

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 2912

By: Johns

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 14-120, which relates to vehicle escorts; requiring the modification of certain vehicle length rules; amending 47 O.S. 2011, Section 14-118, as last amended by Section 2, Chapter 239, O.S.L. 2014 (47 O.S. Supp. 2019, Section 14-118), which relates to motor carriers; modifying authorization under certain permit; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-120, is amended to read as follows:

Section 14-120. A. Manufactured items, with the exception of manufactured homes as defined in Section 1102 of this title and industrialized housing as defined in subsection B of Section 14-103A of this title, exceeding sixteen (16) feet but not exceeding twenty-three (23) feet in width traveling:

1. From a point of manufacture in the State of Oklahoma to a point of delivery in the State of Oklahoma or to a point of delivery in another state; or

1 2. From a point of manufacture outside the State of Oklahoma to
2 a point of delivery in the State of Oklahoma or to a point of
3 delivery in another state,
4 shall be permitted, upon receipt of a special movement permit issued
5 under the provisions of subsection B of this section, to travel on
6 any state or U.S. highway in Oklahoma. Provided, however, the
7 Commissioner of Public Safety is authorized to allow such items in
8 excess of twenty-three (23) feet in width to travel on such highway
9 if it is in the best interest of the state and a special moving
10 permit has been issued. Provided, further, that no such load in
11 excess of the limitations set forth in the applicable United States
12 Code shall be permitted to travel upon any portion of the National
13 System of Interstate and Defense Highways.

14 B. Every person desiring to transport manufactured items
15 pursuant to the provisions of this section shall apply to the
16 Department of Public Safety for a special movement permit on an
17 application form prescribed by the Department. Upon approval of the
18 application by the Department, a special movement permit shall be
19 issued for a fee of Five Hundred Dollars (\$500.00). Except as
20 provided in Section 4 14-122 of this ~~act~~ title, monies received from
21 such special movement permit fees shall be deposited in the State
22 Treasury to the credit of the General Revenue Fund. A permit issued
23 pursuant to the provisions of this subsection shall expire upon the
24 completion of one trip specified in subsection A of this section.

1 The special movement permit, and fee related thereto, shall be in
2 addition to the permit and fees required by Section 14-116 of this
3 title.

4 C. Highway escorts shall be required for transportation of
5 items pursuant to the provisions of this section according to rules
6 and regulations prescribed by the Department of Public Safety. The
7 Department shall modify its rules to allow a truck-tractor semi-
8 trailer combination which is greater than ninety (90) feet in
9 overall length to be accompanied by an escort on two-lane highways.
10 The Department shall modify its rules to allow a combination other
11 than a truck-tractor semi-trailer which is greater than ninety (90)
12 feet in overall length to be accompanied by an escort on two-lane
13 highways or super two-lane highways.

14 SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-118, as
15 last amended by Section 2, Chapter 239, O.S.L. 2014 (47 O.S. Supp.
16 2019, Section 14-118), is amended to read as follows:

17 Section 14-118. A. 1. Pursuant to such rules as may be
18 prescribed by Oklahoma agencies of jurisdiction, Oklahoma motor
19 carriers may engage in any activity in which carriers subject to the
20 jurisdiction of the federal government may be authorized by federal
21 legislation to engage. Provided further, the Transportation
22 Commission shall formulate, for the State Trunk Highway System,
23 including the National System of Interstate and Defense Highways,
24 and for all other highways or portions thereof, rules governing the

1 movement of vehicles or loads which exceed the size or weight
2 limitations specified by the provisions of this chapter.

3 2. Such rules shall be the basis for the development of a
4 system by the Commissioner of Public Safety for the issuance of
5 permits for the movement of oversize or overweight vehicles or
6 loads. Such system shall include, but not be limited to, provisions
7 for duration, seasonal factors, hours of the day or days when valid,
8 special requirements as to flags, flagmen and warning or safety
9 devices, and other such items as may be consistent with the intent
10 of this section. The permit system shall include provisions for the
11 collection of permit fees as well as for the issuance of the permits
12 by telephone, electronic transfer or such other methods of issuance
13 as may be deemed feasible.

