

1 **SENATE FLOOR VERSION**

2 February 25, 2014

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1551

By: Standridge of the Senate

and

Grau of the House

6
7
8
9 [motor vehicles - single axel load limit -
10 commercial vehicles - out-of-state exemption -
11 taxicabs, buses and motorbuses - license fees -
12 effective date -

emergency]

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

1	Distance in Feet			Maximum Load in Pounds		
2	Between the Extremes of			Carried on Any Group of 2 or		
3	Any Group of 2 or More			More Consecutive Axles		
4	Consecutive Axles					
5	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	
6	4 34,000	-----	-----	-----	-----	
7	5 34,000	-----	-----	-----	-----	
8	6 34,000	-----	-----	-----	-----	
9	7 34,000	-----	-----	-----	-----	
10	8 34,000	42,000	-----	-----	-----	
11	9 39,000	42,500	-----	-----	-----	
12	10 40,000	43,500	-----	-----	-----	
13	11 -----	44,000	-----	-----	-----	
14	12 -----	45,000	50,000	-----	-----	
15	13 -----	45,500	50,500	-----	-----	
16	14 -----	46,500	51,500	-----	-----	
17	15 -----	47,000	52,000	-----	-----	
18	16 -----	48,000	52,500	58,000	-----	
19	17 -----	48,500	53,500	58,500	-----	
20	18 -----	49,500	54,000	59,000	-----	
21	19 -----	50,000	54,500	60,000	-----	
22	20 -----	51,000	55,500	60,500	66,000	
23	21 -----	51,500	56,000	61,000	66,500	
24	22 -----	52,500	56,500	61,500	67,000	

1	23	-----	53,000	57,500	62,500	68,000
2	24	-----	54,000	58,000	63,000	68,500
3	25	-----	54,500	58,500	63,500	69,000
4	26	-----	56,000	59,500	64,000	69,500
5	27	-----	57,500	60,000	65,000	70,000
6	28	-----	59,000	60,500	65,500	71,000
7	29	-----	60,500	61,500	66,000	71,500
8	30	-----	62,000	62,000	66,500	72,000
9	31	-----	63,500	63,500	67,000	72,500
10	32	-----	64,000	64,000	68,000	73,500
11	33	-----	-----	64,500	68,500	74,000
12	34	-----	-----	65,000	69,000	74,500
13	35	-----	-----	66,000	70,000	75,000
14	36	-----	-----	68,000	70,500	75,500
15	37	-----	-----	68,000	71,000	76,000
16	38	-----	-----	69,000	72,000	77,000
17	39	-----	-----	70,000	72,500	77,500
18	40	-----	-----	71,000	73,000	78,000
19	41	-----	-----	72,000	73,500	78,500
20	42	-----	-----	73,000	74,000	79,000
21	43	-----	-----	73,280	75,000	80,000
22	44	-----	-----	73,280	75,500	80,500
23	45	-----	-----	73,280	76,000	81,000
24	46	-----	-----	73,280	76,500	81,500

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

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

22 C. Special permits may be issued as provided in this title for
23 divisible loads for vehicle configurations in excess of six (6)
24 axles. The permits may not exceed the Table "B" federal weights

1 formula imposed by Title 23, U.S. Code, Section 127. Vehicles
2 moving under the permits shall not traverse H-15 bridges or less
3 without the express approval of the Secretary of Transportation.

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

9 E. Exceptions to this section will be:

10 1. Utility or refuse collection vehicles used by counties,
11 cities, or towns or by private companies contracted by counties,
12 cities, or towns if the following conditions are met:

13 a. calculation of weight for a utility or refuse
14 collection vehicle shall be "Gross Vehicle Weight".
15 The "Gross Vehicle Weight" of a utility or refuse
16 collection vehicle may not exceed the otherwise
17 applicable weight by more than fifteen percent (15%).

18 The weight on individual axles must not exceed the
19 manufacturer's component rating which includes axle,
20 suspension, wheels, rims, brakes, and tires as shown
21 on the vehicle certification label or tag, and

22 b. utility or refuse collection vehicles operated under
23 these exceptions will not be allowed to operate on
24 interstate highways;

1 2. Vehicles transporting timber, pulpwood, and chips in their
2 natural state, vehicles transporting oil field fluids, oil field
3 equipment, or equipment used in oil and gas well drilling or
4 exploration, and vehicles transporting grain, if the following
5 conditions 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 operating under exceptions shall purchase an annual special overload
11 permit from the Corporation Commission for One Hundred Dollars
12 (\$100.00). This fee shall be apportioned as provided for in Section
13 1104 of this title with Three Dollars and fifty cents (\$3.50) of the
14 fee retained by the Corporation Commission.

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

19 SECTION 2. 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, ;

23 1. ~~of twenty six thousand (26,000)~~ Of Twenty-six Thousand One
24 (26,001) pounds or greater 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
9 the vehicle in two-inch letters or greater which shall be legible
10 from a 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 47 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 3. 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;

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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) paid
3 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) paid to the 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 4. This act shall become effective July 1, 2014.

6 SECTION 5. 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 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
11 February 25, 2014 - DO PASS AS AMENDED
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