

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 1089

By: Bergstrom

AS INTRODUCED

An Act relating to motor vehicle weight; amending 47 O.S. 2011, Sections 14-109, as last amended by Section 1, Chapter 52, O.S.L. 2015 and 14-109.2 (47 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.

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 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:
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- 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.

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

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

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

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

~~H.~~ I. For purposes of this section, "utility vehicle" shall 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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