

1 **SENATE FLOOR VERSION**

2 February 20, 2018

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1089

By: Bergstrom of the Senate

and

O'Donnell of the House

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8
9 An Act relating to motor vehicle weight; amending 47
10 O.S. 2011, Sections 14-109, as last amended by
11 Section 1, Chapter 52, O.S.L. 2015 and 14-109.2 (47
12 O.S. Supp. 2017, Section 14-109), which relate to
gross weight of load; modifying certain weight limit;
providing an effective date; and declaring an
emergency.

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

3 B. On any state road or highway no weight shall exceed twenty
4 thousand (20,000) pounds for any single axle, or thirty-four
5 thousand (34,000) pounds for any tandem axle, without a special
6 permit.

7 C. Except as to gross limits, the formula of this section shall
8 not apply to a truck-tractor and dump semitrailer when used as a
9 combination unit. ~~In no event shall the maximum load in pounds~~
10 ~~carried by any set of tandem axles exceed thirty-four thousand~~
11 ~~(34,000) pounds.~~ Any vehicle operating with split tandem axles or
12 tri-axles shall adhere to the formula.

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

18 ~~D.~~ E. 1. An annual special overload permit may be purchased
19 for vehicles transporting rock, sand, gravel, coal, flour, timber,
20 pulpwood, and chips in their natural state, oil field fluids, oil
21 field equipment or equipment used in oil and gas well drilling or
22 exploration, and vehicles transporting grain, fertilizer,
23 cottonseed, cotton, livestock, peanuts, canola, sunflowers,
24 soybeans, feed, any other raw agricultural products, and any other

1 unprocessed agricultural products, if the following conditions are
2 met:

3 a. the vehicles are registered for the maximum allowable
4 rate,

5 b. the vehicles do not exceed five percent (5%) of the
6 gross limits set forth in subsection A of this
7 section,

8 c. the vehicles do not exceed eight percent (8%) of the
9 axle limits set forth in subsection A of this section,

10 d. no component of the vehicles exceeds the
11 manufacturer's component weight rating as shown on the
12 vehicle certification label or tag, and

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

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

22 ~~E.~~ F. Exceptions to this section will be:
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1 1. Utility or refuse collection vehicles used by counties,
2 cities, or towns or by private companies contracted by counties,
3 cities, or towns if the following conditions are met:

4 a. calculation of weight for a utility or refuse
5 collection vehicle shall be "Gross Vehicle Weight".
6 The "Gross Vehicle Weight" of a utility or refuse
7 collection vehicle may not exceed the otherwise
8 applicable weight by more than fifteen percent (15%).

9 The weight on individual axles must not exceed the
10 manufacturer's component rating which includes axle,
11 suspension, wheels, rims, brakes, and tires as shown
12 on the vehicle certification label or tag, and

13 b. utility or refuse collection vehicles operated under
14 these exceptions will not be allowed to operate on
15 interstate highways;

16 2. A combination of a wrecker or tow vehicle and another
17 vehicle or vehicle combination if:

18 a. the service provided by the wrecker or tow vehicle is
19 needed to remove disabled, abandoned, or accident-
20 damaged vehicles, and

21 b. the wrecker or tow vehicle is towing the other vehicle
22 or vehicle combination directly to the nearest
23 authorized place of repair, terminal, or vehicle
24 storage facility; and

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

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

7 b. the overall gross vehicle weight meets or exceeds
8 three hundred thousand (300,000) pounds, originates or
9 terminates at the Tulsa Port of Catoosa, and the trip
10 is confined within a thirty (30) mile radius of the
11 Port.

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

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

20 2. To be eligible for the exception provided in this
21 subsection, the operator of the vehicle must obtain written proof or
22 certification of the weight of the auxiliary power or idle reduction
23 technology unit and be able to demonstrate or certify that the idle
24 reduction technology is fully functional.

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

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

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

17 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-109.2, is
18 amended to read as follows:

19 Section 14-109.2. A. Except as hereinafter provided, for the
20 purpose of delivering agriculture commodities to and from the farm
21 only, any vehicle or combination of vehicles shall be commercially
22 weighed on a vehicle scale only as a single draft, that is, the
23 total weight of the vehicle or combination of vehicles shall not be
24 determined by adding together the results obtained by separately

1 weighing each end of the vehicle or combination of vehicles, or by
2 separately weighing individual elements of such vehicle or
3 combination of vehicles. Provided, however, that when a vehicle or
4 combination of vehicles is not weighed as a single draft the weight
5 ticket shall be stamped "multiple draft weight; not guaranteed
6 accurate". Provided further, that any one truck and semitrailer or
7 truck-tractor/semitrailer combination may tow one complete trailer
8 or semitrailer for the purpose of delivering agriculture commodities
9 to and from the farm, such single axle and gross weight limits
10 provided for by Section 14-109 of this title applying fully herein.

11 B. This section shall not be construed to allow or permit any
12 vehicle or combination of vehicles to exceed:

13 1. The single axle load limit, as prescribed in Section 14-109
14 of this title, ~~of twenty thousand (20,000) pounds per single axle;~~
15 or

16 2. The tandem axle weight, as prescribed in Sections 14-101 and
17 14-109 of this title; or

18 3. The overall gross vehicle weight of eighty thousand (80,000)
19 pounds for vehicles or ninety thousand (90,000) pounds for longer
20 combination vehicles as defined in U.S. Code 23, Section 127,
21 operating on the Dwight D. Eisenhower System of Interstate and
22 Defense Highways in accordance with the provisions of Section 14-118
23 of this title; or
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1 4. The total overall gross weight of ninety thousand (90,000)
2 pounds for all other highways in this state, except those highways
3 prescribed in Section 14-113 of this title.

4 SECTION 3. This act shall become effective July 1, 2018.

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

9 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
10 February 20, 2018 - DO PASS AS AMENDED
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