

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4008

By: Bashore and Frix

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2021, Sections 2-106.1, 14-101, 14-103, 14-103C, 14-103D, 14-103E, 14-103G, 14-109, 14-116, 14-116a, 14-118, 14-118.1, 14-120, 14-120.1, 14-120.2, 14-121 and 14-126, which relate to permit clerks and supervisors, prohibition against movement of certain vehicles, special permits, movement of manufactured homes, issue of permits, annual overload permits, permit fees, movement of loads without permit penalties, permits for motor carriers, permit agreements, cost of escort and requirements, permits for combination vehicles, agricultural vehicles; modifying agency reference; transferring 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; and providing an effective date.

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:

Section 2-106.1 ~~Subject to the Merit System laws, the Commissioner of Public Safety is hereby authorized to employ a supervisor of permit clerks, headquarters permit clerks and additional permit clerks, who shall have the duty to issue oversize~~

1 ~~and/or overweight permits in accordance with the terms of Chapter 14~~
2 ~~of this title and to collect the fees therefor and to remit the same~~
3 ~~to the Oklahoma Tax Commission.~~

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

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

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

21 B. ~~The Commissioner of Public Safety~~ Executive Director of the
22 Department of Transportation is directed to issue annual overweight
23 permits to:
24

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

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

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

8 4. Owners of certain vehicles as provided for in Section 14-
9 103G of this title.

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

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

1 E. All size, weight and load provisions covered by Sections 14-
2 101 through 14-123 of this title shall be subject to a gross vehicle
3 weight limit of ninety thousand (90,000) pounds when applied to a
4 vehicle operating off the National System of Interstate and Defense
5 Highways unless such vehicle is operating in full compliance with an
6 overweight permit issued by the ~~Commissioner of Public Safety~~
7 Executive Director of the Department of Transportation.

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

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

- 23 a. New Year's Day (January 1),
- 24 b. Memorial Day (the last Monday in May),

- c. ~~The~~ Fourth of July (Independence Day),
- d. Labor Day (the first Monday in September),
- e. Thanksgiving Day (the fourth Thursday in November),
- and
- f. Christmas Day (December 25).

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

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

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

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

- 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

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

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

14 B. Except as otherwise provided for by this chapter:

15 1. No vehicle, with or without load, shall exceed a height of
16 thirteen and one-half (13 1/2) feet on any county road, or fourteen
17 (14) feet on any turnpike, interstate, U.S. or state highway, unless
18 a greater height is authorized by a special permit issued by the
19 ~~Commissioner of Public Safety~~ Executive Director of the Department
20 of Transportation or an authorized representative of the
21 ~~Commissioner in consultation with the~~ Department of Transportation
22 specifying the highways to be used, consistent with public
23 convenience and safety. The prohibitions on movement as prescribed
24 in subsection F of Section 14-101 of this title and paragraph 1 of

subsection G of Section 14-101 of this title shall not apply to vehicles operated pursuant to such permits;

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

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

C. Except as otherwise provided for by this chapter:

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

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

3. a. On the National Network of Highways which includes the National System of Interstate and Defense Highways and four-lane divided Federal Aid Primary System Highways, no semitrailer operating in a truck-tractor/semitrailer combination shall have a length greater than fifty-three (53) feet, except as provided

1 in subsection C of Section 14-118 of this title which
2 shall apply to semitrailers exceeding fifty-three (53)
3 feet but not exceeding fifty-nine (59) feet six (6)
4 inches. On the National System of Interstate and
5 Defense Highways and four-lane divided Federal Aid
6 Primary System Highways, no semitrailer or trailer
7 operating in a truck-tractor/semitrailer and trailer
8 combination shall have a length greater than fifty-
9 three (53) feet;

- 10 b. On roads and highways not a part of the National
11 System of Interstate and Defense Highways or four-lane
12 divided Federal Aid Primary System Highways, no
13 semitrailer operating in a truck-tractor/semitrailer
14 combination shall have a length greater than fifty-
15 three (53) feet and no semitrailer or trailer
16 operating in a truck-tractor/semitrailer and trailer
17 combination shall have a length greater than twenty-
18 nine (29) feet. Except as provided for in subsection
19 D of Section 14-118 of this title, no other
20 combination of vehicles shall have an overall length,
21 inclusive of front and rear bumpers, in excess of
22 seventy (70) feet on all roads and highways. For the
23 purposes of this paragraph, oil field rig-up trucks
24

1 shall be considered to be truck-tractors, when towing
2 a trailer or semitrailer;

3 c. On the National Network of Highways the overall length
4 limitation of a towaway trailer transporter
5 combination may exceed length restrictions up to
6 eighty-two (82) feet;

7 d. As used in this section:

