

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1087

By: Bennett

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6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 14-103, as last amended by Section 7,
Chapter 279, O.S.L. 2003 (47 O.S. Supp. 2010, Section
9 14-103), which relates to size restrictions;
10 providing exception; amending Section 2, Chapter 59,
O.S.L. 2009, as amended by Section 1, Chapter 293,
11 O.S.L. 2009 (47 O.S. Supp. 2010, Section 14-103G),
which relates to oversize annual permits; providing
12 for annual permit option; limiting load size; setting
fee; amending 47 O.S. 2001, Section 14-118, as last
13 amended by Section 1, Chapter 55, O.S.L. 2007 (47
O.S. Supp. 2010, Section 14-118), which relates to
14 the Oklahoma Load Limit Map; requiring map be
available on Internet; requiring periodic revision;
15 amending 47 O.S. 2001, Section 14-120.1, which
relates to oversize loads; modifying escort vehicle
requirements; and declaring an emergency.

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

20 SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-103, as
21 last amended by Section 7, Chapter 279, O.S.L. 2003 (47 O.S. Supp.
22 2010, Section 14-103), is amended to read as follows:

23 Section 14-103. Except as otherwise provided for by this
24 chapter:

1 A. No vehicle, with or without load, shall have a total outside
2 width in excess of one hundred two (102) inches excluding:

3 1. Tire bulge;

4 2. Approved safety devices;

5 3. A retracted awning with a width of eight (8) inches or less
6 or other appurtenance of four (4) inches or less which is attached
7 to the side of a recreational vehicle, as defined in Section 1102 of
8 this title; and

9 4. Pins used as a safety precaution or as a load-assisting
10 device if the pins do not extend the overall width of the vehicle
11 beyond nine (9) feet. The State of Oklahoma hereby declares it has
12 determined, in accordance with 23 C.F.R., Section 658.15, that such
13 pins are necessary for the safe and efficient operation of motor
14 vehicles.

15 The provisions of this subsection shall not apply to any person
16 engaged in the hauling of round baled hay with a total outside width
17 of eleven (11) feet or less when the hay is owned by such person and
18 is being hauled for any purpose other than resale. The provisions
19 of this subsection shall also not apply to any county official or
20 employee engaged in the hauling or pulling of a trailer or equipment
21 owned by the county on the county roads of such county.

22 B. No vehicle, with or without load, shall exceed a height of
23 ~~thirteen and one-half (13 1/2)~~ fifteen (15) feet.

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1 C. 1. No single truck, with or without load, shall have an
2 overall length, inclusive of front and rear bumpers, in excess of
3 forty-five (45) feet.

4 2. No single bus, with or without load, shall have an overall
5 length, inclusive of front and rear bumpers, in excess of forty-five
6 (45) feet.

7 3. a. On the National Network of Highways which includes the
8 National System of Interstate and Defense Highways and
9 four-lane divided Federal Aid Primary System Highways,
10 no semitrailer operating in a truck-
11 tractor/semitrailer combination shall have a length
12 greater than fifty-three (53) feet, except as provided
13 in subsection C of Section 14-118 of this title which
14 shall apply to semitrailers exceeding fifty-three (53)
15 feet but not exceeding fifty-nine (59) feet six (6)
16 inches. On the National System of Interstate and
17 Defense Highways and four-lane divided Federal Aid
18 Primary System Highways, no semitrailer or trailer
19 operating in a truck-tractor/semitrailer and trailer
20 combination shall have a length greater than fifty-
21 three (53) feet.

