An Act

ENROLLED SENATE
BILL NO. 1935

By: Schulz and Ivester of the Senate

and

DeWitt and Walker of the House

An Act relating to motor vehicle registration; requiring vehicles transporting cotton modules to be licensed; setting license fee amount; providing for apportionment of license fee; requiring Oklahoma Tax Commission to design license plate and providing for its use; providing penalty; providing exemption; amending 47 O.S. 2011, Section 14-101, which relates to prohibition against movement of certain vehicles; updating statutory language; directing that a certain license serve as an overweight permit; providing for codification; and declaring an emergency.

SUBJECT: Motor vehicle registration

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1134.4 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. For each motor vehicle registered in this state and used for the purpose of transporting cotton modules from the point of production to the first point of delivery or cotton gin, the annual license fee shall be Sixty Dollars ($60.00). Fees collected

pursuant to this section shall be apportioned pursuant to Section 1104 of Title 47 of the Oklahoma Statutes.

B. The Oklahoma Tax Commission shall design appropriate license plates for all vehicles registered pursuant to this section. The license plates shall be permanent in nature and shall be designed in a manner as to remain with the vehicle for the duration of the vehicle's life span or until the title is transferred or the vehicle is no longer used for the purposes specified in subsection A of this section.

C. Any person, firm or corporation who transports cotton modules without the license required in this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as follows:

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

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

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

D. A motor vehicle subject to the license requirement in this section shall be exempt from the license required pursuant to Section 1133 of Title 47 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-101, is amended to read as follows:

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

B. The Commissioner of Public Safety is directed to issue annual overweight permits to:

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

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

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

4. Owners of certain vehicles as provided for in Section ~~2 of this act~~ 14-103G of this title.

C. If a vehicle is issued a license pursuant to Section 1 of this act, the license shall also serve as the overweight permit required by this section.

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

~~D.~~ E. Any vehicle permitted for movement on the highways of this state as provided in Section 14-101 et seq. of this title, other than a vehicle permitted solely for overweight movement, shall be moved only during daylight hours. As used in Section 14-101 et seq. of this title, "daylight hours" shall mean one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

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

a. New Year's Day (January 1),

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

Passed the Senate the 2nd day of May, 2012.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2012.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 3rd

day of May, **20** 12,

at 2:45 **o'clock** P**M.**

By: Jessica D. Rogers

Approved by the Governor of the State of Oklahoma the 8th **day of**

May, **20** 12, **at** 12:01 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

8th **day of** May, **20** 12,

at 1:33 **o'clock** P **M.**

By: Michelle R. Day