

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1772

By: Coates

4
5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Sections 14-101, 14-103, 14-103B and 14-118,
9 which relate to size, weight and load; providing
10 exception to types of vehicles required to be moved
11 during daylight hours on certain roads; providing for
12 special oversize hubometer permit; providing for
13 duration and expiration of the permit; authorizing
14 the Commissioner of Public Safety to formulate
15 certain rules relating to the issuance and renewal of
16 the permit and for the calculation and collection of
17 certain fee relating to the permit; authorizing the
18 Transportation Commission to establish certain fee
19 relating to the movement of certain machinery by
20 rule; providing for fees to be credited to certain
21 fund; allowing certain special mobilized machinery to
22 carry certain extension of load; allowing certain
23 special mobilize machinery to move on certain roads;
24 requiring certain permit to move certain vehicles or
machinery on certain roads; providing for special
overweight hubometer permit; providing for duration
and expiration of the permit; authorizing the
Commissioner of Public Safety to formulate certain
rules relating to the issuance and renewal of the
permit and for the calculation and collection of
certain fee relating to the permit; authorizing the
Transportation Commission to establish certain fee
relating to the movement of certain machinery by
rule; providing for fees to be credited to certain
fund; and providing an effective date.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-101, is
2 amended to read as follows:

3 Section 14-101. A. It is a misdemeanor for any person to drive
4 or move or for the owner to cause or knowingly permit to be driven
5 or moved on any highway any vehicle or vehicles of a size or weight
6 exceeding the limitations stated in this chapter or otherwise in
7 violation of this chapter, and the maximum size and weight of
8 vehicles herein specified shall be lawful throughout this state and
9 local authorities shall have no power or authority to alter said
10 limitations except as express authority may be granted in this
11 chapter.

12 B. The Commissioner of Public Safety is directed to issue
13 annual overweight permits to:

14 1. Municipalities and rural fire districts for the
15 transportation of firefighting apparatus at no cost to the
16 municipalities or rural fire districts;

17 2. Owners of implements of husbandry, which includes tractors
18 that are temporarily moved upon a highway at no cost to the owner;

19 3. Retail implement dealers while hauling implements of
20 husbandry at no cost to the dealer; and

21 4. Owners of certain vehicles as provided for in Section 2 of
22 this act.

23 C. All size, weight and load provisions covered by this chapter
24 shall be subject to the limitations imposed by Title 23, United

1 States Code, Section 127, and such other rules and regulations
2 developed herein. Provided further that any size and weight
3 provision authorized by the United States Congress for use on the
4 National System of Interstate and Defense Highways, including but
5 not limited to height, axle weight, gross weight, combinations of
6 vehicles or load thereon shall be authorized for immediate use on
7 such segments of the National System of Interstate and Defense
8 Highways and any other highways or portions thereof as designated by
9 the Transportation Commission or their duly authorized
10 representative.

11 D. Any vehicle permitted for movement on the highways of this
12 state as provided in Section 14-101 et seq. of this title, other
13 than a vehicle permitted solely for overweight movement, shall be
14 moved only during daylight hours. As used in Section 14-101 et seq.
15 of this title, "daylight hours" shall mean one-half (1/2) hour
16 before sunrise to one-half (1/2) hour after sunset. Provided, the
17 provisions of this subsection shall not apply to oil field related
18 drilling and servicing special mobilized machinery with a width not
19 exceeding ten (10) feet and operating under authority of an oversize
20 permit. Such special mobilized machinery shall be authorized
21 continuous travel on interstate and four or more lane divided
22 highways only.

23
24

1 E. 1. Any vehicle permitted for movement on the highways of
2 this state as provided in Section 14-101 et seq. of this title shall
3 not be moved at any time on the following holidays:

- 4 a. New Year's Day (January 1),
- 5 b. Memorial Day (the last Monday in May),
- 6 c. The Fourth of July (Independence Day),
- 7 d. Labor Day (the first Monday in September),
- 8 e. Thanksgiving Day (the fourth Thursday in November),
- 9 and
- 10 f. Christmas Day (December 25).

11 2. Any vehicle permitted for movement on the highways of this
12 state as provided in Section 14-101 et seq. of this title shall be
13 allowed to move on the following holidays:

- 14 a. Martin Luther King, Jr.'s Birthday (the third Monday
15 in January),
- 16 b. President's Day, also known as Washington's Birthday
17 (the third Monday in February), and
- 18 c. Veteran's Day (November 11).

