

1 ENGROSSED HOUSE  
2 BILL NO. 2250

By: Shannon, McNeil and Walker  
of the House

3 and

4 Marlatt of the Senate  
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6  
7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 14-111, which relates to overweight  
9 vehicles; requiring consideration of weighing area  
levelness; providing an effective date; and declaring  
an emergency.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-111, is  
14 amended to read as follows:

15 Section 14-111. A. Any officer of the Department of Public  
16 Safety, the Corporation Commission, any sheriff, or any salaried  
17 deputy sheriff is authorized to stop any vehicle upon any road or  
18 highway in order to weigh such vehicle by means of portable or  
19 stationary scales, or cause the same to be weighed by any official  
20 weigher, or upon any privately owned scales and may require that  
21 such vehicles be driven to the nearest or most convenient available  
22 scales for the purpose of weighing. Any officer weighing a vehicle  
23 pursuant to this section by means of portable scales shall allow the  
24 driver of the vehicle to move the vehicle to the most level weighing

1 area available within two (2) miles of the stop. In the event that  
2 any axle weight or the gross weight of any such vehicle be found to  
3 exceed the maximum weight authorized by law, or by permit issued  
4 therefor, the officer may require, in the case of separable loads,  
5 the driver, operator or owner thereof to unload at the site such  
6 portion of the load as may be necessary to decrease the weight of  
7 such vehicle to the maximum weight authorized by law. Provided,  
8 however, that if such load consists of livestock, perishable  
9 merchandise, or merchandise that may be destroyed by the weather,  
10 then the driver shall be permitted to proceed to the nearest  
11 practical unloading point in the direction of destination before  
12 discharging such excess cargo. All material so unloaded shall be  
13 cared for by the owner or operator of such vehicle at the risk of  
14 such owner or operator.

15 B. The operator of any truck or other vehicle transporting farm  
16 products for hire or other merchandise for hire shall have in his or  
17 her possession a certificate carrying the following information:  
18 name of the operator; driver license number; vehicle registration  
19 number; Corporation Commission permit number; and statement of owner  
20 authorizing transportation of the products by above named operator.  
21 For the purposes of this section "certificate" includes electronic  
22 manifests and other similar documents that include all of the  
23 information required pursuant to this section.

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1       Should the vehicle be loaded with livestock, the certificate  
2 shall include the number of animals, and should the livestock be the  
3 property of more than one person, a certificate signed by each owner  
4 carrying the above information including the number of animals owned  
5 by each owner shall be carried by the operator. Should the operator  
6 be the owner of the merchandise or livestock, the merchandise or  
7 livestock having just been purchased, the operator shall have in his  
8 or her possession a bill of sale for such merchandise or livestock.  
9 Should the operator be the owner of livestock or other farm products  
10 produced by the operator, the operator shall be required to show  
11 satisfactory identification and ownership of the vehicle. Any  
12 officer as outlined in this chapter shall have the authority to stop  
13 any vehicle loaded with livestock, merchandise or other farm  
14 products and investigate as to the ownership of the merchandise,  
15 livestock or other farm products. Should the operator of any  
16 vehicle be unable to establish to the satisfaction of the officer  
17 the ownership of the merchandise, livestock or other products, or  
18 shall not have the certificate as specified in this section for the  
19 transportation of such merchandise, livestock or other farm  
20 products, the merchandise, livestock or other farm products and the  
21 vehicle in which they are being transported shall be impounded by  
22 the officer and any expense as to the care of any livestock shall be  
23 the responsibility of the owner or operator of the vehicle, and any  
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1 loss or damage of the merchandise, livestock or other farm products  
2 shall be the responsibility of the operator or owner, or both.

3 The provisions of this subsection shall not apply to a person  
4 who is transporting horses or livestock; provided, the person shall  
5 not have been hired to transport the horses or livestock.

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

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

11 Passed the House of Representatives the 5th day of March, 2012.

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Presiding Officer of the House of  
Representatives

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16 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2012.

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Presiding Officer of the Senate

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