

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1404

By: Pfeiffer

5
6
7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 14-109, as last amended by Section 1,
10 Chapter 296, O.S.L. 2014 (47 O.S. Supp. 2014, Section
11 14-109), which relates to vehicle gross weight and
12 load limits; changing certain vehicle weight limits
13 from a schedule to a formula; eliminating
14 authorization of certain special permits; authorizing
15 annual special overload permit; providing criteria;
16 providing limitations; establishing permit fees;
17 directing permit fee to certain revolving fund;
18 eliminating certain exemptions from weight limit;
19 eliminating eligibility for certain permit; and
20 providing an effective date.

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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
last amended by Section 1, Chapter 296, O.S.L. 2014 (47 O.S. Supp.
2014, Section 14-109), is amended to read as follows:

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

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

2. The total gross weight in pounds imposed thereon by a vehicle or combination of vehicles shall not exceed the value given in the following table corresponding to the distance in feet between the extreme axles of the group measured longitudinally to the nearest foot calculated in accordance with the Federal Bridge Formula imposed by Title 23 U.S.C., Section 127.

~~Distance in Feet~~

~~Between the Extremes of~~

~~Maximum Load in Pounds~~

~~Any Group of 2 or More~~

~~Carried on Any Group of 2 or~~

~~Consecutive Axles~~

~~More Consecutive Axles~~

| | 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 | ----- | ----- |
| 16 | ----- | 48,000 | 52,500 | 58,000 | ----- |

| | | | | | | |
|-----|----|-------|--------|--------|--------|--------|
| 1 | 17 | ----- | 48,500 | 53,500 | 58,500 | ----- |
| 2 | 18 | ----- | 49,500 | 54,000 | 59,000 | ----- |
| 3 | 19 | ----- | 50,000 | 54,500 | 60,000 | ----- |
| 4 | 20 | ----- | 51,000 | 55,500 | 60,500 | 66,000 |
| 5 | 21 | ----- | 51,500 | 56,000 | 61,000 | 66,500 |
| 6 | 22 | ----- | 52,500 | 56,500 | 61,500 | 67,000 |
| 7 | 23 | ----- | 53,000 | 57,500 | 62,500 | 68,000 |
| 8 | 24 | ----- | 54,000 | 58,000 | 63,000 | 68,500 |
| 9 | 25 | ----- | 54,500 | 58,500 | 63,500 | 69,000 |
| 1 0 | 26 | ----- | 56,000 | 59,500 | 64,000 | 69,500 |
| 1 1 | 27 | ----- | 57,500 | 60,000 | 65,000 | 70,000 |
| 1 2 | 28 | ----- | 59,000 | 60,500 | 65,500 | 71,000 |
| 1 3 | 29 | ----- | 60,500 | 61,500 | 66,000 | 71,500 |
| 1 4 | 30 | ----- | 62,000 | 62,000 | 66,500 | 72,000 |
| 1 5 | 31 | ----- | 63,500 | 63,500 | 67,000 | 72,500 |
| 1 6 | 32 | ----- | 64,000 | 64,000 | 68,000 | 73,500 |
| 1 7 | 33 | ----- | ----- | 64,500 | 68,500 | 74,000 |
| 1 8 | 34 | ----- | ----- | 65,000 | 69,000 | 74,500 |
| 1 9 | 35 | ----- | ----- | 66,000 | 70,000 | 75,000 |
| 2 0 | 36 | ----- | ----- | 68,000 | 70,500 | 75,500 |
| 2 1 | 37 | ----- | ----- | 68,000 | 71,000 | 76,000 |
| 2 2 | 38 | ----- | ----- | 69,000 | 72,000 | 77,000 |
| 2 3 | 39 | ----- | ----- | 70,000 | 72,500 | 77,500 |
| 2 4 | 40 | ----- | ----- | 71,000 | 73,000 | 78,000 |

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

21 B. Except as to gross limits, the ~~table~~ formula provided for in
22 subsection A of this section shall not apply to a truck-tractor and
23 dump semitrailer when used as a combination unit. In no event shall
24 the maximum load in pounds carried by any set of tandem axles exceed

1 thirty-four thousand (34,000) pounds ~~for vehicles exempt from the~~
2 ~~table; however, any.~~ Any vehicle operating with split tandem axles
3 or tri-axles shall adhere to the ~~table~~ formula.

