

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4385

By: Ford

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. Section 14-110, which relates to carrying registration certificate; modifying agency responsibility; amending 47 O.S. 2021, Sections 161A, 162, 162.1, 163, 165, 166, 166.5, 166a, 169, 169.5, 170, 170.1, 170.2, 171.1, 172, 177.2, 177.3, 180, 180a, 180b, 180c, 180d, 180e, 180f, 180g, 180h, 180k, 180l and 180m, which relate to the regulation of motor carriers; modifying name of act; removing notification requirement for the Corporation Commission; modifying fund providing payment for certain motor vehicles; modifying employees certain agencies may appoint; specifying type of officers appointed by Department; eliminating duties of certain employee; modifying agency reference; modifying fund reference; allowing for the employment of certain Port of Entry officers; establishing classes of certain officers; updating statutory references; amending 47 O.S. 2021, Sections 230.22, 230.23, 230.24, 230.25, 230.26, 230.27, 230.28, 230.29, 230.30, 230.31, 230.32 and 230.34a, which relate to the Motor Carrier Act of 1995; modifying agency reference; transferring certain duties from the Corporation Commission to the Department of Public Safety; removing requirement of cooperation by certain agencies; allowing for the regulation of motor carriers by the Department of Public Safety; amending 47 O.S. 2021, Section 230.6, which relates to use and activities of commercial vehicles; establishing procedural requirements for certain violations; requiring use of certain software in determining certain penalty; amending 47 O.S. 2021, Section 230.9, which relates to compliance with the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act; requiring certain violation to be

1 in compliance with certain federal regulations;
2 modifying factors considered by Commissioner of
3 Public Safety assessing penalty; adding methods of
4 collection for certain administrative penalties;
5 establishing procedures for certain safety ratings;
6 authorizing Department to hold vehicles in certain
7 circumstances; amending 47 O.S. 2021, Sections 1120
8 and 1120.1, which relate to proportional registration
9 and entry into the International Registration Plan;
10 modifying agency reference; amending 47 O.S. 2021,
11 Sections 1166, 1167, 1168, and 1169, which relate to
12 motor carrier enforcement; providing that certain
13 rules be deemed promulgated by Department of Public
14 Safety; modifying agency reference relating to rules,
15 enforcement of actions, and fund administration;
16 providing for the Department of Public Safety and
17 Department of Transportation to enter into certain
18 agreement; amending 47 O.S. 2021, Sections 1201, 1202
19 and 1203, which relate to the Oklahoma Weigh Station
20 Act of 2012; modifying agency reference; providing
21 for the Department of Public Safety and the
22 Corporation Commission to enter into certain
23 agreement; transferring certain powers and duties
24 from the Corporation Commission to the Department of
Public Safety; removing requirement of roadside
enforcement in certain circumstances; removing
authorization to conduct certain activities related
to roadside enforcement; repealing 47 O.S. 2021,
Sections 171, 171.2 and 172.1, which relate to the
regulation of motor carriers and authority of motor
carrier enforcement officers; updating statutory
language; providing an effective date; and declaring
an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 14-110, is
amended to read as follows:

1 Section 14-110. The registration certificate for any truck,
2 trailer, semitrailer or combination thereof shall be carried in or
3 on the vehicle at all times and shall be presented on demand of any
4 officer of the Department of Public Safety, ~~Oklahoma Corporation~~
5 ~~Commission~~, or any sheriff for inspection, and it shall be accepted
6 in any court as prima facie evidence of weight registration or
7 legally authorized load limit of the vehicle.

8 SECTION 2. AMENDATORY 47 O.S. 2021, Section 161A, is
9 amended to read as follows:

10 Section 161A. A. This act shall be known and may be cited as
11 the "~~Household Goods Act of 2009~~ Safe Highway Commerce Act". The
12 purpose of this act is to regulate intrastate transportation by
13 motor carriers of household goods in such manner as to establish
14 standards for public safety, fair competitive practices, adequate
15 and dependable service, and protection of shippers from deceptive or
16 unfair practices.

17 B. The provisions of this act, except as specifically limited
18 herein, shall apply to the intrastate transportation of household
19 goods by motor carriers over public highways of this state; and the
20 regulations of such transportation, and the procurement thereof and
21 the provisions of facilities therefor, are hereby vested in the
22 ~~Corporation Commission~~ Department of Public Safety.

23 Shipments contracted by the federal government, a state
24 government, a tribal government or any local government or political

1 subdivision thereof shall not be required to obtain a household
2 goods certificate, but shall be regulated by the ~~Commission~~
3 Department to achieve compliance with safety requirements and size
4 and weight limitations.

5 Nothing in this act shall be construed to interfere with the
6 exercise by agencies of the government of the United States of its
7 power of regulation of interstate commerce.

8 C. As used in this act:

9 1. "~~Commission~~" "Department" means the ~~Corporation Commission~~
10 Department of Public Safety;

11 2. "Corporate family" means a group of corporations consisting
12 of a parent corporation and all subsidiaries in which the parent
13 corporation owns directly or indirectly one hundred percent (100%)
14 interest;

15 3. "Household goods" means used personal effects and property
16 of a dwelling;

17 4. "Household goods certificate" means a certificate of
18 authority issued by the ~~Corporation Commission~~ Department of Public
19 Safety to transport household goods within this state;

20 5. "Intercompany hauling" means the transportation of
21 household goods, by motor vehicle, for compensation, by a carrier
22 which is a member of a corporate family, as defined in this section,
23 when the transportation for compensation is provided for other
24 members of the corporate family;

1 6. "Motor carrier of household goods" means a person
2 transporting household goods for compensation or other
3 consideration, with an origin and destination within this state;

4 7. "Motor vehicle" means any automobile, truck, truck-tractor,
5 trailer or semitrailer or any motor bus or self-propelled vehicle
6 not operated or driven upon fixed rails or tracks;

7 8. "Person" means any individual, firm, copartnership, limited
8 partnership, corporation, limited liability corporation, company,
9 association~~7~~ or joint-stock association and includes any trustee,
10 receiver, assignee~~7~~ or personal representative thereof; and

11 9. "Public highway" means every public street, road, highway~~7~~
12 or thoroughfare in this state, used by the public, whether actually
13 dedicated to the public and accepted by the proper authorities or
14 otherwise.

15 D. The terms and provisions of this act shall apply to commerce
16 with foreign nations, or commerce among the several states of this
17 Union, insofar as such application may be permitted under the
18 provisions of the Constitution of the United States and the Acts of
19 Congress.

20 SECTION 3. AMENDATORY 47 O.S. 2021, Section 162, is
21 amended to read as follows:

22 Section 162. A. The ~~Corporation Commission~~ Department of
23 Public Safety is authorized to:

24

1 1. Supervise and regulate every motor carrier of household
2 goods;

3 2. Protect the shipping and general public by requiring
4 liability insurance and cargo insurance of all motor carriers of
5 household goods;

6 3. Ensure motor carriers of household goods are complying with
7 applicable size and weight laws and safety requirements;

8 4. Supervise and regulate such motor carriers in all other
9 matters affecting the relationship between such carriers and the
10 traveling and shipping public including, but not limited to,
11 consumer protection measures and loss and damage claim procedures;
12 and

13 5. Enforce the provisions of this act.

14 B. The ~~Commission~~ Department is authorized to promulgate rules
15 applicable to persons transporting household goods.

16 C. 1. The ~~Commission~~ Department is authorized to administer a
17 hazardous material transportation registration and permitting
18 program for motor carriers engaged in transporting hazardous
19 material upon or over the public highways and within the borders of
20 the state.

