

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 1089

By: Bergstrom of the Senate

and

O'Donnell and Lepak of the
House

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9 An Act relating to motor vehicle weight; amending 47
10 O.S. 2011, Section 14-109, as last amended by Section
11 1, Chapter 52, O.S.L. 2015 (47 O.S. Supp. 2017,
12 Section 14-109), which relates to gross weight of
13 load; modifying certain weight limits; providing an
14 effective date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-109, as
17 last amended by Section 1, Chapter 52, O.S.L. 2015 (47 O.S. Supp.
18 2017, Section 14-109), is amended to read as follows:

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

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

22 2. The total gross weight in pounds imposed thereon by a
23 vehicle or combination of vehicles shall not exceed the value
24

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

3 B. 1. Except as to gross limits, the formula of this section
4 shall not apply to a truck-tractor and dump semitrailer when used as
5 a 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 2. For vehicles operating under special permits as provided in
10 this title:

- 11 a. dual wheels shall be required for any vehicle moving
12 loads between twenty-two thousand (22,000) and twenty-
13 three thousand (23,000) pounds, and
14 b. a minimum weight capacity rating of twenty thousand
15 (20,000) pounds shall be required for the steering
16 axle of any vehicle moving loads greater than twenty-
17 three thousand (23,000) pounds.

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

23 D. 1. An annual special overload permit may be purchased for
24 vehicles transporting rock, sand, gravel, coal, flour, timber,

1 pulpwood, and chips in their natural state, oil field fluids, oil
2 field equipment or equipment used in oil and gas well drilling or
3 exploration, and vehicles transporting grain, fertilizer,
4 cottonseed, cotton, livestock, peanuts, canola, sunflowers,
5 soybeans, feed, any other raw agricultural products, and any other
6 unprocessed agricultural products, if the following conditions are
7 met:

- 8 a. the vehicles are registered for the maximum allowable
9 rate,
- 10 b. the vehicles do not exceed five percent (5%) of the
11 gross limits set forth in subsection A of this
12 section,
- 13 c. the vehicles do not exceed eight percent (8%) of the
14 axle limits set forth in subsection A of this section,
- 15 d. no component of the vehicles exceeds the
16 manufacturer's component weight rating as shown on the
17 vehicle certification label or tag, and
- 18 e. the vehicles operating pursuant to the provisions of
19 this paragraph will not be allowed to operate on the
20 National System of Interstate and Defense Highways.

21 2. Vehicles operating pursuant to this section must register
22 for the maximum allowable rate and additionally shall purchase a
23 nontransferrable annual special overload permit from the Department
24 of Public Safety for a fee of Three Hundred Fifty Dollars (\$350.00).

1 All monies collected shall be deposited to the credit of the Highway
2 Construction and Maintenance Fund.

3 E. 1. Oversize or overweight vehicles used for specialized
4 transportation if the maximum weight does not exceed twenty-three
5 thousand (23,000) pounds on any single axle or forty-six thousand
6 (46,000) pounds on any tandem axle; and:

7 a. the width of the transport vehicle or trailer exceeds
8 twelve (12) feet in width, or

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

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

16 3. Vehicles operating pursuant to the provisions of this
17 paragraph will not be allowed to operate on the National System of
18 Interstate and Defense Highways.

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

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

23 a. calculation of weight for a utility or refuse
24 collection vehicle shall be "Gross Vehicle Weight".

1 The "Gross Vehicle Weight" of a utility or refuse
2 collection vehicle may not exceed the otherwise
3 applicable weight by more than fifteen percent (15%).

4 The weight on individual axles must not exceed the
5 manufacturer's component rating which includes axle,
6 suspension, wheels, rims, brakes, and tires as shown
7 on the vehicle certification label or tag, and

8 b. utility or refuse collection vehicles operated under
9 these exceptions will not be allowed to operate on
10 interstate highways;

11 2. A combination of a wrecker or tow vehicle and another
12 vehicle or vehicle combination if:

13 a. the service provided by the wrecker or tow vehicle is
14 needed to remove disabled, abandoned, or accident-
15 damaged vehicles, and

16 b. the wrecker or tow vehicle is towing the other vehicle
17 or vehicle combination directly to the nearest
18 authorized place of repair, terminal, or vehicle
19 storage facility; and

20 Vehicles operating pursuant to the provisions of this paragraph will
21 not be allowed to operate on the National System of Interstate and
22 Defense Highways.

23 ~~F.~~ G. 1. Any vehicle utilizing an auxiliary power or idle
24 reduction technology unit in order to promote reduction of fuel use

1 and emissions because of engine idling shall be allowed an
2 additional four hundred (400) pounds total to the total gross weight
3 limits set by this section.

4 2. To be eligible for the exception provided in this
5 subsection, the operator of the vehicle must obtain written proof or
6 certification of the weight of the auxiliary power or idle reduction
7 technology unit and be able to demonstrate or certify that the idle
8 reduction technology is fully functional.

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

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

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

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

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

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7 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 04/02/2018 -
8 DO PASS.
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