

1 ENGROSSED SENATE
2 BILL NO. 1537

By: Paddack of the Senate

3 and

4 Billy of the House

5
6 [motor vehicles - permits - codification - effective
7 date - emergency]

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

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

13 Section 14-116. A. The Commissioner of Public Safety shall
14 charge a minimum permit fee of Forty Dollars (\$40.00) for any permit
15 issued pursuant to the provisions of Section 14-101 et seq. of this
16 title. In addition to the permit fee, the Commissioner shall charge
17 a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of
18 the legal load limit. The Commissioner of Public Safety shall
19 establish any necessary rules for collecting the fees.

20 B. The Department of Public Safety is authorized to establish
21 an escrow account system for the payment of permit fees. Authorized
22 motor carriers meeting established credit requirements may
23 participate in the escrow account system for permits purchased from
24 all size and weight permit offices in this state. Carriers not

1 choosing to participate in the escrow account system shall be
2 required to make payment of the required fee or fees upon purchase
3 of each permit as required by law. All monies collected through the
4 escrow account system shall be deposited to a special account of the
5 Department of Public Safety and placed in the custody of the State
6 Treasurer. Proceeds from permits purchased using the escrow account
7 system shall be distributed as provided for in subsection G of this
8 section. However, fees collected through such accounts for the
9 electronic transmission, transfer or delivery of permits, as
10 provided for in Section 14-118 of this title, shall be credited to
11 the Department of Public Safety Revolving Fund.

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

16 2. Size and weight permit offices in all districts where
17 applicable shall issue permits to authorize carriers by telephone
18 during weekdays.

19 3. The Commissioner of Public Safety shall develop a system for
20 provisional permits for authorized carriers which may be used in
21 lieu of a regular permit for the movement of oversize and overweight
22 loads when issued an authorization number by the Department of
23 Public Safety. Such provisional permits shall include date of
24 movement, general load description, estimated weight, oversize

1 notation, route of travel, truck or truck-tractor license number,
2 and permit authorization number.

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

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

8 F. Any permit issued for a truck or truck-tractor operating in
9 combination with a trailer or a semitrailer shall contain only the
10 license plate number for the truck or truck-tractor if the permittee
11 provides to the Department a list containing the license plate
12 number, and such other information as the Department may prescribe
13 by rule, for each trailer or semitrailer which may be used for
14 movement with the permit. When the permittee provides the list
15 described in this subsection, the license plate number for any
16 trailer or semitrailer to be moved with the permit shall not be
17 included on the permit; provided, a trailer or semitrailer which is
18 not on the list shall not be authorized to be used for movement with
19 the permit. It shall be the responsibility of the permittee to
20 ensure the list provided to the Department is maintained and updated
21 with any fleet changes. The Department shall adopt any rules deemed
22 necessary to administer the provisions of this subsection.

23 G. 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.~~ H. Except as provided in Section ~~4~~ 14-122 of this ~~act~~ title,
4 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. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 14-124 of Title 47, unless there
18 is created a duplication in numbering, reads as follows:

19 A. In addition to the other permitting procedures authorized
20 pursuant to this chapter, the Commissioner of Public Safety is
21 directed to issue a ninety (90) day permit for the movement of an
22 oversize load consisting of a truck-tractor in combination with a
23 trailer or semitrailer when the combination of vehicles is no
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1 greater than thirteen (13) feet wide, fourteen and one-half (14 1/2)
2 feet high and eighty-one and one-half (81 1/2) feet long.

3 B. The permit shall expire ninety (90) days from the date of
4 issuance. The truck-tractor identified in the permit shall be
5 properly registered with this state according to law. The license
6 plate number of the truck-tractor shall accompany the application,
7 and a permit issued shall be assigned only to the truck-tractor
8 lawfully displaying that license plate number. A permit shall not
9 be issued to a truck-tractor with temporary registration.

10 C. The fee for a ninety (90) day permit issued under this
11 section shall be Two Hundred Forty Dollars (\$240.00). The permittee
12 shall be responsible for obtaining routing and any current
13 restrictions on eligible roads. The permittee shall not travel over
14 load-posted bridges that exceed capacity. Permits shall not be
15 amended, and permits shall not be transferred between vehicles or
16 permittees.

17 D. 1. Notwithstanding the provisions of Section 14-120.1 of
18 Title 47 of the Oklahoma Statutes, a load permitted under this
19 section which is no greater than twelve and one half (12 1/2) feet
20 wide shall not be subject to escort vehicle requirements when
21 operating on any state or federal highway and when originating or
22 terminating the permitted movement within five (5) statute miles of
23 such state or federal highway. The permit issued by the Department
24 shall state that no escort vehicle is required unless the vehicle is

1 greater than twelve and one half (12 1/2) feet wide. Nothing in
2 this subsection shall be construed to exempt the permitted vehicle
3 and load from displaying warning signs and devices as required by
4 federal or state law or rule.

5 2. Notwithstanding the provisions of OAC 595:30-3-18(b)(4), no
6 escort vehicle shall be required for reason of length for the
7 movement of loads permitted pursuant to this section. The
8 provisions of this paragraph shall be in effect and shall supersede
9 the provisions of OAC 595:30-3-18(b)(4) until such time as the
10 Department amends the rule to conform to this section.

11 E. This section shall not apply to the movement of portable
12 buildings and manufactured homes.

13 F. The Department shall adopt any rules necessary for the
14 implementation and administration of this section.

15 SECTION 3. This act shall become effective July 1, 2012.

16 SECTION 4. 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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1 Passed the Senate the 14th day of March, 2012.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2012.

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9 Presiding Officer of the House
10 of Representatives