

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1551

By: Standridge of the Senate

and

Grau of the House

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10 COMMITTEE SUBSTITUTE

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

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, is
amended to read as follows:

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

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

3 2. The total gross weight in pounds imposed thereon by a
4 vehicle or combination of vehicles shall not exceed the value given
5 in the following table corresponding to the distance in feet between
6 the extreme axles of the group measured longitudinally to the
7 nearest foot.

8 Distance in Feet		9 Maximum Load in Pounds				
10 Between the Extremes of		11 Carried on Any Group of 2 or				
12 Any Group of 2 or More		13 More Consecutive Axles				
14 Consecutive Axles		15				
16	17	18	19	20	21	22
2 Axles	3 Axles	4 Axles	5 Axles	6 Axles		
4	34,000	-----	-----	-----	-----	
5	34,000	-----	-----	-----	-----	
6	34,000	-----	-----	-----	-----	
7	34,000	-----	-----	-----	-----	
8	34,000	42,000	-----	-----	-----	
9	39,000	42,500	-----	-----	-----	
10	40,000	43,500	-----	-----	-----	
11	-----	44,000	-----	-----	-----	
12	-----	45,000	50,000	-----	-----	
13	-----	45,500	50,500	-----	-----	
14	-----	46,500	51,500	-----	-----	
15	-----	47,000	52,000	-----	-----	

1	16	-----	48,000	52,500	58,000	-----
2	17	-----	48,500	53,500	58,500	-----
3	18	-----	49,500	54,000	59,000	-----
4	19	-----	50,000	54,500	60,000	-----
5	20	-----	51,000	55,500	60,500	66,000
6	21	-----	51,500	56,000	61,000	66,500
7	22	-----	52,500	56,500	61,500	67,000
8	23	-----	53,000	57,500	62,500	68,000
9	24	-----	54,000	58,000	63,000	68,500
10	25	-----	54,500	58,500	63,500	69,000
11	26	-----	56,000	59,500	64,000	69,500
12	27	-----	57,500	60,000	65,000	70,000
13	28	-----	59,000	60,500	65,500	71,000
14	29	-----	60,500	61,500	66,000	71,500
15	30	-----	62,000	62,000	66,500	72,000
16	31	-----	63,500	63,500	67,000	72,500
17	32	-----	64,000	64,000	68,000	73,500
18	33	-----	-----	64,500	68,500	74,000
19	34	-----	-----	65,000	69,000	74,500
20	35	-----	-----	66,000	70,000	75,000
21	36	-----	-----	68,000	70,500	75,500
22	37	-----	-----	68,000	71,000	76,000
23	38	-----	-----	69,000	72,000	77,000
24	39	-----	-----	70,000	72,500	77,500

1	40	-----	-----	71,000	73,000	78,000
2	41	-----	-----	72,000	73,500	78,500
3	42	-----	-----	73,000	74,000	79,000
4	43	-----	-----	73,280	75,000	80,000
5	44	-----	-----	73,280	75,500	80,500
6	45	-----	-----	73,280	76,000	81,000
7	46	-----	-----	73,280	76,500	81,500
8	47	-----	-----	73,500	77,500	82,000
9	48	-----	-----	74,000	78,000	83,000
10	49	-----	-----	74,500	78,500	83,500
11	50	-----	-----	75,500	79,000	84,000
12	51	-----	-----	76,000	80,000	84,500
13	52	-----	-----	76,500	80,500	85,000
14	53	-----	-----	77,500	81,000	86,000
15	54	-----	-----	78,000	81,500	86,500
16	55	-----	-----	78,500	82,500	87,000
17	56	-----	-----	79,500	83,000	87,500
18	57	-----	-----	80,000	83,500	88,000
19	58	-----	-----	-----	84,000	89,000
20	59	-----	-----	-----	85,000	89,500
21	60	-----	-----	-----	85,500	90,000

22 B. Except as to gross limits, the table in subsection A of this
23 section shall not apply to a truck-tractor and dump semitrailer when
24 used as a combination unit. In no event shall the maximum load in

1 pounds carried by any set of tandem axles exceed thirty-four
2 thousand (34,000) pounds for vehicles exempt from the table;
3 however, any vehicle operating with split tandem axles or tri-axles
4 shall adhere to the table.

