

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1551 By: Standridge of the Senate
3 and
4 Grau of the House
5
6

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 14-109, which relates to single axel
9 load limit; clarifying materials allowed to transport
10 under a special permit; modifying fee retained by the
11 Corporation Commission; amending 47 O.S. 2011,
12 Section 1133.2, which relates to commercial vehicles;
13 modifying weight restriction; adding certain
14 passenger and hazardous material requirements;
15 modifying requirement that an interstate motor
16 carrier display the name of the vehicle registrant;
17 deleting certain out-of-state exemption; amending 47
18 O.S. 2011, Section 1134.1, which relates to taxicabs,
19 buses and motorbuses; clarifying to whom license fees
20 shall be paid; providing an effective date; and
21 declaring an emergency.

22 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
23 and insert

24 "An Act relating to motor vehicles; amending 47 O.S.
2011, Section 14-109, as amended by Section 1 of
Enrolled Senate Bill No. 1369 of the 2nd Session of
the 54th Oklahoma Legislature, which relates to
single axle load limit; clarifying materials allowed
to transport under a special permit; amending 47
O.S. 2011, Section 1133, as last amended by Section
2, Chapter 52, O.S.L. 2013 (47 O.S. Supp. 2013,
Section 1133), which relates to vehicle license
fees; modifying prohibition on operation of frac
tanks, construction machinery, commerical trailers

1 and semitrailers; amending 47 O.S. 2011, Section
2 1133.2, which relates to commercial vehicles;
3 modifying weight restriction; adding certain
4 passenger and hazardous material requirements;
5 modifying requirement that an interstate motor
6 carrier display the name of the vehicle registrant;
7 deleting certain out-of-state exemption; amending 47
8 O.S. 2011, Section 1134.1, which relates to
9 taxicabs, buses and motorbuses; clarifying to whom
10 license fees shall be paid; providing an effective
11 date; and declaring an emergency.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
14 amended by Section 1 of Enrolled Senate Bill No. 1369 of the 2nd
15 Session of the 54th Oklahoma Legislature, is amended to read as
16 follows:

17 Section 14-109. A. On any road or highway:

18 1. No single axle weight shall exceed twenty thousand (20,000)
19 pounds; and

20 2. The total gross weight in pounds imposed thereon by a
21 vehicle or combination of vehicles shall not exceed the value given
22 in the following table corresponding to the distance in feet between
23 the extreme axles of the group measured longitudinally to the
24 nearest foot.

Distance in Feet

Between the Extremes of

Maximum Load in Pounds

Any Group of 2 or More

Carried on Any Group of 2 or

Consecutive Axles

More Consecutive Axles

1		2 Axles	3 Axles	4 Axles	5 Axles	6 Axles
2	4	34,000	-----	-----	-----	-----
3	5	34,000	-----	-----	-----	-----
4	6	34,000	-----	-----	-----	-----
5	7	34,000	-----	-----	-----	-----
6	8	34,000	42,000	-----	-----	-----
7	9	39,000	42,500	-----	-----	-----
8	10	40,000	43,500	-----	-----	-----
9	11	-----	44,000	-----	-----	-----
10	12	-----	45,000	50,000	-----	-----
11	13	-----	45,500	50,500	-----	-----
12	14	-----	46,500	51,500	-----	-----
13	15	-----	47,000	52,000	-----	-----
14	16	-----	48,000	52,500	58,000	-----
15	17	-----	48,500	53,500	58,500	-----
16	18	-----	49,500	54,000	59,000	-----
17	19	-----	50,000	54,500	60,000	-----
18	20	-----	51,000	55,500	60,500	66,000
19	21	-----	51,500	56,000	61,000	66,500
20	22	-----	52,500	56,500	61,500	67,000
21	23	-----	53,000	57,500	62,500	68,000
22	24	-----	54,000	58,000	63,000	68,500
23	25	-----	54,500	58,500	63,500	69,000
24	26	-----	56,000	59,500	64,000	69,500

1	27	-----	57,500	60,000	65,000	70,000
2	28	-----	59,000	60,500	65,500	71,000
3	29	-----	60,500	61,500	66,000	71,500
4	30	-----	62,000	62,000	66,500	72,000
5	31	-----	63,500	63,500	67,000	72,500
6	32	-----	64,000	64,000	68,000	73,500
7	33	-----	-----	64,500	68,500	74,000
8	34	-----	-----	65,000	69,000	74,500
9	35	-----	-----	66,000	70,000	75,000
10	36	-----	-----	68,000	70,500	75,500
11	37	-----	-----	68,000	71,000	76,000
12	38	-----	-----	69,000	72,000	77,000
13	39	-----	-----	70,000	72,500	77,500
14	40	-----	-----	71,000	73,000	78,000
15	41	-----	-----	72,000	73,500	78,500
16	42	-----	-----	73,000	74,000	79,000
17	43	-----	-----	73,280	75,000	80,000
18	44	-----	-----	73,280	75,500	80,500
19	45	-----	-----	73,280	76,000	81,000
20	46	-----	-----	73,280	76,500	81,500
21	47	-----	-----	73,500	77,500	82,000
22	48	-----	-----	74,000	78,000	83,000
23	49	-----	-----	74,500	78,500	83,500
24	50	-----	-----	75,500	79,000	84,000

1	51	-----	-----	76,000	80,000	84,500
2	52	-----	-----	76,500	80,500	85,000
3	53	-----	-----	77,500	81,000	86,000
4	54	-----	-----	78,000	81,500	86,500
5	55	-----	-----	78,500	82,500	87,000
6	56	-----	-----	79,500	83,000	87,500
7	57	-----	-----	80,000	83,500	88,000
8	58	-----	-----	-----	84,000	89,000
9	59	-----	-----	-----	85,000	89,500
10	60	-----	-----	-----	85,500	90,000

11 B. Except as to gross limits, the table in subsection A of this
12 section shall not apply to a truck-tractor and dump semitrailer when
13 used as a combination unit. In no event shall the maximum load in
14 pounds carried by any set of tandem axles exceed thirty-four
15 thousand (34,000) pounds for vehicles exempt from the table;
16 however, any vehicle operating with split tandem axles or tri-axles
17 shall adhere to the table.

