

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 932

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to vehicle weight and load; amending
8 47 O.S. 2011, Sections 14-101, as amended by Section
9 2, Chapter 227, O.S.L. 2012, and 14-109 (47 O.S.
10 Supp. 2012, Section 14-101), which relate to certain
11 penalties and axel and gross weights of certain
12 vehicles; clarifying certain penalty; clarifying
13 certain weights formula for permits for certain
14 vehicles; requiring certain vehicles transporting oil
15 field fluids to have certain overload permit;
16 providing penalties for operating certain vehicles or
17 combination of vehicles in excess of certain weight
18 limitations; and providing an effective date.

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

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-101, as
21 amended by Section 2, Chapter 227, O.S.L. 2012 (47 O.S. Supp. 2012,
22 Section 14-101), is amended to read as follows:

23 Section 14-101. A. It is a misdemeanor, punishable pursuant to
24 subsection I of Section 14-109 of this title, for any person to
drive or move or for the owner to cause or knowingly permit to be
driven or moved on any highway any vehicle or vehicles of a size or
weight exceeding the limitations stated in this chapter or otherwise
in violation of this chapter, and the maximum size and weight of

1 vehicles herein specified shall be lawful throughout this state and
2 local authorities shall have no power or authority to alter the
3 limitations except as express authority may be granted in this
4 chapter.

5 B. The Commissioner of Public Safety is directed to issue
6 annual overweight permits to:

7 1. Municipalities and rural fire districts for the
8 transportation of firefighting apparatus at no cost to the
9 municipalities or rural fire districts;

10 2. Owners of implements of husbandry, which includes tractors
11 that are temporarily moved upon a highway at no cost to the owner;

12 3. Retail implement dealers while hauling implements of
13 husbandry at no cost to the dealer; and

14 4. Owners of certain vehicles as provided for in Section 14-
15 103G of this title.

16 C. If a vehicle is issued a license pursuant to Section ~~1~~
17 ~~this act~~ 14-103G of this title, the license shall also serve as the
18 overweight permit required by this section.

19 D. All size, weight and load provisions covered by this chapter
20 shall be subject to the limitations imposed by Title 23, United
21 States Code, Section 127, and such other rules and regulations
22 developed herein. Provided further that any size and weight
23 provision authorized by the United States Congress for use on the
24 National System of Interstate and Defense Highways, including but

1 not limited to height, axle weight, gross weight, combinations of
2 vehicles or load thereon shall be authorized for immediate use on
3 such segments of the National System of Interstate and Defense
4 Highways and any other highways or portions thereof as designated by
5 the Transportation Commission or their duly authorized
6 representative.

7 E. Any vehicle permitted for movement on the highways of this
8 state as provided in Section 14-101 et seq. of this title, other
9 than a vehicle permitted solely for overweight movement, shall be
10 moved only during daylight hours. As used in Section 14-101 et seq.
11 of this title, "daylight hours" shall mean one-half (1/2) hour
12 before sunrise to one-half (1/2) hour after sunset.

13 F. 1. Any vehicle permitted for movement on the highways of
14 this state as provided in Section 14-101 et seq. of this title shall
15 not be moved at any time on the following holidays:

- 16 a. New Year's Day (January 1),
- 17 b. Memorial Day (the last Monday in May),
- 18 c. The Fourth of July (Independence Day),
- 19 d. Labor Day (the first Monday in September),
- 20 e. Thanksgiving Day (the fourth Thursday in November),
- 21 and
- 22 f. Christmas Day (December 25).

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1	5	34,000	-----	-----	-----	-----
2	6	34,000	-----	-----	-----	-----
3	7	34,000	-----	-----	-----	-----
4	8	34,000	42,000	-----	-----	-----
5	9	39,000	42,500	-----	-----	-----
6	10	40,000	43,500	-----	-----	-----
7	11	-----	44,000	-----	-----	-----
8	12	-----	45,000	50,000	-----	-----
9	13	-----	45,500	50,500	-----	-----
10	14	-----	46,500	51,500	-----	-----
11	15	-----	47,000	52,000	-----	-----
12	16	-----	48,000	52,500	58,000	-----
13	17	-----	48,500	53,500	58,500	-----
14	18	-----	49,500	54,000	59,000	-----
15	19	-----	50,000	54,500	60,000	-----
16	20	-----	51,000	55,500	60,500	66,000
17	21	-----	51,500	56,000	61,000	66,500
18	22	-----	52,500	56,500	61,500	67,000
19	23	-----	53,000	57,500	62,500	68,000
20	24	-----	54,000	58,000	63,000	68,500
21	25	-----	54,500	58,500	63,500	69,000
22	26	-----	56,000	59,500	64,000	69,500
23	27	-----	57,500	60,000	65,000	70,000
24	28	-----	59,000	60,500	65,500	71,000

