

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL 320

By: Allen

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7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.  
9 2011, Section 1202, as last amended by Section 3,  
10 Chapter 262, O.S.L. 2012 (47 O.S. Supp. 2014, Section  
11 1202), which relates to the operation of weigh  
12 stations; suspending new construction and maintenance  
13 of certain weigh stations until certain study is  
14 complete; providing an effective date; and declaring  
15 an emergency.

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

17 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1202, as  
18 last amended by Section 3, Chapter 262, O.S.L. 2012 (47 O.S. Supp.  
19 2014, Section 1202), is amended to read as follows:

20 Section 1202. A. The Department of Transportation, the  
21 Oklahoma Turnpike Authority and the Corporation Commission may enter  
22 into interagency agreements concerning the equipment, maintenance  
23 and operations of fixed facilities.

24 B. The Department of Transportation, the Authority and the  
Commission shall endeavor to electronically upgrade weigh stations

1 as practical to minimize the duplication of inspections for  
2 compliant commercial motor vehicles and motor carriers.

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

6 D. The Commission shall continue to conduct roadside  
7 enforcement in the general area where a fixed facility is planned  
8 but no fixed facility currently exists until a fixed facility is  
9 located in the general area or July 1, 2016, whichever is earlier.

10 E. When a fixed facility is located in the general area,  
11 Commission motor carrier and commercial motor vehicle enforcement  
12 shall be limited to the fixed facility and a seven-mile radius of  
13 the facility.

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

16 G. The Commission is authorized to conduct audits, reviews,  
17 investigations, inspections or other enforcement actions by  
18 enforcement officers, provided those activities are within the scope  
19 of the Commission's jurisdiction and are not conducted as roadside  
20 enforcement in accordance with the provisions of the Oklahoma Weigh  
21 Station Act of 2012.

22 H. The Commission may enter into interagency cooperative  
23 agreements with other state or federal agencies to jointly enforce  
24 federal and state laws or rules.

1 I. North American Standard Inspections shall be conducted only  
2 by individuals holding certification in the level or classification  
3 of inspection being conducted.

4 J. Upon the effective date of this act, the Department of  
5 Transportation and the Commission shall suspend any new construction  
6 of any fixed port of entry weigh station until a study is completed  
7 to standardize the size and weight enforcement authority between the  
8 Department of Public Safety, the commission, and local law  
9 enforcement.

10 SECTION 2. This act shall become effective July 1, 2015.

11 SECTION 3. It being immediately necessary for the preservation  
12 of the public peace, health and safety, an emergency is hereby  
13 declared to exist, by reason whereof this resolution shall take  
14 effect and be in full force from and after its passage and approval.

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