

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1360

By: Ballenger

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5  
6 AS INTRODUCED

7 An Act relating to size, weight and load of motor  
8 vehicles; amending 47 O.S. 2011, Section 14-116,  
9 which relates to certain permit fees; providing for  
certain cancellation or revision fee; providing for  
deposit of such fee; and providing an effective date.

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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 14-116, is  
14 amended to read as follows:

15 Section 14-116. A. The Commissioner of Public Safety shall  
16 charge a minimum permit fee of Forty Dollars (\$40.00) for any permit  
17 issued pursuant to the provisions of Section 14-101 et seq. of this  
18 title. In addition to the permit fee, the Commissioner shall charge  
19 a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of  
20 the legal load limit. The Commissioner of Public Safety shall  
21 establish any necessary rules for collecting the fees. Provided,  
22 for any permit which is canceled or revised by the requester for  
23 reasons other than an error in the permit caused by the Department  
24 of Public Safety, the Commissioner shall charge and the requester

1 shall pay a cancellation or revision fee of Twenty Dollars (\$20.00).  
2 The proceeds from each cancellation or revision fee shall be  
3 deposited to the credit of the Department of Public Safety Revolving  
4 Fund.

5 B. The Department of Public Safety is authorized to establish  
6 an escrow account system for the payment of permit fees. Authorized  
7 motor carriers meeting established credit requirements may  
8 participate in the escrow account system for permits purchased from  
9 all size and weight permit offices in this state. Carriers not  
10 choosing to participate in the escrow account system shall be  
11 required to make payment of the required fee or fees upon purchase  
12 of each permit as required by law. All monies collected through the  
13 escrow account system shall be deposited to a special account of the  
14 Department of Public Safety and placed in the custody of the State  
15 Treasurer. Proceeds from permits purchased using the escrow account  
16 system shall be distributed as provided for in subsection G of this  
17 section. However, fees collected through such accounts for the  
18 electronic transmission, transfer or delivery of permits, as  
19 provided for in Section 14-118 of this title, shall be credited to  
20 the Department of Public Safety Revolving Fund.

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

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

4        3. The Commissioner of Public Safety shall develop a system for  
5 provisional permits for authorized carriers which may be used in  
6 lieu of a regular permit for the movement of oversize and overweight  
7 loads when issued an authorization number by the Department of  
8 Public Safety. Such provisional permits shall include date of  
9 movement, general load description, estimated weight, oversize  
10 notation, route of travel, truck or truck-tractor license number,  
11 and permit authorization number.

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

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

17        F. The first deliverer of motor vehicles designated truck  
18 carriers or well service carriers manufactured in Oklahoma shall not  
19 be required to purchase an overweight permit when being delivered to  
20 the first purchaser.

21        G. Except as provided in Section ~~4 of this act~~ 14-122 of this  
22 title, the first One Million Two Hundred Sixteen Thousand Dollars  
23 (\$1,216,000.00) of proceeds from both the permit fees and the  
24 overweight permit fees imposed pursuant to subsection A of this

1 section collected monthly shall be apportioned as provided in  
2 Section 1104 of this title. All proceeds collected from both the  
3 permit fees and the overweight permit fees imposed pursuant to  
4 subsection A of this section in excess of One Million Two Hundred  
5 Sixteen Thousand Dollars (\$1,216,000.00) shall be deposited in the  
6 Weigh Station Improvement Revolving Fund as provided in Section 1167  
7 of this title for the purpose set forth in that section and may be  
8 used for motor carrier permitting systems and motor carrier safety  
9 and enforcement.

10 SECTION 2. This act shall become effective November 1, 2012.

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