18 C. Special permits may be issued as provided in this title for
19 divisible loads for vehicle configurations in excess of six (6)
20 axles. The permits may not exceed the Table "B" federal weights
21 formula imposed by Title 23, U.S. Code, Section 127. Vehicles
22 moving under the permits shall not traverse H-15 bridges or less
23 without the express approval of the Secretary of Transportation.

24

1 D. Except for loads moving under special permits as provided in
2 this title, no department or agency of this state or any county,
3 city, or public entity thereof shall pay for any material that
4 exceeds the legal weight limits moving in interstate or intrastate
5 commerce in excess of the legal load limits of this state.

6 E. Exceptions to this section will be:

7 1. Utility or refuse collection vehicles used by counties,
8 cities, or towns or by private companies contracted by counties,
9 cities, or towns if the following conditions are met:

10 a. calculation of weight for a utility or refuse
11 collection vehicle shall be "Gross Vehicle Weight".
12 The "Gross Vehicle Weight" of a utility or refuse
13 collection vehicle may not exceed the otherwise
14 applicable weight by more than fifteen percent (15%).
15 The weight on individual axles must not exceed the
16 manufacturer's component rating which includes axle,
17 suspension, wheels, rims, brakes, and tires as shown
18 on the vehicle certification label or tag, and

19 b. utility or refuse collection vehicles operated under
20 these exceptions will not be allowed to operate on
21 interstate highways;

22 2. Vehicles transporting timber, pulpwood, and chips in their
23 natural state, vehicles transporting oil field fluids, oil field
24 equipment, or equipment used in oil and gas well drilling or

1 exploration, and vehicles transporting grain, fertilizer,
2 cottonseed, cotton, livestock, peanuts, canola, sunflowers,
3 soybeans, feed in bulk, any other raw agricultural products, and any
4 other unprocessed agricultural products, if the following conditions
5 are met:

6 a. the vehicles are registered for the maximum allowable
7 rate,

8 b. the vehicles do not exceed five percent (5%) of the
9 gross limits set forth in subsection A of this
10 section, and

11 c. the vehicles operating pursuant to the provisions of
12 this paragraph will not be allowed to operate on the
13 National System of Interstate and Defense Highways;

14 3. Vehicles transporting rock, sand, gravel, coal, and flour if
15 the following conditions are met:

16 a. the vehicles are registered for the maximum allowable
17 rate,

18 b. the vehicles do not exceed five percent (5%) of the
19 axle limits set forth in subsection A of this section,
20 and

21 c. the vehicles operating pursuant to the provisions of
22 this paragraph will not be allowed to operate on the
23 National System of Interstate and Defense Highways;
24 and

1 4. A combination of a wrecker or tow vehicle and another
2 vehicle or vehicle combination if:

3 a. the service provided by the wrecker or tow vehicle is
4 needed to remove disabled, abandoned, or accident-
5 damaged vehicles, and

6 b. the wrecker or tow vehicle is towing the other vehicle
7 or vehicle combination directly to the nearest
8 authorized place of repair, terminal, or vehicle
9 storage facility.

10 Vehicles operating pursuant to the provisions of this paragraph will
11 not be allowed to operate on the National System of Interstate and
12 Defense Highways.

13 F. 1. Any vehicle utilizing an auxiliary power or idle
14 reduction technology unit in order to promote reduction of fuel use
15 and emissions because of engine idling shall be allowed an
16 additional four hundred (400) pounds total to the total gross weight
17 limits set by this section.

18 2. To be eligible for the exception provided in this
19 subsection, the operator of the vehicle must obtain written proof or
20 certification of the weight of the auxiliary power or idle reduction
21 technology unit and be able to demonstrate or certify that the idle
22 reduction technology is fully functional.

23 3. Written proof or certification of the weight of the
24 auxiliary power or idle reduction technology unit must be available

1 to law enforcement officers if the vehicle is found in violation of
2 applicable weight laws. The additional weight allowed cannot exceed
3 four hundred (400) pounds or the actual proven or certified weight
4 of the unit, whichever is less.

5 G. Utility or refuse collection vehicles, vehicles transporting
6 timber, pulpwood, and chips in their natural state, vehicles
7 transporting oil field fluids, oil field equipment or equipment used
8 in oil and gas well drilling or exploration, vehicles transporting
9 rock, sand, gravel, coal, and flour and vehicles transporting grain,
10 fertilizer, cottonseed, cotton, livestock, peanuts, canola,
11 sunflowers, soybeans, feed in bulk, any other raw agricultural
12 products, and any other unprocessed agricultural products, operating
13 under exceptions shall purchase an annual special overload permit
14 from the Corporation Commission for One Hundred Dollars (\$100.00).
15 This fee shall be apportioned as provided for in Section 1104 of
16 this title.

17 H. For purposes of this section, "utility vehicle" shall mean
18 any truck used by a private utility company, county, city, or town
19 for the purpose of installing or maintaining electric, water, or
20 sewer systems.

