STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 1514 By: Stanislawski

COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending Sections 2 and 3, Chapter 262, O.S.L. 2012 (47 O.S. Supp. 2013, Sections 1201 and 1202), which relate to the operation of weigh stations; clarifying definition; modifying the radius from the facility in which enforcement is allowed; extending the operations date; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 262, O.S.L. 2012 (47 O.S. Supp. 2013, Section 1201), is amended to read as follows:

Section 1201. As used in the Oklahoma Weigh Station Act of 2012:

1. "Authority" means the Oklahoma Turnpike Authority;

2. "Commission" means the Corporation Commission;

3. "Fixed facility" means a weigh station or a port of entry;

4. "Port of entry" means a facility <u>or virtual facility</u>, in close proximity to a state line, designed to electronically weigh

and screen motor carriers and commercial motor vehicles for compliance with federal and state statutes and rules, allowing compliant carriers to proceed with minimal or no delay;

5. "Roadside enforcement" means a temporary location, with or without portable or semi-portable scales, used to randomly check commercial motor vehicles or motor carriers for compliance with federal or state statutes or rules;

6. "Weigh station" means a stationary and permanent weighing facility with fixed scales owned by the state where commercial motor vehicles are checked for compliance with weight and size standards. Weigh stations are also utilized to enforce federal and state laws and rules applicable to motor carriers and the operation of commercial motor vehicles and their drivers; and

7. "North American Standard Inspection" means a Level I, Level II, Level III, Hazardous Materials, Cargo Tank or Passenger Carrier inspection conducted by an individual certified by the Federal Motor Carrier Safety Administration to conduct such inspections.

SECTION 2. AMENDATORY Section 3, Chapter 262, O.S.L. 2012 (47 O.S. Supp. 2013, Section 1202), is amended to read as follows:

Section 1202. A. The Department of Transportation, the Oklahoma Turnpike Authority and the Corporation Commission may enter into interagency agreements concerning the equipment, maintenance and operations of fixed facilities.

B. The Department of Transportation, the Authority and the Commission shall endeavor to electronically upgrade weigh stations as practical to minimize the duplication of inspections for compliant commercial motor vehicles and motor carriers.

C. The Commission shall operate all current and future ports of entry weigh stations twenty-four (24) hours a day and seven (7) days a week upon the availability of funds.

D. The Commission shall continue to conduct roadside enforcement in the general area where a fixed facility is planned but no fixed facility currently exists until a fixed facility is located in the general area or July 1, ~~2016~~ 2017, whichever is earlier.

E. When a fixed facility is located in the general area, Commission motor carrier and commercial motor vehicle enforcement shall be limited to the fixed facility and a ~~seven-mile~~ twenty-five-mile radius of the facility.

F. The Commission may assist in roadside enforcement in a joint effort at the request of the Oklahoma Highway Patrol.

G. The Commission is authorized to conduct audits, reviews, investigations, inspections or other enforcement actions by enforcement officers provided those activities are within the scope of the Commission's jurisdiction and are not conducted as roadside enforcement in accordance with the provisions of the Oklahoma Weigh Station Act of 2012.

H. The Commission may enter into interagency cooperative agreements with other state or federal agencies to jointly enforce federal and state laws or rules.

I. North American Standard Inspections shall be conducted only by individuals holding certification in the level or classification of inspection being conducted.

SECTION 3. This act shall become effective July 1, 2014.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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