21 2. The ~~Commission~~ Department shall promulgate rules
22 implementing the provisions of this subsection. Rules promulgated
23 pursuant to this subsection shall be consistent with, and equivalent
24 in scope, coverage, and content to requirements applicable to

1 operators of vehicles transporting hazardous materials contained in
2 the report submitted to the Secretary of the United States
3 Department of Transportation, pursuant to 49 U.S.C. 5119(b), by the
4 Alliance for Uniform Hazardous Material Transportation Procedures.

5 D. Nothing in this section shall be construed to remove or
6 affect the jurisdiction of the Department of Environmental Quality
7 to implement hazardous waste transportation requirements for federal
8 hazardous waste program delegation to this state under the federal
9 Resource Conservation and Recovery Act.

10 E. The ~~Commission~~ Department is authorized to promulgate rules
11 and set fees applicable to interstate motor carriers, pertaining to
12 carrier registration, operation of equipment and filing of proper
13 proof of liability insurance.

14 SECTION 4. AMENDATORY 47 O.S. 2021, Section 162.1, is
15 amended to read as follows:

16 Section 162.1 The ~~Corporation-Commission~~ Department of Public
17 Safety is authorized to promulgate rules necessary to enable this
18 state to participate in the Unified Carrier Registration System for
19 interstate motor carriers, brokers, forwarders and leasing companies
20 and interstate motor carriers holding intrastate authority as set
21 forth in the Safe, Accountable, Flexible, Efficient Transportation
22 Equity Act: A Legacy for Users (SAFETEA-LU), Subtitle C-Unified
23 Carrier Registration Act of 2005.

24

1 SECTION 5. AMENDATORY 47 O.S. 2021, Section 163, is
2 amended to read as follows:

3 Section 163. A. No person shall transport household goods for
4 compensation or other consideration in intrastate commerce without a
5 valid certificate issued by the ~~Corporation Commission~~ Department of
6 Public Safety.

7 B. The ~~Commission~~ Department shall promulgate rules ensuring
8 consumer protection and loss and damage claim procedures.

9 C. Every motor carrier, subject to this act, receiving
10 household goods for transportation in intrastate commerce shall
11 issue a receipt or bill of lading therefor, the form of which shall
12 be prescribed by the ~~Commission~~ Department.

13 D. Record-keeping documents, as required by the ~~Commission~~
14 Department, shall be maintained by the motor carrier of household
15 goods for a minimum of three (3) years. The ~~Commission~~ Department
16 is authorized to require certain documents to be retained for a
17 longer period of time pending a claim for any other reason the
18 ~~Commission~~ Department deems necessary.

19 E. Any person, motor carrier, or shipper who shall willfully
20 violate any provision of this act or the ~~Commission's~~ Department's
21 rules pursuant thereto may be found in violation by the ~~Commission~~
22 Department. After proper notice and hearing, violators may be
23 assessed penalties in an amount not to exceed One Thousand Dollars
24 (\$1,000.00) for the first violation and for the second violation

1 within a year a penalty not to exceed Five Thousand Dollars
2 (\$5,000.00).

3 SECTION 6. AMENDATORY 47 O.S. 2021, Section 165, is
4 amended to read as follows:

5 Section 165. A. Upon the filing of an application to operate
6 as a motor carrier of household goods, the applicant shall pay to
7 the ~~Corporation Commission~~ Department of Public Safety a filing fee
8 as set by ~~Commission~~ Department rule.

9 B. Upon the filing by an interstate motor carrier of an
10 application to register interstate authority, or supplement thereto,
11 the applicant shall pay the ~~Commission~~ Department a filing fee as
12 established by the ~~Commission~~ Department and in full compliance with
13 applicable federal laws.

14 C. The ~~Commission~~ Department shall, upon the receipt of any
15 such fee, deposit the same in the State Treasury to the credit of
16 the ~~Corporation Commission~~ Revolving Trucking One-Stop Shop Fund.

17 SECTION 7. AMENDATORY 47 O.S. 2021, Section 166, is
18 amended to read as follows:

19 Section 166. A. It is hereby declared unlawful for any person
20 to transport household goods in intrastate commerce without a valid
21 certificate issued by the ~~Corporation Commission~~ Department of
22 Public Safety.

23 B. Motor carriers engaged in intercorporate hauling must obtain
24 a certificate in the motor carrier's name.

1 C. Applicants for intrastate authority to transport household
2 goods shall file an application as required by this act and as
3 prescribed by the ~~Commission~~ Department. A household goods
4 certificate shall be issued to the applicant upon completion of all
5 requirements.

6 D. The ~~Commission~~ Department may consider any written protests
7 or written complaints filed prior to granting or renewing a
8 household goods certificate. If the ~~Commission~~ Department elects
9 not to grant or renew a household goods certificate, the application
10 shall be set for public hearing in accordance with ~~Commission~~
11 Department rules.

12 E. Household goods certificates may not be assigned or
13 transferred.

14 F. The ~~Commission~~ Department shall exercise any additional
15 power that may from time to time be conferred upon the state by any
16 Act of Congress.

17 G. The ~~Commission~~ Department shall adopt rules prescribing the
18 manner and form in which motor carriers shall apply for a household
19 goods certificate.

20 SECTION 8. AMENDATORY 47 O.S. 2021, Section 166.5, is
21 amended to read as follows:

22 Section 166.5 If ~~this act~~ Section 161A et seq. of this title or
23 the Motor Carrier Act of 1995 or any provision hereof is, or may be
24 deemed to be, in conflict or inconsistent with any of the provisions

1 of ~~Section~~ Sections 18 through Section 34, inclusive, of Article IX
2 of the Constitution of the State of Oklahoma, then, to the extent of
3 any such conflicts or inconsistencies, it is hereby expressly
4 declared that this entire act and this section are amendments to and
5 alterations of the sections of the Constitution, as authorized by
6 Section 35 of Article IX of ~~said~~ the Constitution.

7 SECTION 9. AMENDATORY 47 O.S. 2021, Section 166a, is
8 amended to read as follows:

9 Section 166a. A. As used in this section:

10 1. "Authorized carrier" means a motor carrier of household
11 goods;

12 2. "Equipment" means a motor vehicle, straight truck, tractor,
13 semitrailer, full trailer, any combination of these and any other
14 type of equipment used by authorized carriers in the transportation
15 of household goods;

16 3. "Owner" means a person to whom title to equipment has been
17 issued, or who, without title, has the right to exclusive use of
18 equipment for a period longer than thirty (30) days;

19 4. "Lease" means a contract or arrangement in which the owner
20 grants the use of equipment, with or without driver, for a specified
21 period to an authorized carrier for use in the regulated
22 transportation of household goods in exchange for compensation;

23 5. "Lessor", in a lease, means the party granting the use of
24 equipment with or without driver to another;

1 6. "Lessee", in a lease, means the party acquiring the use of
2 equipment with or without driver from another;

3 7. "Addendum" means a supplement to an existing lease which is
4 not effective until signed by the lessor and lessee; and

5 8. "Shipper" means a person who sends or receives household
6 goods which are transported in intrastate commerce in this state.

7 B. An authorized carrier may perform authorized transportation
8 in equipment it does not own only under the following conditions:

9 1. There shall be a written lease granting the use of the
10 equipment and meeting the requirements as set forth in subsection C
11 of this section;

12 2. The authorized carrier acquiring the use of equipment under
13 this section shall identify the equipment in accordance with the
14 ~~Commission's~~ Department of Public Safety's requirements; and

15 3. Upon termination of the lease, the authorized carrier shall
16 remove all identification showing it as the operating carrier before
17 giving up possession of the equipment.

