

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 4008

By: Bashore and Frix

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to motor vehicles; amending 47 O.S.
10 2021, Sections 2-106.1, 14-101, 14-103, 14-103C, 14-
11 103D, 14-103E, 14-103G, 14-109, 14-116, 14-116a, 14-
12 118, 14-118.1, 14-120, 14-120.1, 14-120.2, 14-121 and
13 14-126, which relate to permit clerks and
14 supervisors, prohibition against movement of certain
15 vehicles, special permits, movement of manufactured
16 homes, issue of permits, annual overload permits,
17 permit fees, movement of loads without permit
18 penalties, permits for motor carriers, permit
19 agreements, cost of escort and requirements, permits
20 for combination vehicles, agricultural vehicles;
21 modifying list of materials for which certain permits
22 may be purchased; modifying apportionment of certain
23 proceeds; modifying agency reference; transferring
24 certain duties from the Department of Public Safety
 to the Department of Transportation; amending 69 O.S.
 2021, Section 306, which relates to the powers and
 duties of the Director; authorizing certain hiring;
 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. 2021, Section 2-106.1, is
amended to read as follows:

1 Section 2-106.1 ~~Subject to the Merit System laws, the~~
2 ~~Commissioner of Public Safety is hereby authorized to employ a~~
3 ~~supervisor of permit clerks, headquarters permit clerks and~~
4 ~~additional permit clerks, who shall have the duty to issue oversize~~
5 ~~and/or overweight permits in accordance with the terms of Chapter 14~~
6 ~~of this title and to collect the fees therefor and to remit the same~~
7 ~~to the Oklahoma Tax Commission.~~

8 All the powers, duties, functions, records, employees, property,
9 matters pending, funds, and responsibilities of the Size and Weights
10 Permits Division of the Department of Public Safety are hereby
11 transferred to the Department of Transportation effective July 1,
12 2022. An accurate, current inventory of all properties shall be
13 maintained by the Department of Transportation.

14 SECTION 2. AMENDATORY 47 O.S. 2021, Section 14-101, is
15 amended to read as follows:

16 Section 14-101. A. It is a misdemeanor for any person to drive
17 or move or for the owner to cause or knowingly permit to be driven
18 or moved on any highway any vehicle or vehicles of a size or weight
19 exceeding the limitations stated in this chapter or otherwise in
20 violation of this chapter, and the maximum size and weight of
21 vehicles herein specified shall be lawful throughout this state and
22 local authorities shall have no power or authority to alter the
23 limitations except as express authority may be granted in this
24 chapter.

1 B. ~~The Commissioner of Public Safety~~ Executive Director of the
2 Department of Transportation is directed to issue annual overweight
3 permits to:

4 1. Municipalities and rural fire districts for the
5 transportation of firefighting apparatus at no cost to the
6 municipalities or rural fire districts;

7 2. Owners of implements of husbandry, which includes tractors
8 that are temporarily moved upon a highway at no cost to the owner;

9 3. Retail implement dealers while hauling implements of
10 husbandry at no cost to the dealer; and

11 4. Owners of certain vehicles as provided for in Section 14-
12 103G of this title.

13 C. If a vehicle is issued a license pursuant to Section 1134.4
14 of this title, the license shall also serve as the overweight permit
15 required by this section.

16 D. All size, weight and load provisions covered by this chapter
17 shall be subject to the limitations imposed by Title 23, United
18 States Code, Section 127, and such other rules and regulations
19 developed herein. Provided further that any size and weight
20 provision authorized by the United States Congress for use on the
21 National System of Interstate and Defense Highways, including, but
22 not limited to, height, axle weight, gross weight, combinations of
23 vehicles or load thereon shall be authorized for immediate use on
24 such segments of the National System of Interstate and Defense

1 Highways and any other highways or portions thereof as designated by
2 the Transportation Commission or their duly authorized
3 representative.

4 E. All size, weight and load provisions covered by Sections 14-
5 101 through 14-123 of this title shall be subject to a gross vehicle
6 weight limit of ninety thousand (90,000) pounds when applied to a
7 vehicle operating off the National System of Interstate and Defense
8 Highways unless such vehicle is operating in full compliance with an
9 overweight permit issued by the ~~Commissioner of Public Safety~~
10 Executive Director of the Department of Transportation.

11 F. Any vehicle permitted for movement on the highways of this
12 state as provided in Section 14-101 et seq. of this title, other
13 than a vehicle permitted solely for overweight movement, shall be
14 moved only during daylight hours. As used in Section 14-101 et seq.
15 of this title, "daylight hours" shall mean one-half (1/2) hour
16 before sunrise to one-half (1/2) hour after sunset. The
17 ~~Commissioner of Public Safety~~ Executive Director of the Department
18 of Transportation, for good cause and consistent with the safe
19 movement of the vehicle, may endorse a permit for the movement of an
20 oversize vehicle to authorize ~~night-time~~ nighttime travel under such
21 terms and restrictions as the ~~Commissioner~~ Executive Director of the
22 Department of Transportation may require.

1 G. 1. Any vehicle permitted for movement on the highways of
2 this state as provided in Section 14-101 et seq. of this title shall
3 not be moved at any time on the following holidays:

- 4 a. New Year's Day (January 1),
- 5 b. Memorial Day (the last Monday in May),
- 6 c. ~~The~~ Fourth of July (Independence Day),
- 7 d. Labor Day (the first Monday in September),
- 8 e. Thanksgiving Day (the fourth Thursday in November),
- 9 and
- 10 f. Christmas Day (December 25).

11 2. Any vehicle permitted for movement on the highways of this
12 state as provided in Section 14-101 et seq. of this title shall be
13 allowed to move on the following holidays:

- 14 a. Martin Luther King, Jr.'s Birthday (the third Monday
15 in January),
- 16 b. President's Day, also known as Washington's Birthday
17 (the third Monday in February), and
- 18 c. Veteran's Day (November 11).

19 SECTION 3. AMENDATORY 47 O.S. 2021, Section 14-103, is
20 amended to read as follows:

21 Section 14-103. A. Except as otherwise provided for by this
22 chapter, no vehicle, with or without load, shall have a total
23 outside width in excess of one hundred two (102) inches excluding:

- 24 1. Tire bulge;

2. Approved safety devices;

3. A retracted awning with a width of eight (8) inches or less or other appurtenance of four (4) inches or less which is attached to the side of a recreational vehicle, as defined in Section 1102 of this title; and

4. Pins used as a safety precaution or as a load-assisting device if the pins do not extend the overall width of the vehicle beyond nine (9) feet. The State of Oklahoma hereby declares it has determined, in accordance with 23 C.F.R., Section 658.15, that such pins are necessary for the safe and efficient operation of motor vehicles.

The provisions of this subsection shall not apply to any person engaged in the hauling of round baled hay with a total outside width of eleven (11) feet or less when the hay is owned by such person and is being hauled for any purpose other than resale. The provisions of this subsection shall also not apply to any county official or employee engaged in the hauling or pulling of a trailer or equipment owned by the county on the county roads of such county.

B. Except as otherwise provided for by this chapter:

1. No vehicle, with or without load, shall exceed a height of thirteen and one-half (13 1/2) feet on any county road, or fourteen (14) feet on any turnpike, interstate, U.S. or state highway, unless a greater height is authorized by a special permit issued by the ~~Commissioner of Public Safety~~ Executive Director of the Department

1 of Transportation or an authorized representative of the
2 ~~Commissioner in consultation with the~~ Department of Transportation
3 specifying the highways to be used, consistent with public
4 convenience and safety. The prohibitions on movement as prescribed
5 in subsection F of Section 14-101 of this title and paragraph 1 of
6 subsection G of Section 14-101 of this title shall not apply to
7 vehicles operated pursuant to such permits;

8 2. An official state bridge vertical clearance map providing
9 clearance heights as posted for bridges on the interstate, U.S. and
10 state highway systems shall be available on the Oklahoma Department
11 of Transportation website; and

12 3. Operators and owners of vehicles which exceed or have loads
13 which exceed thirteen and one-half (13 1/2) feet shall be held
14 liable for all damages to any part of structures spanning the
15 highway or damages suffered by other affected parties caused by the
16 vehicle or load exceeding the posted height~~+~~.