8 (1) The term "trailer transporter towing unit" shall
9 mean a power unit that is not used to carry
10 property when operating in a towaway trailer
11 transporter combination, and

12 (2) The term "towaway trailer transporter
13 combination" shall mean a combination of vehicles
14 consisting of a trailer transporter towing unit
15 and two (2) trailers or semitrailers with a total
16 weight that does not exceed twenty-six thousand
17 (26,000) pounds; and in which the trailers or
18 semitrailers carry no property and constitute
19 inventory property of a manufacturer, distributor
20 or dealer of such trailers or semitrailers;

21 4. No combination of vehicles shall consist of more than two
22 units, except:
23
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- 1 a. one truck and semitrailer or truck-tractor/semitrailer
2 combination may tow one complete trailer or
3 semitrailer, or
- 4 b. vans, suburbans, blazers or other similar types of
5 vehicles and self-propelled recreational vehicles with
6 a three-quarter (3/4) ton or more rated capacity may
7 tow a semitrailer and one complete trailer or
8 semitrailer for recreational purposes only, provided
9 the overall length, inclusive of the front and rear
10 bumpers, does not exceed sixty-five (65) feet;

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

19 6. For the purposes of paragraphs 1, 3, and 4 of this
20 subsection, the length of unitized equipment, which is defined to be
21 equipment so constructed and attached to a rubber-tired vehicle that
22 the vehicle and load become a unit and are for all practical
23 purposes inseparable, shall be the length of the vehicle itself, and
24 shall not include any protrusion of the equipment load so

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

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

16 8. The provisions of paragraphs 1 and 3 of this subsection
17 shall not apply to any contractor or subcontractor, or agents or
18 employees of any contractor or subcontractor, while engaged in
19 transporting material to the site of a project being constructed by,
20 for, or on behalf of this state or any city, town, county, or
21 subdivision of this state; and

22 9. Special mobilized machinery, as defined in Section 1102 of
23 this title, which exceeds the size provisions of this section shall
24 only use the highways of ~~the State of Oklahoma~~ this state by special

1 permit issued by the ~~Commissioner of Public Safety~~ Executive
2 Director of the Department of Transportation or an authorized
3 representative of the ~~Commissioner~~ Executive Director of the
4 Department of Transportation. Such special permit shall be:

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

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

13 Section 14-103C. A. The ~~Commissioner of Public Safety~~
14 Executive Director of the Department of Transportation shall upon
15 proper application issue a special permit to any person allowing the
16 movement on state and federal highways of a structure in the form of
17 a house or building, including, but not limited to, industrialized
18 housing as ~~defined~~ described in Section 14-103A of this title, not
19 exceeding thirty-two (32) feet in width at the base, and thirty-four
20 (34) feet in width at the top and twenty-one (21) feet in height.
21 The permit shall specify the highways to be used, consistent with
22 public convenience and safety, as determined by the ~~Commissioner of~~
23 ~~Public Safety, in consultation with the~~ Executive Director of the
24 Department of Transportation. In addition to the prohibitions on

1 movement as prescribed in Section 14-101 et seq. of this title, such
2 structures shall not be moved on Saturday or Sunday.

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

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

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

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

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

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

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

24

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

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

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

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

18 2. The Executive Director of the Department of Transportation
19 shall issue a permit to the holder of a perfected security interest
20 in a manufactured home, or a licensed representative thereof,
21 pursuant to a lawful repossession of the manufactured home, if the
22 holder or representative is bonded by the state, to move the
23 manufactured home to a secure location with a repossession
24 affidavit; provided, all registration fees, excise taxes or ad

1 valorem taxes due on such home shall be required to be paid within
2 thirty (30) days of the issuance of the permit; and

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

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

20 E. The Department of ~~Public Safety~~ Transportation shall notify
21 the Oklahoma Tax Commission, the county assessor of the county from
22 which the manufactured home is to be moved and the county assessor
23 of the county in which the manufactured home is to be moved of any
24 permits issued pursuant to the provisions of this section.

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

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

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

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

18 Section 14-103G. A. 1. The Department of ~~Public Safety~~
19 Transportation may issue an annual vehicle permit under the
20 provisions of this subsection to a specific vehicle, for the
21 movement of oversize or overweight loads that cannot reasonably be
22 dismantled. Unless otherwise provided by law, permits issued under
23 this subsection shall be subject to the conditions described in
24 paragraphs 2 through 8 of this subsection.

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

- 3 a. twelve (12) feet in width,
- 4 b. fourteen (14) feet in height,
- 5 c. one hundred ten (110) feet in length, or
- 6 d. one hundred twenty thousand (120,000) pounds gross
7 weight.

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

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

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

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

19 7. The permitted vehicle or vehicle combination shall be
20 registered in accordance with the provisions of Chapter 14 of this
21 title for maximum weight.