21 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1133, as
22 last amended by Section 2, Chapter 52, O.S.L. 2013 (47 O.S. Supp.
23 2013, Section 1133), is amended to read as follows:
24

1 Section 1133. A. The following license fees shall be paid
2 annually to the Oklahoma Tax Commission or Corporation Commission,
3 as applicable, upon the registration of the following vehicles:

4 Except as provided in this subsection, for each commercial
5 vehicle over eight thousand (8,000) pounds as defined in Section
6 1102 of this title, the license fee shall be based on the combined
7 laden weight of the vehicle or combination of vehicles. The license
8 fees shall be computed and assessed at the following rates:

9	1. From 8,001 pounds to 15,000 pounds	\$ 95.00
10	2. From 15,001 pounds to 18,000 pounds	120.00
11	3. From 18,001 pounds to 21,000 pounds	155.00
12	4. From 21,001 pounds to 24,000 pounds	190.00
13	5. From 24,001 pounds to 27,000 pounds	225.00
14	6. From 27,001 pounds to 30,000 pounds	260.00
15	7. From 30,001 pounds to 33,000 pounds	295.00
16	8. From 33,001 pounds to 36,000 pounds	325.00
17	9. From 36,001 pounds to 39,000 pounds	350.00
18	10. From 39,001 pounds to 42,000 pounds	375.00
19	11. From 42,001 pounds to 45,000 pounds	400.00
20	12. From 45,001 pounds to 48,000 pounds	425.00
21	13. From 48,001 pounds to 51,000 pounds	450.00
22	14. From 51,001 pounds to 54,000 pounds	475.00
23	15. From 54,001 pounds to 57,000 pounds	648.00
24	16. From 57,001 pounds to 60,000 pounds	681.00

1	17.	From 60,001 pounds to 63,000 pounds	713.00
2	18.	From 63,001 pounds to 66,000 pounds	746.00
3	19.	From 66,001 pounds to 69,000 pounds	778.00
4	20.	From 69,001 pounds to 72,000 pounds	817.00
5	21.	From 72,001 pounds to 73,280 pounds	857.00
6	22.	From 73,281 pounds to 74,000 pounds	870.00
7	23.	From 74,001 pounds to 75,000 pounds	883.00
8	24.	From 75,001 pounds to 76,000 pounds	896.00
9	25.	From 76,001 pounds to 77,000 pounds	909.00
10	26.	From 77,001 pounds to 78,000 pounds	922.00
11	27.	From 78,001 pounds to 79,000 pounds	935.00
12	28.	From 79,001 pounds to 80,000 pounds	948.00
13	29.	From 80,001 pounds to 81,000 pounds	961.00
14	30.	From 81,001 pounds to 82,000 pounds	974.00
15	31.	From 82,001 pounds to 83,000 pounds	987.00
16	32.	From 83,001 pounds to 84,000 pounds	1000.00
17	33.	From 84,001 pounds to 85,000 pounds	1013.00
18	34.	From 85,001 pounds to 86,000 pounds	1026.00
19	35.	From 86,001 pounds to 87,000 pounds	1039.00
20	36.	From 87,001 pounds to 88,000 pounds	1052.00
21	37.	From 88,001 pounds to 89,000 pounds	1065.00
22	38.	From 89,001 pounds to 90,000 pounds	1078.00

23 For the purposes of this section, the license fee of a wrecker
24 or tow vehicle shall be based on the gross weight of the wrecker or

1 tow vehicle alone without any inclusion of weight for a vehicle
2 towed by the wrecker or tow vehicle.

3 B. After the fifth year's registration in this or any other
4 state, the license fee upon any truck registered on a basis of the
5 combined laden weight not in excess of fifteen thousand (15,000)
6 pounds shall be assessed at fifty percent (50%) of the fee computed
7 and assessed for each of the first five (5) years. On the seventh
8 and all subsequent years of registration in this or any other state,
9 on such truck, such license fees shall be assessed and computed at
10 fifty percent (50%) of the amount due on the sixth year's
11 registration. In no event shall such annual license fee on any
12 truck be less than Ten Dollars (\$10.00) nor shall the annual license
13 fee of any truck-tractor be less than Ninety-five Dollars (\$95.00).

14 C. In addition to the fees required by subsection A of this
15 section, there shall be paid a registration fee of Forty Dollars
16 (\$40.00) upon the first registration in this state after July 1,
17 1985, and upon the transfer of ownership of any frac tank, as
18 defined by Section 54 of Title 17 of the Oklahoma Statutes,
19 construction machinery, as defined by Section 1102 of this title,
20 rental trailer, commercial trailer or semitrailer designed to be
21 pulled and usually pulled by a truck or truck-tractor.

22 Thereafter, a fee of Four Dollars (\$4.00) shall be paid annually
23 for each frac tank, construction machinery, rental trailer,
24 commercial trailer or semitrailer. The fee of Four Dollars (\$4.00)

1 shall be due and payable on January 1 of each year on any frac tank,
2 construction machinery, rental trailer, commercial trailer or
3 semitrailer registered under this section.

4 Upon the payment of the registration fee of Forty Dollars
5 (\$40.00), a nonexpiring registration certificate and identification
6 plate shall be issued for each frac tank, construction machinery,
7 rental trailer, commercial trailer or semitrailer. The nonexpiring
8 identification plate shall remain displayed on the frac tank,
9 construction machinery, rental trailer, commercial trailer or
10 semitrailer for which the identification plate is issued until such
11 frac tank, construction machinery, trailer or semitrailer is sold or
12 removed from service.

13 A receipt shall be issued upon the payment of the annual fee.
14 The receipt shall show the total fee paid for one or more frac
15 tanks, construction machinery units, rental trailers, commercial
16 trailers or semitrailers. The receipt shall be retained by the
17 owner of any frac tank, construction machinery, rental trailer,
18 commercial trailer or semitrailer for a period of three (3) years
19 and shall be subject to audit by the Tax Commission or Corporation
20 Commission.

21 Any frac tank, construction machinery, commercial trailer or
22 semitrailer licensed pursuant to this section shall not be permitted
23 to be operated on the highways of this state when such frac tank,
24 construction machinery, commercial trailer or semitrailer is being

1 operated by a resident of this state, or is being operated by a
2 person operating a vehicle or vehicles domiciled in this state and
3 required by law to be licensed in Oklahoma, unless the pulling truck
4 or truck-tractor has been licensed pursuant to this section or is
5 twenty-four thousand (24,000) pounds or less and operating under a
6 valid temporary license plate provided by Section 1137.1 or 1137.3
7 of this title. In no event shall any truck, truck-tractor, frac
8 tank, construction machinery, trailer, or semitrailer used in the
9 furtherance of any commercial enterprise be permitted to operate on
10 the highways of this state or register at a smaller license fee than
11 that prescribed in this section except as provided in this section.