17 C. Except as otherwise provided for by this chapter:

18 1. No single truck, with or without load, shall have an overall
19 length, inclusive of front and rear bumpers, in excess of forty-five
20 (45) feet;

21 2. No single bus, with or without load, shall have an overall
22 length, inclusive of front and rear bumpers, in excess of forty-five
23 (45) feet;

- 1 3. a. On the National Network of Highways which includes the
2 National System of Interstate and Defense Highways and
3 four-lane divided Federal Aid Primary System Highways,
4 no semitrailer operating in a truck-
5 tractor/semitrailer combination shall have a length
6 greater than fifty-three (53) feet, except as provided
7 in subsection C of Section 14-118 of this title which
8 shall apply to semitrailers exceeding fifty-three (53)
9 feet but not exceeding fifty-nine (59) feet six (6)
10 inches. On the National System of Interstate and
11 Defense Highways and four-lane divided Federal Aid
12 Primary System Highways, no semitrailer or trailer
13 operating in a truck-tractor/semitrailer and trailer
14 combination shall have a length greater than fifty-
15 three (53) feet;
- 16 b. On roads and highways not a part of the National
17 System of Interstate and Defense Highways or four-lane
18 divided Federal Aid Primary System Highways, no
19 semitrailer operating in a truck-tractor/semitrailer
20 combination shall have a length greater than fifty-
21 three (53) feet and no semitrailer or trailer
22 operating in a truck-tractor/semitrailer and trailer
23 combination shall have a length greater than twenty-
24 nine (29) feet. Except as provided for in subsection

1 D of Section 14-118 of this title, no other
2 combination of vehicles shall have an overall length,
3 inclusive of front and rear bumpers, in excess of
4 seventy (70) feet on all roads and highways. For the
5 purposes of this paragraph, oil field rig-up trucks
6 shall be considered to be truck-tractors, when towing
7 a trailer or semitrailer;

8 c. On the National Network of Highways the overall length
9 limitation of a towaway trailer transporter
10 combination may exceed length restrictions up to
11 eighty-two (82) feet;

12 d. As used in this section:

13 (1) The term "trailer transporter towing unit" shall
14 mean a power unit that is not used to carry
15 property when operating in a towaway trailer
16 transporter combination, and

17 (2) The term "towaway trailer transporter
18 combination" shall mean a combination of vehicles
19 consisting of a trailer transporter towing unit
20 and two (2) trailers or semitrailers with a total
21 weight that does not exceed twenty-six thousand
22 (26,000) pounds; and in which the trailers or
23 semitrailers carry no property and constitute
24

1 inventory property of a manufacturer, distributor
2 or dealer of such trailers or semitrailers;

3 4. No combination of vehicles shall consist of more than two
4 units, except:

5 a. one truck and semitrailer or truck-tractor/semitrailer
6 combination may tow one complete trailer or
7 semitrailer, or

8 b. vans, suburbans, blazers or other similar types of
9 vehicles and self-propelled recreational vehicles with
10 a three-quarter (3/4) ton or more rated capacity may
11 tow a semitrailer and one complete trailer or
12 semitrailer for recreational purposes only, provided
13 the overall length, inclusive of the front and rear
14 bumpers, does not exceed sixty-five (65) feet;

15 5. Poles and gas lines used to maintain public utility
16 services, not to include new construction, may be moved during
17 daylight hours, and during nighttime hours only in an emergency,
18 subject to traffic and road restrictions promulgated by the
19 ~~Commissioner of Public Safety~~ Executive Director of the Department
20 of Transportation, when the overall length does not exceed eighty
21 (80) feet. When this length is exceeded, these loads are subject to
22 the requirements of Section 14-118 of this title;

23 6. For the purposes of paragraphs 1, 3, and 4 of this
24 subsection, the length of unitized equipment, which is defined to be

1 equipment so constructed and attached to a rubber-tired vehicle that
2 the vehicle and load become a unit and are for all practical
3 purposes inseparable, shall be the length of the vehicle itself, and
4 shall not include any protrusion of the equipment load so
5 constructed or attached. The equipment shall not protrude for a
6 distance greater than two-thirds (2/3) of the wheel base of the
7 vehicle, shall not impair the driver's vision, and if less than
8 seven (7) feet above the roadway, shall be safely marked, flagged or
9 illuminated. Any such protruding structure shall be securely held
10 in place to prevent dropping or swaying. Unitized equipment shall
11 carry such safety equipment as shall be determined to be necessary
12 for the safety, health, and welfare of the driving public by the
13 ~~Commissioner of Public Safety~~ Executive Director of the Department
14 of Transportation;

15 7. For the purposes of paragraphs 1, 3, and 4 of this
16 subsection, a truck-tractor, when being towed by another vehicle
17 with the wheels of its steering axle raised off the roadway, shall
18 be considered to be a semitrailer as defined in Section 1-162 of
19 this title;

20 8. The provisions of paragraphs 1 and 3 of this subsection
21 shall not apply to any contractor or subcontractor, or agents or
22 employees of any contractor or subcontractor, while engaged in
23 transporting material to the site of a project being constructed by,
24

1 for, or on behalf of this state or any city, town, county, or
2 subdivision of this state; and

3 9. Special mobilized machinery, as defined in Section 1102 of
4 this title, which exceeds the size provisions of this section shall
5 only use the highways of ~~the State of Oklahoma~~ this state by special
6 permit issued by the ~~Commissioner of Public Safety~~ Executive
7 Director of the Department of Transportation or an authorized
8 representative of the ~~Commissioner~~ Executive Director of the
9 Department of Transportation. Such special permit shall be:

- 10 a. a single-trip permit issued under the provisions of
11 Section 14-116 of this title, or
12 b. a special annual oversize permit issued for one (1)
13 calendar year period upon payment of a fee of Ten
14 Dollars (\$10.00) plus any amount as provided by
15 subsection H of Section 14-118 of this title.

16 SECTION 4. AMENDATORY 47 O.S. 2021, Section 14-103C, is
17 amended to read as follows:

18 Section 14-103C. A. The ~~Commissioner of Public Safety~~
19 Executive Director of the Department of Transportation shall upon
20 proper application issue a special permit to any person allowing the
21 movement on state and federal highways of a structure in the form of
22 a house or building, including, but not limited to, industrialized
23 housing as ~~defined~~ described in Section 14-103A of this title, not
24 exceeding thirty-two (32) feet in width at the base, and thirty-four

(34) feet in width at the top and twenty-one (21) feet in height.
The permit shall specify the highways to be used, consistent with public convenience and safety, as determined by the ~~Commissioner of Public Safety, in consultation with the~~ Executive Director of the Department of Transportation. In addition to the prohibitions on movement as prescribed in Section 14-101 et seq. of this title, such structures shall not be moved on Saturday or Sunday.

B. If any structure or housing described in subsection A of this section has a width in excess of sixteen (16) feet, the towing vehicle shall be a tandem-axle vehicle of no less than two hundred twenty (220) horsepower.

SECTION 5. AMENDATORY 47 O.S. 2021, Section 14-103D, is amended to read as follows:

Section 14-103D. A. No person shall transport or move a manufactured home on any public road or highway in this state, except as otherwise provided by law, without a permit issued pursuant to the provisions of Sections 14-103A and 14-103C of this title and subsection B of this section, and without a current calendar year decal or current registration or a repossession affidavit issued pursuant to Sections 1110 and 1126 of this title.