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

1 a. the permitted vehicle is destroyed or otherwise
2 becomes permanently inoperable to the extent that the
3 vehicle will no longer be utilized, and the permittee
4 presents proof to the Department of ~~Public Safety~~
5 Transportation that the negotiable certificate of
6 title or other qualifying documentation has been
7 surrendered to the Department of ~~Public Safety~~
8 Transportation, or

9 b. the certificate of title to the permitted vehicle is
10 transferred to someone other than the permittee, and
11 the permittee presents proof to the Department of
12 ~~Public Safety~~ Transportation that the negotiable
13 certificate of title or other qualifying documentation
14 has been transferred from the permittee.

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

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

- a. that no more than one vehicle is operating at a time,
and
- b. the original certified permit is carried in the
vehicle that is being operated under the terms of the
permit.

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

- a. the permittee did not receive the original permit
within seven (7) business days after the date of
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.

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

5 4. Lost, misplaced, damaged, destroyed, or otherwise unusable
6 annual vehicle permits shall not be replaced. A new permit shall be
7 required and shall be issued by the Department of ~~Public Safety~~
8 Transportation.

9 C. 1. The Department of ~~Public Safety~~ Transportation may issue
10 an annual fleet permit under this subsection to an electric utility,
11 regulated by the Corporation Commission or a rural electric
12 cooperative solely for the movement of poles. An annual fleet
13 permit issued under this subsection may be used by any vehicle in
14 the fleet of the permittee provided that a certified copy of the
15 permit is carried in each vehicle that is being operated under the
16 terms of the permit.

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

- 19 a. twelve (12) feet in width,
- 20 b. fourteen (14) feet in height, or
- 21 c. fifty-five (55) feet in length.

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

1 4. The annual fleet permit shall be issued for a one-calendar-
2 year period and shall commence upon the date specified on the
3 permit.

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

8 a. the permittee did not receive the original permit
9 within seven (7) business days after the date of the
10 issuance,

11 b. a request for replacement is submitted to the
12 Department of ~~Public Safety~~ Transportation within ten
13 (10) business days after the original date of issuance
14 of the permit, and

15 c. the request for replacement is accompanied by a
16 notarized statement signed by an authorized person of
17 the permittee acknowledging that if the original
18 permit is located, the permittee shall either return
19 the original or replacement permit to the Department
20 of ~~Public Safety~~ Transportation.

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

1 7. Lost, misplaced, damaged, destroyed or otherwise unusable
2 annual permits shall not be replaced. A new permit shall be
3 required and shall be issued by the Department of ~~Public Safety~~
4 Transportation.

5 8. For the purposes of paragraph 5 of subsection C of Section
6 14-103 of this title, the term "emergency" means any permitted
7 movement of poles pursuant to the provisions of this subsection that
8 is not for new construction of electric distribution facilities.

9 D. 1. The Department of ~~Public Safety~~ Transportation shall
10 issue an annual vehicle permit under this subsection to a
11 transportation company or manufacturer of portable buildings solely
12 for the movement of oversize portable buildings for a specific
13 manufacturer of portable buildings. An annual vehicle permit issued
14 under this subsection may not be transferred from one vehicle to
15 another vehicle in the fleet. The name of the manufacturer shall be
16 on the permit and on any portable building being moved. The
17 original certified permit shall be carried in the vehicle that is
18 being operated under the terms of the permit.

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

- 21 a. twelve (12) feet in width at the wall with no more
22 than a three-inch-eave overhang, or
23 b. fourteen (14) feet in height.

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

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

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

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

14 a. the permittee did not receive the original permit
15 within seven (7) business days after the date of
16 issuance,

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

21 c. the request for replacement is accompanied by a
22 notarized statement signed by a principal or officer
23 of the permittee acknowledging that the permittee
24 understands the permit may not be duplicated and that

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

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

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

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

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

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

16 2. The total gross weight in pounds imposed thereon by a
17 vehicle or combination of vehicles shall not exceed the value
18 calculated in accordance with the Federal Bridge formula imposed by
19 23 U.S.C., Section 127.

20 B. Except as to gross limits, the formula of this section shall
21 not apply to a truck-tractor and dump semitrailer when used as a
22 combination unit. In no event shall the maximum load in pounds
23 carried by any set of tandem axles exceed thirty-four thousand
24

1 (34,000) pounds. Any vehicle operating with split tandem axles or
2 tri-axles shall adhere to the formula.

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

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

- 17 a. the vehicles are registered for the maximum allowable
18 rate,
- 19 b. the vehicles do not exceed five percent (5%) of the
20 gross limits set forth in subsection A of this
21 section,
- 22 c. the vehicles do not exceed eight percent (8%) of the
23 axle limits set forth in subsection A of this section,
24

- 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.

