

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3405

By: Lowe, Dick

AS INTRODUCED

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

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

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

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

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

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

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

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