18 C. The written lease required pursuant to subsection B of this
19 section shall contain the following provisions. The required lease
20 provisions shall be adhered to and performed by the authorized
21 carrier as follows:

22 1. The lease shall be made between the authorized carrier and
23 the owner of the equipment. The lease shall be signed by these
24 parties or by their authorized representatives;

1 2. The lease shall specify the time and date or the
2 circumstances on which the lease begins and ends and include a
3 description of the equipment which shall be identified by vehicle
4 serial number, make, year, model and current license plate number;

5 3. The period for which the lease applies shall be for thirty
6 (30) days or more when the equipment is to be operated for the
7 authorized carrier by the owner or an employee of the owner;

8 4. The lease shall provide that the authorized carrier lessee
9 shall have exclusive possession, control and use of the equipment
10 for the duration of the lease. The lease shall further provide that
11 the authorized carrier lessee shall assume complete responsibility
12 for the operation of the equipment for the duration of the lease;

13 5. The amount to be paid by the authorized carrier for
14 equipment and driver's services shall be clearly stated on the face
15 of the lease or in an addendum which is attached to the lease. The
16 amount to be paid may be expressed as a percentage of gross revenue,
17 a flat rate per mile, a variable rate depending on the direction
18 traveled or the type of commodity transported, or by any other
19 method of compensation mutually agreed upon by the parties to the
20 lease. The compensation stated on the lease or in the attached
21 addendum may apply to equipment and driver's services either
22 separately or as a combined amount;

23 6. The lease shall clearly specify the responsibility of each
24 party with respect to the cost of fuel, fuel taxes, empty mileage,

1 permits of all types, tolls, detention and accessorial services,
2 base plates and licenses, and any unused portions of such items.
3 Except when the violation results from the acts or omissions of the
4 lessor, the authorized carrier lessee shall assume the risks and
5 costs of fines for overweight and oversize trailers when the
6 trailers are preloaded, sealed, or the load is containerized, or
7 when the trailer or lading is otherwise outside of the lessor's
8 control, and for improperly permitted over-dimension and overweight
9 loads and shall reimburse the lessor for any fines paid by the
10 lessor. If the authorized carrier is authorized to receive a refund
11 or a credit for base plates purchased by the lessor from, and issued
12 in the name of, the authorized carrier, or if the base plates are
13 authorized to be sold by the authorized carrier to another lessor,
14 the authorized carrier shall refund to the initial lessor on whose
15 behalf the base plate was first obtained a prorated share of the
16 amount received;

17 7. The lease shall specify that payment to the lessor shall be
18 made by the authorized carrier within fifteen (15) days after
19 submission of the necessary delivery documents and other paperwork
20 concerning a trip in the service of the authorized carrier. The
21 paperwork required before the lessor can receive payment is limited
22 to those documents necessary for the authorized carrier to secure
23 payment from the shipper. The authorized carrier may require the
24

1 submission of additional documents by the lessor but not as a
2 prerequisite to payment;

3 8. The lease shall clearly specify the right of those lessors
4 whose revenue is based on a percentage of the gross revenue for a
5 shipment to examine copies of the authorized carrier's freight bill
6 before or at the time of settlement. The lease shall clearly
7 specify the right of the lessor, regardless of method of
8 compensation, to examine copies of the carrier's tariff;

9 9. The lease shall clearly specify all items that may be
10 initially paid for by the authorized carrier, but ultimately
11 deducted from the lessor's compensation at the time of payment or
12 settlement together with a recitation as to how the amount of each
13 item is to be computed. The lessor shall be afforded copies of
14 those documents which are necessary to determine the validity of the
15 charge;

16 10. The lease shall specify that the lessor is not required to
17 purchase or rent any products, equipment, or services from the
18 authorized carrier as a condition of entering into the lease
19 arrangement;

20 11. As it relates to insurance:

21 a. the lease shall clearly specify the legal obligation
22 of the authorized carrier to maintain insurance
23 coverage for the protection of the public, and
24

1 b. the lease shall clearly specify the conditions under
2 which deductions for cargo or property damage may be
3 made from the lessor's settlements. The lease shall
4 further specify that the authorized carrier must
5 provide the lessor with a written explanation and
6 itemization of any deductions for cargo or property
7 damage made from any compensation of money owed to the
8 lessor. The written explanation and itemization must
9 be delivered to the lessor before any deductions are
10 made; and

11 12. An original and two copies of each lease shall be signed by
12 the parties. The authorized carrier shall keep the original and
13 shall place a copy of the lease in the equipment during the period
14 of the lease. The owner of the equipment shall keep the other copy
15 of the lease.

16 D. The provisions of this section shall apply to the leasing of
17 equipment with which to perform household goods transportation by
18 motor carriers.

19 SECTION 10. AMENDATORY 47 O.S. 2021, Section 169, is
20 amended to read as follows:

21 Section 169. A. No certificate shall be issued by the
22 ~~Corporation Commission~~ Department of Public Safety to any motor
23 carrier of household goods until after such motor carrier shall have
24 filed with the ~~Commission~~ Department a liability insurance policy or

1 bond covering public liability and property damage, issued by some
2 insurance or bonding company or insurance carrier authorized as set
3 forth below, and which has complied with all of the requirements of
4 the ~~Commission~~ Department, which bond or policy shall be approved by
5 the ~~Commission~~ Department, and shall be in such sum and amount as
6 fixed by a proper order of the ~~Commission~~ Department; and such
7 liability and property damage insurance policy or bond shall bind
8 the obligor thereunder to make compensation for injuries to, or
9 death of, persons, and loss or damage to property, resulting from
10 the operation of any such motor carrier for which such carrier is
11 legally liable. After judgment against the carrier for any damage,
12 the injured party may maintain an action upon the policy or bond to
13 recover the same, and shall be a proper party to maintain such
14 action.

15 B. Every motor carrier of household goods shall file with the
16 ~~Commission~~ Department a cargo insurance policy or bond covering any
17 goods or property being transported, issued by some insurance or
18 bonding company or insurance carrier authorized as set forth below,
19 and which has complied with all of the requirements of the
20 ~~Commission~~ Department, which bond or policy shall be approved by the
21 ~~Commission~~ Department, and shall be in a sum and amount as fixed by
22 ~~Commission~~ Department rule. The cargo insurance must be filed with
23 the ~~Commission~~ Department prior to a certificate being issued by the
24 ~~Commission~~ Department.

1 C. No carrier, whose principal place of business is in
2 Oklahoma, shall conduct any operations in this state unless the
3 operations are covered by a valid primary bond or insurance policy
4 issued by an insurer authorized or approved by the Oklahoma
5 Insurance Department. No carrier whose principal place of business
6 is not in Oklahoma shall conduct any operations in this state unless
7 the operations are covered by a valid bond or insurance policy
8 issued by an insurer licensed or approved by the insurance
9 regulatory authority of the state of their principal place of
10 business or the Oklahoma Insurance Department.

11 D. Each motor carrier shall maintain on file, in full force,
12 all insurance required by the laws of the State of Oklahoma and the
13 rules of the ~~Commission~~ Department during such motor carrier's
14 operation and that the failure for any cause to maintain such
15 coverage in full force and effect shall immediately, without any
16 notice from the ~~Commission~~ Department, suspend such carrier's rights
17 to operate until proper insurance is provided. Any carrier
18 suspended for failure to maintain proper insurance shall have a
19 reasonable time, not exceeding sixty (60) days, within which to
20 provide proper insurance and to have the carrier's authority
21 reactivated, upon showing:

- 22 1. No operation during the period in which the carrier did not
23 have insurance; and
- 24 2. Furnishing of proper insurance coverage.