19 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-103, is
20 amended to read as follows:

21 Section 14-103. Except as otherwise provided for by this
22 chapter:

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

1 1. Tire bulge;

2 2. Approved safety devices;

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

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

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

20 B. No vehicle, with or without load, shall exceed a height of
21 thirteen and one-half (13 1/2) feet.

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

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

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

19 b. On roads and highways not a part of the National
20 System of Interstate and Defense Highways or four-lane
21 divided Federal Aid Primary System Highways, no
22 semitrailer operating in a truck-tractor/semitrailer
23 combination shall have a length greater than fifty-
24 three (53) feet and no semitrailer or trailer

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

11 4. No combination of vehicles shall consist of more than two
12 units, except:

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

23 5. Poles and gas lines used to maintain public utility
24 services, not to include new construction, may be moved during

1 daylight hours, and during nighttime hours only in an emergency,
2 subject to traffic and road restrictions promulgated by the
3 Commissioner of Public Safety, when the overall length does not
4 exceed eighty (80) feet. When this length is exceeded, these loads
5 are subject to the requirements of Section 14-118 of this title.

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

21 7. For the purposes of paragraphs 1, 3, and 4 of this
22 subsection, a truck-tractor, when being towed by another vehicle
23 with the wheels of its steering axle raised off the roadway, shall
24

1 be considered to be a semitrailer as defined in Section 1-162 of
2 this title.

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

9 9. Special mobilized machinery, as defined in ~~Section 1102~~
10 Section 1-165 of this title, which exceeds the size provisions of
11 this section shall only use the highways of the State of Oklahoma by
12 special permit issued by the Commissioner of Public Safety or an
13 authorized representative of the Commissioner. Such special permit
14 shall be:

- 15 a. a single-trip permit issued under the provisions of
16 Section 14-116 of this title, or
17 b. a special ~~annual~~ oversize hubometer permit which shall
18 be issued for one (1) calendar year period upon
19 payment of a fee of Ten Dollars (\$10.00) plus any
20 amount as provided by subsection H of Section 14-118
21 of this title, upon proper application, for the
22 movement of such oversize vehicles during a
23 consecutive three-month period as determined by the
24 owner, and such permit shall expire at the end of the

1 consecutive three-month period for which it was
2 issued. The Commissioner of Public Safety shall
3 formulate rules for the issuance and renewal of
4 hubometer permits and the calculation and collection
5 of fees based on the miles traveled within this state
6 as determined by a true and correct working hubometer
7 properly installed on the special mobilized machine.
8 The fee for a quarterly oversize hubometer permit
9 shall be Forty Dollars (\$40.00). The fee for the
10 movement of oversize special mobilized machinery under
11 authority of the hubometer permit shall be established
12 in rules formulated by the Transportation Commission.

13 All fees collected by the Commissioner of Public Safety as
14 provided in this paragraph for permits authorizing the movement of
15 oversize special mobilized machinery shall be remitted to the State
16 Treasurer to be credited to the Rebuilding Oklahoma Access and
17 Driver Safety Fund.

18 SECTION 3. AMENDATORY 47 O.S. 2011, Section 14-103B, is
19 amended to read as follows:

20 Section 14-103B. A. Any automobile transporter vehicle or
21 combination of automobile transporter vehicles or oil field-related
22 drilling and servicing special mobilized machinery operated under
23 the provisions of Section 14-103 of this title may carry an
24 extension of load, said extension not to exceed three (3) feet

1 beyond the front nor more than four (4) feet beyond the rear of the
2 vehicle or combination of vehicles thereof.

3 B. No automobile transporter vehicle, unladen or with load,
4 shall exceed a height of fourteen and one-half (14 1/2) feet.

5 SECTION 4. AMENDATORY 47 O.S. 2011, Section 14-118, is
6 amended to read as follows:

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

17 2. Such rules shall be the basis for the development of a
18 system by the Commissioner of Public Safety for the issuance of
19 permits for the movement of oversize or overweight vehicles or
20 loads. Such system shall include, but not be limited to, provisions
21 for duration, seasonal factors, hours of the day or days when valid,
22 special requirements as to flags, flagmen and warning or safety
23 devices, and other such items as may be consistent with the intent
24 of this section. The permit system shall include provisions for the

1 collection of permit fees as well as for the issuance of the permits
2 by telephone, electronic transfer or such other methods of issuance
3 as may be deemed feasible.

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

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

- 15 a. protection of the motoring public from potential
16 traffic hazards,
- 17 b. protection of highway surfaces, structures, and
18 private property, and
- 19 c. provision for normal flow of traffic with a minimum of
20 interference.