B. In addition to the permit information required by the provisions of Sections 14-103A and 14-103C of this title, the permit shall also include the following:

1. The name of the owner of the manufactured home;

1 2. The serial number or identification number of the
2 manufactured home;

3 3. A legal description or the physical address of the location
4 from which the manufactured home is to be moved;

5 4. A legal description or the physical address of the location
6 to which the manufactured home is to be moved; and

7 5. The name of the firm or individual repossessing the
8 manufactured home as it appears on the repossession affidavit, if
9 the movement is for repossession purposes and the repossession
10 affidavit is being used in lieu of current license plate and decal,
11 as provided in subsection E of Section 1113 of this title.

12 C. Except as otherwise provided by law, the Executive Director
13 of the Department of ~~Public Safety~~ Transportation shall not issue a
14 permit to any person to transport or move a manufactured home
15 without a current calendar year decal or current registration;
16 provided:

17 1. Upon proof of possession of a dealer or in-transit license
18 plate, issued by the Oklahoma Tax Commission according to the
19 provisions of subsection D of Section 1128 of this title, the
20 Department of ~~Public Safety~~ Transportation shall issue a permit to
21 the holder of such license;

22 2. The Executive Director of the Department of Transportation
23 shall issue a permit to the holder of a perfected security interest
24 in a manufactured home, or a licensed representative thereof,

1 pursuant to a lawful repossession of the manufactured home, if the
2 holder or representative is bonded by the state, to move the
3 manufactured home to a secure location with a repossession
4 affidavit; provided, all registration fees, excise taxes or ad
5 valorem taxes due on such home shall be required to be paid within
6 thirty (30) days of the issuance of the permit; and

7 3. The Executive Director of the Department of Transportation
8 shall issue a permit to transport or move a manufactured home used
9 for commercial purposes during the second through the sixth day of
10 the first month of the following calendar year if the applicant can
11 provide a special waiver and a commercial move affidavit authorized
12 pursuant to Section 2813 of Title 68 of the Oklahoma Statutes. As
13 used in this paragraph, "manufactured home used for commercial
14 purposes" means a manufactured home owned by any lawfully recognized
15 business entity the primary purpose of which is to provide temporary
16 housing for the employees or contractors of such business entity.

17 D. For the purposes of subsections A and C of this section, a
18 manufactured home registration receipt and Manufactured Home
19 Registration Decal attached to a certificate of title for a
20 manufactured home or receipts and decal as authorized by subsection
21 C of Section 1117 of this title shall be evidence of payment of the
22 excise tax and registration fees required pursuant to the provisions
23 of Section 1135 of this title and the Ad Valorem Tax Code.

1 E. The Department of ~~Public Safety~~ Transportation shall notify
2 the Oklahoma Tax Commission, the county assessor of the county from
3 which the manufactured home is to be moved and the county assessor
4 of the county in which the manufactured home is to be moved of any
5 permits issued pursuant to the provisions of this section.

6 SECTION 6. AMENDATORY 47 O.S. 2021, Section 14-103E, is
7 amended to read as follows:

8 Section 14-103E. A. Upon issuance of a permit pursuant to the
9 provisions of Section 14-103D of ~~Title 47 of the Oklahoma Statutes~~
10 this title, the Department of ~~Public Safety~~ Transportation shall
11 notify the Oklahoma Tax Commission of the issuance of such permit.
12 The notification shall include the permit information required by
13 subsection B of Section 14-103D of ~~Title 47 of the Oklahoma Statutes~~
14 this title.

15 B. Upon notification of issuance of the permit pursuant to
16 subsection A of this section, the Tax Commission shall notify the
17 county assessor of the county in which the manufactured home is to
18 be located, of the issuance of the permit. Such notification shall
19 include the permit information required by subsection B of Section
20 14-103D of ~~Title 47 of the Oklahoma Statutes~~ this title.

21 SECTION 7. AMENDATORY 47 O.S. 2021, Section 14-103G, is
22 amended to read as follows:

23 Section 14-103G. A. 1. The Department of ~~Public Safety~~
24 Transportation may issue an annual vehicle permit under the

1 provisions of this subsection to a specific vehicle, for the
2 movement of oversize or overweight loads that cannot reasonably be
3 dismantled. Unless otherwise provided by law, permits issued under
4 this subsection shall be subject to the conditions described in
5 paragraphs 2 through 8 of this subsection.

6 2. Oversize or overweight loads operating under an annual
7 vehicle permit shall not exceed:

- 8 a. twelve (12) feet in width,
- 9 b. fourteen (14) feet in height,
- 10 c. one hundred ten (110) feet in length, or
- 11 d. one hundred twenty thousand (120,000) pounds gross
12 weight.

13 3. Oversize or overweight loads operating under an annual
14 vehicle permit under this subsection shall not transport a load that
15 has more than a twenty-five-foot front overhang, or more than a
16 thirty-foot rear overhang.

17 4. The fee for an annual vehicle permit shall be Four Thousand
18 Dollars (\$4,000.00) and shall be nonrefundable.

19 5. The annual vehicle permit shall be issued for one (1)
20 calendar year period and shall commence upon the date specified on
21 the permit.

22 6. An annual vehicle permit issued pursuant to this subsection
23 shall be nontransferable between permittees.

1 7. The permitted vehicle or vehicle combination shall be
2 registered in accordance with the provisions of Chapter 14 of this
3 title for maximum weight.

4 8. An annual vehicle permit issued pursuant to this subsection
5 may be transferred from one vehicle to another vehicle in the fleet
6 of the permittee provided:

7 a. the permitted vehicle is destroyed or otherwise
8 becomes permanently inoperable to the extent that the
9 vehicle will no longer be utilized, and the permittee
10 presents proof to the Department of ~~Public Safety~~
11 Transportation that the negotiable certificate of
12 title or other qualifying documentation has been
13 surrendered to the Department of ~~Public Safety~~
14 Transportation, or

15 b. the certificate of title to the permitted vehicle is
16 transferred to someone other than the permittee, and
17 the permittee presents proof to the Department of
18 ~~Public Safety~~ Transportation that the negotiable
19 certificate of title or other qualifying documentation
20 has been transferred from the permittee.

21 9. A permit issued for loads specific to turbine blades, used
22 for the purpose of wind generation, may exceed a length of one
23 hundred ten (110) feet.

1 B. 1. The Department of ~~Public Safety~~ Transportation may issue
2 an annual vehicle permit under this subsection to a specific motor
3 carrier, for the movement of oversize or overweight loads that
4 cannot reasonably be dismantled. An annual vehicle permit issued
5 under this subsection may be transferred from one vehicle to another
6 vehicle in the fleet of the permittee provided:

7 a. that no more than one vehicle is operating at a time,
8 and

9 b. the original certified permit is carried in the
10 vehicle that is being operated under the terms of the
11 permit.

12 2. An annual vehicle permit issued under this subsection shall
13 be sent to the permittee via first-class, registered mail, or at the
14 request and expense of the permittee via overnight delivery service.
15 The annual vehicle permit shall not be duplicated. The annual
16 vehicle permit shall be replaced only if:

17 a. the permittee did not receive the original permit
18 within seven (7) business days after the date of
19 issuance,

20 b. a request for replacement is submitted to the
21 Department of ~~Public Safety~~ Transportation within ten
22 (10) business days after the original date of issuance
23 of the permit, and
24

1 c. the request for replacement is accompanied by a
2 notarized statement signed by a principal or officer
3 of the permittee acknowledging that the permittee
4 understands the permit may not be duplicated and that
5 if the original permit is located, the permittee shall
6 return either the original or replacement permit to
7 the Department of ~~Public Safety~~ Transportation.

8 3. A request for replacement of an annual vehicle permit issued
9 pursuant to the provisions of this subsection shall be denied if the
10 Department of ~~Public Safety~~ Transportation can verify that the
11 permittee received the original annual vehicle permit.

12 4. Lost, misplaced, damaged, destroyed, or otherwise unusable
13 annual vehicle permits shall not be replaced. A new permit shall be
14 required and shall be issued by the Department of ~~Public Safety~~
15 Transportation.

