

1 STATE OF OKLAHOMA

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

3 SENATE BILL 95

By: Fields

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5  
6 AS INTRODUCED

7 An Act relating to oversize vehicles; amending 82  
8 O.S. 2001, Section 14-111, as last amended by Section  
9 1, Chapter 363, O.S.L. 2010 (47 O.S. Supp. 2010,  
10 Section 14-111), which relates to livestock  
11 transporters; removing requirement for transporting  
12 certain livestock in vehicles displaying certain  
13 signage; providing an effective date; and declaring  
14 an emergency.

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

16 SECTION 1. AMENDATORY 82 O.S. 2001, Section 14-111, as  
17 last amended by Section 1, Chapter 363, O.S.L. 2010 (47 O.S. Supp.  
18 2010, Section 14-111), is amended to read as follows:

19 Section 14-111. A. Any officer of the Department of Public  
20 Safety, the Corporation Commission, any sheriff, or any salaried  
21 deputy sheriff is authorized to stop any vehicle upon any road or  
22 highway in order to weigh such vehicle by means of portable or  
23 stationary scales, or cause the same to be weighed by any official  
24 weigher, or upon any privately owned scales and may require that  
such vehicles be driven to the nearest or most convenient available  
scales for the purpose of weighing. In the event that any axle

1 weight or the gross weight of any such vehicle be found to exceed  
2 the maximum weight authorized by law, or by permit issued therefor,  
3 the officer may require, in the case of separable loads, the driver,  
4 operator or owner thereof to unload at the site such portion of the  
5 load as may be necessary to decrease the weight of such vehicle to  
6 the maximum weight authorized by law. Provided, however, that if  
7 such load consists of livestock, perishable merchandise, or  
8 merchandise that may be destroyed by the weather, then the driver  
9 shall be permitted to proceed to the nearest practical unloading  
10 point in the direction of destination before discharging such excess  
11 cargo. All material so unloaded shall be cared for by the owner or  
12 operator of such vehicle at the risk of such owner or operator.

13 B. The operator of any truck or other vehicle transporting farm  
14 products for hire or other merchandise for hire shall have in his or  
15 her possession a certificate carrying the following information:  
16 name of the operator; driver license number; vehicle registration  
17 number; Corporation Commission permit number; and statement of owner  
18 authorizing transportation of the products by above named operator.  
19 For the purposes of this section "certificate" includes electronic  
20 manifests and other similar documents that include all of the  
21 information required pursuant to this section.

22 Should the vehicle be loaded with livestock, the certificate  
23 shall include the number of animals, and should the livestock be the  
24 property of more than one person, a certificate signed by each owner

1 carrying the above information including the number of animals owned  
2 by each owner shall be carried by the operator. Should the operator  
3 be the owner of the merchandise or livestock, the merchandise or  
4 livestock having just been purchased, the operator shall have in his  
5 or her possession a bill of sale for such merchandise or livestock.  
6 Should the operator be the owner of livestock or other farm products  
7 produced by the operator, the operator shall be required to show  
8 satisfactory identification and ownership of the vehicle. Any  
9 officer as outlined in this chapter shall have the authority to stop  
10 any vehicle loaded with livestock, merchandise or other farm  
11 products and investigate as to the ownership of the merchandise,  
12 livestock or other farm products. Should the operator of any  
13 vehicle be unable to establish to the satisfaction of the officer  
14 the ownership of the merchandise, livestock or other products, or  
15 shall not have the certificate as specified in this section for the  
16 transportation of such merchandise, livestock or other farm  
17 products, the merchandise, livestock or other farm products and the  
18 vehicle in which they are being transported shall be impounded by  
19 the officer and any expense as to the care of any livestock shall be  
20 the responsibility of the owner or operator of the vehicle, and any  
21 loss or damage of the merchandise, livestock or other farm products  
22 shall be the responsibility of the operator or owner, or both.

23 The provisions of this subsection shall not apply to a person  
24 who is transporting horses or livestock; provided, the person shall

1 not have been hired to transport the horses or livestock and the  
2 transporting vehicle displays on both sides in plainly visible  
3 letters not less than two (2) inches in height the words "NOT FOR  
4 HIRE".

5 SECTION 2. This act shall become effective July 1, 2011.

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

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