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February 5, 2019

By: Bergstrom

An Act relating to motor vehicle weight; 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; exempting certain vehicles from certain weight limits; providing for certain definition of nondivisible load; 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. 2018 (47 O.S. Supp. 2018, Section 14-109), is amended to read as follows:

Section 14-109. A. On any 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.

B. 1. Except as to gross limits, the formula of this section shall not apply to a truck-tractor and dump semitrailer when used as

1 a combination unit. In no event shall the maximum load in pounds  
2 carried by any set of tandem axles exceed thirty-four thousand  
3 (34,000) pounds. Any vehicle operating with split tandem axles or  
4 tri-axles shall adhere to the formula.

5 2. For vehicles operating under special permits as provided in  
6 this title:

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

10 b. a minimum weight capacity rating of twenty thousand  
11 (20,000) pounds shall be required for the steering  
12 axle of any vehicle moving loads greater than twenty-  
13 three thousand (23,000) pounds.

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

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

1 soybeans, feed, any other raw agricultural products, and any other  
2 unprocessed agricultural products, if the following conditions are  
3 met:

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

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

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

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

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

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

23 E. 1. Oversize or overweight vehicles used for specialized  
24 transportation if the maximum weight does not exceed twenty-three

1 thousand (23,000) pounds on any single axle or forty-six thousand  
2 (46,000) pounds on any tandem axle; and:

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

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

9 2. Permit fees for oversize or overweight vehicles used for  
10 specialized transportation shall be in accordance with subsection A  
11 of Section 14-116 of Title 47.

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

15 F. Exceptions to this section will be:

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

19 a. calculation of weight for a utility or refuse  
20 collection vehicle shall be "Gross Vehicle Weight".  
21 The "Gross Vehicle Weight" of a utility or refuse  
22 collection vehicle may not exceed the otherwise  
23 applicable weight by more than fifteen percent (15%).  
24 The weight on individual axles must not exceed the

1 manufacturer's component rating which includes axle,  
2 suspension, wheels, rims, brakes, and tires as shown  
3 on the vehicle certification label or tag, and

4 b. utility or refuse collection vehicles operated under  
5 these exceptions will not be allowed to operate on  
6 interstate highways;

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

9 a. the service provided by the wrecker or tow vehicle is  
10 needed to remove disabled, abandoned, or accident-  
11 damaged vehicles, and

12 b. the wrecker or tow vehicle is towing the other vehicle  
13 or vehicle combination directly to the nearest  
14 authorized place of repair, terminal, or vehicle  
15 storage facility; and

16 Vehicles operating pursuant to the provisions of this paragraph will  
17 not be allowed to operate on the National System of Interstate and  
18 Defense Highways.

19 G. 1. Any vehicle utilizing an auxiliary power or idle  
20 reduction technology unit in order to promote reduction of fuel use  
21 and emissions because of engine idling shall be allowed an  
22 additional four hundred (400) pounds total to the total gross weight  
23 limits set by this section.  
24

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

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

12        H. On the Interstate System, a vehicle carrying fluid milk  
13 products shall be considered a load that cannot be easily dismantled  
14 or divided, or "nondivisible".

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

21        ~~F.~~ J. For purposes of this section, "utility vehicle" shall  
22 mean any truck used by a private utility company, county, city, or  
23 town for the purpose of installing or maintaining electric, water,  
24 or sewer systems.

1       SECTION 2.   This act shall become effective July 1, 2019.

2       SECTION 3.   It being immediately necessary for the preservation  
3 of the public peace, health or safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.

6 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
7 February 5, 2019 - DO PASS  
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