16 C. 1. The Department of ~~Public Safety~~ Transportation may issue
17 an annual fleet permit under this subsection to an electric utility,
18 regulated by the Corporation Commission or a rural electric
19 cooperative solely for the movement of poles. An annual fleet
20 permit issued under this subsection may be used by any vehicle in
21 the fleet of the permittee provided that a certified copy of the
22 permit is carried in each vehicle that is being operated under the
23 terms of the permit.

1 2. Oversize loads operating under an annual permit issued
2 pursuant to this subsection shall not exceed:

- 3 a. twelve (12) feet in width,
- 4 b. fourteen (14) feet in height, or
- 5 c. fifty-five (55) feet in length.

6 3. The annual fee for an annual fleet permit issued pursuant to
7 this subsection shall be Four Thousand Dollars (\$4,000.00) and shall
8 be nonrefundable.

9 4. The annual fleet permit shall be issued for a one-calendar-
10 year period and shall commence upon the date specified on the
11 permit.

12 5. The annual fleet permit issued under this subsection shall
13 be sent to the permittee via first class, registered mail, or at the
14 request and expense of the permittee via overnight delivery service.
15 The annual permit shall be replaced only if:

- 16 a. the permittee did not receive the original permit
17 within seven (7) business days after the date of the
18 issuance,
- 19 b. a request for replacement is submitted to the
20 Department of ~~Public Safety~~ Transportation within ten
21 (10) business days after the original date of issuance
22 of the permit, and
- 23 c. the request for replacement is accompanied by a
24 notarized statement signed by an authorized person of

1 the permittee acknowledging that if the original
2 permit is located, the permittee shall either return
3 the original or replacement permit to the Department
4 of ~~Public Safety~~ Transportation.

5 6. A request for replacement of an annual permit issued under
6 the provisions of this subsection shall be denied if the Department
7 of ~~Public Safety~~ Transportation can verify the permittee received
8 the original annual permit.

9 7. Lost, misplaced, damaged, destroyed or otherwise unusable
10 annual permits shall not be replaced. A new permit shall be
11 required and shall be issued by the Department of ~~Public Safety~~
12 Transportation.

13 8. For the purposes of paragraph 5 of subsection C of Section
14 14-103 of this title, the term "emergency" means any permitted
15 movement of poles pursuant to the provisions of this subsection that
16 is not for new construction of electric distribution facilities.

17 D. 1. The Department of ~~Public Safety~~ Transportation shall
18 issue an annual vehicle permit under this subsection to a
19 transportation company or manufacturer of portable buildings solely
20 for the movement of oversize portable buildings for a specific
21 manufacturer of portable buildings. An annual vehicle permit issued
22 under this subsection may not be transferred from one vehicle to
23 another vehicle in the fleet. The name of the manufacturer shall be
24 on the permit and on any portable building being moved. The

1 original certified permit shall be carried in the vehicle that is
2 being operated under the terms of the permit.

3 2. Oversize loads operating under an annual vehicle permit
4 issued pursuant to this subsection shall not exceed:

5 a. twelve (12) feet in width at the wall with no more
6 than a three-inch-eave overhang, or

7 b. fourteen (14) feet in height.

8 3. The total gross weight of oversize loads operating under an
9 annual vehicle permit issued pursuant to this subsection shall not
10 exceed forty-five thousand (45,000) pounds.

11 4. The tow vehicle shall be limited to two axles, and the
12 vehicle identification number of the vehicle shall be on the permit.

13 5. The fee for an annual vehicle permit issued pursuant to this
14 subsection shall be Five Hundred Dollars (\$500.00) and shall be
15 nonrefundable.

16 6. An annual vehicle permit issued under this subsection shall
17 be sent to the permittee via first-class, registered mail, or at the
18 request and expense of the permittee via overnight delivery service.
19 The annual vehicle permit shall not be duplicated. The annual
20 vehicle permit shall be replaced only if:

21 a. the permittee did not receive the original permit
22 within seven (7) business days after the date of
23 issuance,

- b. a request for replacement is submitted to the Department of ~~Public Safety~~ Transportation within ten (10) business days after the original date of issuance of the permit, and
- c. the request for replacement is accompanied by a notarized statement signed by a principal or officer of the permittee acknowledging that the permittee understands the permit may not be duplicated and that if the original permit is located, the permittee shall return either the original or replacement permit to the Department of ~~Public Safety~~ Transportation.

7. A request for replacement of an annual vehicle permit issued pursuant to the provisions of this subsection shall be denied if the Department of ~~Public Safety~~ Transportation can verify that the permittee received the original annual vehicle permit.

8. A lost, misplaced, damaged, destroyed, or otherwise unusable annual vehicle permit shall be replaced for a fee of Twenty-five Dollars (\$25.00).

SECTION 8. AMENDATORY 47 O.S. 2021, Section 14-109, is amended to read as follows:

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

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

1 2. The total gross weight in pounds imposed thereon by a
2 vehicle or combination of vehicles shall not exceed the value
3 calculated in accordance with the Federal Bridge formula imposed by
4 23 U.S.C., Section 127.

5 B. Except as to gross limits, the formula of this section shall
6 not apply to a truck-tractor and dump semitrailer when used as a
7 combination unit. In no event shall the maximum load in pounds
8 carried by any set of tandem axles exceed thirty-four thousand
9 (34,000) pounds. Any vehicle operating with split tandem axles or
10 tri-axles shall adhere to the formula.

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

16 D. 1. An annual special overload permit may be purchased for
17 vehicles transporting roll-off recycle metals, rock, sand, gravel,
18 coal, flour, timber, pulpwood, and chips in their natural state, oil
19 field fluids, oil field equipment or equipment used in oil and gas
20 well drilling or exploration, and vehicles transporting grain,
21 fertilizer, cottonseed, cotton, livestock, peanuts, canola,
22 sunflowers, soybeans, feed, any other raw agricultural products, and
23 any other unprocessed agricultural products, if the following
24 conditions are met:

- 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 nontransferable annual special overload permit from the Department of ~~Public Safety~~ Transportation 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 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 Catoosa, and the trip is confined within a thirty-mile radius of the Port.

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

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

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:

- a. calculation of weight for a utility or refuse collection vehicle shall be "Gross Vehicle Weight". The "Gross Vehicle Weight" of a utility or refuse collection vehicle may not exceed the otherwise applicable weight by more than fifteen percent (15%). 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 appropriate place of repair, terminal, or vehicle
15 storage facility;

16 3. A vehicle operating pursuant to the provisions of paragraph
17 2 of this subsection ~~will~~ shall not be allowed to operate on the
18 National System of Interstate and Defense Highways unless it is a
19 covered heavy-duty tow and recovery vehicle that:

20 a. is transporting a disabled vehicle from the place
21 where the vehicle became disabled to the nearest
22 appropriate repair facility, and
23
24

1 b. has a gross vehicle weight that is equal to or exceeds
2 the gross vehicle weight of the disabled vehicle being
3 transported; and

4 4. On the interstate highway system a vehicle designed to be
5 used under emergency conditions to transport personnel and equipment
6 and to support the suppression of fires and mitigation of other
7 hazardous situations with a vehicle weight limit up to a maximum
8 gross vehicle weight of eighty-six thousand (86,000) pounds with
9 less than:

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

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

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

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

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

23 2. To be eligible for the exception provided in this
24 subsection, the operator of the vehicle must obtain written proof or

1 certification of the weight of the auxiliary power or idle reduction
2 technology unit and be able to demonstrate or certify that the idle
3 reduction technology is fully functional.

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

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

13 I. Utility, refuse collection vehicles or a combination of a
14 wrecker or tow vehicle as described in paragraphs 1 and 2 of
15 subsection F of this section operating under exceptions shall
16 purchase an annual special overload permit from the Department of
17 ~~Public Safety~~ Transportation for One Hundred Dollars (\$100.00). All
18 monies collected shall be deposited to the credit of the Highway
19 Construction and Maintenance Fund.

