

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1082

By: Ownbey

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 12-405, which relates to tires and  
9 wheels on motor vehicles; prohibiting the sale of  
certain unmounted tires; and providing an effective  
date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 12-405, is  
14 amended to read as follows:

15 Section 12-405. A. Every solid rubber tire on a vehicle shall  
16 have rubber on its entire traction surface at least one (1) inch  
17 thick above the edge of the flange of the entire periphery.

18 B. A person shall not operate or move on any hard-surfaced  
19 highway any vehicle having any metal tire in contact with the  
20 roadway, except when authorized by special permit as provided in  
21 subsection E of this section.

22 C. 1. Any tire on a vehicle moved on a highway shall not have  
23 on its periphery any block, stud, flange, cleat or spike or any  
24 other protuberance of any material other than rubber which projects

1 beyond the tread of the traction surface of the tire, except that it  
2 shall be permissible:

3 a. to use farm tractors or implements of husbandry with  
4 tires having protuberances which will not injure the  
5 highway,

6 b. to use tire chains of reasonable proportions upon any  
7 vehicle when required for safety because of snow, ice,  
8 or other conditions tending to cause a vehicle to  
9 skid, or

10 c. for pneumatic tires equipped with or having on their  
11 periphery studs of metal, porcelain or other material  
12 to be sold or used in this state, if constructed to  
13 provide resiliency upon contact with the road surface,  
14 so that not more than three percent (3%) in the  
15 aggregate of the traction surface of such tire be  
16 composed of such studs and so that such studs do not  
17 project more than three thirty-seconds (3/32) of an  
18 inch beyond the tread of the traction surface of such  
19 tire and have a rate of wear which will so limit such  
20 projection.

21 2. The exceptions permitted in paragraph 1 of this subsection  
22 shall be subject to the following restrictions:  
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- 1           a.    the use of such tires or tire chains shall be limited  
2                    to vehicles with rated capacities up to and including  
3                    two (2) tons,  
4           b.    any tire so equipped shall not be used on a public  
5                    highway earlier than November 1 of each year or later  
6                    than April 1 of the following year, and  
7           c.    copies of this subsection shall be posted in all  
8                    places at which tires or tire chains are sold, and a  
9                    printed or written warning on the time limitation for  
10                   the use of such tires or tire chains shall be  
11                   furnished to each buyer, purchaser, or user by the  
12                   seller of such studded tires or tire chains.

13           D.   Operator-selectable "on demand" studded tires having  
14           traction-enhancing studs located outside the normal tread area which  
15           allows their operation as conventional tires on dry roads or as  
16           studded tires on ice-coated roads by the expedient of reducing or  
17           increasing the air pressure within the tires, shall be exempt from  
18           the prohibitions of subsection C of this section with the following  
19           exceptions:

20           1.   The use of such tires shall be limited to vehicles with  
21           rated capacities up to and including two (2) tons;

22           2.   Any such tire shall not be deflated so that the studs lower  
23           and make contact with the road surface earlier than November 1 of  
24           each year or later than April 1 of the following year.

1 E. The Department of Public Safety and local authorities in  
2 their respective jurisdictions may in their discretion issue special  
3 permits authorizing the operation upon a highway of traction engines  
4 or tractors having movable tracks with transverse corrugations upon  
5 the periphery of such movable tracks or farm tractors or other farm  
6 machinery, the operation of which upon a highway would otherwise be  
7 prohibited under this section.

8 F. A person shall not operate any vehicle when one or more of  
9 the tires in use on that vehicle is in unsafe operating condition or  
10 has a tread depth less than two thirty-seconds ( $2/32$ ) of an inch  
11 measured in any two adjacent tread grooves at three equally spaced  
12 intervals around the circumference of the tire; provided, such  
13 measurements shall not be made at the location of any tread wear  
14 indicator, tie bar, hump, or fillet; nor shall any person sell or  
15 offer for sale any unmounted tire that has a tread depth less than  
16 two thirty-seconds ( $2/32$ ) of an inch or that is in unsafe operating  
17 condition as described herein. As used in this subsection, an  
18 unsafe tire includes, but is not limited to, any tire:

- 19 1. On which the ply or cord is exposed in the tread area;
- 20 2. Which has been regrooved or recut below the original groove  
21 depth, except tires that have been designed with under-rubber  
22 sufficient for regrooving and are so marked;

1           3. Marked "Farm Implement Only", "Not for Highway Use", or any  
2 other marking that would indicate that the tire is not for normal  
3 highway use; provided, no such marking shall be altered or removed;

4           4. On which any bulges, bumps, or knots show in the tread or  
5 sidewall area; or

6           5. On the front steering axle of a truck-tractor which has  
7 tread depth measuring less than four thirty-seconds (4/32) of an  
8 inch.

9           G. Every wheel on a vehicle shall not be cracked and shall be  
10 securely fastened to the hub of the vehicle with all lug nuts  
11 properly affixed.

12           SECTION 2. This act shall become effective November 1, 2015.

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14           55-1-5317           GRS           12/22/14

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