

1 ENGROSSED SENATE  
2 BILL NO. 1644

By: Marlatt of the Senate

3 and

4 Blackwell of the House

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

8  
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-118, is  
11 amended to read as follows:

12 Section 14-118. A. 1. Pursuant to such rules as may be  
13 prescribed by Oklahoma agencies of jurisdiction, Oklahoma motor  
14 carriers may engage in any activity in which carriers subject to the  
15 jurisdiction of the federal government may be authorized by federal  
16 legislation to engage. Provided further, the Transportation  
17 Commission shall formulate, for the State Trunk Highway System,  
18 including the National System of Interstate and Defense Highways,  
19 and for all other highways or portions thereof, rules governing the  
20 movement of vehicles or loads which exceed the size or weight  
21 limitations specified by the provisions of this chapter.

22 2. Such rules shall be the basis for the development of a  
23 system by the Commissioner of Public Safety for the issuance of  
24 permits for the movement of oversize or overweight vehicles or

1 loads. Such system shall include, but not be limited to, provisions  
2 for duration, seasonal factors, hours of the day or days when valid,  
3 special requirements as to flags, flagmen and warning or safety  
4 devices, and other such items as may be consistent with the intent  
5 of this section. The permit system shall include provisions for the  
6 collection of permit fees as well as for the issuance of the permits  
7 by telephone, electronic transfer or such other methods of issuance  
8 as may be deemed feasible.

9 3. The Department of Public Safety is authorized to charge a  
10 fee of Two Dollars (\$2.00) for each permit requested to be issued by  
11 facsimile machine or by any other means of electronic transmission,  
12 transfer or delivery. The fee shall be in addition to any other fee  
13 or fees assessed for the permit. The fee shall be deposited in the  
14 State Treasury to the credit of the Department of Public Safety  
15 Revolving Fund and the monies shall be expended by the Department  
16 solely for the purposes provided for in this chapter.

17 4. It is the purpose of this section to permit the movement of  
18 necessary overweight and oversize vehicles or loads consistent with  
19 the following obligations:

- 20 a. protection of the motoring public from potential  
21 traffic hazards,
- 22 b. protection of highway surfaces, structures, and  
23 private property, and

24

1           c.    provision for normal flow of traffic with a minimum of  
2                   interference.

3           B.    The Transportation Commission shall prepare and publish a  
4 map of the State of Oklahoma showing by appropriate symbols the  
5 various highway structures and bridges in terms of maximum size and  
6 weight restrictions. This map shall be titled "Oklahoma Load Limit  
7 Map" and shall be revised periodically to maintain a reasonably  
8 current status and in no event shall a period of two (2) years lapse  
9 between revisions and publication of same. Provided, further, the  
10 Secretary of the Department of Transportation shall prepare and  
11 publish a map of the State of Oklahoma showing the advantages of  
12 this state as a marketing, warehousing and distribution network  
13 center for motor transportation sensitive industries.

14          C.    The Commissioner of Public Safety, or an authorized  
15 representative, shall have the authority, within the limitations  
16 formulated under provisions of this chapter, to issue, withhold or  
17 revoke special permits for the operation of vehicles or combinations  
18 of vehicles or loads which exceed the size or weight limitations of  
19 this chapter. Every such permit shall be carried in the vehicle or  
20 combination of vehicles to which it refers and shall be open to  
21 inspection by any law enforcement officer or authorized agent of any  
22 authority granting such permit, and no person shall violate any of  
23 the terms or conditions of such special permit.

1 D. It shall be permissible in the transportation of empty  
2 trucks on any road or highway to tow by use of saddlemounts; i.e.,  
3 mounting the front wheels of one vehicle on the bed of another  
4 leaving the rear wheels only of such towed vehicle in contact with  
5 the roadway. One vehicle may be fullmounted on the towing or towed  
6 vehicles engaged in any driveaway or towaway operation. No more  
7 than three saddlemounts may be permitted in such combinations. The  
8 towed vehicles shall be securely fastened and operated under the  
9 applicable safety requirements of the United States Department of  
10 Transportation and such combinations shall not exceed an overall  
11 length of seventy-five (75) feet. Provided, a driveaway saddlemount  
12 with fullmount vehicle transporter combination may reach an overall  
13 length of ninety-seven (97) feet on the National Network of  
14 Highways.

15 E. The Commissioner of Public Safety, upon application of any  
16 person engaged in the transportation of forest products in the raw  
17 state, which is defined to be tree-length logs moving from the  
18 forest directly to the mill, or upon application of any person  
19 engaged in the transportation of overwidth or overheight equipment  
20 used in soil conservation work, or upon application of any person  
21 engaged in the hauling for hire or for resale, of round baled hay  
22 with a total outside width of eleven (11) feet or less, or  
23 overlength vehicles engaged in harvest operations in the transport  
24 of both in-state and out-of-state harvesting, so long as the length

1 of the truck-tractor two trailer combination does not exceed eighty-  
2 one feet and six inches (81'6") and shall not include the truck-  
3 tractor of the commercial motor vehicle combination, but shall  
4 include trailers and semitrailers, shall issue an annual permit,  
5 upon payment of a fee of Twenty-five Dollars (\$25.00) each year,  
6 authorizing the operation by such persons of such motor vehicle load  
7 lengths and widths upon the highways of this state except on the  
8 National System of Interstate and Defense Highways. Provided,  
9 however, the restriction on use of the National System of Interstate  
10 and Defense Highways shall not be applicable to persons engaged in  
11 the hauling of round baled hay with a total outside width of eleven  
12 (11) feet or less.