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

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

7 F. Exceptions to this section will be:

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

11 a. calculation of weight for a utility or refuse
12 collection vehicle shall be "Gross Vehicle Weight".
13 The "Gross Vehicle Weight" of a utility or refuse
14 collection vehicle may not exceed the otherwise
15 applicable weight by more than fifteen percent (15%).
16 The weight on individual axles must not exceed the
17 manufacturer's component rating which includes axle,
18 suspension, wheels, rims, brakes, and tires as shown
19 on the vehicle certification label or tag, and

20 b. utility or refuse collection vehicles operated under
21 these exceptions will not be allowed to operate on
22 interstate highways;

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

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

4 b. the wrecker or tow vehicle is towing the other vehicle
5 or vehicle combination directly to the nearest
6 appropriate place of repair, terminal, or vehicle
7 storage facility;

8 3. A vehicle operating pursuant to the provisions of paragraph
9 2 of this subsection ~~will~~ shall not be allowed to operate on the
10 National System of Interstate and Defense Highways unless it is a
11 covered heavy-duty tow and recovery vehicle that:

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

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

18 4. On the interstate highway system a vehicle designed to be
19 used under emergency conditions to transport personnel and equipment
20 and to support the suppression of fires and mitigation of other
21 hazardous situations with a vehicle weight limit up to a maximum
22 gross vehicle weight of eighty-six thousand (86,000) pounds with
23 less than:
24

- a. twenty-four thousand (24,000) pounds on a single steering axle,
- b. thirty-three thousand five hundred (33,500) pounds on a single drive axle,
- c. sixty-two thousand (62,000) pounds on a tandem axle, or
- d. fifty-two thousand (52,000) pounds on a tandem rear drive steer axle.

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

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

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

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

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

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

13 Section 14-116. A. The ~~Commissioner of Public Safety~~ Executive
14 Director of the Department of Transportation shall charge a minimum
15 permit fee of Forty Dollars (\$40.00) for any permit issued pursuant
16 to the provisions of Section 14-101 et seq. of this title. In
17 addition to the permit fee, the ~~Commissioner~~ Executive Director of
18 the Department of Transportation shall charge a fee of Ten Dollars
19 (\$10.00) for each thousand pounds in excess of the legal load limit.
20 The ~~Commissioner of Public Safety~~ Executive Director of the
21 Department of Transportation shall establish any necessary rules for
22 collecting the fees.

23 B. The Department of ~~Public Safety~~ Transportation is authorized
24 to establish an escrow account system for the payment of permit

1 fees. Authorized motor carriers meeting established credit
2 requirements may participate in the escrow account system for
3 permits purchased from all size and weight permit offices in this
4 state. Carriers not choosing to participate in the escrow account
5 system shall be required to make payment of the required fee or fees
6 upon purchase of each permit as required by law. All monies
7 collected through the escrow account system shall be deposited to a
8 special account of the Department of ~~Public Safety~~ Transportation
9 and placed in the custody of the State Treasurer. Proceeds from
10 permits purchased using the escrow account system shall be
11 distributed as provided for in subsection H of this section.
12 However, fees collected through such accounts for the electronic
13 transmission, transfer or delivery of permits, as provided for in
14 Section 14-118 of this title, shall be credited to the ~~Department of~~
15 ~~Public Safety Restricted Revolving~~ State Transportation Fund
16 established pursuant to Section 1501.1 of Title 69 of the Oklahoma
17 Statutes.

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

22 2. Size and weight permit offices in all districts where
23 applicable shall issue permits to authorize carriers by telephone
24 during weekdays.

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

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

6 F. Any permit issued for a truck or truck-tractor operating in
7 combination with a trailer or a semitrailer shall contain only the
8 license plate number for the truck or truck-tractor if the permittee
9 provides to the Department of Transportation a list containing the
10 license plate number, and such other information as the Department
11 of Transportation may prescribe by rule, for each trailer or
12 semitrailer which may be used for movement with the permit. When
13 the permittee provides the list described in this subsection, the
14 license plate number for any trailer or semitrailer to be moved with
15 the permit shall not be included on the permit; provided, a trailer
16 or semitrailer which is not on the list shall not be authorized to
17 be used for movement with the permit. It shall be the
18 responsibility of the permittee to ensure the list provided to the
19 Department of Transportation is maintained and updated with any
20 fleet changes. The Department of Transportation shall adopt any
21 rules deemed necessary to administer the provisions of this
22 subsection.

23 G. The first deliverer of motor vehicles designated truck
24 carriers or well service carriers manufactured in Oklahoma shall not

1 be required to purchase an overweight permit when being delivered to
2 the first purchaser.