20 SECTION 9. AMENDATORY 47 O.S. 2021, Section 14-116, is
21 amended to read as follows:

22 Section 14-116. A. The ~~Commissioner of Public Safety~~ Executive
23 Director of the Department of Transportation shall charge a minimum
24 permit fee of Forty Dollars (\$40.00) for any permit issued pursuant

1 to the provisions of Section 14-101 et seq. of this title. In
2 addition to the permit fee, the ~~Commissioner~~ Executive Director of
3 the Department of Transportation shall charge a fee of Ten Dollars
4 (\$10.00) for each thousand pounds in excess of the legal load limit.
5 The ~~Commissioner of Public Safety~~ Executive Director of the
6 Department of Transportation shall establish any necessary rules for
7 collecting the fees.

8 B. The Department of ~~Public Safety~~ Transportation is authorized
9 to establish an escrow account system for the payment of permit
10 fees. Authorized motor carriers meeting established credit
11 requirements may participate in the escrow account system for
12 permits purchased from all size and weight permit offices in this
13 state. Carriers not choosing to participate in the escrow account
14 system shall be required to make payment of the required fee or fees
15 upon purchase of each permit as required by law. All monies
16 collected through the escrow account system shall be deposited to a
17 special account of the Department of ~~Public Safety~~ Transportation
18 and placed in the custody of the State Treasurer. Proceeds from
19 permits purchased using the escrow account system shall be
20 distributed as provided for in subsection H of this section.
21 However, fees collected through such accounts for the electronic
22 transmission, transfer or delivery of permits, as provided for in
23 Section 14-118 of this title, shall be credited to the ~~Department of~~
24

1 ~~Public Safety Restricted Revolving~~ Weigh Station Improvement Fund
2 established pursuant to Section 1167 of this title.

3 C. 1. Application for permits shall be made a reasonable time
4 in advance of the expected time of movement of such vehicles. For
5 emergencies affecting the health or safety of persons or a
6 community, permits may be issued for immediate movement.

7 2. Size and weight permit offices in all districts where
8 applicable shall issue permits to authorize carriers by telephone
9 during weekdays.

10 D. No overweight permit shall be valid until all license taxes
11 due the State of Oklahoma have been paid.

12 E. No permit violation shall be deemed to have occurred when an
13 oversize or overweight movement is made pursuant to a permit whose
14 stated weight or size exceeds the actual load.

15 F. Any permit issued for a truck or truck-tractor operating in
16 combination with a trailer or a semitrailer shall contain only the
17 license plate number for the truck or truck-tractor if the permittee
18 provides to the Department of Transportation a list containing the
19 license plate number, and such other information as the Department
20 of Transportation may prescribe by rule, for each trailer or
21 semitrailer which may be used for movement with the permit. When
22 the permittee provides the list described in this subsection, the
23 license plate number for any trailer or semitrailer to be moved with
24 the permit shall not be included on the permit; provided, a trailer

1 or semitrailer which is not on the list shall not be authorized to
2 be used for movement with the permit. It shall be the
3 responsibility of the permittee to ensure the list provided to the
4 Department of Transportation is maintained and updated with any
5 fleet changes. The Department of Transportation shall adopt any
6 rules deemed necessary to administer the provisions of this
7 subsection.

8 G. The first deliverer of motor vehicles designated truck
9 carriers or well service carriers manufactured in Oklahoma shall not
10 be required to purchase an overweight permit when being delivered to
11 the first purchaser.

12 H. Except as provided in Section 14-122 of this title, the
13 first One Million Two Hundred Sixteen Thousand Dollars
14 (\$1,216,000.00) of proceeds from both the permit fees and the
15 overweight permit fees imposed pursuant to subsection A of this
16 section collected monthly shall be apportioned as provided in
17 Section 1104 of this title. ~~For the fiscal year beginning July 1,~~
18 ~~2016, and ending June 30, 2017, the next Two Million One Hundred~~
19 ~~Fifty Thousand Dollars (\$2,150,000.00) of proceeds from both the~~
20 ~~permit fees and the overweight permit fees imposed pursuant to~~
21 ~~subsection A of this section collected monthly shall be remitted to~~
22 ~~the Department of Public Safety for the purpose of training the~~
23 ~~Department of Public Safety port of entry officers whose powers and~~
24 ~~duties shall be specified by the Department of Public Safety through~~

1 ~~the promulgation of rules.~~ For the fiscal year beginning July 1,
2 2017 2022, and all subsequent years, the next ~~One Million Five~~
3 ~~Hundred Thousand Dollars (\$1,500,000.00)~~ Two Million Five Hundred
4 Thousand Dollars (\$2,500,000.00) of proceeds from both the permit
5 fees and the overweight permit fees imposed pursuant to subsection A
6 of this section collected monthly shall be remitted to the
7 Department of Public Safety for the purpose of staffing the port of
8 entry weigh stations with Department of Public Safety port of entry
9 officers whose powers and duties shall be specified by the
10 Department of Public Safety through the promulgation of rules. ~~For~~
11 ~~the fiscal year beginning July 1, 2016, and ending June 30, 2017,~~
12 ~~all proceeds collected from both the permit fees and the overweight~~
13 ~~permit fees imposed pursuant to subsection A of this section in~~
14 ~~excess of Three Million Three Hundred Sixty-six Thousand Dollars~~
15 ~~(\$3,366,000.00) shall be deposited in the Weigh Station Improvement~~
16 ~~Revolving Fund as provided in Section 1167 of this title for the~~
17 ~~purpose set forth in that section and may be used for motor carrier~~
18 ~~permitting systems and motor carrier safety and enforcement.~~ For
19 the fiscal year beginning July 1, 2017, and all subsequent years,
20 all proceeds collected from both the permit fees and the overweight
21 permit fees imposed pursuant to subsection A of this section in
22 excess of ~~Two Million Seven Hundred Sixteen Thousand Dollars~~
23 ~~(\$2,716,000.00)~~ Three Million Seven Hundred Sixteen Thousand Dollars
24 (\$3,716,000.00) shall be deposited in the Weigh Station Improvement

1 Revolving Fund as provided in Section 1167 of this title for the
2 purpose set forth in that section and may be used for motor carrier
3 permitting systems and motor carrier safety and enforcement.

4 SECTION 10. AMENDATORY 47 O.S. 2021, Section 14-116a, is
5 amended to read as follows:

6 Section 14-116a. Any person, firm, or corporation who moves or
7 transports any load or manufactured home without a permit issued by
8 the Department of ~~Public Safety~~ Transportation as required by the
9 provisions of this chapter shall be deemed guilty of a misdemeanor
10 and upon conviction thereof shall be punished as follows:

11 1. For the first such violation, by a fine of Five Hundred
12 Dollars (\$500.00);

13 2. For the second such violation, by a fine of One Thousand
14 Dollars (\$1,000.00); and

15 3. For the third and subsequent violations, by a fine of not
16 less than One Thousand Dollars (\$1,000.00) nor more than Five
17 Thousand Dollars (\$5,000.00).

18 The permit shall be carried by the operator of the vehicle
19 moving or transporting the load or manufactured home and shall be
20 available for inspection by any law enforcement officer. If said
21 operator is found not to possess a permit, the load or manufactured
22 home shall not continue to be moved or transported. Thereafter, the
23 load or manufactured home shall not be moved or transported further
24 except by the operator of a vehicle moving or transporting the load

1 or manufactured home who is in possession of a permit authorizing
2 the movement of the load or manufactured home.

