
9 loads; modifying escort vehicle requirements; and
10 declaring an emergency.

11 AUTHOR: Add the following House Coauthor: Dorman

12 AUTHOR: Add the following Senate Coauthor: Allen

13 AMENDMENT NO. 1. Page 1, line 11 1/2, insert new SECTION 1 to read

14 "SECTION 1. AMENDATORY Section 2, Chapter 59, O.S.L.

15 2009, as amended by Section 1, Chapter 293, O.S.L. 2009 (47 O.S.

16 Supp. 2010, Section 14-103G), is amended to read as follows:

17 Section 14-103G. A. 1. The Department of Public Safety may

18 issue an annual vehicle permit under the provisions of this

19 subsection to a specific vehicle, for the movement of oversize or

20 overweight loads that cannot reasonably be dismantled. Unless

21 otherwise provided by law, permits issued under this subsection

22 shall be subject to the conditions described in paragraphs 2 through

23 8 of this subsection.

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

- 3 a. twelve (12) feet in width,
- 4 b. fourteen (14) feet in height,
- 5 c. one hundred ten (110) feet in length, or
- 6 d. one hundred twenty thousand (120,000) pounds gross
7 weight.

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

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

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

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

19 7. The permitted vehicle or vehicle combination shall be
20 registered in accordance with the provisions of Chapter 14 of ~~Title~~
21 ~~47 of the Oklahoma Statutes~~ this title for maximum weight.

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

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

14 9. A permit issued for loads specific to turbine blades, used
15 for the purpose of wind generation, may exceed a length of one
16 hundred ten (110) feet.

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

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

1 b. the original certified permit is carried in the
2 vehicle that is being operated under the terms of the
3 permit.

4 2. An annual vehicle permit issued under this subsection shall
5 be sent to the permittee via first-class, registered mail, or at the
6 request and expense of the permittee via overnight delivery service.
7 The annual vehicle permit shall not be duplicated. The annual
8 vehicle permit shall be replaced only if:

9 a. the permittee did not receive the original permit
10 within seven (7) business days after the date of
11 issuance,

12 b. a request for replacement is submitted to the
13 Department of Public Safety within ten (10) business
14 days after the original date of issuance of the
15 permit, and

16 c. the request for replacement is accompanied by a
17 notarized statement signed by a principal or officer
18 of the permittee acknowledging that the permittee
19 understands the permit may not be duplicated and that
20 if the original permit is located, the permittee shall
21 return either the original or replacement permit to
22 the Department of Public Safety.

23 3. A request for replacement of an annual vehicle permit issued
24 pursuant to the provisions of this subsection shall be denied if the

1 Department of Public Safety can verify that the permittee received
2 the original annual vehicle permit.

3 4. Lost, misplaced, damaged, destroyed, or otherwise unusable
4 annual vehicle permits shall not be replaced. A new permit shall be
5 required and shall be issued by the Department of Public Safety.

6 C. 1. The Department of Public Safety shall issue an annual
7 vehicle permit under this subsection to a transportation company or
8 manufacturer of portable buildings solely for the movement of
9 oversize portable buildings for a specific manufacturer of portable
10 buildings. An annual vehicle permit issued under this subsection
11 may be transferred from one vehicle to another vehicle in the fleet
12 of the permittee provided:

- 13 a. that no more than one vehicle is operating at a time,
14 and
15 b. the original certified permit is carried in the
16 vehicle that is being operated under the terms of the
17 permit.

18 2. Oversize loads operating under an annual vehicle permit
19 issued pursuant to this subsection shall not exceed:

- 20 a. twelve (12) feet in width at the wall with no more
21 than a three-inch-eave overhang, or
22 b. fourteen (14) feet in height.

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1 3. The total gross weight of oversize loads operating under an
2 annual vehicle permit issued pursuant to this subsection shall not
3 exceed fifty-six thousand (56,000) pounds.

4 4. The fee for an annual vehicle permit issued pursuant to this
5 subsection shall be Five Hundred Dollars (\$500.00) and shall be
6 nonrefundable.

7 5. An annual vehicle permit issued under this subsection shall
8 be sent to the permittee via first-class, registered mail, or at the
9 request and expense of the permittee via overnight delivery service.
10 The annual vehicle permit shall not be duplicated. The annual
11 vehicle permit shall be replaced only if:

12 a. the permittee did not receive the original permit
13 within seven (7) business days after the date of
14 issuance,

15 b. a request for replacement is submitted to the
16 Department of Public Safety within ten (10) business
17 days after the original date of issuance of the
18 permit, and

19 c. the request for replacement is accompanied by a
20 notarized statement signed by a principal or officer
21 of the permittee acknowledging that the permittee
22 understands the permit may not be duplicated and that
23 if the original permit is located, the permittee shall
24

1 ENGROSSED HOUSE
2 BILL NO. 1229

By: Ownbey of the House

3 and

4 Simpson of the Senate

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6
7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 14-120.1, which relates to oversize
9 loads; modifying escort vehicle requirements; and
10 declaring an emergency.

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

12 SECTION 2. AMENDATORY 47 O.S. 2001, Section 14-120.1, is
13 amended to read as follows:

14 Section 14-120.1 A. Any vehicle or combination of vehicles
15 with an outside width ~~of~~ that exceeds twelve (12) feet ~~or more~~
16 operating on highways in the state, including the National System of
17 Interstate and Defense Highways, shall, in addition to being in
18 compliance with provisions of Section 14-101 et seq. of this title,
19 be accompanied by an escort vehicle or vehicles, as prescribed by
20 the Department of Public Safety.

21 B. No person shall operate an escort vehicle for hire, as
22 required by this section, unless the person has been certified by
23 the Department of Public Safety as an escort vehicle operator.
24

1 C. Any person not required to be certified by the Department of
2 Public Safety as an escort vehicle operator may tow a trailer when
3 escorting a manufactured home. Such trailer shall not exceed eight
4 and one-half (8 1/2) feet in width and twenty (20) feet in length
5 with siding not to exceed four (4) feet in height measured from the
6 bed of the trailer.

7 The trailer may only be used to transport supplies and equipment
8 necessary to carry out the mission of escort vehicle operators.

9 D. The Commissioner of Public Safety shall promulgate rules for
10 the certification of operators of escort vehicles and the use of
11 escort vehicles, as required by this section.

12 E. The Commissioner of Public Safety is hereby authorized to
13 enter into reciprocal compacts and agreements with other states for
14 the purpose of recognizing escort vehicle operator certifications
15 issued by those states.

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

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