

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 374

By: Bergstrom of the Senate

and

Frix of the House

COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 14-107, which relates to definitions; defining terms; amending 47 O.S. 2011, Section 14-109, as last amended by Section 1, Chapter 52, O.S.L. 2018 (47 O.S. Supp. 2018, Section 14-109), which relates to gross weight of load; removing certain special permit definition; providing for certain exemptions to certain vehicles from certain weight limits; deleting certain definition; and providing a provisional effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-107, is amended to read as follows:

Section 14-107. As used in this chapter:

1. "Axle load" means the total load transmitted to the road by all wheels whose centers are included between two parallel

1 transverse vertical planes forty (40) inches apart, extending across  
2 the full width of the vehicle;

3 2. "Tandem axle" means any two or more consecutive axles whose  
4 centers are more than forty (40) inches apart, but not more than  
5 ninety-five (95) inches apart;

6 3. "Split tandem axle" means any group of two or more  
7 consecutive axles where the center of any two adjacent axles exceeds  
8 ninety-five (95) inches, but does not exceed one hundred twenty  
9 (120) inches; ~~and~~

10 4. "Nondivisible" means any load or vehicle exceeding  
11 applicable length or weight which, if separated into smaller loads  
12 or vehicles, would:

- 13 a. compromise the intended use of the vehicle,
- 14 b. destroy the value of the load or vehicle, or
- 15 c. require more than eight (8) hours to dismantle using  
16 appropriate equipment;

17 5. "Dual lane axles" also known as "trunnion axles" means an  
18 axle configuration with two individual axles mounted in the same  
19 transverse plane, with four tires on each axle, connected at a pivot  
20 point that allows each individual axle to oscillate in a vertical  
21 plane to provide constant and equal weight distribution on each  
22 individual axle; and

23 6. "Dual lane axles group" also known as "trunnion axle group"  
24 means two or more consecutive trunnion axles that are individually

1 attached to, and/or articulated from, the vehicle, and may include a  
2 weight equalizing suspension system.

3 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-109, as  
4 last amended by Section 1, Chapter 52, O.S.L. 2018 (47 O.S. Supp.  
5 2018, Section 14-109), is amended to read as follows:

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

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

9 2. The total gross weight in pounds imposed thereon by a  
10 vehicle or combination of vehicles shall not exceed the value  
11 calculated in accordance with the Federal Bridge formula imposed by  
12 23 U.S.C., Section 127.

13 B. ~~1.~~ Except as to gross limits, the formula of this section  
14 shall not apply to a truck-tractor and dump semitrailer when used as  
15 a combination unit. In no event shall the maximum load in pounds  
16 carried by any set of tandem axles exceed thirty-four thousand  
17 (34,000) pounds. Any vehicle operating with split tandem axles or  
18 tri-axles shall adhere to the formula.

19 ~~2. For vehicles operating under special permits as provided in~~  
20 ~~this title:~~

21 a. ~~dual wheels shall be required for any vehicle moving~~  
22 ~~loads between twenty-two thousand (22,000) and twenty-~~  
23 ~~three thousand (23,000) pounds, and~~

1           ~~b. a minimum weight capacity rating of twenty thousand~~  
2           ~~(20,000) pounds shall be required for the steering~~  
3           ~~axle of any vehicle moving loads greater than twenty~~  
4           ~~three thousand (23,000) pounds.~~

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

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

19           a. the vehicles are registered for the maximum allowable  
20           rate,

21           b. the vehicles do not exceed five percent (5%) of the  
22           gross limits set forth in subsection A of this  
23           section,  
24

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

- a. is a dual lane trailer with dual lane axles and the width of the transport vehicle or trailer exceeds twelve (12) feet in width, or
- b. the overall gross vehicle weight of a single trailer meets or exceeds three hundred thousand (300,000) pounds, originates or terminates at the Tulsa Port of

1 Catoosa, and the trip is confined within a thirty-mile  
2 radius of the Port.

3 2. Permit fees for oversize or overweight vehicles used for  
4 specialized transportation shall be in accordance with subsection A  
5 of Section 14-116 of ~~Title 47~~ this title.

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

9 F. Exceptions to this section will be:

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

- 13 a. calculation of weight for a utility or refuse  
14 collection vehicle shall be "Gross Vehicle Weight".  
15 The "Gross Vehicle Weight" of a utility or refuse  
16 collection vehicle may not exceed the otherwise  
17 applicable weight by more than fifteen percent (15%).  
18 The weight on individual axles must not exceed the  
19 manufacturer's component rating which includes axle,  
20 suspension, wheels, rims, brakes, and tires as shown  
21 on the vehicle certification label or tag, and  
22 b. utility or refuse collection vehicles operated under  
23 these exceptions will not be allowed to operate on  
24 interstate highways;

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

3            a. the service provided by the wrecker or tow vehicle is  
4 needed to remove disabled, abandoned, or accident-  
5 damaged vehicles, and

6            b. the wrecker or tow vehicle is towing the other vehicle  
7 or vehicle combination directly to the nearest  
8 ~~authorized~~ appropriate place of repair, terminal, or  
9 vehicle storage facility; ~~and~~

10 ~~Vehicles~~ 3. A vehicle operating pursuant to the provisions of ~~this~~  
11 paragraph 2 of this subsection will not be allowed to operate on the  
12 National System of Interstate and Defense Highways unless it is a  
13 covered heavy-duty tow and recovery vehicle that:

14            a. is transporting a disabled vehicle from the place  
15 where the vehicle became disabled to the nearest  
16 appropriate repair facility, and

17            b. has a gross vehicle weight that is equal to or exceeds  
18 the gross vehicle weight of the disabled vehicle being  
19 transported; and

20        4. On the interstate highway system a vehicle designed to be  
21 used under emergency conditions to transport personnel and equipment  
22 and to support the suppression of fires and mitigation of other  
23 hazardous situations with a vehicle weight limit up to a maximum  
24

1 gross vehicle weight of eighty-six thousand (86,000) pounds with  
2 less than:

3       a.   twenty-four thousand (24,000) pounds on a single  
4           steering axle,

5       b.   thirty-three thousand five hundred (33,500) pounds on  
6           a single drive axle,

7       c.   sixty-two thousand (62,000) pounds on a tandem axle,  
8           or

9       d.   fifty-two thousand (52,000) pounds on a tandem rear  
10           drive steer axle.

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

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

21       3. Written proof or certification of the weight of the  
22 auxiliary power or idle reduction technology unit must be available  
23 to law enforcement officers if the vehicle is found in violation of  
24 applicable weight laws. The additional weight allowed cannot exceed

1 four hundred (400) pounds or the actual proven or certified weight  
2 of the unit, whichever is less.

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

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

14 SECTION 3. This act shall become effective in accordance with  
15 the provisions of Section 58 of Article V of the Oklahoma  
16 Constitution.

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