

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3061

By: O'Donnell

AS INTRODUCED

An Act relating to motor vehicles; defining terms; designating high-wide corridor routes; prohibiting certain acts; authorizing certain permits; authorizing the promulgation of rules; requiring the implementation of certain standards; requiring certain consultation with political subdivisions prior to certain actions; requiring political subdivisions to attempt to reach certain agreements; 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 vehicle load limits; increasing single-axle; updating reference; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-103H of Title 47, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Affected area" means the entire width of the right-of-way of the route extended to a height of twenty-three (23) feet above the roadway;

1 2. "High-wide load" means a motor vehicle transporting property
2 on any portion of an appropriate transportation facility adequately
3 designed to accommodate such vehicle's size with minimal disruption
4 to the normal flow of traffic, if the vehicle exceeds limitations on
5 size imposed by Section 14-103 of Title 47 of the Oklahoma Statutes
6 and no portion of the motor vehicle or the transported property has
7 a greater width than twenty-eight (28) feet or a greater height than
8 twenty-three (23) feet; and

9 3. "Political subdivision" means a city, village, town or
10 county.

11 B. The following routes through Oklahoma are designated as
12 Oklahoma high-wide corridors:

13 1. US-83, commencing at the Texas border and ending at the
14 Kansas border;

15 2. Commencing at the intersection of US-83 and US-270,
16 proceeding east on US-270 to SH-51. At the intersection of US-270
17 and SH-51, proceeding east on SH-51 to US-77. At the intersection
18 of SH-51 and US-77, proceeding north on US-77 to US-64. At the
19 intersection of US-77 and US-64, proceeding east on US-64 to SH-108.
20 At the intersection of US-64 and SH-108, proceeding south of SH-108
21 to SH-51. At the intersection of SH-108 and SH-51, proceeding east
22 on SH-51 to SH-99. At the intersection of SH-51 and SH-99,
23 proceeding north on SH-99 to SH-20. At the intersection of SH-99
24 and SH-20, proceeding east on SH-20 to US-169. At the intersection

1 of SH-20 and US-169, proceeding south on US-169 to SH-20. At the
2 intersection of US-169 and SH-20, proceeding east on SH-20 to US-69.
3 At the intersection of SH-20 and US-69, proceeding north on US-69 to
4 US-60. At the intersection of US-69 and US-60 two and one-half
5 (2.5) miles NE of Afton, proceeding east on US-60 and ending at the
6 Arkansas border;

7 3. US-183, commencing at the Texas border and proceeding north
8 on US-183 to SH-33. At the intersection of US-183 and SH-33,
9 proceeding east on SH-33 to US-81. At the intersection of SH-33 and
10 US-81, proceeding north on US-81 and ending at the intersection of
11 SH-51; and

12 4. Commencing at the intersection of SH-99 and SH-20,
13 proceeding north on SH-99 to SH-10. At the intersection of SH-99
14 and SH-10, proceeding east on SH-10 to US-75. At the intersection
15 of SH-10 and US-75, proceeding north on US-75 and ending at the
16 Kansas border.

17 C. 1. No person may operate a high-wide load on the route
18 described in subsection B of this section without a permit from the
19 Department of Public Safety.

20 2. No person may install any structure within the affected area
21 without a permit from the Department of Transportation. A permit
22 authorized pursuant to the provisions of this paragraph shall
23 require the permittee, upon request, to remove any obstruction to
24 the use of the high-wide route by a high-wide load within five (5)

1 days of notice provided by the Department of Transportation without
2 cost to the Department of Transportation or the user of the high-
3 wide route for a high-wide load.

4 D. After the effective date of this act, no person shall
5 perform any of the following acts within the affected area:

6 1. Install any permanent structure without the authorization of
7 the Department of Transportation;

8 2. Take any action that would make any portion of the affected
9 area permanently unavailable for use by a high-wide load; and

10 3. Install any structure without first obtaining a permit under
11 the provisions of this act.

12 E. 1. The Department of Transportation shall promulgate rules
13 to implement additional design standards for improvements to the
14 Oklahoma high-wide routes to prevent interference from permanent
15 structures. At a minimum, these standards shall:

- 16 a. maintain a minimum eighteen (18) feet vertical
17 clearance above the road surface for all future
18 overhead obstructions. Where bridges cross over the
19 Oklahoma high-wide routes, they shall be designed to
20 allow for high-wide loads to quickly egress and
21 ingress around the bridge utilizing on-ramps and off-
22 ramps,

- 1 b. require all future overhead signage to be of
2 cantilever design to allow high-wide loads to shift
3 lanes to prevent interference, and
4 c. require all future bridge design or construction on
5 the Oklahoma high-wide routes to accommodate a three-
6 hundred-fifteen-thousand-pound gross vehicle weight
7 single-lane design vehicle.