1	29	-----	60,500	61,500	66,000	71,500
2	30	-----	62,000	62,000	66,500	72,000
3	31	-----	63,500	63,500	67,000	72,500
4	32	-----	64,000	64,000	68,000	73,500
5	33	-----	-----	64,500	68,500	74,000
6	34	-----	-----	65,000	69,000	74,500
7	35	-----	-----	66,000	70,000	75,000
8	36	-----	-----	68,000	70,500	75,500
9	37	-----	-----	68,000	71,000	76,000
10	38	-----	-----	69,000	72,000	77,000
11	39	-----	-----	70,000	72,500	77,500
12	40	-----	-----	71,000	73,000	78,000
13	41	-----	-----	72,000	73,500	78,500
14	42	-----	-----	73,000	74,000	79,000
15	43	-----	-----	73,280	75,000	80,000
16	44	-----	-----	73,280	75,500	80,500
17	45	-----	-----	73,280	76,000	81,000
18	46	-----	-----	73,280	76,500	81,500
19	47	-----	-----	73,500	77,500	82,000
20	48	-----	-----	74,000	78,000	83,000
21	49	-----	-----	74,500	78,500	83,500
22	50	-----	-----	75,500	79,000	84,000
23	51	-----	-----	76,000	80,000	84,500
24	52	-----	-----	76,500	80,500	85,000

1	53	-----	-----	77,500	81,000	86,000
2	54	-----	-----	78,000	81,500	86,500
3	55	-----	-----	78,500	82,500	87,000
4	56	-----	-----	79,500	83,000	87,500
5	57	-----	-----	80,000	83,500	88,000
6	58	-----	-----	-----	84,000	89,000
7	59	-----	-----	-----	85,000	89,500
8	60	-----	-----	-----	85,500	90,000

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

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

22 D. Except for loads moving under special permits as provided in
23 this title, no department or agency of this state or any county,
24 city, or public entity thereof shall pay for any material that

1 exceeds the legal weight limits moving in interstate or intrastate
2 commerce in excess of the legal load limits of this state.

3 E. Exceptions to this section will be:

4 1. Utility or refuse collection vehicles used by counties,
5 cities, or towns or by private companies contracted by counties,
6 cities, or towns if the following conditions are met:

7 a. calculation of weight for a utility or refuse
8 collection vehicle shall be "Gross Vehicle Weight".
9 The "Gross Vehicle Weight" of a utility or refuse
10 collection vehicle may not exceed the otherwise
11 applicable weight by more than fifteen percent (15%).

12 The weight on individual axles must not exceed the
13 manufacturer's component rating which includes axle,
14 suspension, wheels, rims, brakes, and tires as shown
15 on the vehicle certification label or tag, and

16 b. utility or refuse collection vehicles operated under
17 these exceptions will not be allowed to operate on
18 interstate highways;

19 2. Vehicles transporting timber, pulpwood, and chips in their
20 natural state, vehicles transporting oil field fluids, oil field
21 equipment, or equipment used in oil and gas well drilling or
22 exploration, and vehicles transporting grain, if the following
23 conditions are met:

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

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

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

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

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

1 b. the wrecker or tow vehicle is towing the other vehicle
2 or vehicle combination directly to the nearest
3 authorized place of repair, terminal, or vehicle
4 storage facility.

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

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

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

18 3. Written proof or certification of the weight of the
19 auxiliary power or idle reduction technology unit must be available
20 to law enforcement officers if the vehicle is found in violation of
21 applicable weight laws. The additional weight allowed cannot exceed
22 four hundred (400) pounds or the actual proven or certified weight
23 of the unit, whichever is less.

1 G. Utility or refuse collection vehicles, vehicles transporting
2 timber, pulpwood, and chips in their natural state, vehicles
3 transporting oil field fluids, oil field equipment or equipment used
4 in oil and gas well drilling or exploration, vehicles transporting
5 rock, sand, gravel, coal, and flour and vehicles transporting grain,
6 operating under exceptions shall purchase an annual special overload
7 permit for One Hundred Dollars (\$100.00). This fee shall be
8 apportioned as provided for in Section 1104 of this title.

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

13 I. Any person who operates a vehicle or combination of vehicles
14 which is seven hundred (700) pounds or more in excess of the gross
15 and/or axle weight limitations imposed by this section shall, upon
16 conviction, be punished by:

17 1. A fine of three cents (\$0.03) per pound overweight, if
18 overweight by seven hundred (700) pounds but not more than two
19 thousand (2,000) pounds;

20 2. A fine of five cents (\$0.05) per pound overweight, if
21 overweight by two thousand one (2,001) pounds but not more than five
22 thousand (5,000) pounds;

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1 3. A fine of seven cents (\$0.07) per pound overweight, if
2 overweight by five thousand one (5,001) pounds but not more than
3 seven thousand five hundred (7,500) pounds;

4 4. A fine of nine cents (\$0.09) per pound overweight, if
5 overweight by seven thousand five hundred one (7,501) pounds but not
6 more than ten thousand (10,000) pounds;

7 5. A fine of eleven cents (\$0.11) per pound overweight, if
8 overweight by ten thousand one (10,001) pounds but not more than
9 twelve thousand five hundred (12,500) pounds;

10 6. A fine of thirteen cents (\$0.13) per pound overweight, if
11 overweight by twelve thousand five hundred one (12,501) pounds but
12 not more than fifteen thousand (15,000) pounds; or

13 7. A fine of fifteen cents (\$0.15) per pound overweight, if
14 overweight by fifteen thousand one (15,001) pounds or more.

15 SECTION 3. This act shall become effective November 1, 2013.

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