3 H. Except as provided in Section 14-122 of this title, the
4 first One Million Two Hundred Sixteen Thousand Dollars

5 (\$1,216,000.00) of proceeds from both the permit fees and the
6 overweight permit fees imposed pursuant to subsection A of this
7 section collected monthly shall be apportioned as provided in

8 Section 1104 of this title. ~~For the fiscal year beginning July 1,~~

9 ~~2016, and ending June 30, 2017, the next Two Million One Hundred~~

10 ~~Fifty Thousand Dollars (\$2,150,000.00) of proceeds from both the~~

11 ~~permit fees and the overweight permit fees imposed pursuant to~~

12 ~~subsection A of this section collected monthly shall be remitted to~~

13 ~~the Department of Public Safety for the purpose of training the~~

14 ~~Department of Public Safety port of entry officers whose powers and~~

15 ~~duties shall be specified by the Department of Public Safety through~~

16 ~~the promulgation of rules.~~ For the fiscal year beginning July 1,

17 2017, and all subsequent years, the next One Million Five Hundred

18 Thousand Dollars (\$1,500,000.00) of proceeds from both the permit

19 fees and the overweight permit fees imposed pursuant to subsection A

20 of this section collected monthly shall be remitted to the

21 Department of Public Safety for the purpose of staffing the port of

22 entry weigh stations with Department of Public Safety port of entry

23 officers whose powers and duties shall be specified by the

24 Department of Public Safety through the promulgation of rules. ~~For~~

1 ~~the fiscal year beginning July 1, 2016, and ending June 30, 2017,~~
2 ~~all proceeds collected from both the permit fees and the overweight~~
3 ~~permit fees imposed pursuant to subsection A of this section in~~
4 ~~excess of Three Million Three Hundred Sixty-six Thousand Dollars~~
5 ~~(\$3,366,000.00) shall be deposited in the Weigh Station Improvement~~
6 ~~Revolving Fund as provided in Section 1167 of this title for the~~
7 ~~purpose set forth in that section and may be used for motor carrier~~
8 ~~permitting systems and motor carrier safety and enforcement. For~~
9 the fiscal year beginning July 1, 2017, and all subsequent years,
10 all proceeds collected from both the permit fees and the overweight
11 permit fees imposed pursuant to subsection A of this section in
12 excess of Two Million Seven Hundred Sixteen Thousand Dollars
13 (\$2,716,000.00) shall be deposited in the Weigh Station Improvement
14 Revolving Fund as provided in Section 1167 of this title for the
15 purpose set forth in that section and may be used for motor carrier
16 permitting systems and motor carrier safety and enforcement.

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

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

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

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

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

8 The permit shall be carried by the operator of the vehicle
9 moving or transporting the load or manufactured home and shall be
10 available for inspection by any law enforcement officer. If said
11 operator is found not to possess a permit, the load or manufactured
12 home shall not continue to be moved or transported. Thereafter, the
13 load or manufactured home shall not be moved or transported further
14 except by the operator of a vehicle moving or transporting the load
15 or manufactured home who is in possession of a permit authorizing
16 the movement of the load or manufactured home.

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

19 Section 14-118. A. 1. Pursuant to such rules as may be
20 prescribed by Oklahoma agencies of jurisdiction, Oklahoma motor
21 carriers may engage in any activity in which carriers subject to the
22 jurisdiction of the federal government may be authorized by federal
23 legislation to engage. Provided further, the Transportation
24 Commission shall formulate, for the State Trunk Highway System,

1 including the National System of Interstate and Defense Highways,
2 and for all other highways or portions thereof, rules governing the
3 movement of vehicles or loads which exceed the size or weight
4 limitations specified by the provisions of this chapter.

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

17 3. The Department of ~~Public Safety~~ Transportation is authorized
18 to charge a fee of Two Dollars (\$2.00) for each permit requested to
19 be issued by facsimile machine or by any other means of electronic
20 transmission, transfer or delivery. The fee shall be in addition to
21 any other fee or fees assessed for the permit. The fee shall be
22 deposited in the State Treasury to the credit of the Department of
23 ~~Public Safety Restricted Revolving Fund~~ Transportation and the
24

monies shall be expended by the Department of Transportation solely for the purposes provided for in this chapter.

4. It is the purpose of this section to permit the movement of necessary overweight and oversize vehicles or loads consistent with 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~~ this state 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~~ this state

1 showing the advantages of this state as a marketing, warehousing and
2 distribution network center for motor transportation sensitive
3 industries.

4 C. ~~The Commissioner of Public Safety~~ Executive Director of the
5 Department of Transportation, or an authorized representative, shall
6 have the authority, within the limitations formulated under
7 provisions of this chapter, to issue, withhold or revoke special
8 permits for the operation of vehicles or combinations of vehicles or
9 loads which exceed the size or weight limitations of this chapter.
10 Every such permit shall be carried in the vehicle or combination of
11 vehicles to which it refers and shall be open to inspection by any
12 law enforcement officer or authorized agent of any authority
13 granting such permit, and no person shall violate any of the terms
14 or conditions of such special permit.