13 F. Farm equipment including, but not limited to, implements of  
14 husbandry as defined in Section 1-125 of this title shall be  
15 exempted from the requirement for special permits due to size. Such  
16 equipment may move on any highway, except those highways which are  
17 part of the National System of Interstate and Defense Highways,  
18 during the hours of darkness and shall be subject to the  
19 requirements as provided in Section 12-215 of this title. In  
20 addition to those requirements, tractors pulling machinery over  
21 thirteen (13) feet wide must have two amber flashing warning lamps  
22 symmetrically mounted, laterally and widely spaced as practicable,  
23 visible from both front and rear, mounted at least thirty-nine (39)  
24 inches high.

1 G. Any rubber-tired road construction vehicle including rubber-  
2 tired truck cranes and special mobilized machinery either self-  
3 propelled or drawn carrying no load other than component parts  
4 safely secured to the machinery and its own weight, but which is  
5 overweight by any provisions of this chapter, shall be authorized to  
6 move on the highways of the State of Oklahoma. Movement of such  
7 vehicles shall be authorized on the Federal Interstate System of  
8 Highways only by special permit secured from the Commissioner of  
9 Public Safety or an authorized representative upon determination  
10 that the objectives of this section will be served by such a permit  
11 and that federal weight restrictions will not be violated. The  
12 special permit shall be:

13 1. A single-trip permit issued under the provisions of this  
14 section and Section 14-116 of this title; or

15 2. A special annual overweight permit which shall be issued for  
16 one calendar year period upon payment of a fee of Sixty Dollars  
17 (\$60.00).

18 The weight of any such vehicle shall not exceed six hundred fifty  
19 (650) pounds multiplied by the nominal width of the tire. The  
20 vehicle shall be required to carry the safety equipment adjudged  
21 necessary for the health and welfare of the driving public. If any  
22 oversized vehicle does not come under the other limitations of the  
23 present laws, it shall be deemed that the same shall travel only  
24 between the hours of sunrise and sunset. The vehicle, being

1 overweight but of legal dimension, shall be allowed continuous  
2 travel. The vehicles, except special mobilized machinery, shall be  
3 exempt from the laws of this state relating to motor vehicle  
4 registration, licensing or other fees or taxes in lieu of ad valorem  
5 taxes.

6 H. 1. When such machinery has a width greater than eight and  
7 one-half (8 1/2) feet, or a length, exclusive of load, of forty-five  
8 (45) feet, or a height in excess of thirteen and one-half (13 1/2)  
9 feet, then the permit may restrict movement to a fifty-mile radius  
10 from an established operating base, and may designate highways to be  
11 traveled, hours of travel and when flagmen may be required to  
12 precede or follow the equipment.

13 2. Possession of a permit shall in no way be construed as  
14 exempting such equipment from the authority of the Director of the  
15 Department of Transportation to restrict use of particular highways,  
16 nor shall it exempt owners or operators of such equipment from the  
17 responsibility for damage to highways caused by movement of the  
18 equipment. Nothing in this subsection shall apply to machinery used  
19 in highway construction or road material production.

20 3. Upon the issuance of a special mobilized machinery driveaway  
21 permit as provided in this subsection, special mobilized machinery  
22 manufactured in Oklahoma shall be permitted to move upon the  
23 highways of this state from the place of manufacture to the state  
24 line for delivery and exclusive use outside the state, and may be

1 temporarily returned to Oklahoma for modification and repair, with  
2 subsequent movement back out of the state. Special driveway  
3 permits for such movements shall be issued by the Commissioner of  
4 Public Safety, who may act through designated agents, upon the  
5 payment of a fee in the amount of Fifteen Dollars (\$15.00) for each  
6 movement.

7 4. The size of the special mobilized machinery shall not be  
8 such as to create a safety hazard in the judgment of the  
9 Commissioner of Public Safety. Permits for such special mobilized  
10 machinery shall specify a maximum permissible road speed of sixty  
11 (60) miles per hour, designate safety equipment to be carried and  
12 may exclude use of highways of the interstate system.

13 5. When such equipment has a width greater than eight and one-  
14 half (8 1/2) feet, or a length exclusive of load of forty-five (45)  
15 feet, or a height in excess of thirteen and one-half (13 1/2) feet,  
16 the permit may designate highways to be traveled, hours of travel  
17 and when flagmen may be required to precede or follow the equipment.

18 6. Possession of a special driveway permit shall in no way be  
19 construed as exempting such equipment from the authority of the  
20 Director of the Department of Transportation to restrict use of  
21 particular highways, nor shall it exempt the owners or operators of  
22 such equipment from the responsibility for damage to highways caused  
23 by the movement of such equipment.

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

