

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 418

By: Paxton

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5
6 AS INTRODUCED

7 An Act relating to roadside enforcement; amending
8 Section 3, Chapter 262, O.S.L. 2012, as last amended
9 by Section 2, Chapter 373, O.S.L. 2016 (47 O.S. Supp.
10 2018, Section 1202), which relates to operation of
11 weigh stations; adding entities that may request
12 roadside enforcement assistance; construing scope of
13 request; providing an effective date; and declaring
14 an emergency.

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

16 SECTION 1. AMENDATORY Section 3, Chapter 262, O.S.L.
17 2012, as last amended by Section 2, Chapter 373, O.S.L. 2016 (47
18 O.S. Supp. 2018, Section 1202), is amended to read as follows:

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

23 B. The Department of Transportation, the Authority and the
24 Commission shall endeavor to electronically upgrade weigh stations
25 as practical to minimize the duplication of inspections for
26 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 facility. If the fixed facility is a weigh station as defined in
12 Section 1201 of this title, the applicable radius shall be seven (7)
13 miles. If the fixed facility is a port of entry weigh station as
14 defined in Section 1201 of this title, the applicable radius shall
15 be twenty-five (25) miles.

16 F. The Commission may assist in roadside enforcement in a joint
17 effort at the request of the Oklahoma Highway Patrol, a county
18 sheriff, or the majority of a board of county commissioners.
19 However, nothing in this subsection shall be construed to provide
20 for further investigation outside the scope of the request.

21 G. The Commission is authorized to conduct audits, reviews,
22 investigations, inspections or other enforcement actions by
23 enforcement officers provided those activities are within the scope
24 of the Commission's jurisdiction and are not conducted as roadside
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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 July 1, 2019.

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

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