22 b. On roads and highways not a part of the National
23 System of Interstate and Defense Highways or four-lane
24 divided Federal Aid Primary System Highways, no

1 semitrailer operating in a truck-tractor/semitrailer
2 combination shall have a length greater than fifty-
3 three (53) feet and no semitrailer or trailer
4 operating in a truck-tractor/semitrailer and trailer
5 combination shall have a length greater than twenty-
6 nine (29) feet. Except as provided for in subsection
7 D of Section 14-118 of this title, no other
8 combination of vehicles shall have an overall length,
9 inclusive of front and rear bumpers, in excess of
10 seventy (70) feet on all roads and highways. For the
11 purposes of this paragraph, oil field rig-up trucks
12 shall be considered to be truck-tractors, when towing
13 a trailer or semitrailer.

14 4. No combination of vehicles shall consist of more than two
15 units, except:

- 16 a. one truck and semitrailer or truck-tractor/semitrailer
17 combination may tow one complete trailer or
18 semitrailer, or
19 b. vans, suburbans, blazers or other similar types of
20 vehicles and self-propelled recreational vehicles with
21 a three-quarter (3/4) ton or more rated capacity, may
22 tow a semitrailer and one complete trailer or
23 semitrailer for recreational purposes only, provided
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1 the overall length, inclusive of the front and rear
2 bumpers, does not exceed sixty-five (65) feet.

3 5. Poles and gas lines used to maintain public utility
4 services, not to include new construction, may be moved during
5 daylight hours, and during nighttime hours only in an emergency,
6 subject to traffic and road restrictions promulgated by the
7 Commissioner of Public Safety, when the overall length does not
8 exceed eighty (80) feet. When this length is exceeded, these loads
9 are subject to the requirements of Section 14-118 of this title.

10 6. For the purposes of paragraphs 1, 3, and 4 of this
11 subsection, the length of unitized equipment, which is defined to be
12 equipment so constructed and attached to a rubber-tired vehicle that
13 the vehicle and load become a unit and are for all practical
14 purposes inseparable, shall be the length of the vehicle itself, and
15 shall not include any protrusion of the equipment load so
16 constructed or attached. Said equipment shall not protrude for a
17 distance greater than two-thirds (2/3) of the wheel base of said
18 vehicle, shall not impair the driver's vision, and if less than
19 seven (7) feet above the roadway, shall be safely marked, flagged or
20 illuminated. Any such protruding structure shall be securely held
21 in place to prevent dropping or swaying. Unitized equipment shall
22 carry such safety equipment as shall be determined to be necessary
23 for the safety, health, and welfare of the driving public by the
24 Commissioner of Public Safety.

1 7. For the purposes of paragraphs 1, 3, and 4 of this
2 subsection, a truck-tractor, when being towed by another vehicle
3 with the wheels of its steering axle raised off the roadway, shall
4 be considered to be a semitrailer as defined in Section 1-162 of
5 this title.

6 8. The provisions of paragraphs 1 and 3 of this subsection
7 shall not apply to any contractor or subcontractor, or agents or
8 employees of any contractor or subcontractor, while engaged in
9 transporting material to the site of a project being constructed by,
10 for, or on behalf of this state or any city, town, county, or
11 subdivision of this state.

12 9. Special mobilized machinery, as defined in Section 1102 of
13 this title, which exceeds the size provisions of this section shall
14 only use the highways of the State of Oklahoma by special permit
15 issued by the Commissioner of Public Safety or an authorized
16 representative of the Commissioner. Such special permit shall be:

- 17 a. a single-trip permit issued under the provisions of
18 Section 14-116 of this title, or
- 19 b. a special annual oversize permit issued for one (1)
20 calendar year period upon payment of a fee of Ten
21 Dollars (\$10.00) plus any amount as provided by
22 subsection H of Section 14-118 of this title.

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1 SECTION 2. AMENDATORY Section 2, Chapter 59, O.S.L.
2 2009, as amended by Section 1, Chapter 293, O.S.L. 2009 (47 O.S.
3 Supp. 2010, Section 14-103G), is amended to read as follows:

4 Section 14-103G. A. 1. The Department of Public Safety may
5 issue an annual vehicle permit under the provisions of this
6 subsection to a specific vehicle, for the movement of oversize or
7 overweight loads that cannot reasonably be dismantled. Unless
8 otherwise provided by law, permits issued under this subsection
9 shall be subject to the conditions described in paragraphs 2 through
10 8 of this subsection.