8 2. The State of Oklahoma shall consult with all political
9 subdivisions in which any portion of the Oklahoma high-wide route is
10 located before issuing or denying a permit, making an authorization
11 or designating a temporary route under the provisions of this
12 section.

13 3. Political subdivisions in which any portion of the Oklahoma
14 high-wide route is located shall attempt to reach agreements among
15 themselves and with persons using the high-wide route for high-wide
16 loads regarding the allocation of costs and provision of services
17 related to removing permanent structures that interfere with the use
18 of any portion of the affected area by high-wide loads.

19 4. Political subdivisions in which any portion of the Oklahoma
20 high-wide route is located shall attempt to reach agreements among
21 themselves and with persons using the high-wide route for high-wide
22 loads to timely provide traffic officer escorts for persons using
23 the high-wide route for high-wide loads.

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-109, as
2 last amended by Section 1, Chapter 52, O.S.L. 2015 (47 O.S. Supp.
3 2017, Section 14-109), is amended to read as follows:

4 Section 14-109. A. On any road or highway:

5 1. No single axle weight shall exceed ~~twenty thousand (20,000)~~
6 twenty-three thousand (23,000) pounds; and

7 2. The total gross weight in pounds imposed thereon by a
8 vehicle or combination of vehicles shall not exceed the value
9 calculated in accordance with the Federal Bridge formula imposed by
10 23 U.S.C., Section 127.

11 B. Except as to gross limits, the formula of this section shall
12 not apply to a truck-tractor and dump semitrailer when used as a
13 combination unit. In no event shall the maximum load in pounds
14 carried by any set of tandem axles exceed thirty-four thousand
15 (34,000) pounds. Any vehicle operating with split tandem axles or
16 tri-axles shall adhere to the formula.

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

22 D. 1. An annual special overload permit may be purchased for
23 vehicles transporting rock, sand, gravel, coal, flour, timber,
24 pulpwood, and chips in their natural state, oil field fluids, oil

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

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

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

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

3 E. Exceptions to this section will be:

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

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

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

16 b. utility or refuse collection vehicles operated under
17 these exceptions will not be allowed to operate on
18 interstate highways;

19 2. A combination of a wrecker or tow vehicle and another
20 vehicle or vehicle combination if:

21 a. the service provided by the wrecker or tow vehicle is
22 needed to remove disabled, abandoned, or accident-
23 damaged vehicles, and

1 b. the wrecker or tow vehicle is towing the other vehicle
2 or vehicle combination directly to the nearest
3 authorized place of repair, terminal, or vehicle
4 storage facility.

5 Vehicles operating pursuant to the provisions of this paragraph will
6 not be allowed to operate on the National System of Interstate and
7 Defense Highways.

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

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

18 3. Written proof or certification of the weight of the
19 auxiliary power or idle reduction technology unit must be available
20 to law enforcement officers if the vehicle is found in violation of
21 applicable weight laws. The additional weight allowed cannot exceed
22 four hundred (400) pounds or the actual proven or certified weight
23 of the unit, whichever is less.
24

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

7 H. For purposes of this section, "utility vehicle" shall mean
8 any truck used by a private utility company, county, city, or town
9 for the purpose of installing or maintaining electric, water, or
10 sewer systems.

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

13 Section 14-109.2 A. Except as hereinafter provided, for the
14 purpose of delivering agriculture commodities to and from the farm
15 only, any vehicle or combination of vehicles shall be commercially
16 weighed on a vehicle scale only as a single draft, that is, the
17 total weight of the vehicle or combination of vehicles shall not be
18 determined by adding together the results obtained by separately
19 weighing each end of the vehicle or combination of vehicles, or by
20 separately weighing individual elements of such vehicle or
21 combination of vehicles. Provided, however, that when a vehicle or
22 combination of vehicles is not weighed as a single draft the weight
23 ticket shall be stamped "multiple draft weight; not guaranteed
24 accurate". Provided further, that any one truck and semitrailer or

1 truck-tractor/semitrailer combination may tow one complete trailer
2 or semitrailer for the purpose of delivering agriculture commodities
3 to and from the farm, such single axle and gross weight limits
4 provided for by Section 14-109 of this title applying fully herein.

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

7 1. The axle load limit, as prescribed in Section 14-109 of this
8 title, of ~~twenty thousand (20,000)~~ twenty-three thousand (23,000)
9 pounds per single axle; or

10 2. The tandem axle weight, as prescribed in Sections 14-101 and
11 14-109 of this title; or

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

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

21 SECTION 4. This act shall become effective November 1, 2018.

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