15 D. It shall be permissible in the transportation of empty
16 trucks on any road or highway to tow by use of saddlemounts~~+~~L i.e.,
17 mounting the front wheels of one vehicle on the bed of another
18 leaving the rear wheels only of such towed vehicle in contact with
19 the roadway. One vehicle may be fullmounted on the towing or towed
20 vehicles engaged in any driveaway or towaway operation. No more
21 than three saddlemounts may be permitted in such combinations. The
22 towed vehicles shall be securely fastened and operated under the
23 applicable safety requirements of the United States Department of
24 Transportation and such combinations shall not exceed an overall

1 length of seventy-five (75) feet. Provided, a driveaway saddlemount
2 with fullmount vehicle transporter combination may reach an overall
3 length of ninety-seven (97) feet on the National Network of
4 Highways.

5 E. The ~~Commissioner of Public Safety~~ Executive Director of the
6 Department of Transportation, upon application of any person engaged
7 in the transportation of forest products in the raw state, which is
8 defined to be tree-length logs moving from the forest directly to
9 the mill, or upon application of any person engaged in the hauling
10 for hire or for resale, of round baled hay with a total outside
11 width of eleven (11) feet or less, shall issue an annual permit,
12 upon payment of a fee of Twenty-five Dollars (\$25.00) each year,
13 authorizing the operation by such persons of such motor vehicle load
14 lengths and widths upon the highways of this state except on the
15 National System of Interstate and Defense Highways. Provided,
16 however, the restriction on use of the National System of Interstate
17 and Defense Highways shall not be applicable to persons engaged in
18 the hauling of round baled hay with a total outside width of eleven
19 (11) feet or less.

20 F. The ~~Commissioner of Public Safety~~ Executive Director of the
21 Department of Transportation, upon application of any person engaged
22 in the transportation of overwidth or overheight equipment used in
23 soil conservation work with a total outside width of twelve (12)
24 feet or less, shall issue an annual permit, upon payment of a fee of

1 Twenty-five Dollars (\$25.00) each year, authorizing the operation by
2 such persons of such motor vehicle load lengths and widths upon the
3 highways of this state except on the National System of Interstate
4 and Defense Highways.

5 G. Farm equipment including, but not limited to, implements of
6 husbandry as defined in Section 1-125 of this title shall be
7 exempted from the requirement for special permits due to size. Such
8 equipment may move on any highway, except those highways which are
9 part of the National System of Interstate and Defense Highways,
10 during the hours of darkness and shall be subject to the
11 requirements as provided in Section 12-215 of this title. In
12 addition to those requirements, tractors pulling machinery over
13 thirteen (13) feet wide must have two amber flashing warning lamps
14 symmetrically mounted, laterally and widely spaced as practicable,
15 visible from both front and rear, mounted at least thirty-nine (39)
16 inches high.

17 H. Any rubber-tired road construction vehicle including rubber-
18 tired truck cranes and special mobilized machinery either self-
19 propelled or drawn carrying no load other than component parts
20 safely secured to the machinery and its own weight, but which is
21 overweight by any provisions of this chapter, shall be authorized to
22 move on the highways of ~~the State of Oklahoma~~ this state. Movement
23 of such vehicles shall be authorized on the ~~Federal Interstate~~
24 ~~System of Highways~~ National System of Interstate and Defense

1 Highways only by special permit secured from the ~~Commissioner of~~
2 ~~Public Safety~~ Executive Director of the Department of Transportation
3 or an authorized representative upon determination that the
4 objectives of this section will be served by such a permit and that
5 federal weight restrictions will not be violated. The special
6 permit shall be:

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

9 2. A special annual overweight permit which shall be issued for
10 one calendar year period upon payment of a fee of Sixty Dollars
11 (\$60.00).

12 The weight of any such vehicle shall not exceed six hundred
13 fifty (650) pounds multiplied by the nominal width of the tire. The
14 vehicle shall be required to carry the safety equipment adjudged
15 necessary for the health and welfare of the driving public. If any
16 oversized vehicle does not come under the other limitations of the
17 present laws, it shall be deemed that the same shall travel only
18 between the hours of sunrise and sunset. The vehicle, being
19 overweight but of legal dimension, shall be allowed continuous
20 travel. The vehicles, except special mobilized machinery, shall be
21 exempt from the laws of this state relating to motor vehicle
22 registration, licensing or other fees or taxes in lieu of ad valorem
23 taxes.

