

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1458

6 By: Allen of the Senate

7 and

8 Cockroft of the House

9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.  
11 2011, Section 14-111, as amended by Section 2,  
12 Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2013, Section  
13 14-111), which relates to weighing vehicles; deleting  
14 certain authority to stop and weigh vehicles;  
15 providing an effective date; and declaring an  
16 emergency.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-111, as  
19 amended by Section 2, Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2013,  
20 Section 14-111), is amended to read as follows:

21 Section 14-111. A. Any size and weights officer of the  
22 Department of Public Safety, or the Corporation Commission, ~~any~~  
23 ~~sheriff, or any salaried deputy sheriff~~ is authorized to stop any  
24 vehicle upon any road or highway in order to weigh such vehicle by  
means of portable or stationary scales, or cause the same to be

1 weighed by any official weigher, or upon any privately owned scales  
2 and may require that such vehicles be driven to the nearest or most  
3 convenient available scales for the purpose of weighing. Any  
4 officer weighing a vehicle pursuant to this section by means of  
5 portable scales shall allow the driver of the vehicle to move the  
6 vehicle to the most level weighing area available within two (2)  
7 miles of the stop. In the event that any axle weight or the gross  
8 weight of any such vehicle be found to exceed the maximum weight  
9 authorized by law, or by permit issued therefor, the officer may  
10 require, in the case of separable loads, the driver, operator or  
11 owner thereof to unload at the site such portion of the load as may  
12 be necessary to decrease the weight of such vehicle to the maximum  
13 weight authorized by law. Provided, however, that if such load  
14 consists of livestock, perishable merchandise, or merchandise that  
15 may be destroyed by the weather, then the driver shall be permitted  
16 to proceed to the nearest practical unloading point in the direction  
17 of destination before discharging such excess cargo. All material  
18 so unloaded shall be cared for by the owner or operator of such  
19 vehicle at the risk of such owner or operator.

20 B. The operator of any truck or other vehicle transporting farm  
21 products for hire or other merchandise for hire shall have in his or  
22 her possession a certificate carrying the following information:  
23 name of the operator; driver license number; vehicle registration  
24 number; Corporation Commission permit number; and statement of owner

1 authorizing transportation of the products by above named operator.  
2 For the purposes of this section "certificate" includes electronic  
3 manifests and other similar documents that include all of the  
4 information required pursuant to this section.

5       Should the vehicle be loaded with livestock, the certificate  
6 shall include the number of animals, and should the livestock be the  
7 property of more than one person, a certificate signed by each owner  
8 carrying the above information including the number of animals owned  
9 by each owner shall be carried by the operator. Should the operator  
10 be the owner of the merchandise or livestock, the merchandise or  
11 livestock having just been purchased, the operator shall have in his  
12 or her possession a bill of sale for such merchandise or livestock.  
13 Should the operator be the owner of livestock or other farm products  
14 produced by the operator, the operator shall be required to show  
15 satisfactory identification and ownership of the vehicle. Any  
16 officer as outlined in this chapter shall have the authority to stop  
17 any vehicle loaded with livestock, merchandise or other farm  
18 products and investigate as to the ownership of the merchandise,  
19 livestock or other farm products. Should the operator of any  
20 vehicle be unable to establish to the satisfaction of the officer  
21 the ownership of the merchandise, livestock or other products, or  
22 shall not have the certificate as specified in this section for the  
23 transportation of such merchandise, livestock or other farm  
24 products, the merchandise, livestock or other farm products and the

1 vehicle in which they are being transported shall be impounded by  
2 the officer and any expense as to the care of any livestock shall be  
3 the responsibility of the owner or operator of the vehicle, and any  
4 loss or damage of the merchandise, livestock or other farm products  
5 shall be the responsibility of the operator or owner, or both.

6 The provisions of this subsection shall not apply to a person  
7 who is transporting horses or livestock; provided, the person shall  
8 not have been hired to transport the horses or livestock.

9 SECTION 2. This act shall become effective July 1, 2014.

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

14

15 54-2-3359 JD 2/17/2014 1:09:55 PM

16

17

18

19

20

21

22

23

24