12 D. For each fiscal year, notwithstanding the provisions of
13 Section 1104 of this title, the first Four Hundred Thousand Dollars
14 (\$400,000.00) of all monies collected pursuant to subsections A, B
15 and C of this section shall be paid by the Tax Commission to the
16 State Treasurer of the State of Oklahoma who shall deposit same each
17 fiscal year, or such lesser amount as may accrue each fiscal year,
18 under the provisions of this section to the credit of the General
19 Revenue Fund of the State Treasury. All monies collected in excess
20 of Four Hundred Thousand Dollars (\$400,000.00) each fiscal year
21 shall be apportioned as provided in Section 1104 of this title.

22 E. If any vehicle is used for a purpose other than that for
23 which it has been registered, the owner of the vehicle shall be
24 required to immediately reregister the vehicle at the appropriate

1 rate. If any vehicle is placed or operated upon any street, road or
2 highway of this state with a laden weight in excess of that for
3 which it is licensed, the license fee for such increased laden
4 weight shall become due, and the owner of the vehicle shall be
5 required to immediately reregister the vehicle at the increased
6 rate. Provided that, in either event there shall be credited upon
7 the increased license fee for such reregistration for any portion of
8 the year or period remaining after the change in use or increase in
9 laden weight shall have occurred a proportionate part of the license
10 fees previously paid. If this reregistration is made voluntarily by
11 the owner, the ratable proportion of the credit allowed shall be
12 determined as of the date the reregistration is voluntarily made.
13 If the reregistration is not voluntarily made but occurs as a result
14 of the discovery by any enforcement officer of an improper operation
15 of the vehicle, that shall be considered prima facie evidence that
16 it has been improperly registered for the entire portion of the year
17 covered by the improper registration. Provided further that the
18 ratable credit shall be allowed only on the first reregistration of
19 any vehicle during any calendar year. If, during the calendar year,
20 subsequent changes of license plate are desired, the ratable credit
21 shall not be allowed but the owner of the vehicle shall be required
22 to pay the license fee due for that portion of the calendar year
23 remaining without benefit of any additional credits. No owner of a
24 motor vehicle shall possess at any time more than one license plate

1 for any vehicle owned by such person. No reregistration shall be
2 made until the current license plate previously issued has been
3 surrendered.

4 Any person who has paid a fee under the terms and provisions of
5 this subsection may at any time within one (1) year after the
6 payment of such fee file with the Tax Commission or Corporation
7 Commission a claim under oath for refund stating the grounds
8 therefor. However, the Tax Commission or Corporation Commission
9 shall allow refunds only where the amount of tax paid has been
10 erroneously computed or determined through clerical errors or
11 miscalculations. No refund shall be allowed by the Tax Commission
12 or Corporation Commission of a tax paid by the person where such
13 payment is made through a mistake as to the legal misinterpretation
14 or construction of the provisions of this section. Any refunds made
15 by the Tax Commission or Corporation Commission pursuant to this
16 subsection shall be made out of any monies collected pursuant to
17 this subsection and which have not been apportioned.

18 F. The annual license fee required by this section is intended
19 to cover only the motor vehicle for which it is issued. The Tax
20 Commission or Corporation Commission upon application, when a
21 licensed truck-tractor has been destroyed by fire or accident, shall
22 credit the unused portion of the annual license fee of the vehicle
23 toward the license fee of a replacement vehicle of equal registered
24 weight. The amount of credit shall not exceed the license fee due

1 on the replacement vehicle. The Tax Commission or Corporation
2 Commission shall not be required to make a refund. If the
3 replacement vehicle is to be registered at a greater weight, the
4 applicant shall pay an additional sum equivalent to the difference
5 between the unused portion of the annual license fee for the
6 original motor vehicle and the license fee due for the replacement
7 motor vehicle.

8 G. The license fees provided for in this section shall be paid
9 each year whether or not the vehicle is operated on the public
10 highway.

11 H. Notwithstanding the provision of any other statute in
12 respect to the time for payment of license fees on motor vehicles,
13 if the total amount of the annual license fees due from any resident
14 owner, either individual, partnership, or Oklahoma corporation, upon
15 the registration, on or before January 15 of any year, of commercial
16 trucks, truck-tractors, frac tanks, construction machinery, trailers
17 or semitrailers exceeds the sum of One Thousand Dollars (\$1,000.00),
18 the license fees may be paid in equal semiannual installments. The
19 first installment shall be paid at the time of the application for
20 registration of the vehicles and not later than January 15 of each
21 year, and the second installment shall be paid on or before the
22 first day of July of such year.

23 This subsection shall not operate to reduce the amount of the
24 license fees due. If any installment is not paid on or before the

1 date due, all unpaid installments of license fees for such year on
2 each vehicle shall be deemed delinquent and immediately due and
3 payable, and there shall be added a penalty of twenty-five cents
4 (\$0.25) per day to the balance of the license fee due on each
5 vehicle for each day the balance remains unpaid up to thirty (30)
6 days, after which the penalty due on each vehicle shall be Twenty-
7 five Dollars (\$25.00). The penalty for vehicles registered by
8 weight in excess of eight thousand (8,000) pounds shall be an amount
9 equal to the license fee. On and after the thirtieth day each such
10 vehicle involved shall be considered as improperly licensed and as
11 not currently registered, and all of the provisions of the Oklahoma
12 Vehicle License and Registration Act relating to enforcement,
13 including the provisions for the seizure and sale of vehicles not
14 registered and not displaying current license plates, shall apply to
15 the vehicles.

16 All fees and taxes levied by the Oklahoma Vehicle License and
17 Registration Act shall become and remain a first lien upon the
18 vehicle upon which the fees or taxes are due until paid. The lien
19 shall have priority to all other liens. No title to any vehicle may
20 be transferred until the unpaid balance on the vehicle has been paid
21 in full. Provided that any unpaid balance of the license fees shall
22 remain and become a lien against any and all property of the owner,
23 both real and personal, for so long as any license tag fee balance
24 shall remain unpaid. Any unpaid balance under these provisions

1 shall be immediately due and payable by the owner if any vehicle is
2 sold, wrecked, or otherwise retired from service.