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

8 2. Possession of a permit shall in no way be construed as
9 exempting such equipment from the authority of the Executive
10 Director of the Department of Transportation to restrict use of
11 particular highways, nor shall it exempt owners or operators of such
12 equipment from the responsibility for damage to highways caused by
13 movement of the equipment. Nothing in this subsection shall apply
14 to machinery used in highway construction or road material
15 production.

16 3. Upon the issuance of a special mobilized machinery driveway
17 permit as provided in this subsection, special mobilized machinery
18 manufactured in Oklahoma shall be permitted to move upon the
19 highways of this state from the place of manufacture to the state
20 line for delivery and exclusive use outside the state, and may be
21 temporarily returned to Oklahoma for modification and repair, with
22 subsequent movement back out of the state. Special driveway
23 permits for such movements shall be issued by the ~~Commissioner of~~
24 ~~Public Safety~~ Executive Director of the Department of

1 Transportation, who may act through designated agents, upon the
2 payment of a fee in the amount of Fifteen Dollars (\$15.00) for each
3 movement.

4 4. The size of the special mobilized machinery shall not be
5 such as to create a safety hazard in the judgment of the
6 ~~Commissioner of Public Safety~~ Executive Director of the Department
7 of Transportation. Permits for such special mobilized machinery
8 shall specify a maximum permissible road speed of sixty (60) miles
9 per hour, designate safety equipment to be carried and may exclude
10 use of highways of the interstate system.

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

16 6. Possession of a special driveaway permit shall in no way be
17 construed as exempting such equipment from the authority of the
18 Executive Director of the Department of Transportation to restrict
19 use of particular highways, nor shall it exempt the owners or
20 operators of such equipment from the responsibility for damage to
21 highways caused by the movement of such equipment.

22 SECTION 12. AMENDATORY 47 O.S. 2021, Section 14-118.1,
23 is amended to read as follows:
24

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

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

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

19 1. From a point of manufacture in ~~the State of Oklahoma~~ this
20 state to a point of delivery in ~~the State of Oklahoma~~ this state or
21 to a point of delivery in another state; or

22 2. From a point of manufacture outside ~~the State of Oklahoma~~
23 this state to a point of delivery in ~~the State of Oklahoma~~ this
24 state or to a point of delivery in another state shall be permitted,

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

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

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

3 C. Highway escorts shall be required for transportation of
4 items pursuant to the provisions of this section according to rules
5 and regulations prescribed by the Department of ~~Public Safety~~
6 Transportation.

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

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

16 2. Escort vehicle requirements shall not apply to retail
17 implement dealers transporting farm implements from a retail
18 distribution point to a farm or other location within a one hundred
19 fifty (150) air-mile radius from the distribution point. For the
20 purposes of this subsection, "retail implement dealers" shall mean a
21 business engaged primarily in the sale of farm tractors as defined
22 in Section 1-118 of this title or implements of husbandry as defined
23 in Section 1-125 of this title or a combination thereof.

1 B. No person shall operate an escort vehicle for hire, as
2 required by this section, unless the person has been certified by
3 the Department of ~~Public Safety~~ Transportation as an escort vehicle
4 operator.

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

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

13 D. The ~~Commissioner of Public Safety~~ Executive Director of the
14 Department of Transportation shall promulgate rules for the
15 certification of operators of escort vehicles and the use of escort
16 vehicles, as required by this section.

17 E. The ~~Commissioner of Public Safety~~ Executive Director of the
18 Department of Transportation is hereby authorized to enter into
19 reciprocal compacts and agreements with other states for the purpose
20 of recognizing escort vehicle operator certifications issued by
21 those states.

22 SECTION 15. AMENDATORY 47 O.S. 2021, Section 14-120.2,
23 is amended to read as follows:
24

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

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

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

18 D. All fees collected by the Department pursuant to this
19 section shall be deposited to the credit of the ~~Department of Public~~
20 ~~Safety Restricted Revolving~~ State Transportation Fund established
21 pursuant to Section 1501.1 of Title 69 of the Oklahoma Statutes.

22 SECTION 16. AMENDATORY 47 O.S. 2021, Section 14-121, is
23 amended to read as follows:
24

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

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

16 C. For the purposes of this section, a special combination
17 vehicle shall consist of a truck-tractor semitrailer combination
18 towing two complete trailers or semitrailers. No semitrailer or
19 trailer used in such a combination shall have a length greater than
20 twenty-nine (29) feet nor shall a special combination vehicle exceed
21 the weight limitations imposed by Sections 14-109 and 14-116 of this
22 title.

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

1 A. As used in this section:

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

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

11 3. "Political subdivision" means a city, village, town or
12 county.