11 2. Oversize or overweight loads operating under an annual
12 vehicle permit shall not exceed:

- 13 a. twelve (12) feet in width,
- 14 b. fourteen (14) feet in height,
- 15 c. one hundred ten (110) feet in length, or
- 16 d. one hundred twenty thousand (120,000) pounds gross
17 weight.

18 3. Oversize or overweight loads operating under an annual
19 vehicle permit under this subsection shall not transport a load that
20 has more than a twenty-five-foot front overhang, or more than a
21 thirty-foot rear overhang.

22 4. The fee for an annual vehicle permit shall be Four Thousand
23 Dollars (\$4,000.00) and shall be nonrefundable.

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1 5. The annual vehicle permit shall be issued for one (1)
2 calendar year period and shall commence upon the date specified on
3 the permit.

4 6. An annual vehicle permit issued pursuant to this subsection
5 shall be nontransferable between permittees.

6 7. The permitted vehicle or vehicle combination shall be
7 registered in accordance with the provisions of Chapter 14 of Title
8 47 of the Oklahoma Statutes for maximum weight.

9 8. An annual vehicle permit issued pursuant to this subsection
10 may be transferred from one vehicle to another vehicle in the fleet
11 of the permittee provided:

12 a. the permitted vehicle is destroyed or otherwise
13 becomes permanently inoperable to the extent that the
14 vehicle will no longer be utilized, and the permittee
15 presents proof to the Department of Public Safety that
16 the negotiable certificate of title or other
17 qualifying documentation has been surrendered to the
18 Department of Public Safety, or

19 b. the certificate of title to the permitted vehicle is
20 transferred to someone other than the permittee, and
21 the permittee presents proof to the Department of
22 Public Safety that the negotiable certificate of title
23 or other qualifying documentation has been transferred
24 from the permittee.

1 9. A permit issued for loads specific to turbine blades, used
2 for the purpose of wind generation, may exceed a length of one
3 hundred ten (110) feet.

4 B. 1. The Department of Public Safety may issue an annual
5 vehicle permit under this subsection to a specific motor carrier,
6 for the movement of oversize or overweight loads that cannot
7 reasonably be dismantled. An annual vehicle permit issued under
8 this subsection may be transferred from one vehicle to another
9 vehicle in the fleet of the permittee provided:

10 a. that no more than one vehicle is operating at a time,
11 and

12 b. the original certified permit is carried in the
13 vehicle that is being operated under the terms of the
14 permit.

15 2. An annual vehicle permit issued under this subsection shall
16 be sent to the permittee via first-class, registered mail, or at the
17 request and expense of the permittee via overnight delivery service.
18 The annual vehicle permit shall not be duplicated. The annual
19 vehicle permit shall be replaced only if:

20 a. the permittee did not receive the original permit
21 within seven (7) business days after the date of
22 issuance,

23 b. a request for replacement is submitted to the
24 Department of Public Safety within ten (10) business

1 days after the original date of issuance of the
2 permit, and

3 c. the request for replacement is accompanied by a
4 notarized statement signed by a principal or officer
5 of the permittee acknowledging that the permittee
6 understands the permit may not be duplicated and that
7 if the original permit is located, the permittee shall
8 return either the original or replacement permit to
9 the Department of Public Safety.

10 3. A request for replacement of an annual vehicle permit issued
11 pursuant to the provisions of this subsection shall be denied if the
12 Department of Public Safety can verify that the permittee received
13 the original annual vehicle permit.

14 4. Lost, misplaced, damaged, destroyed, or otherwise unusable
15 annual vehicle permits shall not be replaced. A new permit shall be
16 required and shall be issued by the Department of Public Safety.

