

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2348

By: Dempsey

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 1202, which relates to maintenance and operations of fixed facilities; limiting types of roads for certain enforcement: modifying the area of enforcement around certain weigh stations for certain vehicle enforcement; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1202, is amended to read as follows:

Section 1202. A. The Department of Transportation, the Oklahoma Turnpike Authority and the Corporation Commission may enter into interagency agreements concerning the equipment, maintenance and operations of fixed facilities.

B. The Department of Transportation, the Authority and the Commission shall endeavor to electronically upgrade weigh stations as practical to minimize the duplication of inspections for compliant commercial motor vehicles and motor carriers.

1 C. The Commission shall operate all current and future ports of
2 entry weigh stations eighteen (18) to twenty (20) hours a day and
3 seven (7) days a week upon the availability of funds.

4 D. The Commission shall continue to conduct roadside
5 enforcement in the general area where a fixed facility is planned
6 but no fixed facility currently exists until a fixed facility is
7 located in the general area or July 1, 2016, whichever is earlier.

8 E. When a fixed facility is located in the general area,
9 Commission motor carrier and commercial motor vehicle enforcement
10 shall be limited to the fixed facility and ~~a radius surrounding the~~
11 state and U.S. highways within a certain distance from the facility.
12 If the fixed facility is a weigh station, as defined in Section 1201
13 of this title, ~~the applicable radius shall be seven (7) miles. If~~
14 ~~the fixed facility is~~ or a port of entry weigh station, as defined
15 in Section 1201 of this title, the applicable ~~radius~~ area of
16 enforcement shall be ~~twenty-five (25)~~ state and U.S. highways within
17 five (5) miles of the facility.

18 F. The Commission may assist in roadside enforcement in a joint
19 effort at the request of the Oklahoma Highway Patrol.

20 G. The Commission is authorized to conduct audits, reviews,
21 investigations, inspections or other enforcement actions by
22 enforcement officers provided those activities are within the scope
23 of the Commission's jurisdiction and are not conducted as roadside
24

1 enforcement in accordance with the provisions of the Oklahoma Weigh
2 Station Act of 2012.

3 H. The Commission may enter into interagency cooperative
4 agreements with other state or federal agencies to jointly enforce
5 federal and state laws or rules.

6 I. North American Standard Inspections shall be conducted only
7 by individuals holding certification in the level or classification
8 of inspection being conducted.

9 SECTION 2. This act shall become effective November 1, 2023.

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