1 E. Any carrier who fails to reactivate the carrier's
2 certificate within sixty (60) days after such suspension, as above
3 provided, shall have the certificate canceled, by operation of law,
4 without any notice from the ~~Commission~~ Department. No certificate
5 so canceled shall be reinstated or otherwise made operative except
6 that the ~~Commission~~ Department may reinstate the authority of a
7 motor carrier upon proper showing that the motor carrier was
8 actually covered by proper insurance during the suspension or
9 cancellation period, and that failure to file with the ~~Commission~~
10 Department was not due to the motor carrier's fault. Any carrier
11 desiring to file for reinstatement of the carrier's certificate
12 shall do so within ninety (90) days of its cancellation by law.

13 F. The ~~Commission~~ Department shall, in its discretion, permit
14 the filing of certificates of insurance coverage on such form as may
15 be prescribed by the ~~Commission~~ Department, in lieu of copies of
16 insurance policies or bonds, with the proviso that if the
17 certificates are authorized, the insurance company or carrier so
18 filing it, upon request of the ~~Commission~~ Department, shall, at any
19 time, furnish an authenticated copy of the policy which the
20 certificate represents, and further provided that thirty (30) days
21 prior to effective cancellation or termination of the policy of
22 insurance for any cause, the insurer shall so notify the ~~Commission~~
23 Department in writing of the facts or as deemed necessary by the
24 ~~Commission~~ Department.

1 SECTION 11. AMENDATORY 47 O.S. 2021, Section 169.5, is
2 amended to read as follows:

3 Section 169.5 If the carrier fails to process loss or damage
4 claims as provided in Sections 169.2 through 169.4 of this title, or
5 to express declinations of the claims in writing with proof of
6 nonliability, the carrier may be found in contempt by the
7 ~~Corporation Commission~~ Department of Public Safety after proper
8 notice and hearing. Failure to pay any fine or otherwise resolve
9 the complaint may result in a hearing by the ~~Corporation Commission~~
10 Department of Public Safety to determine if the operating authority
11 of the carrier shall be revoked.

12 SECTION 12. AMENDATORY 47 O.S. 2021, Section 170, is
13 amended to read as follows:

14 Section 170. A. Nothing contained in ~~this act~~ Section 161 et
15 seq. of this title shall be construed to authorize the operation of
16 any freight vehicle in excess of the gross weight, width, length or
17 height authorized by law.

18 B. Any person who willfully advertises to perform
19 transportation services for which the person does not hold a proper
20 certificate shall be in violation of this act and subject to the
21 penalties prescribed for contempt of the ~~Corporation Commission~~
22 Department of Public Safety.

23 C. Household goods certificates may be suspended or revoked for
24 any violation of state law or ~~Commission~~ Department rule.

1 D. Certificates shall be considered personal to the holder
2 thereof and shall be issued only to some definite legal entity
3 operating motor vehicles as a motor carrier of household goods, and
4 shall not be subject to lease, nor shall the holder thereof sublet
5 or permit the exercise, by another, in anywise, of the rights or
6 privileges granted thereunder.

7 SECTION 13. AMENDATORY 47 O.S. 2021, Section 170.1, is
8 amended to read as follows:

9 Section 170.1 A. Upon any complaint in writing under oath
10 being made by any person, or by the ~~Commission~~ Department of Public
11 Safety of its own motion, setting forth any act or thing done or
12 omitted to be done by any person in violation, or claimed violation,
13 of any provision of law, or of any order or rule of the ~~Commission~~
14 Department, the ~~Commission~~ Department shall enter same upon its
15 docket and shall immediately serve a copy thereof upon each
16 defendant together with a notice directed to each defendant
17 requiring that the matter complained of be answered, in writing,
18 within ten (10) days of the date of service of such notice⁷ⁱ;
19 provided that, the ~~Commission~~ Department may, in its discretion,
20 require particular cases to be answered within a shorter time, and
21 the ~~Commission~~ Department may, for good cause shown, extend the time
22 in which an answer may be filed.

23 Upon the filing of the answer herein provided for, the
24 ~~Commission~~ Department shall set a time and place for the hearing,

1 and notice of the time and place of the hearing shall be served not
2 less than ten (10) days before the time set therefor, unless the
3 ~~Commission~~ Department shall find that public necessity requires the
4 hearing at an earlier date.

5 B. The ~~Commission~~ Department may, in all matters within its
6 jurisdiction, issue subpoenas, subpoenas duces tecum, and all
7 necessary process in proceedings pending before the ~~Commission~~
8 Department; may administer oaths, examine witnesses, compel the
9 production of records, books, papers, files, documents, contracts,
10 correspondence, agreements, or accounts necessary for any
11 investigation being conducted, and certify official acts.

12 C. In case of failure on the part of any person to comply with
13 any lawful order of the ~~Commission, or of any Commissioner~~
14 Department, or with any subpoena or subpoena duces tecum, or to
15 testify concerning any matter on which he or she may be lawfully
16 interrogated, the ~~Commission~~ Department may compel obedience by
17 proceedings for contempt as in the case of disobedience of the
18 requirements of a subpoena, or of the refusal to testify.

19 D. Witnesses who are summoned before the ~~Commission~~ Department
20 shall be paid the same fees and mileage as are paid to witnesses in
21 courts of record. Any party to a proceeding at whose instance a
22 subpoena is issued and served shall pay the costs incident thereto
23 and the fees for mileage of all his or her witnesses.

24

1 E. In event any process shall be directed to any nonresident
2 who is authorized to do business in this state, the process may be
3 served upon the agent designated by the nonresident for the service
4 of process, and service upon the agent shall be as sufficient and as
5 effective as if served upon the nonresident.

6 F. All process issued by the ~~Commission~~ Department shall extend
7 to all parts of the state and any such process, together with the
8 service of all notices issued by the ~~Commission~~ Department, as well
9 as copies of complaints, rules, orders and regulations of the
10 ~~Commission~~ Department, may be served by any person authorized to
11 serve process issued out of courts of record, or by certified mail.

12 G. After the conclusion of any hearing, the ~~Commission~~
13 Department shall, within sixty (60) days, make and file its findings
14 and order, with its opinion. Its findings shall be in sufficient
15 detail to enable any court in which any action of the ~~Commission~~
16 Department is involved to determine the controverted questions
17 presented by the proceeding. A copy of such order, certified under
18 the seal of the ~~Commission~~ Department, shall be served upon the
19 person against whom it runs, or the attorney of the person, and
20 notice thereof shall be given to the other parties to the
21 proceedings or their attorneys. The order shall take effect and
22 become operative within fifteen (15) days after the service thereof,
23 unless otherwise provided. If an order cannot, in the judgment of
24 the ~~Commission~~ Department, be complied with within fifteen (15)

1 days, the ~~Commission~~ Department may grant and prescribe such
2 additional time as in its judgment is reasonably necessary to comply
3 with the order, and may, on application and for good cause shown,
4 extend the time for compliance fixed in the order.

5 H. In the event the ~~Commission~~ Department finds that the
6 defendant is guilty upon any complaint filed and proceeding had and
7 that the provisions of law, or the rules, regulations or orders of
8 this ~~Commission~~ Department have been willfully and knowingly
9 violated and the violator holds a permit or certificate or license
10 issued by the ~~Commission~~ Department authorizing it to engage in the
11 transportation of persons or property for hire, then such permit or
12 certificate or license may also be revoked by the ~~Commission~~
13 Department.