3 SECTION 11. AMENDATORY 47 O.S. 2021, Section 14-118, is
4 amended to read as follows:

5 Section 14-118. A. 1. Pursuant to such rules as may be
6 prescribed by Oklahoma agencies of jurisdiction, Oklahoma motor
7 carriers may engage in any activity in which carriers subject to the
8 jurisdiction of the federal government may be authorized by federal
9 legislation to engage. Provided further, the Transportation
10 Commission shall formulate, for the State Trunk Highway System,
11 including the National System of Interstate and Defense Highways,
12 and for all other highways or portions thereof, rules governing the
13 movement of vehicles or loads which exceed the size or weight
14 limitations specified by the provisions of this chapter.

15 2. Such rules shall be the basis for the development of a
16 system by the ~~Commissioner of Public Safety~~ Executive Director of
17 the Department of Transportation for the issuance of permits for the
18 movement of oversize or overweight vehicles or loads. Such system
19 shall include, but not be limited to, provisions for duration,
20 seasonal factors, hours of the day or days when valid, special
21 requirements as to flags, flagmen and warning or safety devices, and
22 other such items as may be consistent with the intent of this
23 section. The permit system shall include provisions for the
24 collection of permit fees as well as for the issuance of the permits

1 by telephone, electronic transfer or such other methods of issuance
2 as may be deemed feasible.

3 3. The Department of ~~Public Safety~~ Transportation is authorized
4 to charge a fee of Two Dollars (\$2.00) for each permit requested to
5 be issued by facsimile machine or by any other means of electronic
6 transmission, transfer or delivery. The fee shall be in addition to
7 any other fee or fees assessed for the permit. The fee shall be
8 deposited in the State Treasury to the credit of the Department of
9 ~~Public Safety Restricted Revolving Fund~~ Transportation and the
10 monies shall be expended by the Department of Transportation solely
11 for the purposes provided for in this chapter.

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

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

21 B. The Transportation Commission shall prepare and publish a
22 map of ~~the State of Oklahoma~~ this state showing by appropriate
23 symbols the various highway structures and bridges in terms of
24 maximum size and weight restrictions. This map shall be titled

1 "Oklahoma Load Limit Map" and shall be revised periodically to
2 maintain a reasonably current status and in no event shall a period
3 of two (2) years lapse between revisions and publication of the
4 printed version of the Oklahoma Load Limit Map. This map shall also
5 be made available by the Department of Transportation on the
6 Internet, and in no event shall a period of six (6) months lapse
7 between revisions of the information provided on the Internet.
8 Provided, further, the Secretary of the Department of Transportation
9 shall prepare and publish a map of ~~the State of Oklahoma~~ this state
10 showing the advantages of this state as a marketing, warehousing and
11 distribution network center for motor transportation sensitive
12 industries.

13 C. ~~The Commissioner of Public Safety~~ Executive Director of the
14 Department of Transportation, or an authorized representative, shall
15 have the authority, within the limitations formulated under
16 provisions of this chapter, to issue, withhold or revoke special
17 permits for the operation of vehicles or combinations of vehicles or
18 loads which exceed the size or weight limitations of this chapter.
19 Every such permit shall be carried in the vehicle or combination of
20 vehicles to which it refers and shall be open to inspection by any
21 law enforcement officer or authorized agent of any authority
22 granting such permit, and no person shall violate any of the terms
23 or conditions of such special permit.

1 D. It shall be permissible in the transportation of empty
2 trucks on any road or highway to tow by use of saddlemounts⁷, i.e.,
3 mounting the front wheels of one vehicle on the bed of another
4 leaving the rear wheels only of such towed vehicle in contact with
5 the roadway. One vehicle may be fullmounted on the towing or towed
6 vehicles engaged in any driveaway or towaway operation. No more
7 than three saddlemounts may be permitted in such combinations. The
8 towed vehicles shall be securely fastened and operated under the
9 applicable safety requirements of the United States Department of
10 Transportation and such combinations shall not exceed an overall
11 length of seventy-five (75) feet. Provided, a driveaway saddlemount
12 with fullmount vehicle transporter combination may reach an overall
13 length of ninety-seven (97) feet on the National Network of
14 Highways.

15 E. ~~The Commissioner of Public Safety~~ Executive Director of the
16 Department of Transportation, upon application of any person engaged
17 in the transportation of forest products in the raw state, which is
18 defined to be tree-length logs moving from the forest directly to
19 the mill, or upon application of any person engaged in the hauling
20 for hire or for resale, of round baled hay with a total outside
21 width of eleven (11) feet or less, shall issue an annual permit,
22 upon payment of a fee of Twenty-five Dollars (\$25.00) each year,
23 authorizing the operation by such persons of such motor vehicle load
24 lengths and widths upon the highways of this state except on the

1 National System of Interstate and Defense Highways. Provided,
2 however, the restriction on use of the National System of Interstate
3 and Defense Highways shall not be applicable to persons engaged in
4 the hauling of round baled hay with a total outside width of eleven
5 (11) feet or less.

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

15 G. Farm equipment including, but not limited to, implements of
16 husbandry as defined in Section 1-125 of this title shall be
17 exempted from the requirement for special permits due to size. Such
18 equipment may move on any highway, except those highways which are
19 part of the National System of Interstate and Defense Highways,
20 during the hours of darkness and shall be subject to the
21 requirements as provided in Section 12-215 of this title. In
22 addition to those requirements, tractors pulling machinery over
23 thirteen (13) feet wide must have two amber flashing warning lamps
24 symmetrically mounted, laterally and widely spaced as practicable,

1 visible from both front and rear, mounted at least thirty-nine (39)
2 inches high.

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

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

19 2. A special annual overweight permit which shall be issued for
20 one calendar year period upon payment of a fee of Sixty Dollars
21 (\$60.00).

22 The weight of any such vehicle shall not exceed six hundred
23 fifty (650) pounds multiplied by the nominal width of the tire. The
24 vehicle shall be required to carry the safety equipment adjudged

1 necessary for the health and welfare of the driving public. If any
2 oversized vehicle does not come under the other limitations of the
3 present laws, it shall be deemed that the same shall travel only
4 between the hours of sunrise and sunset. The vehicle, being
5 overweight but of legal dimension, shall be allowed continuous
6 travel. The vehicles, except special mobilized machinery, shall be
7 exempt from the laws of this state relating to motor vehicle
8 registration, licensing or other fees or taxes in lieu of ad valorem
9 taxes.

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

17 2. Possession of a permit shall in no way be construed as
18 exempting such equipment from the authority of the Executive
19 Director of the Department of Transportation to restrict use of
20 particular highways, nor shall it exempt owners or operators of such
21 equipment from the responsibility for damage to highways caused by
22 movement of the equipment. Nothing in this subsection shall apply
23 to machinery used in highway construction or road material
24 production.

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

13 4. The size of the special mobilized machinery shall not be
14 such as to create a safety hazard in the judgment of the
15 ~~Commissioner of Public Safety~~ Executive Director of the Department
16 of Transportation. Permits for such special mobilized machinery
17 shall specify a maximum permissible road speed of sixty (60) miles
18 per hour, designate safety equipment to be carried and may exclude
19 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 driveway permit shall in no way be
2 construed as exempting such equipment from the authority of the
3 Executive Director of the Department of Transportation to restrict
4 use of particular highways, nor shall it exempt the owners or
5 operators of such equipment from the responsibility for damage to
6 highways caused by the movement of such equipment.

7 SECTION 12. AMENDATORY 47 O.S. 2021, Section 14-118.1,
8 is amended to read as follows:

9 Section 14-118.1 The Department of Transportation is authorized
10 to enter into agreements with governmental entities outside this
11 state for the issuance of regional and national oversize and
12 overweight permits for single-trip nondivisible loads. The
13 ~~Commissioner of Public Safety~~ Executive Director of the Department
14 of Transportation shall adopt rules necessary to implement the
15 agreements and shall issue multi-state permits for single-trip
16 nondivisible loads in accordance with the terms of the agreements
17 and shall receive and remit permit fees from a Department of ~~Public~~
18 ~~Safety~~ Transportation special account in accordance with the
19 agreements and state law.

