

**TITLE 595. DEPARTMENT OF PUBLIC SAFETY  
CHAPTER 35 – ENFORCEMENT OF OKLAHOMA MOTOR CARRIER SAFETY AND  
HAZARDOUS MATERIALS TRANSPORTATION ACT**

**SUBCHAPTER 5. PETITION TO PROMULGATE, AMEND, OR REPEAL A RULE**

**595:35-1-5. Applicability**

(a) The hazardous materials regulations found in 49 CFR Parts 107, 171, 172, 173, 177, 178, and 180 are applicable to:

- (1) Motor carriers and their agents, employees, or representatives currently subject to the federal regulations regarding the transportation of hazardous materials.
- (2) Motor carriers and their agents, employees and representatives participating in intrastate commerce transporting hazardous materials.
- (3) Hazardous materials shippers who offer or ship hazardous materials in intrastate commerce.

(b) ~~The~~ Except as provided by 47 O.S. § 230.15, the motor carrier safety regulations found in 49 CFR Parts 40, 382, 383, 385, 386, and 390 through 397 are applicable to:

(1) Motor carriers and their agents, employees, or representatives participating in interstate commerce who are currently subject to the federal regulations concerning motor carrier safety indicated by 49 CFR §390.1.

(2) Motor carriers and their agents, employees, and representatives participating in intrastate commerce and:

(A) ~~Using a vehicle or vehicles with a weight rating or gross combination weight rating, or gross vehicle weight or gross combination vehicle weight of ten thousand one (10,001) pounds or more, whichever is greater; or:~~

~~(i) a gross vehicle weight rating or a gross combination weight rating in excess of 26,000 pounds, or~~

~~(ii) a gross vehicle weight or gross combination weight in excess of 26,000 pounds.~~

(B) ~~Using a vehicle designed to transport more than 8 passengers, including the driver, for compensation; or~~

(C) ~~Using a vehicle designed to transport more than 15 passengers, including the driver, but which is not used to transport passengers for compensation; or~~

(D) ~~Using a vehicle in the transportation of hazardous material in a quantity requiring placarding as per 49 CFR Part 172 Subpart F.~~