STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 418 By: Fields of the Senate

and

Biggs of the House

COMMITTEE SUBSTITUTE

An Act relating to oversize or overweight motor vehicles; amending 47 O.S. 2011, Section 14-103G, as last amended by Section 1, Chapter 239, O.S.L. 2014 (47 O.S. Supp. 2014, Section 14-103G), which relates to oversize or overweight load vehicle permits; authorizing the Department of Public Safety to issue an annual hay permit; adopting size restrictions; providing for fee; requiring permittee to obtain approval for transportation route; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-103G, as last amended by Section 1, Chapter 239, O.S.L. 2014 (47 O.S. Supp. 2014, Section 14-103G), is amended to read as follows:

Section 14-103G. A. 1. The Department of Public Safety may issue an annual vehicle permit under the provisions of this subsection to a specific vehicle, for the movement of oversize or overweight loads that cannot reasonably be dismantled. Unless

otherwise provided by law, permits issued under this subsection shall be subject to the conditions described in paragraphs 2 through 8 of this subsection.

2. Oversize or overweight loads operating under an annual vehicle permit shall not exceed:

a. twelve (12) feet in width,

b. fourteen (14) feet in height,

c. one hundred ten (110) feet in length, or

d. one hundred twenty thousand (120,000) pounds gross weight.

3. Oversize or overweight loads operating under an annual vehicle permit under this subsection shall not transport a load that has more than a twenty-five-foot front overhang, or more than a thirty-foot rear overhang.

4. The fee for an annual vehicle permit shall be Four Thousand Dollars ($4,000.00) and shall be nonrefundable.

5. The annual vehicle permit shall be issued for one (1) calendar year period and shall commence upon the date specified on the permit.

6. An annual vehicle permit issued pursuant to this subsection shall be nontransferable between permittees.

7. The permitted vehicle or vehicle combination shall be registered in accordance with the provisions of Chapter 14 of this title for maximum weight.

8. An annual vehicle permit issued pursuant to this subsection may be transferred from one vehicle to another vehicle in the fleet of the permittee provided:

a. the permitted vehicle is destroyed or otherwise becomes permanently inoperable to the extent that the vehicle will no longer be utilized, and the permittee presents proof to the Department of Public Safety that the negotiable certificate of title or other qualifying documentation has been surrendered to the Department of Public Safety, or

b. the certificate of title to the permitted vehicle is transferred to someone other than the permittee, and the permittee presents proof to the Department of Public Safety that the negotiable certificate of title or other qualifying documentation has been transferred from the permittee.

9. A permit issued for loads specific to turbine blades, used for the purpose of wind generation, may exceed a length of one hundred ten (110) feet.

B. 1. The Department of Public Safety may issue an annual vehicle permit under this subsection to a specific motor carrier, for the movement of oversize or overweight loads that cannot reasonably be dismantled. An annual vehicle permit issued under

this subsection may be transferred from one vehicle to another vehicle in the fleet of the permittee provided:

a. that no more than one vehicle is operating at a time, and

b. the original certified permit is carried in the vehicle that is being operated under the terms of the permit.

2. An annual vehicle permit issued under this subsection shall be sent to the permittee via first-class, registered mail, or at the request and expense of the permittee via overnight delivery service. The annual vehicle permit shall not be duplicated. The annual vehicle permit shall be replaced only if:

a. the permittee did not receive the original permit within seven (7) business days after the date of issuance,

b. a request for replacement is submitted to the Department of Public Safety within ten (10) business days after the original date of issuance of the permit, and

c. the request for replacement is accompanied by a notarized statement signed by a principal or officer of the permittee acknowledging that the permittee understands the permit may not be duplicated and that if the original permit is located, the permittee shall

return either the original or replacement permit to the Department of Public Safety.

3. A request for replacement of an annual vehicle permit issued pursuant to the provisions of this subsection shall be denied if the Department of Public Safety can verify that the permittee received the original annual vehicle permit.

4. Lost, misplaced, damaged, destroyed, or otherwise unusable annual vehicle permits shall not be replaced. A new permit shall be required and shall be issued by the Department of Public Safety.

C. 1. The Department of Public Safety may issue an annual fleet permit under this subsection to an electric utility, regulated by the Corporation Commission or a rural electric cooperative solely for the movement of poles. An annual fleet permit issued under this subsection may be used by any vehicle in the fleet of the permittee provided that a certified copy of the permit is carried in each vehicle that is being operated under the terms of the permit.