14 3. The Department of Public Safety is authorized to charge a
15 fee of Two Dollars (\$2.00) for each permit requested to be issued by
16 facsimile machine or by any other means of electronic transmission,
17 transfer or delivery. The fee shall be in addition to any other fee
18 or fees assessed for the permit. The fee shall be deposited in the
19 State Treasury to the credit of the Department of Public Safety
20 Restricted Revolving Fund and the monies shall be expended by the
21 Department solely for the purposes provided for in this chapter.

22 4. It is the purpose of this section to permit the movement of
23 necessary overweight and oversize vehicles or loads consistent with
24 the following obligations:

- a. protection of the motoring public from potential traffic hazards,
- b. protection of highway surfaces, structures, and private property, and
- c. provision for normal flow of traffic with a minimum of interference.

B. The Transportation Commission shall prepare and publish a map of the State of Oklahoma showing by appropriate symbols the various highway structures and bridges in terms of maximum size and weight restrictions. This map shall be titled "Oklahoma Load Limit Map" and shall be revised periodically to maintain a reasonably current status and in no event shall a period of two (2) years lapse between revisions and publication of the printed version of the Oklahoma Load Limit Map. This map shall also be made available by the Department of Transportation on the Internet, and in no event shall a period of six (6) months lapse between revisions of the information provided on the Internet. Provided, further, the Secretary of the Department of Transportation shall prepare and publish a map of the State of Oklahoma showing the advantages of this state as a marketing, warehousing and distribution network center for motor transportation sensitive industries.

C. The Commissioner of Public Safety, or an authorized representative, shall have the authority, within the limitations formulated under provisions of this chapter, to issue, withhold or

1 revoke special permits for the operation of vehicles or combinations
2 of vehicles or loads which exceed the size or weight limitations of
3 this chapter. Every such permit shall be carried in the vehicle or
4 combination of vehicles to which it refers and shall be open to
5 inspection by any law enforcement officer or authorized agent of any
6 authority granting such permit, and no person shall violate any of
7 the terms or conditions of such special permit.

8 D. It shall be permissible in the transportation of empty
9 trucks on any road or highway to tow by use of saddlemounts; i.e.,
10 mounting the front wheels of one vehicle on the bed of another
11 leaving the rear wheels only of such towed vehicle in contact with
12 the roadway. One vehicle may be fullmounted on the towing or towed
13 vehicles engaged in any driveaway or towaway operation. No more
14 than three saddlemounts may be permitted in such combinations. The
15 towed vehicles shall be securely fastened and operated under the
16 applicable safety requirements of the United States Department of
17 Transportation and such combinations shall not exceed an overall
18 length of seventy-five (75) feet. Provided, a driveaway saddlemount
19 with fullmount vehicle transporter combination may reach an overall
20 length of ninety-seven (97) feet on the National Network of
21 Highways.

22 E. The Commissioner of Public Safety, upon application of any
23 person engaged in the transportation of forest products in the raw
24 state, which is defined to be tree-length logs moving from the

1 forest directly to the mill, or upon application of any person
2 engaged in the hauling for hire or for resale, of round baled hay
3 with a total outside width of eleven (11) feet or less, shall issue
4 an annual permit, upon payment of a fee of Twenty-five Dollars
5 (\$25.00) each year, authorizing the operation by such persons of
6 such motor vehicle load lengths and widths upon the highways of this
7 state except on the National System of Interstate and Defense
8 Highways. Provided, however, the restriction on use of the National
9 System of Interstate and Defense Highways shall not be applicable to
10 persons engaged in the hauling of round baled hay with a total
11 outside width of eleven (11) feet or less.

12 F. The Commissioner of Public Safety, upon application of any
13 person engaged in the transportation of overwidth or overheight
14 equipment used in soil conservation work with a total outside width
15 of twelve (12) feet or less, shall issue an annual permit, upon
16 payment of a fee of Twenty-five Dollars (\$25.00) each year,
17 authorizing the operation by such persons of such motor vehicle load
18 lengths and widths upon the highways of this state ~~except on the~~
19 ~~National System of Interstate and Defense Highways.~~

20 G. Farm equipment including, but not limited to, implements of
21 husbandry as defined in Section 1-125 of this title shall be
22 exempted from the requirement for special permits due to size. Such
23 equipment may move on any highway, except those highways which are
24 part of the National System of Interstate and Defense Highways,

1 during the hours of darkness and shall be subject to the
2 requirements as provided in Section 12-215 of this title. In
3 addition to those requirements, tractors pulling machinery over
4 thirteen (13) feet wide must have two amber flashing warning lamps
5 symmetrically mounted, laterally and widely spaced as practicable,
6 visible from both front and rear, mounted at least thirty-nine (39)
7 inches high.