20 SECTION 13. AMENDATORY 47 O.S. 2021, Section 14-120, is
21 amended to read as follows:

22 Section 14-120. A. Manufactured items, with the exception of
23 manufactured homes as defined in Section 1102 of this title and
24 industrialized housing as ~~defined~~ described in subsection B of

1 Section 14-103A of this title, exceeding sixteen (16) feet but not
2 exceeding twenty-three (23) feet in width traveling:

3 1. From a point of manufacture in ~~the State of Oklahoma~~ this
4 state to a point of delivery in ~~the State of Oklahoma~~ this state or
5 to a point of delivery in another state; or

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

20 B. Every person desiring to transport manufactured items
21 pursuant to the provisions of this section shall apply to the
22 Department of ~~Public Safety~~ Transportation for a special movement
23 permit on an application form prescribed by the Department. Upon
24 approval of the application by the Department of Transportation, a

1 special movement permit shall be issued for a fee of Five Hundred
2 Dollars (\$500.00). Except as provided in Section ~~4 of this act~~ 14-
3 122 of this title, monies received from such special movement permit
4 fees shall be deposited in the State Treasury to the credit of the
5 General Revenue Fund. A permit issued pursuant to the provisions of
6 this subsection shall expire upon the completion of one trip
7 specified in subsection A of this section. The special movement
8 permit, and fee related thereto, shall be in addition to the permit
9 and fees required by Section 14-116 of this title.

10 C. Highway escorts shall be required for transportation of
11 items pursuant to the provisions of this section according to rules
12 and regulations prescribed by the Department of ~~Public Safety~~
13 Transportation.

14 SECTION 14. AMENDATORY 47 O.S. 2021, Section 14-120.1,
15 is amended to read as follows:

16 Section 14-120.1 A. 1. Any vehicle or combination of vehicles
17 with an outside width that exceeds twelve (12) feet operating on
18 highways in the state, including the National System of Interstate
19 and Defense Highways, shall, in addition to being in compliance with
20 provisions of Section 14-101 et seq. of this title, be accompanied
21 by an escort vehicle or vehicles, as prescribed by the Department of
22 ~~Public Safety~~ Transportation.

23 2. Escort vehicle requirements shall not apply to retail
24 implement dealers transporting farm implements from a retail

1 distribution point to a farm or other location within a one hundred
2 fifty (150) air-mile radius from the distribution point. For the
3 purposes of this subsection, "retail implement dealers" shall mean a
4 business engaged primarily in the sale of farm tractors as defined
5 in Section 1-118 of this title or implements of husbandry as defined
6 in Section 1-125 of this title or a combination thereof.

7 B. No person shall operate an escort vehicle for hire, as
8 required by this section, unless the person has been certified by
9 the Department of ~~Public Safety~~ Transportation as an escort vehicle
10 operator.

11 C. Any person not required to be certified by the Department of
12 ~~Public Safety~~ Transportation as an escort vehicle operator may tow a
13 trailer when escorting a manufactured home. Such trailer shall not
14 exceed eight and one-half (8 1/2) feet in width and twenty (20) feet
15 in length with siding not to exceed four (4) feet in height measured
16 from the bed of the trailer.

17 The trailer may only be used to transport supplies and equipment
18 necessary to carry out the mission of escort vehicle operators.

19 D. The ~~Commissioner of Public Safety~~ Executive Director of the
20 Department of Transportation shall promulgate rules for the
21 certification of operators of escort vehicles and the use of escort
22 vehicles, as required by this section.

23 E. The ~~Commissioner of Public Safety~~ Executive Director of the
24 Department of Transportation is hereby authorized to enter into

1 reciprocal compacts and agreements with other states for the purpose
2 of recognizing escort vehicle operator certifications issued by
3 those states.

4 SECTION 15. AMENDATORY 47 O.S. 2021, Section 14-120.2,
5 is amended to read as follows:

6 Section 14-120.2 A. Every person required by the Department of
7 Transportation, the Oklahoma Turnpike Authority, or any federal
8 agency or commission to have a law enforcement escort provided by
9 the Oklahoma Highway Patrol Division of the Department of Public
10 Safety for the transport of any oversized load or hazardous shipment
11 by road or rail shall pay to the Department of ~~Public Safety~~
12 Transportation a fee covering the full cost to administer, plan, and
13 carry out the escort within this state.

14 B. If the Highway Patrol provides an escort to accompany the
15 transport of an oversized load or hazardous shipment by road or rail
16 at the request of any person that is not required to have a law
17 enforcement escort pursuant to subsection A of this section, then
18 the requestor shall pay to the Department of ~~Public Safety~~
19 Transportation a fee covering the full cost to administer, plan, and
20 carry out the escort within this state.

21 C. The Department of ~~Public Safety~~ Transportation shall adopt a
22 schedule of fees necessary to implement this section.

23 D. All fees collected by the Department pursuant to this
24 section shall be deposited to the credit of the ~~Department of Public~~

1 ~~Safety Restricted Revolving~~ State Transportation Fund established
2 pursuant to Section 1501.1 of Title 69 of the Oklahoma Statutes.

3 SECTION 16. AMENDATORY 47 O.S. 2021, Section 14-121, is
4 amended to read as follows:

5 Section 14-121. A. No person shall operate a special
6 combination vehicle within this state without a special combination
7 vehicle permit for the vehicle issued by the Department of ~~Public~~
8 ~~Safety~~ Transportation. Such permit may be issued for operation upon
9 Federal Aid Interstate Highways or four-lane divided Federal Aid
10 Primary Highways and for access or egress between points of origin
11 or destination.

12 B. The ~~Commissioner of Public Safety~~ Executive Director of the
13 Department of Transportation shall promulgate rules for the issuance
14 of special combination vehicle permits and shall collect an annual
15 fee of Two Hundred Forty Dollars (\$240.00) for each such permit
16 issued. Except as provided in Section 4 14-122 of this ~~act~~ title,
17 fees collected pursuant to this section shall be remitted to the
18 State Treasurer to be credited to the General Revenue Fund in the
19 State Treasury.

20 C. For the purposes of this section, a special combination
21 vehicle shall consist of a truck-tractor semitrailer combination
22 towing two complete trailers or semitrailers. No semitrailer or
23 trailer used in such a combination shall have a length greater than
24 twenty-nine (29) feet nor shall a special combination vehicle exceed

1 the weight limitations imposed by Sections 14-109 and 14-116 of this
2 title.

3 SECTION 17. AMENDATORY 47 O.S. 2021, Section 14-126, is
4 amended to read as follows:

5 A. As used in this section:

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

9 2. "High-wide load" means a motor vehicle transporting property
10 on any portion of a route where the vehicle exceeds the limitations
11 on size imposed by Section 14-103 of Title 47 of the Oklahoma
12 Statutes and no portion of the motor vehicle or the transported
13 property has a greater width than twenty-eight (28) feet or a
14 greater height than twenty-three (23) feet; and

15 3. "Political subdivision" means a city, village, town or
16 county.