17 C. 1. The Department of Public Safety shall issue an annual
18 vehicle permit under this subsection to a manufacturer, for the
19 movement of oversize or overweight loads that the manufacturer has
20 manufactured. An annual vehicle permit issued under this subsection
21 may be transferred from one vehicle to another vehicle in the fleet
22 of the permittee provided:

23 a. that no more than one vehicle is operating at a time,
24 and

1 b. the original certified permit is carried in the
2 vehicle that is being operated under the terms of the
3 permit.

4 2. Oversize or overweight loads operating under an annual
5 vehicle permit issued pursuant to this subsection shall not exceed:

6 a. twelve and one-half (12 1/2) feet in width, or

7 b. fifteen (15) feet in height.

8 3. The fee for an annual vehicle permit issued pursuant to this
9 subsection shall be Five Hundred Dollars (\$500.00) and shall be
10 nonrefundable.

11 4. An annual vehicle permit issued under this subsection shall
12 be sent to the permittee via first-class, registered mail, or at the
13 request and expense of the permittee via overnight delivery service.
14 The annual vehicle permit shall not be duplicated. The annual
15 vehicle permit shall be replaced only if:

16 a. the permittee did not receive the original permit
17 within seven (7) business days after the date of
18 issuance,

19 b. a request for replacement is submitted to the
20 Department of Public Safety within ten (10) business
21 days after the original date of issuance of the
22 permit, and

23 c. the request for replacement is accompanied by a
24 notarized statement signed by a principal or officer

1 of the permittee acknowledging that the permittee
2 understands the permit may not be duplicated and that
3 if the original permit is located, the permittee shall
4 return either the original or replacement permit to
5 the Department of Public Safety.

6 5. A request for replacement of an annual vehicle permit issued
7 pursuant to the provisions of this subsection shall be denied if the
8 Department of Public Safety can verify that the permittee received
9 the original annual vehicle permit.

10 6. Lost, misplaced, damaged, destroyed, or otherwise unusable
11 annual vehicle permits shall not be replaced. A new permit shall be
12 required and shall be issued by the Department of Public Safety.

13 SECTION 3. AMENDATORY 47 O.S. 2001, Section 14-118, as
14 last amended by Section 1, Chapter 55, O.S.L. 2007 (47 O.S. Supp.
15 2010, Section 14-118), is amended to read as follows:

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

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

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

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

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

7 B. The Transportation Commission shall prepare and publish a
8 map of the State of Oklahoma showing by appropriate symbols the
9 various highway structures and bridges in terms of maximum size and
10 weight restrictions. This map shall be titled "Oklahoma Load Limit
11 Map" and shall be revised periodically to maintain a reasonably
12 current status and in no event shall a period of two (2) years lapse
13 between revisions and publication of ~~same~~ the printed version of the
14 Oklahoma Load Limit Map. This map shall also be made available by
15 the Department of Transportation on the Internet and in no event
16 shall a period of six (6) months lapse between revisions of the
17 information provided on the Internet. Provided, further, the
18 Secretary of the Department of Transportation shall prepare and
19 publish a map of the State of Oklahoma showing the advantages of
20 this state as a marketing, warehousing and distribution network
21 center for motor transportation sensitive industries.

22 C. The Commissioner of Public Safety, or an authorized
23 representative, shall have the authority, within the limitations
24 formulated under provisions of this chapter, to issue, withhold or

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
24 state, which is defined to be tree-length logs moving from the

1 forest directly to the mill, or upon application of any person
2 engaged in the transportation of overwidth or overheight equipment
3 used in soil conservation work, or upon application of any person
4 engaged in the hauling for hire or for resale, of round baled hay
5 with a total outside width of eleven (11) feet or less, shall issue
6 an annual permit, upon payment of a fee of Twenty-five Dollars
7 (\$25.00) each year, authorizing the operation by such persons of
8 such motor vehicle load lengths and widths upon the highways of this
9 state except on the National System of Interstate and Defense
10 Highways. Provided, however, the restriction on use of the National
11 System of Interstate and Defense Highways shall not be applicable to
12 persons engaged in the hauling of round baled hay with a total
13 outside width of eleven (11) feet or less.