3 Any person electing to pay license fees on a semiannual
4 installment basis, as herein authorized, shall be required to
5 purchase a new license tag for the last half and shall pay the sum
6 of Four Dollars (\$4.00) for each tag to cover the costs of the
7 license tags. The license tags for each half shall be plainly
8 marked in designating the half for which they were issued. A
9 validation sticker may be used in lieu of a metal tag where
10 appropriate. Such license tag fee shall be, in addition to the
11 license fees or any other fees, collected on each application as
12 provided by statute and shall be apportioned according to the
13 provisions of Section 1104 of this title.

14 I. Any person pulling or towing any vehicle intended to be
15 resold, into or through this state, shall pay a fee of Three Dollars
16 (\$3.00) for the vehicle towing and Three Dollars (\$3.00) for the one
17 being towed. It shall be unlawful to operate any series of such
18 units on the public highways of this state at a distance closer than
19 five hundred (500) feet from each other. All fees and taxes levied
20 by the terms and provisions of this section shall become and remain
21 a first lien upon the vehicle upon which the fees or taxes are due
22 until paid. The lien shall be prior, superior, and paramount to all
23 other liens of whatsoever kind or character.

24

1 J. In addition to any other penalties prescribed by law, the
2 following penalty shall be imposed by enforcement officers upon any
3 owner or operator of a commercial vehicle registered under the
4 provisions of this section when the laden weight or combined laden
5 weight of such vehicle is found to be in excess of that for which
6 registered. The penalty shall be imposed each and every time a
7 vehicle is found to be in violation of the registered laden weight
8 or combined laden weight.

9 The penalty shall be not less than Twenty Dollars (\$20.00) when
10 such vehicle exceeds the laden weight or combined laden weight by
11 two thousand one (2,001) pounds; thereafter, an additional penalty
12 of not less than Twenty Dollars (\$20.00) shall be imposed for each
13 additional one thousand (1,000) pounds or fraction thereof of weight
14 in excess of the registered laden weight or combined laden weight.
15 Such penalty shall not exceed the amount established by the
16 Corporation Commission pursuant to the provisions of subsection A of
17 Section 1167 of this title. Revenue from such penalties shall be
18 apportioned as provided in Section 1167 of this title.

19 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1133.2, is
20 amended to read as follows:

21 Section 1133.2 A. Every commercial motor vehicle, whether
22 private, contract or for hire, ~~of twenty-six thousand (26,000):~~

- 23 1. Of twenty-six thousand one (26,001) pounds or greater
24 weight;

1 2. Designed to transport more than eight (8) passengers,
2 including the driver, for compensation;

3 3. Designed to transport more than fifteen (15) passengers,
4 including the driver, not for compensation; or

5 4. Transporting hazardous materials in a quantity requiring
6 placarding in accordance with 49 Code of Federal Regulations, Part
7 172, Subpart F,

8 shall display the name of the vehicle registrant on each side of the
9 vehicle in two-inch letters or greater which shall be legible from a
10 distance of fifty (50) feet. The city or town serving as the
11 registrant's principal place of business or postal address shall be
12 displayed in two-inch letters or greater on each side of the vehicle
13 adjacent to the registrant's name. Provided however, ~~in the~~
14 ~~instance of an Interstate Motor Carrier the address need not be~~
15 ~~displayed if the Interstate Commerce Commission number is displayed~~
16 ~~on the vehicle~~ if the motor carrier holds a valid United States
17 Department of Transportation number, whether for interstate or
18 solely intrastate purposes, the motor carrier's markings shall be in
19 compliance with 49 CFR 390.21.

20 B. Those not complying with the provisions of this section
21 shall be assessed a fine of not less than One Hundred Dollars
22 (\$100.00). Such penalty shall not exceed the amount established by
23 the Corporation Commission pursuant to the provisions of ~~subsection~~
24 ~~A of Section 3~~ 1166 et seq. of this ~~act~~ title. Revenue from such

1 fines shall be apportioned as provided in Section ~~3~~ 1166 et seq. of
2 this ~~act~~ title. Any person in violation of the provisions of this
3 section may be cited by the Oklahoma Highway Patrol, the Corporation
4 Commission, or any county sheriff or municipal law enforcement
5 officer. Any fines collected by a county sheriff or municipal law
6 enforcement officer shall be deposited in the respective county or
7 municipal treasury.

8 C. After a fine has been assessed pursuant to the provisions of
9 subsection B of this section, the offender shall have ten (10) days
10 to display the name of the registrant on the vehicle as provided in
11 subsection A of this section.

12 ~~D. Out-of-state vehicles which have a base license plate from a~~
13 ~~state other than Oklahoma shall be exempt from this section unless~~
14 ~~such vehicle is being utilized in intrastate commerce.~~

15 ~~E.~~ The name on the side of the vehicle may differ from the name
16 on the vehicle registration only if a bona fide legal lease is in
17 the vehicle.