8 H. Any rubber-tired road construction vehicle including rubber-
9 tired truck cranes and special mobilized machinery either self-
10 propelled or drawn carrying no load other than component parts
11 safely secured to the machinery and its own weight, but which is
12 overweight by any provisions of this chapter, shall be authorized to
13 move on the highways of the State of Oklahoma. Movement of such
14 vehicles shall be authorized on the Federal Interstate System of
15 Highways only by special permit secured from the Commissioner of
16 Public Safety or an authorized representative upon determination
17 that the objectives of this section will be served by such a permit
18 and that federal weight restrictions will not be violated. The
19 special permit shall be:

20 1. A single-trip permit issued under the provisions of this
21 section and Section 14-116 of this title; or

22 2. A special annual overweight permit which shall be issued for
23 one calendar year period upon payment of a fee of Sixty Dollars
24 (\$60.00).

1 The weight of any such vehicle shall not exceed six hundred
2 fifty (650) pounds multiplied by the nominal width of the tire. The
3 vehicle shall be required to carry the safety equipment adjudged
4 necessary for the health and welfare of the driving public. If any
5 oversized vehicle does not come under the other limitations of the
6 present laws, it shall be deemed that the same shall travel only
7 between the hours of sunrise and sunset. The vehicle, being
8 overweight but of legal dimension, shall be allowed continuous
9 travel. The vehicles, except special mobilized machinery, shall be
10 exempt from the laws of this state relating to motor vehicle
11 registration, licensing or other fees or taxes in lieu of ad valorem
12 taxes.

13 I. 1. When such machinery has a width greater than eight and
14 one-half (8 1/2) feet, or a length, exclusive of load, of forty-five
15 (45) feet, or a height in excess of thirteen and one-half (13 1/2)
16 feet, then the permit may restrict movement to a fifty-mile radius
17 from an established operating base, and may designate highways to be
18 traveled, hours of travel and when flagmen may be required to
19 precede or follow the equipment.

20 2. Possession of a permit shall in no way be construed as
21 exempting such equipment from the authority of the Director of the
22 Department of Transportation to restrict use of particular highways,
23 nor shall it exempt owners or operators of such equipment from the
24 responsibility for damage to highways caused by movement of the

1 equipment. Nothing in this subsection shall apply to machinery used
2 in highway construction or road material production.

3 3. Upon the issuance of a special mobilized machinery driveaway
4 permit as provided in this subsection, special mobilized machinery
5 manufactured in Oklahoma shall be permitted to move upon the
6 highways of this state from the place of manufacture to the state
7 line for delivery and exclusive use outside the state, and may be
8 temporarily returned to Oklahoma for modification and repair, with
9 subsequent movement back out of the state. Special driveaway
10 permits for such movements shall be issued by the Commissioner of
11 Public Safety, who may act through designated agents, upon the
12 payment of a fee in the amount of Fifteen Dollars (\$15.00) for each
13 movement.

14 4. The size of the special mobilized machinery shall not be
15 such as to create a safety hazard in the judgment of the
16 Commissioner of Public Safety. Permits for such special mobilized
17 machinery shall specify a maximum permissible road speed of sixty
18 (60) miles per hour, designate safety equipment to be carried and
19 may exclude use of highways of the interstate system.

20 5. When such equipment has a width greater than eight and one-
21 half (8 1/2) feet, or a length exclusive of load of forty-five (45)
22 feet, or a height in excess of thirteen and one-half (13 1/2) feet,
23 the permit may designate highways to be traveled, hours of travel
24 and when flagmen may be required to precede or follow the equipment.

1 6. Possession of a special driveaway permit shall in no way be
2 construed as exempting such equipment from the authority of the
3 Director of the Department of Transportation to restrict use of
4 particular highways, nor shall it exempt the owners or operators of
5 such equipment from the responsibility for damage to highways caused
6 by the movement of such equipment.

7 SECTION 3. This act shall become effective November 1, 2020.

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