13 B. The following routes through Oklahoma are designated as
14 Oklahoma high-wide corridors:

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

17 2. a. commencing at the intersection of US-83 and US-270 in
18 Beaver County, proceeding east on US-270 to SH-51 in
19 Dewey County,

20 b. at the intersection of US-270 and SH-51, proceeding
21 east on SH-51 to US-77 in Logan County,

22 c. at the intersection of SH-51 and US-77, proceeding
23 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
 - b. at the intersection of US-169 and SH-266, proceeding east on SH-266 and ending at SH-66 in Rogers County; and
 5.
 - a. commencing at the intersection of SH-51 and SH-351 at the Tulsa/Wagoner County line, proceeding south and east on SH-51 to US-69 in Wagoner County,

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

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

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

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

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

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

16 d. at the intersection of SH-152 and US-81, proceeding
17 south on US-81 to SH-37,

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

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

22 g. at the intersection of SH-152 and SH-4, proceeding
23 east on SH-152 and ending at MacArthur Boulevard in
24 Oklahoma County; and

- 1 8. a. commencing at the intersection of US-270 and US-412 in
2 Woodward County, proceeding east on US-412 to SH-132
3 in Garfield County,
- 4 b. at the intersection of US-412 and SH-132, proceeding
5 north on SH-132 to SH-45,
- 6 c. at the intersection of SH-132 and SH-45, proceeding
7 east on SH-45 to US-64,
- 8 d. at the intersection of SH-45 and US-64, proceeding
9 north on US-64 to US-60 in Grant County,
- 10 e. at the intersection of US-64 and US-60, proceeding
11 east on US-60 to SH-74,
- 12 f. at the intersection of US-60 and SH-74, proceeding
13 south on SH-74 to SH-15 in Garfield County,
- 14 g. at the intersection of SH-74 and SH-15, proceeding
15 east on SH-15 to US-77 in Noble County,
- 16 h. at the intersection of SH-15 and US-77, proceeding
17 south on US-77 to SH-15,
- 18 i. at the intersection of US-77 and SH-15, proceeding
19 east on SH-15 to US-177, and
- 20 j. at the intersection of SH-15 and US-177, proceeding
21 south on US-177 to US-64.

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

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

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

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

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

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

15 1. Maintain a minimum eighteen feet and zero inches (18'-0")
16 vertical clearance above the road surface for all future overhead
17 obstructions. Where bridges cross over the Oklahoma high-wide
18 routes, they shall be designed, where possible, to allow for high-
19 wide loads to quickly egress and ingress around the bridge utilizing
20 on- and off-ramps;

21 2. Require all future overhead signage to be of cantilever
22 design, where possible, to allow high-wide loads to shift lanes to
23 prevent interference; and
24

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

5 G. Political subdivisions in which any portion of the Oklahoma
6 high-wide route is located shall attempt to reach agreements among
7 the affected parties and with persons using the high-wide route for
8 high-wide loads regarding the allocation of costs and provision of
9 services related to removing permanent structures that interfere
10 with the use of any portion of the affected area by high-wide loads.

11 H. 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 to provide timely vehicle escorts for persons using
15 the high-wide route for high-wide loads.

16 SECTION 18. AMENDATORY 69 O.S. 2021, Section 306, is
17 amended to read as follows:

18 Section 306. Immediately upon the election and qualification of
19 the Executive Director of the Department of Transportation, he or
20 she shall become vested with the duties and powers of the management
21 and control of the Department, under such orders, rules and
22 regulations as may be prescribed by the State Transportation
23 Commission; and in addition thereto he or she shall have the
24 following specific powers and duties:

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

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

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

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

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

23 ~~(f)~~ 6. To place on the state highway system any road he or she
24 deems necessary and to the best interest of the state, when approved

1 by a majority of the entire Commission, and to eliminate from the
2 state highway system any road when approved by a majority of the
3 entire Commission;

4 ~~(g)~~ 7. To approve and pay claims for the services of
5 professional, clerical, skilled and semiskilled help, laborers and
6 other employees, for the Commission, when the salary or wages of
7 such help and employees shall have been previously approved by the
8 Commission; and to approve and pay progressive estimates on work
9 done or contracts performed, where such work or contracts have
10 theretofore been approved by the Commission; and to approve and pay
11 claims for the purchase of equipment, materials and supplies
12 theretofore authorized by the Commission;

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

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

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

22 11. Subject to the Merit System laws of this state, the
23 Executive Director is hereby authorized to employ a supervisor of
24 permit clerks, headquarters permit clerks, and additional permit

1 clerks, who shall have the duty to issue oversize and overweight
2 permits in accordance with the provisions of Chapter 14 of Title 47
3 of the Oklahoma Statutes and to collect the fees therefor and to
4 remit the same to the Oklahoma Tax Commission.

5 SECTION 19. This act shall become effective November 1, 2022.

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7 58-2-9114 JBH 01/20/22
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