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

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

15 D. 1. An annual special overload permit may be purchased for
16 vehicles transporting rock, sand, gravel, coal, flour, timber,
17 pulpwood, and chips in their natural state, oil field fluids, oil
18 field equipment, or equipment used in oil and gas well drilling or
19 exploration, and vehicles transporting grain, fertilizer,
20 cottonseed, cotton, livestock, peanuts, canola, sunflowers,
21 soybeans, feed in bulk, any other raw agricultural products, and any
22 other unprocessed agricultural products, if the following conditions
23 are met:
24

- 1 a. the vehicles are registered for the maximum allowable
2 rate,
- 3 b. the vehicles do not exceed five percent (5%) of the
4 gross limits set forth in subsection A of this
5 section,
- 6 c. the vehicles do not exceed eight percent (8%) of the
7 axle limits set forth in subsection A of this section,
- 8 d. no component of the vehicles exceeds the
9 manufacturer's component weight rating as shown on the
10 vehicle certification label or tag, and
- 11 e. 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 2. Except as otherwise provided in this paragraph, vehicles
15 operating pursuant to this section must register for the maximum
16 allowable rate and additionally shall purchase a nontransferrable
17 annual special overload permit from the Department of Public Safety
18 for a permit fee of Five Hundred Dollars (\$500.00). For vehicles
19 operated by persons holding a valid Oklahoma Agriculture Exemption
20 Permit card, the permit fee shall be Two Hundred Dollars (\$200.00).
21 All monies collected under this paragraph shall be deposited to the
22 credit of the State Highway Construction and Maintenance Fund.

23 E. Exceptions to this section will be:

24

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

- 4 a. calculation of weight for a utility or refuse
5 collection vehicle shall be "Gross Vehicle Weight".
6 The "Gross Vehicle Weight" of a utility or refuse
7 collection vehicle may not exceed the otherwise
8 applicable weight by more than fifteen percent (15%).
9 The weight on individual axles must not exceed the
10 manufacturer's component rating which includes axle,
11 suspension, wheels, rims, brakes, and tires as shown
12 on the vehicle certification label or tag, and
- 13 b. utility or refuse collection vehicles operated under
14 these exceptions will not be allowed to operate on
15 interstate highways; and

16 2. ~~Vehicles transporting timber, pulpwood, and chips in their~~
17 ~~natural state, vehicles transporting oil field fluids, oil field~~
18 ~~equipment, or equipment used in oil and gas well drilling or~~
19 ~~exploration, and vehicles transporting grain, fertilizer,~~
20 ~~cottonseed, cotton, livestock, peanuts, canola, sunflowers,~~
21 ~~soybeans, feed in bulk, any other raw agricultural products, and any~~
22 ~~other unprocessed agricultural products, if the following conditions~~
23 ~~are met:~~

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

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

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

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

- 22 a. the service provided by the wrecker or tow vehicle is
23 needed to remove disabled, abandoned, or accident-
24 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 ~~fertilizer, cottonseed, cotton, livestock, peanuts, canola,~~
7 ~~sunflowers, soybeans, feed in bulk, any other raw agricultural~~
8 ~~products, and any other unprocessed agricultural products,~~ operating
9 under exceptions shall purchase an annual special overload permit
10 from the Corporation Commission for One Hundred Dollars (\$100.00).
11 This fee shall be apportioned as provided for in Section 1104 of
12 this title.

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

17 SECTION 2. This act shall become effective November 1, 2015.
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19 55-1-6892 AMM 02/19/15
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