

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR ENGROSSED

5 SENATE BILL NO. 1935

By: Schulz and Ivester of the
Senate

and

DeWitt of the House

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8
9 SUBCOMMITTEE RECOMMENDATION

10 An Act relating to motor vehicle registration;
11 requiring vehicles transporting cotton modules to be
12 licensed; setting license fee amount; providing for
13 apportionment of license fee; requiring Oklahoma Tax
14 Commission to design license plate and providing for
15 its use; providing penalty; providing exemption;
16 amending 47 O.S. 2011, Section 14-101, which relates
17 to prohibition against movement of certain vehicles;
18 updating statutory language; directing that a certain
19 license serve as an overweight permit; providing for
20 codification; and declaring an emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1134.4 of Title 47, unless there
24 is created a duplication in numbering, reads as follows:

A. For each motor vehicle registered in this state and used for
the purpose of transporting cotton modules from the point of
production to the first point of delivery or cotton gin, the annual

1 license fee shall be Sixty Dollars (\$60.00). Fees collected
2 pursuant to this section shall be apportioned pursuant to Section
3 1104 of Title 47 of the Oklahoma Statutes.

4 B. The Oklahoma Tax Commission shall design appropriate license
5 plates for all vehicles registered pursuant to this section. The
6 license plates shall be permanent in nature and shall be designed in
7 a manner as to remain with the vehicle for the duration of the
8 vehicle's life span or until the title is transferred or the vehicle
9 is no longer used for the purposes specified in subsection A of this
10 section.

11 C. Any person, firm or corporation who transports cotton
12 modules without the license required in this section shall be deemed
13 guilty of a misdemeanor and upon conviction thereof shall be
14 punished as follows:

15 1. For the first such violation, by a fine of Five Hundred
16 Dollars (\$500.00);

17 2. For the second such violation, by a fine of One Thousand
18 Dollars (\$1,000.00); and

19 3. For the third and subsequent violations, by a fine of not
20 less than One Thousand Dollars (\$1,000.00) nor more than Five
21 Thousand Dollars (\$5,000.00).

22 D. A motor vehicle subject to the license requirement in this
23 section shall be exempt from the license required pursuant to
24 Section 1133 of Title 47 of the Oklahoma Statutes.

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-101, is
2 amended to read as follows:

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

12 B. The Commissioner of Public Safety is directed to issue
13 annual overweight permits to:

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

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

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

21 4. Owners of certain vehicles as provided for in Section ~~2 of~~
22 ~~this act~~ 14-103G of this title.

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1 C. If a vehicle is issued a license pursuant to Section 1 of
2 this act, the license shall also serve as the overweight permit
3 required by this section.

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

16 ~~D.~~ E. Any vehicle permitted for movement on the highways of
17 this state as provided in Section 14-101 et seq. of this title,
18 other than a vehicle permitted solely for overweight movement, shall
19 be moved only during daylight hours. As used in Section 14-101 et
20 seq. of this title, "daylight hours" shall mean one-half (1/2) hour
21 before sunrise to one-half (1/2) hour after sunset.

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

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

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

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

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

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