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

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

16 E. Exceptions to this section will be:

17 1. Utility or refuse collection vehicles used by counties,
18 cities, or towns or by private companies contracted by counties,
19 cities, or towns if the following conditions are met:

20 a. calculation of weight for a utility or refuse
21 collection vehicle shall be "Gross Vehicle Weight".
22 The "Gross Vehicle Weight" of a utility or refuse
23 collection vehicle may not exceed the otherwise
24 applicable weight by more than fifteen percent (15%).

1 The weight on individual axles must not exceed the
2 manufacturer's component rating which includes axle,
3 suspension, wheels, rims, brakes, and tires as shown
4 on the vehicle certification label or tag, and

- 5 b. utility or refuse collection vehicles operated under
6 these exceptions will not be allowed to operate on
7 interstate highways;

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

- 13 a. the vehicles are registered for the maximum allowable
14 rate,
15 b. the vehicles do not exceed five percent (5%) of the
16 gross limits set forth in subsection A of this
17 section, and
18 c. the vehicles operating pursuant to the provisions of
19 this paragraph will not be allowed to operate on the
20 National System of Interstate and Defense Highways;

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

- 23 a. the vehicles are registered for the maximum allowable
24 rate,

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

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

8 4. A combination of a wrecker or tow vehicle and another
9 vehicle or vehicle combination if:

10 a. the service provided by the wrecker or tow vehicle is
11 needed to remove disabled, abandoned, or accident-
12 damaged vehicles, and

13 b. the wrecker or tow vehicle is towing the other vehicle
14 or vehicle combination directly to the nearest
15 authorized place of repair, terminal, or vehicle
16 storage facility.

17 Vehicles operating pursuant to the provisions of this paragraph will
18 not be allowed to operate on the National System of Interstate and
19 Defense Highways.

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

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

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

12 G. Utility or refuse collection vehicles, vehicles transporting
13 timber, pulpwood, and chips in their natural state, vehicles
14 transporting oil field fluids, oil field equipment or equipment used
15 in oil and gas well drilling or exploration, vehicles transporting
16 rock, sand, gravel, coal, and flour and vehicles transporting grain,
17 operating under exceptions shall purchase an annual special overload
18 permit from the Corporation Commission for One Hundred Dollars
19 (\$100.00). This fee shall be apportioned as provided for in Section
20 1104 of this title.

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

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1133.2, is
2 amended to read as follows:

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

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

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

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

11 4. Transporting hazardous materials in a quantity requiring
12 placarding in accordance with 49 Code of Federal Regulations, Part
13 172, Subpart F,

14 shall display the name of the vehicle registrant on each side of the
15 vehicle in two-inch letters or greater which shall be legible from a
16 distance of fifty (50) feet. The city or town serving as the
17 registrant's principal place of business or postal address shall be
18 displayed in two-inch letters or greater on each side of the vehicle
19 adjacent to the registrant's name. Provided however, ~~in the~~
20 ~~instance of an Interstate Motor Carrier the address need not be~~
21 ~~displayed if the Interstate Commerce Commission number is displayed~~
22 ~~on the vehicle~~ if the motor carrier holds a valid United States
23 Department of Transportation number, whether for interstate or
24

1 solely intrastate purposes, the motor carrier's markings shall be in
2 compliance with 49 CFR 390.21.

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

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

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

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

1 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1134.1, is
2 amended to read as follows:

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

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

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

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

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

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

1 twenty-five (25) people, the fee shall be Seven Dollars (\$7.00) per
2 seat. Provided that after the first year's registration of any
3 intracity bus in this or any other state, the license fee thereon
4 shall be assessed at eighty percent (80%) of the fee computed and
5 assessed for the first year, and thereafter, the fee shall be
6 assessed and computed at eighty percent (80%) of the previous year's
7 fee, and shall be so computed and assessed for the next seven (7)
8 consecutive years, after the first year; provided further, that the
9 fee shall not be reduced to less than Twenty-five Dollars (\$25.00).

10 SECTION 4. This act shall become effective July 1, 2014.

11 SECTION 5. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 03/26/2014 -
17 DO PASS, As Amended.

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