17 B. The following routes through Oklahoma are designated as
18 Oklahoma high-wide corridors:

19 1. US-83 in Beaver County, commencing at the Texas border and
20 ending at the Kansas border; and

21 2. a. commencing at the intersection of US-83 and US-270 in
22 Beaver County, proceeding east on US-270 to SH-51 in
23 Dewey County,
24

- b. at the intersection of US-270 and SH-51, proceeding east on SH-51 to US-77 in Logan County,
 - c. at the intersection of SH-51 and US-77, proceeding north on US-77 to US-64 in Noble County,
 - d. at the intersection of US-77 and US-64, proceeding east on US-64 to SH-108 in Payne County,
 - e. at the intersection of US-64 and SH-108, proceeding south on SH-108 to SH-51,
 - f. at the intersection of SH-108 and SH-51, proceeding east on SH-51 to SH-97 in Tulsa County, and
 - g. at the intersection of SH-51 and SH-97, proceeding north on SH-97 and ending at East 21st Street; and
3.
 - a. commencing at the intersection of SH-51 and SH-99 in Creek County, proceeding north on SH-99 to US-60 in Osage County,
 - b. at the intersection of SH-99 and US-60, proceeding west on US-60 to SH-18, and
 - c. at the intersection of US-60 and SH-18, proceeding north on SH-18 and ending at the Kansas border; and
4.
 - a. US-169, commencing at the Kansas border in Nowata County and proceeding south on US-169 to SH-266 in Tulsa County, and

1 b. at the intersection of US-169 and SH-266, proceeding
2 east on SH-266 and ending at SH-66 in Rogers County;
3 and

4 5. a. commencing at the intersection of SH-51 and SH-351 at
5 the Tulsa/Wagoner County line, proceeding south and
6 east on SH-51 to US-69 in Wagoner County,

7 b. at the intersection of SH-51 and US-69, proceeding
8 north on US-69 to US-60 in Craig County, and

9 c. at the intersection of US-69 and US-60 in Ottawa
10 County (2.5 mi. NE of Afton), proceeding east on US-60
11 and ending at the Missouri border; and

12 6. US-183, commencing at the Texas border in Tillman County and
13 proceeding north on US-183 and ending at the intersection of SH-51
14 in Dewey County; and

15 7. a. commencing at the intersection of US-183 and SH-9 in
16 Kiowa County, proceeding east on SH-9 to SH-146 in
17 Caddo County,

18 b. at the intersection of SH-9 and SH-146, proceeding
19 north on SH-146 to SH-152,

20 c. at the intersection of SH-146 and SH-152, proceeding
21 east on SH-152 to US-81 in Grady County,

22 d. at the intersection of SH-152 and US-81, proceeding
23 south on US-81 to SH-37,
24

1 e. at the intersection of US-81 and SH-37, proceeding
2 east on SH-37 to SH-4,

3 f. at the intersection of SH-37 and SH-4, proceeding
4 north on SH-4 to SH-152 in Canadian County, and

5 g. at the intersection of SH-152 and SH-4, proceeding
6 east on SH-152 and ending at MacArthur Boulevard in
7 Oklahoma County; and

8 8. a. commencing at the intersection of US-270 and US-412 in
9 Woodward County, proceeding east on US-412 to SH-132
10 in Garfield County,

11 b. at the intersection of US-412 and SH-132, proceeding
12 north on SH-132 to SH-45,

13 c. at the intersection of SH-132 and SH-45, proceeding
14 east on SH-45 to US-64,

15 d. at the intersection of SH-45 and US-64, proceeding
16 north on US-64 to US-60 in Grant County,

17 e. at the intersection of US-64 and US-60, proceeding
18 east on US-60 to SH-74,

19 f. at the intersection of US-60 and SH-74, proceeding
20 south on SH-74 to SH-15 in Garfield County,

21 g. at the intersection of SH-74 and SH-15, proceeding
22 east on SH-15 to US-77 in Noble County,

23 h. at the intersection of SH-15 and US-77, proceeding
24 south on US-77 to SH-15,

i. at the intersection of US-77 and SH-15, proceeding east on SH-15 to US-177, and

j. at the intersection of SH-15 and US-177, proceeding south on US-177 to US-64.

C. No person shall operate a high-wide load on the route described without a permit from the Department of ~~Public Safety~~ Transportation.

D. Exclusive of incorporated municipal limits, no person may install any structure within the affected area without a permit from the Department of Transportation.

E. Upon the effective date of this section, and exclusive of incorporated municipal limits, no person may do any of the following within the affected area:

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

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

F. The Department of Transportation shall create additional design standards for improvements to the Oklahoma high-wide routes to prevent interference from permanent structures. These standards shall:

1. Maintain a minimum eighteen feet and zero inches (18'-0") vertical clearance above the road surface for all future overhead obstructions. Where bridges cross over the Oklahoma high-wide

1 routes, they shall be designed, where possible, to allow for high-
2 wide loads to quickly egress and ingress around the bridge utilizing
3 on- and off-ramps;

4 2. Require all future overhead signage to be of cantilever
5 design, where possible, to allow high-wide loads to shift lanes to
6 prevent interference; and

7 3. Require all future bridge design or construction on the
8 Oklahoma high-wide routes to accommodate a three hundred fifteen
9 thousand (315,000) pound gross vehicle weight, single-lane design
10 vehicle.

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

17 H. Political subdivisions in which any portion of the Oklahoma
18 high-wide route is located shall attempt to reach agreements among
19 the affected parties and with persons using the high-wide route for
20 high-wide loads to provide timely vehicle escorts for persons using
21 the high-wide route for high-wide loads.

22 SECTION 18. AMENDATORY 69 O.S. 2021, Section 306, is
23 amended to read as follows:
24

1 Section 306. Immediately upon the election and qualification of
2 the Executive Director of the Department of Transportation, he or
3 she shall become vested with the duties and powers of the management
4 and control of the Department, under such orders, rules and
5 regulations as may be prescribed by the State Transportation
6 Commission; and in addition thereto he or she shall have the
7 following specific powers and duties:

8 ~~(a)~~ 1. To supervise the state highway system under rules and
9 regulations prescribed by the Commission;

10 ~~(b)~~ 2. To appoint and employ, supervise and discharge such
11 professional, clerical, skilled and semiskilled help, labor and
12 other employees as may be deemed necessary for the proper discharge
13 of the duties of the Department and to fix and determine the
14 salaries or wages to be paid subject to all such rules and
15 regulations as may be promulgated by the Commission, and subject to
16 the policies, rules and regulations of the Office of Management and
17 Enterprise Services and the State Merit System of Personnel
18 Administration;

19 ~~(c)~~ 3. To investigate and determine upon the various methods of
20 road and bridge construction and maintenance in the different
21 sections of the state;

22 ~~(d)~~ 4. To aid at all times in promoting highway improvements
23 and maintenance throughout the state;

1 ~~(e)~~ 5. To make recommendations to the Commission in the letting
2 of all contracts for construction or improvements of state highways
3 or any contract for road or bridge construction or improvement where
4 the work is being done in whole or in part with state or federal
5 monies; and to act for the Commission in the purchase of all
6 materials, equipment and supplies as provided for in this Code;

7 ~~(f)~~ 6. To place on the state highway system any road he or she
8 deems necessary and to the best interest of the state, when approved
9 by a majority of the entire Commission, and to eliminate from the
10 state highway system any road when approved by a majority of the
11 entire Commission;

12 ~~(g)~~ 7. To approve and pay claims for the services of
13 professional, clerical, skilled and semiskilled help, laborers and
14 other employees, for the Commission, when the salary or wages of
15 such help and employees shall have been previously approved by the
16 Commission; and to approve and pay progressive estimates on work
17 done or contracts performed, where such work or contracts have
18 theretofore been approved by the Commission; and to approve and pay
19 claims for the purchase of equipment, materials and supplies
20 theretofore authorized by the Commission;

21 ~~(h)~~ 8. To make emergency purchases of equipment, materials, and
22 supplies, and emergency contracts for construction and repairs,
23 under rules and regulations prescribed by the Commission;

1 ~~(i)~~ 9. To grant permission to state agencies, municipalities
2 and water companies or districts to lay any water pipeline within
3 the rights-of-way of state highways, when approved by the
4 Commission; ~~and~~

5 ~~(j)~~ 10. To act for the Department in all matters except as
6 otherwise provided in this Code; and

7 11. The Executive Director is hereby authorized to employ the
8 necessary personnel who shall have the duty to issue oversize and
9 overweight permits in accordance with the provisions of Chapter 14
10 of Title 47 of the Oklahoma Statutes and to collect the fees
11 therefor and to remit the same to the Oklahoma Tax Commission or as
12 otherwise provided by law.

13 SECTION 19. This act shall become effective July 1, 2022.

14 SECTION 20. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18
19 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/17/2022 -
20 DO PASS, As Amended.
21
22
23
24