

RULE IMPACT STATEMENT

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation (“ODOT”) hereby submits the following Rule Impact Statement for the new PERMANENT rules contained in **OAC Title 730: 50-1-1 to 730:50-9 -1 with Attached Appendix A.**

Brief Description of the Purpose of the Proposed Rules:

The new rules proposed will be contained in a new Chapter 50 to Title 730 of the Administrative Code, which will also include 5 new subchapters, 1, 3, 5, 7 and 9 and house 41 new rules and one appendix. These new rules are needed because in 2022, the Legislature passed HB 4008 which moved the size and weight permit program from DPS to ODOT. This required ODOT to shift all rules and regulations for the program from DPS to ODOT as well as merge ODOT’s existing size and weight rules with the DPS rules. Both ODOT and DPS will be revoking the old size and weight rules, which means new rules must be promulgated to replace the outdated rules. In addition, creating new rules were necessary to combine, update and modernize the old size and weights rules that are now outdated due to the passage of new legislation. Creating new size and weights rules and placing them in the newly created Chapter 50 to Title 730 will eliminate confusion and modernize the Administrative Code by bringing all size and weight rules under ODOT’s authority as required by the recent amendments to Oklahoma law.

Description of the classes of persons who most likely will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:

When the legislature moved the size and weigh program from DPS to ODOT, it also transferred all FTEs and budget for the program to ODOT. As a result, the Department does not anticipate there to be any costs associated with adding these rules to ODOT’s administrative code as required by current statutes. If there are any costs impacts, the Department will bear any such costs.

Description of the classes of persons who will benefit from the proposed rule:

The public and the Department will benefit from the new rule because it will locate all size and weigh permit rules under one agency and one Chapter of the Administrative Code. The new rules have been updated and streamlined to reflect existing Oklahoma statute requirements, which benefits the pubic and the industry.

Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:

No economic impact is expected on any persons, classes of persons or political subdivisions by the addition of these rule. When the legislature moved the size and weigh program from DPS to ODOT, it also transferred all FTEs and budget for the program to ODOT. The rules do not address or change any fees and existing permit fee schedules are published on the Department’s website.

The amendment of this rule is necessary to appropriately update, streamline and locate all size and weights rules under ODOT as required by statute.

A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:

The proposed new rules will have no economic impact on the Department or any other agency. The amendment rule will update the rule language and references so that the rule is consistent with existing statutes. When the legislature moved the size and weigh program from DPS to ODOT, it also transferred all FTEs and budget for the program to ODOT. No additional costs or economic impacts are anticipated to expended by ODOT, DPS or any other agency due to adding these new size and weights rules because these new rules are replacing outdated rules that are being revoked.

A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

No anticipated adverse economic effect on small business in Oklahoma is anticipated due to the addition of these rule. The proposed addition of new size and weights rules to replace outdated rules located in a different Chapter and under the authority of a different agency is necessary due to legislative changes. The new rules proposed are therefore an administrative necessity to update outdated references and language contained in the rule.

A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The proposed amendment of this rule will affect the public health, safety, and environment because they govern the size and weight of vehicles that are allowed to travel on public highways in Oklahoma. The added rules will actually reduce risk to the public health, safety, and environment. The added rules are needed to replace outdated rules, locate the rules under the correct agency's authority, and will bring the Administrative Code provisions in compliance with legislative changes implemented by statute.

A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:

Failure to amend the rule as proposed will have a detrimental effect on the public health, safety, and environment. Both DPS and ODOT are revoking old and outdated size and weight rules in order to make room for these new rules that have been updated to comply with current statutes. Failure to adopt these new rules will create confusion with regard to obtaining permits and operating oversize and/or overweigh vehicles in Oklahoma.

Date the rule impact statement was prepared, and the date modified:

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Modified: n/a/

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