

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1089

By: Bergstrom

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicle weight; amending 47  
8 O.S. 2011, Sections 14-109, as last amended by  
9 Section 1, Chapter 52, O.S.L. 2015 and 14-109.2 (47  
10 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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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

20 2. The total gross weight in pounds imposed thereon by a  
21 vehicle or combination of vehicles shall not exceed the value  
22 calculated in accordance with the Federal Bridge formula imposed by  
23 U.S.C., Section 127.

1 B. On any state road or highway no single axle weight shall  
2 exceed twenty-three thousand (23,000) pounds.

3 C. 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 on any interstate highway, or forty-six thousand  
8 (46,000) pounds on any state road or highway. Any vehicle operating  
9 with split tandem axles or tri-axles shall adhere to the formula.

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

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

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

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

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

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

- 1           a.    calculation of weight for a utility or refuse  
2                   collection vehicle shall be "Gross Vehicle Weight".  
3           The "Gross Vehicle Weight" of a utility or refuse  
4                   collection vehicle may not exceed the otherwise  
5                   applicable weight by more than fifteen percent (15%).  
6           The weight on individual axles must not exceed the  
7                   manufacturer's component rating which includes axle,  
8                   suspension, wheels, rims, brakes, and tires as shown  
9                   on the vehicle certification label or tag, and  
10          b.    utility or refuse collection vehicles operated under  
11                   these exceptions will not be allowed to operate on  
12                   interstate highways;

13          2.    A combination of a wrecker or tow vehicle and another  
14    vehicle or vehicle combination if:

- 15           a.    the service provided by the wrecker or tow vehicle is  
16                   needed to remove disabled, abandoned, or accident-  
17                   damaged vehicles, and  
18           b.    the wrecker or tow vehicle is towing the other vehicle  
19                   or vehicle combination directly to the nearest  
20                   authorized place of repair, terminal, or vehicle  
21                   storage facility.

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

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

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

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

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

23       ~~H.~~ I. For purposes of this section, "utility vehicle" shall  
24 mean any truck used by a private utility company, county, city, or

1 town for the purpose of installing or maintaining electric, water,  
2 or sewer systems.

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

5 Section 14-109.2. A. Except as hereinafter provided, for the  
6 purpose of delivering agriculture commodities to and from the farm  
7 only, any vehicle or combination of vehicles shall be commercially  
8 weighed on a vehicle scale only as a single draft, that is, the  
9 total weight of the vehicle or combination of vehicles shall not be  
10 determined by adding together the results obtained by separately  
11 weighing each end of the vehicle or combination of vehicles, or by  
12 separately weighing individual elements of such vehicle or  
13 combination of vehicles. Provided, however, that when a vehicle or  
14 combination of vehicles is not weighed as a single draft the weight  
15 ticket shall be stamped "multiple draft weight; not guaranteed  
16 accurate". Provided further, that any one truck and semitrailer or  
17 truck-tractor/semitrailer combination may tow one complete trailer  
18 or semitrailer for the purpose of delivering agriculture commodities  
19 to and from the farm, such single axle and gross weight limits  
20 provided for by Section 14-109 of this title applying fully herein.

21 B. This section shall not be construed to allow or permit any  
22 vehicle or combination of vehicles to exceed:  
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1        1. The single axle load limit, as prescribed in Section 14-109  
2 of this title, ~~of twenty thousand (20,000) pounds per single axle;~~  
3 or

4        2. The tandem axle weight, as prescribed in Sections 14-101 and  
5 14-109 of this title; or

6        3. The overall gross vehicle weight of eighty thousand (80,000)  
7 pounds for vehicles or ninety thousand (90,000) pounds for longer  
8 combination vehicles as defined in U.S. Code 23, Section 127,  
9 operating on the Dwight D. Eisenhower System of Interstate and  
10 Defense Highways in accordance with the provisions of Section 14-118  
11 of this title; or

12       4. The total overall gross weight of ninety thousand (90,000)  
13 pounds for all other highways in this state, except those highways  
14 prescribed in Section 14-113 of this title.

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

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

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21       56-2-2015        JD            1/17/2018 12:00:06 PM

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