

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1644

By: Marlatt of the Senate

and

Blackwell of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 2011, Section 14-118, which relates to motor carrier
12 permits; modifying certain exceptions and
13 restrictions; providing an effective date; and
14 declaring an emergency.

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

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

18 Section 14-118. A. 1. Pursuant to such rules as may be
19 prescribed by Oklahoma agencies of jurisdiction, Oklahoma motor
20 carriers may engage in any activity in which carriers subject to the
21 jurisdiction of the federal government may be authorized by federal
22 legislation to engage. Provided further, the Transportation
23 Commission shall formulate, for the State Trunk Highway System,

1 including the National System of Interstate and Defense Highways,
2 and for all other highways or portions thereof, rules governing the
3 movement of vehicles or loads which exceed the size or weight
4 limitations specified by the provisions of this chapter.

5 2. Such rules shall be the basis for the development of a
6 system by the Commissioner of Public Safety for the issuance of
7 permits for the movement of oversize or overweight vehicles or
8 loads. Such system shall include, but not be limited to, provisions
9 for duration, seasonal factors, hours of the day or days when valid,
10 special requirements as to flags, flagmen and warning or safety
11 devices, and other such items as may be consistent with the intent
12 of this section. The permit system shall include provisions for the
13 collection of permit fees as well as for the issuance of the permits
14 by telephone, electronic transfer or such other methods of issuance
15 as may be deemed feasible.

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

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

- 4 a. protection of the motoring public from potential
5 traffic hazards,
- 6 b. protection of highway surfaces, structures, and
7 private property, and
- 8 c. provision for normal flow of traffic with a minimum of
9 interference.

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

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

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

22 E. The Commissioner of Public Safety, upon application of any
23 person engaged in the transportation of forest products in the raw

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1 state, which is defined to be tree-length logs moving from the
2 forest directly to the mill, or upon application of any person
3 engaged in the transportation of overwidth or overheight equipment
4 used in soil conservation work, or upon application of any person
5 engaged in the hauling for hire or for resale, of round baled hay
6 with a total outside width of eleven (11) feet or less, or
7 overlength vehicles engaged in harvest operations in the transport
8 of both in-state and out-of-state harvesting, so long as the length
9 of the truck-tractor two-trailer combination does not exceed eighty-
10 one feet and six inches (81'6") and shall not include the truck-
11 tractor of the commercial motor vehicle combination, but shall
12 include trailers and semitrailers, shall issue an annual permit,
13 upon payment of a fee of Twenty-five Dollars (\$25.00) each year,
14 authorizing the operation by such persons of such motor vehicle load
15 lengths and widths upon the highways of this state except on the
16 National System of Interstate and Defense Highways. Provided,
17 however, the restriction on use of the National System of Interstate
18 and Defense Highways shall not be applicable to persons engaged in
19 the hauling of round baled hay with a total outside width of eleven
20 (11) feet or less.

21 F. Farm equipment including, but not limited to, implements of
22 husbandry as defined in Section 1-125 of this title shall be
23 exempted from the requirement for special permits due to size. Such

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1 equipment may move on any highway, except those highways which are
2 part of the National System of Interstate and Defense Highways,
3 during the hours of darkness and shall be subject to the
4 requirements as provided in Section 12-215 of this title. In
5 addition to those requirements, tractors pulling machinery over
6 thirteen (13) feet wide must have two amber flashing warning lamps
7 symmetrically mounted, laterally and widely spaced as practicable,
8 visible from both front and rear, mounted at least thirty-nine (39)
9 inches high.

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

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

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1 2. A special annual overweight permit which shall be issued for
2 one calendar year period upon payment of a fee of Sixty Dollars
3 (\$60.00).
4 The weight of any such vehicle shall not exceed six hundred fifty
5 (650) pounds multiplied by the nominal width of the tire. The
6 vehicle shall be required to carry the safety equipment adjudged
7 necessary for the health and welfare of the driving public. If any
8 oversized vehicle does not come under the other limitations of the
9 present laws, it shall be deemed that the same shall travel only
10 between the hours of sunrise and sunset. The vehicle, being
11 overweight but of legal dimension, shall be allowed continuous
12 travel. The vehicles, except special mobilized machinery, shall be
13 exempt from the laws of this state relating to motor vehicle
14 registration, licensing or other fees or taxes in lieu of ad valorem
15 taxes.

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

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1 2. Possession of a permit shall in no way be construed as
2 exempting such equipment from the authority of the Director of the
3 Department of Transportation to restrict use of particular highways,
4 nor shall it exempt owners or operators of such equipment from the
5 responsibility for damage to highways caused by movement of the
6 equipment. Nothing in this subsection shall apply to machinery used
7 in highway construction or road material production.

8 3. Upon the issuance of a special mobilized machinery driveway
9 permit as provided in this subsection, special mobilized machinery
10 manufactured in Oklahoma shall be permitted to move upon the
11 highways of this state from the place of manufacture to the state
12 line for delivery and exclusive use outside the state, and may be
13 temporarily returned to Oklahoma for modification and repair, with
14 subsequent movement back out of the state. Special driveway
15 permits for such movements shall be issued by the Commissioner of
16 Public Safety, who may act through designated agents, upon the
17 payment of a fee in the amount of Fifteen Dollars (\$15.00) for each
18 movement.

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

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

8 6. Possession of a special driveaway permit shall in no way be
9 construed as exempting such equipment from the authority of the
10 Director of the Department of Transportation to restrict use of
11 particular highways, nor shall it exempt the owners or operators of
12 such equipment from the responsibility for damage to highways caused
13 by the movement of such equipment.

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

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

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20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
21 04/09/2012 - DO PASS, As Amended.

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