14 I. Where a complaint is instituted by any person other than the
15 ~~Commission~~ Department of its own motion and in the event the
16 ~~Commission~~ Department should find that the complaint was not in good
17 faith, the complaining party shall be required to pay the
18 defendant's ~~attorney's~~ attorney fee, the fee to be prescribed by the
19 ~~Commission~~ Department in accordance with applicable Oklahoma Bar
20 Association standards.

21 J. Any person aggrieved by any findings and order of the
22 ~~Commission~~ Department may appeal to the Supreme Court in the way and
23 manner now or hereafter provided for appeals from the district court
24 to the Supreme Court.

1 SECTION 14. AMENDATORY 47 O.S. 2021, Section 170.2, is
2 amended to read as follows:

3 Section 170.2. A. ~~The Department of Public Safety, monthly,~~
4 ~~shall notify the Oklahoma Corporation Commission of any ticket~~
5 ~~issued for a violation of the provisions of Section 14-119 of this~~
6 ~~title, or any provisions of Chapter 14 of this title or the terms of~~
7 ~~any special permit authorized pursuant to the provisions of Chapter~~
8 ~~14 of this title concerning overweight or overweight special~~
9 ~~permits.~~

10 ~~B.~~ Truck overweight violations by motor carriers or private
11 carriers shall be considered contempt of ~~Commission~~ Department motor
12 carrier rules, tariffs and regulations. The ~~Commission~~ Department
13 shall establish a specific rule whereby such overweight violations
14 by motor carriers or private carriers shall be grounds for issuance
15 of a show-cause order for consideration of temporary or permanent
16 cancellation of operating authority or license. In establishing the
17 rule, consideration shall be given to the frequency of violations,
18 pattern of violations, fleet size, type of operation, amount of
19 overweight, and other such factors that may indicate intent. Any
20 person, firm, or corporation that assists in the commission of such
21 overweight violation or refuses to comply with any rule, regulation,
22 or order of the ~~Commission~~ Department relating thereto shall be
23 guilty of contempt of the ~~Commission~~ Department and shall be subject
24 to a fine ~~to be imposed by said Commission in a sum not to exceed~~

1 ~~Five Hundred Dollars (\$500.00) on~~ as prescribed by Section 14-101 et
2 seq. of this title for each violation. In the specific instance of
3 an overweight violation, the transportation of each load shall
4 constitute a separate violation. The same fine assessed against the
5 motor carrier or private carrier shall apply to any other person,
6 firm, or corporation that aids or abets such violations. Provided,
7 however, no motor carrier, private carrier, shipper or person
8 loading or causing a motor vehicle to be loaded shall be subject to
9 a fine for contempt unless the gross weight of the motor vehicle is
10 more than five thousand (5,000) pounds overweight.

11 C. B. The ~~Commission~~ Department, in its discretion and on its
12 own motion, may make a contempt complaint in writing under oath
13 setting forth the violation, enter the complaint on its docket, and
14 proceed with the matter in accordance with the provisions of
15 ~~Sections~~ Section 161 et seq. of this title or the Motor Carrier Act
16 of 1995.

17 SECTION 15. AMENDATORY 47 O.S. 2021, Section 171.1, is
18 amended to read as follows:

19 Section 171.1 In addition to other uses authorized by law,
20 funds provided to the ~~Corporation Commission~~ Weigh Station
21 Improvement Revolving Fund ~~pursuant to Sections 165, 177.2 and 180h~~
22 ~~of this title~~ shall be expended as follows:

23 1. ~~The Corporation Commission Transportation Division shall~~
24 Department of Public Safety may employ four special motor carrier

1 ~~enforcement~~ Port of Entry commissioned and noncommissioned officers
2 ~~and one supervisor-officer~~ who shall have the primary duty of
3 investigating and assisting in the prosecution of persons engaged in
4 unauthorized transportation or disposal of deleterious substances as
5 contemplated under the provisions of the Oklahoma Motor Carrier Act
6 and any other applicable provisions of law. Port of Entry officers
7 shall have authority and powers as authorized under the provisions
8 of Section 172 of this title. Such employees shall be compensated
9 as for similar service in the same or other departments of the state
10 and an expense allowance of One Hundred Dollars (\$100.00) per month
11 for maintenance and cleaning of uniforms and other related expenses
12 shall be paid to such employees. Nothing in this section regarding
13 expense allowances shall be construed to mean that such employees
14 shall receive any additional compensation beyond what is provided
15 for maintenance and cleaning of uniforms and other related expenses
16 by the ~~Corporation Commission~~ Department of Public Safety on the
17 ~~effective date of this act~~ September 1, 1993.

18 2. The ~~Commission~~ Department shall ~~purchase~~ provide a
19 sufficient number of motor vehicles ~~to provide each motor carrier~~
20 ~~enforcement officer employed in the Transportation Division a motor~~
21 ~~vehicle suitable~~ as necessary for Port of Entry officers to carry
22 out the enforcement provisions of applicable law. ~~Said~~ The vehicles
23 shall be appropriately marked as official vehicles and radio
24 equipped. All costs for operation, maintenance and replacement of

1 the motor vehicles authorized in this section shall be provided for
2 from the ~~Corporation Commission~~ Weigh Station Improvement Revolving
3 Fund. Effective January 1, 2024, all assets associated with the
4 enforcement functions of the Corporation Commission shall be
5 transferred to the Department of Public Safety, to include but not
6 be limited to vehicles, computers, vests, weapons, and cellular
7 telephones.

8 3. The ~~Commission shall~~ Department may employ a hearing officer
9 officers as necessary whose primary responsibility shall be the
10 adjudication of enforcement proceedings and complaints brought
11 against persons engaged in unauthorized transportation or disposal
12 of deleterious substances or other unauthorized transportation in
13 violation of the Oklahoma Motor Carrier Act or the rules and
14 regulations of motor carriers as promulgated by the ~~Corporation~~
15 ~~Commission~~ Department of Public Safety.

16 SECTION 16. AMENDATORY 47 O.S. 2021, Section 172, is
17 amended to read as follows:

18 Section 172. A. Every owner of any motor vehicle, the agents
19 or employees of the owner, and every other person who violates or
20 fails to comply with or procures, aids, or abets in the violation of
21 Sections ~~161~~ 161A through 180m of this title or the Motor Carrier
22 Act of 1995, or who fails to obey, observe, or comply with any
23 order, decision, rule or regulation, direction, demand, or
24 requirement of the ~~Corporation Commission~~ Department of Public

1 Safety, or who procures, aids or abets any corporation or person in
2 the person's, or its, refusal or willful failure to obey, observe or
3 comply with any such order, decision, rule, direction, demand, or
4 regulation shall be deemed guilty of a misdemeanor. Upon conviction
5 in a criminal court of competent jurisdiction, such misdemeanor is
6 punishable by a fine of not exceeding One Thousand Dollars
7 (\$1,000.00).

