

1 **SENATE FLOOR VERSION**

2 February 18, 2014

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1514

By: Stanislawski of the Senate

and

McNiel of the House

7  
8 COMMITTEE SUBSTITUTE

9 An Act relating to motor vehicles; amending Sections  
10 2 and 3, Chapter 262, O.S.L. 2012 (47 O.S. Supp.  
11 2013, Sections 1201 and 1202), which relate to the  
12 operation of weigh stations; clarifying definition;  
13 modifying the radius from the facility in which  
14 enforcement is allowed; extending the operations  
15 date; 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 Section 2, Chapter 262, O.S.L.  
19 2012 (47 O.S. Supp. 2013, Section 1201), is amended to read as  
20 follows:

21 Section 1201. As used in the Oklahoma Weigh Station Act of  
22 2012:

- 23 1. "Authority" means the Oklahoma Turnpike Authority;
- 24 2. "Commission" means the Corporation Commission;
3. "Fixed facility" means a weigh station or a port of entry;

1 4. "Port of entry" means a facility or virtual facility, in  
2 close proximity to a state line, designed to electronically weigh  
3 and screen motor carriers and commercial motor vehicles for  
4 compliance with federal and state statutes and rules, allowing  
5 compliant carriers to proceed with minimal or no delay;

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

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

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

20 SECTION 2. AMENDATORY Section 3, Chapter 262, O.S.L.  
21 2012 (47 O.S. Supp. 2013, Section 1202), is amended to read as  
22 follows:

23 Section 1202. A. The Department of Transportation, the  
24 Oklahoma Turnpike Authority and the Corporation Commission may enter

1 into interagency agreements concerning the equipment, maintenance  
2 and operations of fixed facilities.

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

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

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

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

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

21 G. The Commission is authorized to conduct audits, reviews,  
22 investigations, inspections or other enforcement actions by  
23 enforcement officers provided those activities are within the scope  
24 of the Commission's jurisdiction and are not conducted as roadside

1 enforcement in accordance with the provisions of the Oklahoma Weigh  
2 Station Act of 2012.

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

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

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

10 SECTION 4. 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 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
15 February 18, 2014 - DO PASS AS AMENDED

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