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

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

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

17 2. A special annual overweight permit which shall be issued for
18 one calendar year period upon payment of a fee of Sixty Dollars
19 (\$60.00).

20 The weight of any such vehicle shall not exceed six hundred fifty
21 (650) pounds multiplied by the nominal width of the tire. The
22 vehicle shall be required to carry the safety equipment adjudged
23 necessary for the health and welfare of the driving public. If any
24 oversized vehicle does not come under the other limitations of the

1 present laws, it shall be deemed that the same shall travel only
2 between the hours of sunrise and sunset. The vehicle, being
3 overweight but of legal dimension, shall be allowed continuous
4 travel. The vehicles, except special mobilized machinery, shall be
5 exempt from the laws of this state relating to motor vehicle
6 registration, licensing or other fees or taxes in lieu of ad valorem
7 taxes.

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

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

22 3. Upon the issuance of a special mobilized machinery driveaway
23 permit as provided in this subsection, special mobilized machinery
24 manufactured in Oklahoma shall be permitted to move upon the

1 highways of this state from the place of manufacture to the state
2 line for delivery and exclusive use outside the state, and may be
3 temporarily returned to Oklahoma for modification and repair, with
4 subsequent movement back out of the state. Special driveaway
5 permits for such movements shall be issued by the Commissioner of
6 Public Safety, who may act through designated agents, upon the
7 payment of a fee in the amount of Fifteen Dollars (\$15.00) for each
8 movement.

9 4. The size of the special mobilized machinery shall not be
10 such as to create a safety hazard in the judgment of the
11 Commissioner of Public Safety. Permits for such special mobilized
12 machinery shall specify a maximum permissible road speed of the
13 lesser of fifty (50) miles per hour or the posted speed limit,
14 designate safety equipment to be carried and may exclude use of
15 highways of the interstate system.

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

21 6. Possession of a special driveaway permit shall in no way be
22 construed as exempting such equipment from the authority of the
23 Director of the Department of Transportation to restrict use of
24 particular highways, nor shall it exempt the owners or operators of

1 such equipment from the responsibility for damage to highways caused
2 by the movement of such equipment.

3 SECTION 4. AMENDATORY 47 O.S. 2001, Section 14-120.1, is
4 amended to read as follows:

5 Section 14-120.1 A. Any vehicle or combination of vehicles
6 with an outside width ~~of twelve (12)~~ that exceeds twelve and one-
7 half (12 1/2) feet ~~or more~~ operating on highways in the state,
8 including the National System of Interstate and Defense Highways,
9 shall, in addition to being in compliance with provisions of Section
10 14-101 et seq. of this title, be accompanied by an escort vehicle or
11 vehicles, as prescribed by the Department of Public Safety.

12 B. No person shall operate an escort vehicle for hire, as
13 required by this section, unless the person has been certified by
14 the Department of Public Safety as an escort vehicle operator.

15 C. Any person not required to be certified by the Department of
16 Public Safety as an escort vehicle operator may tow a trailer when
17 escorting a manufactured home. Such trailer shall not exceed eight
18 and one-half (8 1/2) feet in width and twenty (20) feet in length
19 with siding not to exceed four (4) feet in height measured from the
20 bed of the trailer.

21 The trailer may only be used to transport supplies and equipment
22 necessary to carry out the mission of escort vehicle operators.

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1 D. The Commissioner of Public Safety shall promulgate rules for
2 the certification of operators of escort vehicles and the use of
3 escort vehicles, as required by this section.

4 E. The Commissioner of Public Safety is hereby authorized to
5 enter into reciprocal compacts and agreements with other states for
6 the purpose of recognizing escort vehicle operator certifications
7 issued by those states.

8 SECTION 5. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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