8 B. The ~~Corporation Commission~~ Department of Public Safety shall
9 report to the Attorney General of this state and the district
10 attorney of the proper county having jurisdiction of such offense,
11 any violation of any of the provisions of Sections ~~161~~ 161A through
12 180m of this title or the Motor Carrier Act of 1995 or any rule of
13 the ~~Corporation Commission~~ Department of Public Safety promulgated
14 pursuant to the provisions of Sections ~~161~~ 161A through 180m of this
15 title or the Motor Carrier Act of 1995, by any motor vehicle owner,
16 agent or employee of such owner, or any other person. Upon receipt
17 of such report, the Attorney General or the district attorney of the
18 proper county having jurisdiction of such offense shall institute
19 criminal or civil proceedings against such offender in the proper
20 court having jurisdiction of such offense. ~~Any willful failure on~~
21 ~~the part of members of the Corporation Commission, the Attorney~~
22 ~~General or any district attorney, to comply with the provisions of~~
23 ~~this section, shall be deemed official misconduct. The Corporation~~
24 ~~Commission~~ Department of Public Safety shall report such complaints

1 so made to the Governor of this state who shall direct and cause the
2 laws of this state to be enforced.

3 C. Any person failing, neglecting or refusing to comply with
4 the provisions of Sections ~~161~~ 161A through 180m of this title or
5 the Motor Carrier Act of 1995, or with any rule, regulation, or
6 requirement of the ~~Corporation Commission~~ Department of Public
7 Safety promulgated pursuant to the provisions of Sections ~~161~~ 161A
8 through 180m of this title or the Motor Carrier Act of 1995, shall
9 be guilty of contempt of the ~~Corporation Commission~~ Department of
10 Public Safety, and shall be subject to a fine to be imposed by the
11 ~~Corporation Commission~~ Department of Public Safety in a sum not
12 exceeding Five Hundred Dollars (\$500.00). Each day on which such
13 contempt occurs shall be deemed a separate and distinct offense.
14 The maximum fine to be assessed on each day shall be Five Hundred
15 Dollars (\$500.00). All fines collected pursuant to the provisions
16 of this section shall be deposited in the State Treasury to the
17 credit of the ~~Corporation Commission~~ Department of Public Safety
18 Trucking One-Stop Shop Fund, as created in Section 1167 of this
19 title. This subsection shall not apply in the specific instance of
20 load capacity violations or violations applicable to the
21 transportation or discharge of deleterious substances provided for
22 by specific statutory provisions.

23 D. ~~The Corporation Commission shall appoint a director of~~
24 ~~transportation, a deputy director, an insurance supervisor, an~~

1 ~~insurance clerk, two stenographers, a secretary to the director, an~~
2 ~~identification device supervisor and an assistant identification~~
3 ~~device supervisor at such salaries as the Legislature may from time~~
4 ~~to time prescribe. The employees shall be allowed actual and~~
5 ~~necessary travel expenses pursuant to the provisions of the State~~
6 ~~Travel Reimbursement Act. All of the expense claims shall be~~
7 ~~presented and paid monthly.~~

8 ~~E. Enforcement officers, appointed by the Corporation~~
9 ~~Commission, are hereby declared to be peace officers of this state.~~
10 ~~Such~~ There shall be two types of Port of Entry officers appointed by
11 the Department of Public Safety: commissioned officers and
12 noncommissioned officers. All officers shall be vested with all
13 powers of ~~peace officers in enforcing the provisions of Sections 161~~
14 161A through 180m of this title, Title 49 of the Code of Federal
15 Regulations, and the Motor Carrier Act of 1995 in all parts of this
16 state.

17 The powers and duties conferred upon ~~said enforcement~~ the Port
18 of Entry officers shall in no way limit the powers and duties of
19 sheriffs or other peace officers of the state, or any political
20 subdivision thereof, or of members of the Division of Highway
21 Patrol, subject to the Department of Public Safety.

22 ~~F. The enforcement officers when on duty, upon reasonable~~
23 ~~belief that any motor vehicle is being operated in violation of any~~
24 ~~provisions of Sections 161 through 180m of this title or the Motor~~

1 ~~Carrier Act of 1995, shall be authorized to require the driver of~~
2 ~~the vehicle to stop and submit to an inspection of the~~
3 ~~identification device, or devices, in the vehicle, and to submit to~~
4 ~~such enforcement officer bills of lading, waybills, or other~~
5 ~~evidences of the character of the commerce being transported in such~~
6 ~~vehicle, and to submit to an inspection of the contents of such~~
7 ~~vehicle for the purpose of comparing same with bills of lading or~~
8 ~~shipping documentation, waybills, or other evidences of~~
9 ~~transportation carried by the driver of the vehicle. The officers~~
10 ~~shall not have the right to plea bargain.~~

11 ~~G. The enforcement officers are authorized to serve all~~
12 ~~warrants, writs, and notices issued by the Corporation Commission~~
13 ~~relating to the enforcement of the provisions of Sections 161~~
14 ~~through 180m of this title or the Motor Carrier Act of 1995 and the~~
15 ~~rules, regulations, and requirements prescribed by the Corporation~~
16 ~~Commission promulgated pursuant to Sections 161 through 180m of this~~
17 ~~title or the Motor Carrier Act of 1995.~~

18 ~~H. The enforcement officers shall not have the power or right~~
19 ~~of search, nor shall they have the right of power of seizure, except~~
20 ~~as provided in Sections 161 through 180m of this title or the Motor~~
21 ~~Carrier Act of 1995. The enforcement officers are authorized to~~
22 ~~hold and detain any motor vehicle operating upon the highways of~~
23 ~~this state, if, the enforcement officer has reason to believe that~~
24 ~~the vehicle is being operated contrary to the provisions of Sections~~

1 ~~161 through 180m of this title or the Motor Carrier Act of 1995, or~~
2 ~~the rules, regulations, and requirements of the Corporation~~
3 ~~Commission promulgated pursuant to Sections 161 through 180m of this~~
4 ~~title or the Motor Carrier Act of 1995.~~

5 ~~I. E.~~ No state official, other than members of the ~~Corporation~~
6 ~~Commission~~ Department of Public Safety, shall have any power, right,
7 or authority to command, order, or direct any ~~enforcement~~ Port of
8 Entry officer to perform any duty or service authorized by Sections
9 ~~161~~ 161A through 180m of this title, Title 49 of the Code of Federal
10 Regulations, or the Motor Carrier Act of 1995.

11 ~~J.~~ Each of the ~~enforcement officers~~ shall, before entering upon
12 ~~the discharge of their duties, take and subscribe to the usual oath~~
13 ~~of office and shall execute to the State of Oklahoma a bond in the~~
14 ~~sum of Twenty-five Thousand Dollars (\$25,000.00) each, with~~
15 ~~sufficient surety for the faithful performance of their duty. The~~
16 ~~bond shall be approved and filed as provided by law.~~

17 ~~K. F.~~ No ~~enforcement~~ Port of Entry officer or employee of the
18 ~~Oklahoma Corporation Commission~~ Department of Public Safety shall
19 have the right to plea bargain in motor carrier or motor
20 transportation matters except the ~~chief legal counsel~~ division of
21 the ~~Commission or an assign of the legal staff of the chief legal~~
22 ~~counsel~~ Department.

23 SECTION 17. AMENDATORY 47 O.S. 2021, Section 177.2, is
24 amended to read as follows:

1 Section 177.2 A. No motor carrier shall engage in the business
2 of transporting any salt water, mineral brines, waste oil and other
3 deleterious substances produced from or obtained or used in
4 connection with the drilling, development, producing and operating
5 of oil and gas wells and brine wells, for any valuable consideration
6 whatever, or in any quantity over twenty (20) gallons, without a
7 license authorizing such operation and a deleterious substance
8 transport permit to be issued by the ~~Commission~~ Department of Public
9 Safety. Provided, transportation of such substances by private
10 carrier of property by motor vehicle shall require a deleterious
11 substance transport permit.

