

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 3405

 By: Lowe (Dick)

7 AS INTRODUCED

8 An Act relating to motor vehicles; amending 47 O.S.
9 2021, Section 14-116, as amended by Section 9,
10 Chapter 116, O.S.L. 2022 (47 O.S. Supp. 2023, Section
11 14-116), which relates to permit fees; removing
12 directive requiring certain monthly collection; and
13 providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2021, Section 14-116, as
15 amended by Section 9, Chapter 116, O.S.L. 2022 (47 O.S. Supp. 2023,
16 Section 14-116), is amended to read as follows:

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

3 B. The Department of Transportation is authorized to establish
4 an escrow account system for the payment of permit fees. Authorized
5 motor carriers meeting established credit requirements may
6 participate in the escrow account system for permits purchased from
7 all size and weight permit offices in this state. Carriers not
8 choosing to participate in the escrow account system shall be
9 required to make payment of the required fee or fees upon purchase
10 of each permit as required by law. All monies collected through the
11 escrow account system shall be deposited to a special account of the
12 Department of Transportation and placed in the custody of the State
13 Treasurer. Proceeds from permits purchased using the escrow account
14 system shall be distributed as provided for in subsection H of this
15 section. However, fees collected through such accounts for the
16 electronic transmission, transfer or delivery of permits, as
17 provided for in Section 14-118 of this title, shall be credited to
18 the Weigh Station Improvement Revolving Fund established pursuant to
19 Section 1167 of this title.

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

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

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

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

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

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1 rules deemed necessary to administer the provisions of this
2 subsection.

3 G. The first deliverer of motor vehicles designated truck
4 carriers or well service carriers manufactured in Oklahoma shall not
5 be required to purchase an overweight permit when being delivered to
6 the first purchaser.

7 H. Except as provided in Section 14-122 of this title, the
8 first One Million Two Hundred Sixteen Thousand Dollars
9 (\$1,216,000.00) of proceeds from both the permit fees and the
10 overweight permit fees imposed pursuant to subsection A of this
11 section ~~collected monthly~~ shall be apportioned as provided in
12 Section 1104 of this title. For the fiscal year beginning July 1,
13 2022, and all subsequent years, the next Two Million Five Hundred
14 Thousand Dollars (\$2,500,000.00) of proceeds from both the permit
15 fees and the overweight permit fees imposed pursuant to subsection A
16 of this section ~~collected monthly~~ shall be remitted to the
17 Department of Public Safety for the purpose of staffing the port of
18 entry weigh stations with Department of Public Safety port of entry
19 officers whose powers and duties shall be specified by the
20 Department of Public Safety through the promulgation of rules. For
21 the fiscal year beginning July 1, 2017, and all subsequent years,
22 all proceeds collected from both the permit fees and the overweight
23 permit fees imposed pursuant to subsection A of this section in
24 excess of Three Million Seven Hundred Sixteen Thousand Dollars

1 (\$3,716,000.00) shall be deposited in the Weigh Station Improvement
2 Revolving Fund as provided in Section 1167 of this title for the
3 purpose set forth in that section and may be used for motor carrier
4 permitting systems and motor carrier safety and enforcement.

5 SECTION 2. This act shall become effective November 1, 2024.

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7 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/13/2024 -
8 DO PASS.

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