18 SECTION 4. AMENDATORY 47 O.S. 2011, Section 1134.1, is
19 amended to read as follows:

20 Section 1134.1 The following license fees shall be paid
21 annually ~~to the Commission~~ upon the registration of the following
22 vehicles;

23
24

1 1. For each taxicab with a seating capacity of ten (10) or less
2 people, the license fee shall be Twenty-five Dollars (\$25.00) and
3 paid to the Oklahoma Tax Commission;

4 2. For each school bus privately owned and used exclusively for
5 transporting school children, the fee shall be based on seating
6 capacity. For each such school bus with a seating capacity of
7 fifteen (15) or less people, the fee shall be Twenty Dollars
8 (\$20.00). For each such school bus with a seating capacity of more
9 than fifteen (15) people, the fee shall be Twenty-five Dollars
10 (\$25.00) and paid to the Oklahoma Tax Commission;

11 3. For each intercity motor bus, the fee shall be based on
12 seating capacity and paid to the Corporation Commission. For each
13 intercity motor bus with a seating capacity of eleven (11) or less
14 people, the fee shall be Seven Dollars and fifty cents (\$7.50) per
15 seat. For each intercity motor bus with a seating capacity of over
16 eleven (11) but not more than twenty-three (23) people, the fee
17 shall be Nine Dollars (\$9.00) per seat. For each intercity motor
18 bus with a seating capacity of more than twenty-three (23) people,
19 the fee shall be Ten Dollars (\$10.00) per seat. The seating
20 capacity shall be determined by the number of seats available for
21 passengers where separate seats are used, or by allowing sixteen
22 (16) inches of seating space where separate seats are not used.
23 Provided, that upon all intercity motor buses the license fees
24 provided herein shall after the first year's registration in this or

1 any other state be assessed at eighty percent (80%) of the fee
2 computed and assessed as provided herein; and thereafter shall be
3 assessed at eighty percent (80%) of the previous year's fee so
4 computed for seven (7) successive years, but in no event shall the
5 fee be thus reduced below Ten Dollars (\$10.00). Provided, that the
6 Commission shall issue intercity motor bus registration certificates
7 for motor buses having a seating capacity of not exceeding five (5)
8 seats upon application and payment of necessary fee without further
9 requirements;

10 4. For each intracity motor bus, the fee shall be based on
11 seating capacity and paid to the Corporation Commission. For each
12 intracity motor bus having a seating capacity of not to exceed eight
13 (8) people, the fee shall be Forty Dollars (\$40.00). For each
14 intracity motor bus having a seating capacity in excess of eight (8)
15 and not more than fifteen (15) people, the fee shall be Five Dollars
16 (\$5.00) per seat. For each intracity motor bus having a seating
17 capacity in excess of fifteen (15) and not more than twenty-five
18 (25) people, the fee shall be Six Dollars (\$6.00) per seat. For
19 each intracity motor bus having a seating capacity in excess of
20 twenty-five (25) people, the fee shall be Seven Dollars (\$7.00) per
21 seat. Provided that after the first year's registration of any
22 intracity bus in this or any other state, the license fee thereon
23 shall be assessed at eighty percent (80%) of the fee computed and
24 assessed for the first year, and thereafter, the fee shall be

1 assessed and computed at eighty percent (80%) of the previous year's
2 fee, and shall be so computed and assessed for the next seven (7)
3 consecutive years, after the first year; provided further, that the
4 fee shall not be reduced to less than Twenty-five Dollars (\$25.00).

5 SECTION 5. This act shall become effective July 1, 2014.

6 SECTION 6. 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."

10 Passed the House of Representatives the 10th day of April, 2014.

11

12

13 _____
Presiding Officer of the House of
14 Representatives

15 Passed the Senate the ____ day of _____, 2014.

16

17

18 _____
Presiding Officer of the Senate

19

20

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24

1 ENGROSSED SENATE
2 BILL NO. 1551

By: Standridge of the Senate

and

Grau of the House

3
4
5
6 An Act relating to motor vehicles; amending 47 O.S.
7 2011, Section 14-109, which relates to single axel
8 load limit; clarifying materials allowed to transport
9 under a special permit; modifying fee retained by the
10 Corporation Commission; amending 47 O.S. 2011,
11 Section 1133.2, which relates to commercial vehicles;
12 modifying weight restriction; adding certain
13 passenger and hazardous material requirements;
14 modifying requirement that an interstate motor
15 carrier display the name of the vehicle registrant;
16 deleting certain out-of-state exemption; amending 47
17 O.S. 2011, Section 1134.1, which relates to taxicabs,
18 buses and motorbuses; clarifying to whom license fees
19 shall be paid; providing an effective date; and
20 declaring an emergency.

21
22
23
24
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 7. AMENDATORY 47 O.S. 2011, Section 14-109, is
amended to read as follows:

Section 14-109. A. On any road or highway:

1. No single axle weight shall exceed twenty thousand (20,000)
pounds; and

2. The total gross weight in pounds imposed thereon by a
vehicle or combination of vehicles shall not exceed the value given
in the following table corresponding to the distance in feet between

1	21	-----	51,500	56,000	61,000	66,500
2	22	-----	52,500	56,500	61,500	67,000
3	23	-----	53,000	57,500	62,500	68,000
4	24	-----	54,000	58,000	63,000	68,500
5	25	-----	54,500	58,500	63,500	69,000
6	26	-----	56,000	59,500	64,000	69,500
7	27	-----	57,500	60,000	65,000	70,000
8	28	-----	59,000	60,500	65,500	71,000
9	29	-----	60,500	61,500	66,000	71,500
10	30	-----	62,000	62,000	66,500	72,000
11	31	-----	63,500	63,500	67,000	72,500
12	32	-----	64,000	64,000	68,000	73,500
13	33	-----	-----	64,500	68,500	74,000
14	34	-----	-----	65,000	69,000	74,500
15	35	-----	-----	66,000	70,000	75,000
16	36	-----	-----	68,000	70,500	75,500
17	37	-----	-----	68,000	71,000	76,000
18	38	-----	-----	69,000	72,000	77,000
19	39	-----	-----	70,000	72,500	77,500
20	40	-----	-----	71,000	73,000	78,000
21	41	-----	-----	72,000	73,500	78,500
22	42	-----	-----	73,000	74,000	79,000
23	43	-----	-----	73,280	75,000	80,000
24	44	-----	-----	73,280	75,500	80,500

1	45	-----	-----	73,280	76,000	81,000
2	46	-----	-----	73,280	76,500	81,500
3	47	-----	-----	73,500	77,500	82,000
4	48	-----	-----	74,000	78,000	83,000
5	49	-----	-----	74,500	78,500	83,500
6	50	-----	-----	75,500	79,000	84,000
7	51	-----	-----	76,000	80,000	84,500
8	52	-----	-----	76,500	80,500	85,000
9	53	-----	-----	77,500	81,000	86,000
10	54	-----	-----	78,000	81,500	86,500
11	55	-----	-----	78,500	82,500	87,000
12	56	-----	-----	79,500	83,000	87,500
13	57	-----	-----	80,000	83,500	88,000
14	58	-----	-----	-----	84,000	89,000
15	59	-----	-----	-----	85,000	89,500
16	60	-----	-----	-----	85,500	90,000

17 B. Except as to gross limits, the table in subsection A of this
18 section shall not apply to a truck-tractor and dump semitrailer when
19 used as a combination unit. In no event shall the maximum load in
20 pounds carried by any set of tandem axles exceed thirty-four
21 thousand (34,000) pounds for vehicles exempt from the table;
22 however, any vehicle operating with split tandem axles or tri-axles
23 shall adhere to the table.