12 B. No carrier shall transport deleterious substances under a
13 carrier ~~license~~ permit issued by the ~~Commission~~ Department until
14 such time as the carrier has been issued a deleterious substance
15 transport permit.

16 C. No deleterious substance transport permit shall be issued to
17 a motor carrier or private carrier until the carrier has furnished
18 written proof of access to a Class II disposal well or wells. ~~Said~~
19 The written proof of access shall be provided by the owner of such
20 disposal well. Such disposal well must first be approved by the
21 ~~Corporation Commission~~ Department as adequate to meet the need for
22 proper disposal of all substances which the applicant may reasonably
23 be expected to transport as a motor carrier or private carrier.
24 Provided that nothing in this section shall be construed as

1 prohibiting the disposition of such deleterious substances in a
2 disposal well that is owned by a person other than the transporter.

3 D. The ~~Commission~~ Department shall maintain a current list of
4 such permits. The ~~Commission~~ Department shall charge such annual
5 deleterious substance transport permitting fees as will cover the
6 cost of issuing such ~~licenses~~ permit and an annual fee of Two
7 Hundred Fifty Dollars (\$250.00) for each such deleterious substance
8 transport ~~license~~ permit. Proceeds from the fees shall be deposited
9 by the ~~Commission~~ Department in the State Treasury to the credit of
10 the ~~Corporation-Commission~~ Department of Public Safety Revolving
11 Fund. The provisions of this section are supplemental and are in
12 addition to the laws applicable to motor carriers.

13 SECTION 18. AMENDATORY 47 O.S. 2021, Section 177.3, is
14 amended to read as follows:

15 Section 177.3 A. It shall be unlawful for a motor carrier,
16 whether private, common, or contract, to dump, disperse, or
17 otherwise release substances described in Section 177.2 of this
18 title upon a public highway or elsewhere except on property or in
19 wells, reservoirs, or other receptacles owned, held, leased, or
20 otherwise rightfully and legally available to the motor carrier for
21 such use and purpose.

22 B. It shall be unlawful for any motor truck or tank vehicle
23 used to transport substances described in Section 177.2 of this
24

1 title to have a release device located or operated in any manner
2 from within the cab of such a motor vehicle.

3 C. Any violation of the provisions of ~~subsections~~ subsection A
4 or B of this section shall constitute a misdemeanor. It shall be
5 the duty of the prosecuting attorney of the county in which a
6 violation of the provisions of this section occurs to file and
7 prosecute the aforementioned misdemeanor charge and advise the
8 ~~Commission~~ Department of such action and the results thereof.

9 D. The ~~Oklahoma Corporation Commission~~ Department of Public
10 Safety may initiate contempt proceedings for any violation
11 concerning disposal by a carrier of a substance described in Section
12 177.2 of this title. The first violation proven by the ~~Commission~~
13 Department in any calendar year shall result in a motor carrier or
14 private carrier being warned by the ~~Commission~~ Department and, upon
15 conviction, fined up to Two Thousand Five Hundred Dollars
16 (\$2,500.00). A second violation proven by the ~~Commission~~ Department
17 in any calendar year shall result in a motor carrier or private
18 carrier being placed on probation and fined up to Five Thousand
19 Dollars (\$5,000.00) by the ~~Commission~~ Department. A third violation
20 proven by the ~~Commission~~ Department in any calendar year shall
21 result in a fine of up to Twenty Thousand Dollars (\$20,000.00), and,
22 at the discretion of the ~~Commission~~ Department, cancellation of the
23 carrier's license for a period up to one (1) year and cancellation
24 of a motor carrier or private carrier deleterious substance

1 transport permit. The driver of a truck, who is not the owner of
2 the vehicle used in violation of this section or any of the rules
3 and regulations of the ~~Oklahoma Corporation Commission~~ Department of
4 Public Safety, shall be adjudicated a codefendant and subject to a
5 fine equal to ten percent (10%) of the fine assessed to the owner of
6 such vehicle, up to Five Hundred Dollars (\$500.00).

7 SECTION 19. AMENDATORY 47 O.S. 2021, Section 180, is
8 amended to read as follows:

9 Section 180. The following words and phrases, when used in ~~this~~
10 ~~act~~ Section 180 et seq. of this title, shall have the meanings
11 respectively ascribed to like words and phrases by the motor carrier
12 statutes of Oklahoma, except as herein provided:

13 1. The term "identification application" shall mean the
14 application as provided by the ~~Commission~~ Department of Public
15 Safety, for making application for motor carrier vehicle
16 identification devices; and

17 2. The term "identification device" shall mean the motor
18 carrier vehicle identification device issued by the ~~Commission~~
19 Department under the provisions of ~~this act~~ Section 180 et seq. of
20 this title for the purpose of identifying powered motor carrier
21 vehicles operated under and coming within the provisions of ~~this act~~
22 Section 180 et seq. of this title or the Motor Carrier Act of 1995.

23 SECTION 20. AMENDATORY 47 O.S. 2021, Section 180a, is
24 amended to read as follows:

1 Section 180a. It is hereby declared unlawful for any motor
2 carrier, his or her or its agents or employees to operate any
3 powered motor vehicle, as a motor carrier for hire, within this
4 state, without the identification device issued by the ~~Commission~~
5 Department of Public Safety, ~~said~~ the device to be displayed as
6 provided by the rules of the ~~Commission~~ Department.

7 SECTION 21. AMENDATORY 47 O.S. 2021, Section 180b, is
8 amended to read as follows:

9 Section 180b. The identification device shall be the property
10 of the ~~Commission~~ Department of Public Safety at all times, and
11 shall be subject to seizure and confiscation by the ~~Commission~~
12 Department for any good cause and at the will of the ~~Commission~~
13 Department.

14 SECTION 22. AMENDATORY 47 O.S. 2021, Section 180c, is
15 amended to read as follows:

16 Section 180c. The ~~Commission~~ Department of Public Safety may
17 issue an order for the seizure and confiscation and return to the
18 ~~Commission~~ Department of any identification device or devices, for
19 any of the following reasons, and to direct ~~said~~ the order or orders
20 to any officer of ~~the State of Oklahoma~~ this state charged with the
21 duties of enforcing the provisions of ~~this act~~ Section 180 et seq.
22 of this title and/or any other section of the motor carrier law now
23 in force or hereinafter enacted:
24

1 1. In all cases where the motor carrier has permitted the
2 insurance coverage, as required by law to be filed with the
3 ~~Commission~~ Department, to lapse or become cancelled or for any
4 reason to become void and fail to meet the requirements as provided
5 by law;

6 2. For failure on the part of any motor carrier, his or its
7 agents or employees to comply with any part or provision of this
8 act, or any other act or law or part or provision thereof relative
9 to the legal operation of a for-hire motor carrier or to obey,
10 observe or comply with any order, decision, rule or regulation,
11 direction, demand or requirement, or any part or provision thereof,
12 of the ~~Commission~~ Department;

13 3. Upon the cancellation or revocation of the certificate or
14 permit or IRC or license under which ~~said~~ the identification device
15 or devices were issued; or

16 4. For operating any powered motor vehicle in violation of the
17 terms and provisions of ~~this act~~ Section 180 et seq. of this title
18 or the Motor Carrier Act of 1995 and all applicable size and weight
19 laws and safety standards of this state.

20 SECTION 23. AMENDATORY 47 O.S. 2021, Section 180d, is
21 amended to read as follows:

22 Section 180d. The ~~Commission~~ Department of Public Safety shall
23 have the power and authority by general order or otherwise to
24 promulgate rules and regulations for the administration and

1 enforcement of the provisions of ~~this act~~ Section 180 et seq. of
2 this title or the Motor Carrier Act of 1995.