21 B. The Transportation Commission shall prepare and publish a
22 map of the State of Oklahoma showing by appropriate symbols the
23 various highway structures and bridges in terms of maximum size and
24 weight restrictions. This map shall be titled "Oklahoma Load Limit

1 Map" and shall be revised periodically to maintain a reasonably
2 current status and in no event shall a period of two (2) years lapse
3 between revisions and publication of same. Provided, further, the
4 Secretary of the Department of Transportation shall prepare and
5 publish a map of the State of Oklahoma showing the advantages of
6 this state as a marketing, warehousing and distribution network
7 center for motor transportation sensitive industries.

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

18 D. It shall be permissible in the transportation of empty
19 trucks on any road or highway to tow by use of saddlemounts; i.e.,
20 mounting the front wheels of one vehicle on the bed of another
21 leaving the rear wheels only of such towed vehicle in contact with
22 the roadway. One vehicle may be fullmounted on the towing or towed
23 vehicles engaged in any driveaway or towaway operation. No more
24 than three saddlemounts may be permitted in such combinations. The

1 towed vehicles shall be securely fastened and operated under the
2 applicable safety requirements of the United States Department of
3 Transportation and such combinations shall not exceed an overall
4 length of seventy-five (75) feet. Provided, a driveaway saddlemount
5 with fullmount vehicle transporter combination may reach an overall
6 length of ninety-seven (97) feet on the National Network of
7 Highways.

8 E. The Commissioner of Public Safety, upon application of any
9 person engaged in the transportation of forest products in the raw
10 state, which is defined to be tree-length logs moving from the
11 forest directly to the mill, or upon application of any person
12 engaged in the transportation of overwidth or overheight equipment
13 used in soil conservation work, or upon application of any person
14 engaged in the hauling for hire or for resale, of round baled hay
15 with a total outside width of eleven (11) feet or less, shall issue
16 an annual permit, upon payment of a fee of Twenty-five Dollars
17 (\$25.00) each year, authorizing the operation by such persons of
18 such motor vehicle load lengths and widths upon the highways of this
19 state except on the National System of Interstate and Defense
20 Highways. Provided, however, the restriction on use of the National
21 System of Interstate and Defense Highways shall not be applicable to
22 persons engaged in the hauling of round baled hay with a total
23 outside width of eleven (11) feet or less.

24

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

13 G. Any special mobilized machinery as defined in Section 1-165
14 of this title, rubber-tired road construction vehicle including
15 rubber-tired truck cranes and special mobilized machinery either
16 self-propelled or drawn carrying no load other than component parts
17 safely secured to the machinery and its own weight, but which is
18 overweight by any provisions of this chapter, shall be authorized to
19 move on the highways of the State of Oklahoma. ~~Movement of such~~
20 ~~vehicles shall be authorized on the Federal Interstate System of~~
21 ~~Highways~~ only by special permit secured from the Commissioner of
22 Public Safety or an authorized representative upon determination
23 that the objectives of this section will be served by such a permit
24

1 and that federal weight restrictions will not be violated. The
2 special permit shall be:

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

5 2. A special ~~annual~~ overweight hubometer permit which, upon
6 proper application, shall be issued for ~~one calendar year period~~
7 upon payment of a fee of Sixty Dollars (\$60.00) the movement of such
8 overweight vehicles during a consecutive three-month period as
9 determined by the owner, and such permit shall expire at the end of
10 the consecutive three-month period for which it was issued. The
11 Commissioner of Public Safety shall formulate rules for the issuance
12 and renewal of hubometer permits and the calculation and collection
13 of fees based on the miles traveled within this state as determined
14 by a true and correct working hubometer properly installed on the
15 special mobilized machinery. The fee for a quarterly hubometer
16 permit shall be Forty Dollars (\$40.00). The fee for movement of
17 overweight special mobilized machinery under authority of the permit
18 shall be provided in rules formulated by the Transportation
19 Commission.

20 3. All fees collected by the Commissioner of Public Safety as
21 provided in this subsection for permits authorizing the movement of
22 overweight special mobilized machinery shall be remitted to the
23 State Treasurer to be credited to the Rebuilding Oklahoma Access and
24 Driver Safety Fund.

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

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

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

1 equipment. Nothing in this subsection shall apply to machinery used
2 in highway construction or road material production.

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

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

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

1 6. Possession of a special driveaway permit shall in no way be
2 construed as exempting such equipment from the authority of the
3 Director of the Department of Transportation to restrict use of
4 particular highways, nor shall it exempt the owners or operators of
5 such equipment from the responsibility for damage to highways caused
6 by the movement of such equipment.

7 SECTION 5. This act shall become effective November 1, 2012.

8
9 53-2-2566 LKS 1/19/2012 6:24:57 PM

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24