

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 SENATE BILL 259

By: Allen

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 170.2, which relates to the regulation
10 of motor carriers; modifying certain fine amount; and
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 170.2, is
14 amended to read as follows:

15 A. The Department of Public Safety, monthly, shall notify the
16 Oklahoma Corporation Commission of any ticket issued for a violation
17 of the provisions of Section 14-119 of this title, or any provisions
18 of Chapter 14 of this title or the terms of any special permit
19 authorized pursuant to the provisions of Chapter 14 of this title
20 concerning overweight or overweight special permits.

21 B. Truck overweight violations by motor carriers or private
22 carriers shall be considered contempt of Commission motor carrier
23 rules, tariffs and regulations. The Commission shall establish a
24 specific rule whereby such overweight violations by motor carriers

1 or private carriers shall be grounds for issuance of a show-cause
2 order for consideration of temporary or permanent cancellation of
3 operating authority or license. In establishing the rule,
4 consideration shall be given to the frequency of violations, pattern
5 of violations, fleet size, type of operation, amount of overweight,
6 and other such factors that may indicate intent. Any person, firm,
7 or corporation that assists in the commission of such overweight
8 violation or refuses to comply with any rule, regulation, or order
9 of the Commission relating thereto shall be guilty of contempt of
10 the Commission and shall be subject to a fine to be imposed by ~~said~~
11 the Commission in a sum not to exceed ~~Five Hundred Dollars (\$500.00)~~
12 Two Hundred Dollars (\$200.00) on each violation. In the specific
13 instance of an overweight violation, the transportation of each load
14 shall constitute a separate violation. The same fine assessed
15 against the motor carrier or private carrier shall apply to any
16 other person, firm, or corporation that aids or abets such
17 violations. Provided however, no motor carrier, private carrier,
18 shipper or person loading or causing a motor vehicle to be loaded
19 shall be subject to a fine for contempt unless the gross weight of
20 the motor vehicle is more than five thousand (5,000) pounds
21 overweight.

22 C. The Commission, in its discretion and on its own motion, may
23 make a contempt complaint in writing under oath setting forth the
24 violation, enter the complaint on its docket, and proceed with the

1 matter in accordance with the provisions of Sections ~~161~~ 161A et
2 seq. of this title or the Motor Carrier Act of 1995.

3 SECTION 2. This act shall become effective November 1, 2015.
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