24

1 C. Special permits may be issued as provided in this title for
2 divisible loads for vehicle configurations in excess of six (6)
3 axles. The permits may not exceed the Table "B" federal weights
4 formula imposed by Title 23, U.S. Code, Section 127. Vehicles
5 moving under the permits shall not traverse H-15 bridges or less
6 without the express approval of the Secretary of Transportation.

7 D. Except for loads moving under special permits as provided in
8 this title, no department or agency of this state or any county,
9 city, or public entity thereof shall pay for any material that
10 exceeds the legal weight limits moving in interstate or intrastate
11 commerce in excess of the legal load limits of this state.

12 E. Exceptions to this section will be:

13 1. Utility or refuse collection vehicles used by counties,
14 cities, or towns or by private companies contracted by counties,
15 cities, or towns if the following conditions are met:

16 a. calculation of weight for a utility or refuse
17 collection vehicle shall be "Gross Vehicle Weight".
18 The "Gross Vehicle Weight" of a utility or refuse
19 collection vehicle may not exceed the otherwise
20 applicable weight by more than fifteen percent (15%).
21 The weight on individual axles must not exceed the
22 manufacturer's component rating which includes axle,
23 suspension, wheels, rims, brakes, and tires as shown
24 on the vehicle certification label or tag, and

1 b. utility or refuse collection vehicles operated under
2 these exceptions will not be allowed to operate on
3 interstate highways;

4 2. Vehicles transporting timber, pulpwood, and chips in their
5 natural state, vehicles transporting oil field fluids, oil field
6 equipment, or equipment used in oil and gas well drilling or
7 exploration, and vehicles transporting grain, if the following
8 conditions are met:

9 a. the vehicles are registered for the maximum allowable
10 rate,

11 b. the vehicles do not exceed five percent (5%) of the
12 gross limits set forth in subsection A of this
13 section, and

14 c. the vehicles operating pursuant to the provisions of
15 this paragraph will not be allowed to operate on the
16 National System of Interstate and Defense Highways;

17 3. Vehicles transporting rock, sand, gravel, coal, and flour if
18 the following conditions are met:

19 a. the vehicles are registered for the maximum allowable
20 rate,

21 b. the vehicles do not exceed five percent (5%) of the
22 axle limits set forth in subsection A of this section,
23 and

1 c. the vehicles operating pursuant to the provisions of
2 this paragraph will not be allowed to operate on the
3 National System of Interstate and Defense Highways;
4 and

5 4. A combination of a wrecker or tow vehicle and another
6 vehicle or vehicle combination if:

7 a. the service provided by the wrecker or tow vehicle is
8 needed to remove disabled, abandoned, or accident-
9 damaged vehicles, and

10 b. the wrecker or tow vehicle is towing the other vehicle
11 or vehicle combination directly to the nearest
12 authorized place of repair, terminal, or vehicle
13 storage facility.

14 Vehicles operating pursuant to the provisions of this paragraph will
15 not be allowed to operate on the National System of Interstate and
16 Defense Highways.

17 F. 1. Any vehicle utilizing an auxiliary power or idle
18 reduction technology unit in order to promote reduction of fuel use
19 and emissions because of engine idling shall be allowed an
20 additional four hundred (400) pounds total to the total gross weight
21 limits set by this section.

22 2. To be eligible for the exception provided in this
23 subsection, the operator of the vehicle must obtain written proof or
24 certification of the weight of the auxiliary power or idle reduction

1 technology unit and be able to demonstrate or certify that the idle
2 reduction technology is fully functional.

3 3. Written proof or certification of the weight of the
4 auxiliary power or idle reduction technology unit must be available
5 to law enforcement officers if the vehicle is found in violation of
6 applicable weight laws. The additional weight allowed cannot exceed
7 four hundred (400) pounds or the actual proven or certified weight
8 of the unit, whichever is less.

9 G. Utility or refuse collection vehicles, vehicles transporting
10 timber, pulpwood, and chips in their natural state, vehicles
11 transporting oil field fluids, oil field equipment or equipment used
12 in oil and gas well drilling or exploration, vehicles transporting
13 rock, sand, gravel, coal, and flour and vehicles transporting grain,
14 operating under exceptions shall purchase an annual special overload
15 permit from the Corporation Commission for One Hundred Dollars
16 (\$100.00). This fee shall be apportioned as provided for in Section
17 1104 of this title with Three Dollars and fifty cents (\$3.50) of the
18 fee retained by the Corporation Commission.

19 H. For purposes of this section, "utility vehicle" shall mean
20 any truck used by a private utility company, county, city, or town
21 for the purpose of installing or maintaining electric, water, or
22 sewer systems.