2. Oversize loads operating under an annual permit issued pursuant to this subsection shall not exceed:

a. twelve (12) feet in width,

b. fourteen (14) feet in height, or

c. fifty-five (55) feet in length.

3. The annual fee for an annual fleet permit issued pursuant to this subsection shall be Four Thousand Dollars ($4,000.00) and shall be nonrefundable.

4. The annual fleet permit shall be issued for a one-calendar-year period and shall commence upon the date specified on the permit.

5. The annual fleet permit issued under this subsection shall be sent to the permittee via first class, registered mail, or at the request and expense of the permittee via overnight delivery service. The annual permit shall be replaced only if:

a. the permittee did not receive the original permit within seven (7) business days after the date of the issuance,

b. a request for replacement is submitted to the Department of Public Safety within ten (10) business days after the original date of issuance of the permit, and

c. the request for replacement is accompanied by a notarized statement signed by an authorized person of the permittee acknowledging that if the original permit is located, the permittee shall either return the original or replacement permit to the Department of Public Safety.

6. A request for replacement of an annual permit issued under the provisions of this subsection shall be denied if the Department of Public Safety can verify the permittee received the original annual permit.

7. Lost, misplaced, damaged, destroyed or otherwise unusable annual permits shall not be replaced. A new permit shall be required and shall be issued by the Department of Public Safety.

8. For the purposes of paragraph 5 of subsection C of Section 14-103 of this title, the term "emergency" means any permitted movement of poles pursuant to the provisions of this subsection that is not for new construction of electric distribution facilities.

D. 1. The Department of Public Safety shall issue an annual vehicle permit under this subsection to a transportation company or manufacturer of portable buildings solely for the movement of oversize portable buildings for a specific manufacturer of portable buildings. An annual vehicle permit issued under this subsection may not be transferred from one vehicle to another vehicle in the fleet. The name of the manufacturer shall be on the permit and on any portable building being moved. The original certified permit shall be carried in the vehicle that is being operated under the terms of the permit.

2. Oversize loads operating under an annual vehicle permit issued pursuant to this subsection shall not exceed:

a. twelve (12) feet in width at the wall with no more than a three-inch-eave overhang, or

b. fourteen (14) feet in height.

3. The total gross weight of oversize loads operating under an annual vehicle permit issued pursuant to this subsection shall not exceed forty-five thousand (45,000) pounds.

4. The tow vehicle shall be limited to two axles, and the vehicle identification number of the vehicle shall be on the permit.

5. The fee for an annual vehicle permit issued pursuant to this subsection shall be Five Hundred Dollars ($500.00) and shall be nonrefundable.

6. An annual vehicle permit issued under this subsection shall be sent to the permittee via first-class, registered mail, or at the request and expense of the permittee via overnight delivery service. The annual vehicle permit shall not be duplicated. The annual vehicle permit shall be replaced only if:

a. the permittee did not receive the original permit within seven (7) business days after the date of issuance,

b. a request for replacement is submitted to the Department of Public Safety within ten (10) business days after the original date of issuance of the permit, and

c. the request for replacement is accompanied by a notarized statement signed by a principal or officer of the permittee acknowledging that the permittee understands the permit may not be duplicated and that

if the original permit is located, the permittee shall return either the original or replacement permit to the Department of Public Safety.

7. A request for replacement of an annual vehicle permit issued pursuant to the provisions of this subsection shall be denied if the Department of Public Safety can verify that the permittee received the original annual vehicle permit.

8. A lost, misplaced, damaged, destroyed, or otherwise unusable annual vehicle permit shall be replaced for a fee of Twenty-five Dollars ($25.00).

E. The Department of Public Safety may issue an annual hay permit under the provisions of this subsection to a specific vehicle for the movement of round baled hay that is greater than thirteen (13) feet six (6) inches but no more than fourteen (14) feet six (6) inches in height, subject to the following conditions:

1. The fee for an annual hay permit shall be Fifty Dollars ($50.00) and shall be nonrefundable;

2. The annual hay permit shall be issued for one year and shall commence on the date specified on the permit;

3. The annual hay permit shall be nontransferable; and

4. The permittee shall obtain approval of the transportation route to be utilized by the vehicle from the Department of Public Safety prior to transporting hay pursuant to this subsection.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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