

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1089, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Bergstrom

Bergstrom-JD-FS-Req#3463
3/6/2018 3:12 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1089

By: Bergstrom of the Senate

and

O'Donnell of the House

FLOOR SUBSTITUTE

An Act relating to motor vehicle weight; amending 47 O.S. 2011, Section 14-109, as last amended by Section 1, Chapter 52, O.S.L. 2015 (47 O.S. Supp. 2017, Section 14-109), which relates to gross weight of load; modifying certain weight limit; providing an effective date; and declaring an emergency.

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 52, O.S.L. 2015 (47 O.S. Supp. 2017, Section 14-109), is amended to read as follows:

Section 14-109. A. On any ~~road or~~ interstate 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

1 calculated in accordance with the Federal Bridge formula imposed by
2 23 U.S.C., Section 127.

3 B. Except as to gross limits, the formula of this section shall
4 not apply to a truck-tractor and dump semitrailer when used as a
5 combination unit. In no event shall the maximum load in pounds
6 carried by any set of tandem axles exceed thirty-four thousand
7 (34,000) pounds. Any vehicle operating with split tandem axles or
8 tri-axles shall adhere to the formula.

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

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

23 a. the vehicles are registered for the maximum allowable
24 rate,

- 1 b. the vehicles do not exceed five percent (5%) of the
2 gross limits set forth in subsection A of this
3 section,
4 c. the vehicles do not exceed eight percent (8%) of the
5 axle limits set forth in subsection A of this section,
6 d. no component of the vehicles exceeds the
7 manufacturer's component weight rating as shown on the
8 vehicle certification label or tag, and
9 e. the vehicles operating pursuant to the provisions of
10 this paragraph will not be allowed to operate on the
11 National System of Interstate and Defense Highways.

12 2. Vehicles operating pursuant to this section must register
13 for the maximum allowable rate and additionally shall purchase a
14 nontransferrable annual special overload permit from the Department
15 of Public Safety for a fee of Three Hundred Fifty Dollars (\$350.00).
16 All monies collected shall be deposited to the credit of the Highway
17 Construction and Maintenance Fund.

18 E. 1. Oversize or overweight vehicles used for specialized
19 transportation if the maximum weight does not exceed twenty-three
20 thousand (23,000) pounds on any single axle or forty-six thousand
21 (46,000) pounds on any tandem axle; and:

- 22 a. the width of the transport vehicle or trailer exceeds
23 twelve (12) feet in width, or
24

1 b. the overall gross vehicle weight meets or exceeds
2 three hundred thousand (300,000) pounds, originates or
3 terminates at the Tulsa Port of Catoosa, and the trip
4 is confined within a thirty-mile radius of the Port.

5 2. Permit fees for oversize or overweight vehicles used for
6 specialized transportation shall be in accordance with subsection A
7 of Section 14-116 of Title 47.

8 3. Vehicles operating pursuant to the provisions of this
9 paragraph will not be allowed to operate on the National System of
10 Interstate and Defense Highways.

11 ~~E.~~ F. Exceptions to this section will be:

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

15 a. calculation of weight for a utility or refuse
16 collection vehicle shall be "Gross Vehicle Weight".
17 The "Gross Vehicle Weight" of a utility or refuse
18 collection vehicle may not exceed the otherwise
19 applicable weight by more than fifteen percent (15%).
20 The weight on individual axles must not exceed the
21 manufacturer's component rating which includes axle,
22 suspension, wheels, rims, brakes, and tires as shown
23 on the vehicle certification label or tag, and
24

1 b. utility or refuse collection vehicles operated under
2 these exceptions will not be allowed to operate on
3 interstate highways;

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

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

9 b. the wrecker or tow vehicle is towing the other vehicle
10 or vehicle combination directly to the nearest
11 authorized place of repair, terminal, or vehicle
12 storage facility; and

13 Vehicles operating pursuant to the provisions of this paragraph will
14 not be allowed to operate on the National System of Interstate and
15 Defense Highways.

16 ~~F.~~ G. 1. Any vehicle utilizing an auxiliary power or idle
17 reduction technology unit in order to promote reduction of fuel use
18 and emissions because of engine idling shall be allowed an
19 additional four hundred (400) pounds total to the total gross weight
20 limits set by this section.

21 2. To be eligible for the exception provided in this
22 subsection, the operator of the vehicle must obtain written proof or
23 certification of the weight of the auxiliary power or idle reduction
24

1 technology unit and be able to demonstrate or certify that the idle
2 reduction technology is fully functional.

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

9 ~~G.~~ H. Utility, refuse collection vehicles or a combination of a
10 wrecker or tow vehicle as described in paragraph 2 of subsection E
11 of this section operating under exceptions shall purchase an annual
12 special overload permit from the Department of Public Safety for One
13 Hundred Dollars (\$100.00). All monies collected shall be deposited
14 to the credit of the Highway Construction and Maintenance Fund.

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

19 SECTION 2. This act shall become effective July 1, 2018.

20 SECTION 3. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

24 56-2-3463 JD 3/6/2018 3:12:12 PM