23 SECTION 8. AMENDATORY 47 O.S. 2011, Section 1133.2, is
24 amended to read as follows:

1 Section 1133.2. A. Every commercial motor vehicle, whether
2 private, contract or for hire, ~~of twenty-six thousand (26,000):~~

3 1. Of twenty-six thousand one (26,001) pounds or greater
4 weight;

5 2. Designed to transport more than eight (8) passengers,
6 including the driver, for compensation;

7 3. Designed to transport more than fifteen (15) passengers,
8 including the driver, not for compensation; or,

9 4. Transporting hazardous materials in a quantity requiring
10 placarding in accordance with 49 Code of Federal Regulations, Part
11 172, Subpart F,

12 shall display the name of the vehicle registrant on each side of
13 the vehicle in two-inch letters or greater which shall be legible
14 from a distance of fifty (50) feet. The city or town serving as the
15 registrant's principal place of business or postal address shall be
16 displayed in two-inch letters or greater on each side of the vehicle
17 adjacent to the registrant's name. Provided however, ~~in the~~
18 ~~instance of an Interstate Motor Carrier the address need not be~~
19 ~~displayed if the Interstate Commerce Commission number is displayed~~
20 ~~on the vehicle~~ if the motor carrier holds a valid United States
21 Department of Transportation number, whether for interstate or
22 solely intrastate purposes, the motor carrier's markings shall be in
23 compliance with 49 CFR 390.21.

1 B. Those not complying with the provisions of this section
2 shall be assessed a fine of not less than One Hundred Dollars
3 (\$100.00). Such penalty shall not exceed the amount established by
4 the Corporation Commission pursuant to the provisions of ~~subsection~~
5 ~~A of~~ Section ~~3~~ 1166 et seq. of this ~~act~~ title. Revenue from such
6 fines shall be apportioned as provided in Section ~~3~~ 1166 et seq. of
7 this ~~act~~ title. Any person in violation of the provisions of this
8 section may be cited by the Oklahoma Highway Patrol, the Corporation
9 Commission, or any county sheriff or municipal law enforcement
10 officer. Any fines collected by a county sheriff or municipal law
11 enforcement officer shall be deposited in the respective county or
12 municipal treasury.

13 C. After a fine has been assessed pursuant to the provisions of
14 subsection B of this section, the offender shall have ten (10) days
15 to display the name of the registrant on the vehicle as provided in
16 subsection A of this section.

17 ~~D. Out of state vehicles which have a base license plate from a~~
18 ~~state other than Oklahoma shall be exempt from this section unless~~
19 ~~such vehicle is being utilized in intrastate commerce.~~

20 ~~E.~~ The name on the side of the vehicle may differ from the name
21 on the vehicle registration only if a bona fide legal lease is in
22 the vehicle.

23 SECTION 9. AMENDATORY 47 O.S. 2011, Section 1134.1, is
24 amended to read as follows:

1 Section 1134.1. The following license fees shall be paid
2 annually ~~to the Commission~~ upon the registration of the following
3 vehicles;

4 1. For each taxicab with a seating capacity of ten (10) or less
5 people, the license fee shall be Twenty-five Dollars (\$25.00) paid
6 to the Oklahoma Tax Commission;

7 2. For each school bus privately owned and used exclusively for
8 transporting school children, the fee shall be based on seating
9 capacity. For each such school bus with a seating capacity of
10 fifteen (15) or less people, the fee shall be Twenty Dollars
11 (\$20.00). For each such school bus with a seating capacity of more
12 than fifteen (15) people, the fee shall be Twenty-five Dollars
13 (\$25.00) paid to the Tax Commission;

14 3. For each intercity motor bus, the fee shall be based on
15 seating capacity and paid to the Corporation Commission. For each
16 intercity motor bus with a seating capacity of eleven (11) or less
17 people, the fee shall be Seven Dollars and fifty cents (\$7.50) per
18 seat. For each intercity motor bus with a seating capacity of over
19 eleven (11) but not more than twenty-three (23) people, the fee
20 shall be Nine Dollars (\$9.00) per seat. For each intercity motor
21 bus with a seating capacity of more than twenty-three (23) people,
22 the fee shall be Ten Dollars (\$10.00) per seat. The seating
23 capacity shall be determined by the number of seats available for
24 passengers where separate seats are used, or by allowing sixteen

1 (16) inches of seating space where separate seats are not used.
2 Provided, that upon all intercity motor buses the license fees
3 provided herein shall after the first year's registration in this or
4 any other state be assessed at eighty percent (80%) of the fee
5 computed and assessed as provided herein; and thereafter shall be
6 assessed at eighty percent (80%) of the previous year's fee so
7 computed for seven (7) successive years, but in no event shall the
8 fee be thus reduced below Ten Dollars (\$10.00). Provided, that the
9 Commission shall issue intercity motor bus registration certificates
10 for motor buses having a seating capacity of not exceeding five (5)
11 seats upon application and payment of necessary fee without further
12 requirements.

13 4. For each intracity motor bus, the fee shall be based on
14 seating capacity and paid to the Corporation Commission. For each
15 intracity motor bus having a seating capacity of not to exceed eight
16 (8) people, the fee shall be Forty Dollars (\$40.00). For each
17 intracity motor bus having a seating capacity in excess of eight (8)
18 and not more than fifteen (15) people, the fee shall be Five Dollars
19 (\$5.00) per seat. For each intracity motor bus having a seating
20 capacity in excess of fifteen (15) and not more than twenty-five
21 (25) people, the fee shall be Six Dollars (\$6.00) per seat. For
22 each intracity motor bus having a seating capacity in excess of
23 twenty-five (25) people, the fee shall be Seven Dollars (\$7.00) per
24 seat. Provided that after the first year's registration of any

1 intracity bus in this or any other state, the license fee thereon
2 shall be assessed at eighty percent (80%) of the fee computed and
3 assessed for the first year, and thereafter, the fee shall be
4 assessed and computed at eighty percent (80%) of the previous year's
5 fee, and shall be so computed and assessed for the next seven (7)
6 consecutive years, after the first year; provided further, that the
7 fee shall not be reduced to less than Twenty-five Dollars (\$25.00).

8 SECTION 10. This act shall become effective July 1, 2014.

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

13 Passed the Senate the 6th day of March, 2014.

14

15

Presiding Officer of the Senate

16

17 Passed the House of Representatives the ____ day of _____,

18 2014.

19

20

Presiding Officer of the House
of Representatives

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24