3 SECTION 24. AMENDATORY 47 O.S. 2021, Section 180e, is
4 amended to read as follows:

5 Section 180e. The ~~Commission~~ Department of Public Safety, in
6 its discretion, is authorized to provide for decals, cab cards, or
7 other suitable methods of identification to be displayed on or
8 carried in the truck or powered motor vehicle.

9 SECTION 25. AMENDATORY 47 O.S. 2021, Section 180f, is
10 amended to read as follows:

11 Section 180f. The ~~Commission~~ Department of Public Safety is
12 hereby authorized to purchase ~~said~~ the identification devices in
13 sufficient amounts to supply the demand, and to purchase such other
14 officer supplies and equipment as is necessary to administer and
15 enforce the provisions of ~~this act~~ Section 180 et seq. of this title
16 or the Motor Carrier Act of 1995, and to pay for, or cause the same
17 to be paid for, out of the appropriation provided therefor.

18 SECTION 26. AMENDATORY 47 O.S. 2021, Section 180g, is
19 amended to read as follows:

20 Section 180g. It shall be the duty of the ~~Commission~~ Department
21 of Public Safety to provide identification devices upon written
22 application of any authorized motor carrier.

23 Upon written application of any authorized motor carrier holding
24 a certificate or permit or license issued by the ~~Commission~~

1 Department, the ~~Commission~~ Department shall issue to the motor
2 carrier a sufficient number of identification devices so that each
3 powered vehicle owned or to be operated by the motor carrier in the
4 state shall bear one identification device. Identification devices
5 shall be issued on an annual basis, and applications shall be made
6 annually on the form prescribed by the ~~Commission~~ Department, and
7 any motor carrier operating a powered vehicle without a current
8 identification device shall be in violation of the provisions of
9 Sections 180 through 180m of this title or the Motor Carrier Act of
10 1995.

11 It is hereby declared unlawful for any motor carrier, or agents
12 or employees of any motor carrier, to use or transfer an
13 identification device except as provided by rules of the ~~Commission~~
14 Department.

15 SECTION 27. AMENDATORY 47 O.S. 2021, Section 180h, is
16 amended to read as follows:

17 Section 180h. The ~~Corporation Commission~~ Department of Public
18 Safety is hereby authorized to collect from applicants for motor
19 carrier and private carrier identification devices a fee of Seven
20 Dollars (\$7.00) for registration of each of its vehicles registered
21 under the provisions of ~~this act~~ Section 180 et seq. of this title
22 or the Motor Carrier Act of 1995; and the fee shall be in addition
23 to any other fees now provided for by law for the registration of
24

1 ~~said~~ the motor vehicles and shall be deposited in the State Treasury
2 to the credit of the Trucking One-Stop Shop Fund.

3 SECTION 28. AMENDATORY 47 O.S. 2021, Section 180k, is
4 amended to read as follows:

5 Section 180k. All records of the ~~Corporation Commission~~
6 Department of Public Safety under ~~this act~~ Section 180 et seq. of
7 this title shall be maintained in, and classified as all other
8 records in the ~~Transportation Division of the Corporation Commission~~
9 Department of Public Safety.

10 SECTION 29. AMENDATORY 47 O.S. 2021, Section 180l, is
11 amended to read as follows:

12 Section 180l. The ~~Commission~~ Department of Public Safety is
13 hereby authorized and empowered, on behalf of the State of Oklahoma,
14 and when it shall deem it to be in the best interest of the
15 residents of this state so to do, to enter into reciprocal compacts
16 and agreements with other states, or the authorized agencies
17 thereof, when such states have made provisions substantially similar
18 to this section, respecting the regulation of motor vehicles engaged
19 in interstate or foreign commerce upon and over the public highways.
20 And such compacts and agreements may provide for the granting, to
21 the residents of such states, privileges substantially similar to
22 those granted thereby to Oklahoma residents: Provided: (1) That no
23 such compact or agreement shall supersede or suspend the operation
24 of any law, rule or regulation of ~~the State of Oklahoma~~ this state

1 which shall apply to vehicles operated intrastate in ~~the State of~~
2 ~~Oklahoma~~ this state; (2) That any privileges, the granting of which
3 shall be provided by any such compact or agreement, shall extend
4 only in cases of full compliance with the laws of the state joining
5 in such compact or agreement; (3) That no such compact or agreement
6 shall supersede or suspend the operation of any law of ~~the State of~~
7 ~~Oklahoma~~ this state other than those applying to the payment of fees
8 for registration certificates or identification devices; and (4)
9 That the powers and authority of the Oklahoma Tax Commission to
10 administer and enforce the tax laws of this state, pertaining to the
11 taxation of motor vehicles, shall be in no manner superseded or
12 suspended.

13 SECTION 30. AMENDATORY 47 O.S. 2021, Section 180m, is
14 amended to read as follows:

15 Section 180m. In addition to all other duties as provided by
16 law, it is hereby declared to be, and shall be the duty of all
17 sheriffs, deputy sheriffs, district attorneys, ~~enforcement~~ Port of
18 Entry commissioned officers appointed by the ~~Corporation Commission~~
19 ~~of the State of Oklahoma,~~ Department of Public Safety and all
20 highway patrolmen within ~~the State of Oklahoma~~ this state:

21 1. To enforce the provisions of Sections 180 through 180m of
22 this title or the Motor Carrier Act of 1995;

23 2. To apprehend and detain any motor vehicle or vehicles and
24 driver or operator and their aides who are operating any motor

1 vehicle, upon or along the highways of this state, for a reasonable
2 length of time, for the purpose of investigating and determining
3 whether such vehicle is being operated in violation of any of the
4 provisions of Sections 180 through 180m of this title or the Motor
5 Carrier Act of 1995;

6 3. To make arrests for the violation of the provisions of
7 Sections 180 through 180m of this title or the Motor Carrier Act of
8 1995, without the necessity of procuring a warrant;

9 4. To sign the necessary complaint and to cause the violator or
10 violators to be promptly arraigned before a court of competent
11 jurisdiction for trial;

12 5. To aid and assist in the prosecution of the violator or
13 violators in the name of the State of Oklahoma to the end that this
14 law shall be enforced;

15 6. To report all such arrests for violations of Sections 180
16 through 180m of this title to the ~~Corporation Commission of Oklahoma~~
17 Department of Public Safety within ten (10) days after making such
18 arrest and to furnish such information concerning same as the
19 ~~Commission~~ Department may request; and

20 7. At the request of the ~~Corporation Commission~~ Department of
21 Public Safety, to seize and confiscate any and all identification
22 devices and to forward the same to the ~~Corporation Commission~~
23 Department of Public Safety for cancellation.

24

1 SECTION 31. AMENDATORY 47 O.S. 2021, Section 230.22, is
2 amended to read as follows:

3 Section 230.22 A. It is hereby declared that it is necessary
4 in the public interest to regulate transportation by motor carriers
5 and private carriers in such manner as to recognize the need to
6 require all motor carriers and private carriers to have adequate
7 insurance; for motor carriers and private carriers to provide
8 service in a safe and efficient manner; and to establish that the
9 operations of motor carriers and private carriers will not have a
10 detrimental impact on the environment.

11 B. The public policy of this state, as declared by the
12 Legislature, requires that all existing intrastate certificates and
13 permits granted by the Oklahoma Corporation Commission, except
14 household goods and used emigrant movables, prior to January 1,
15 1995, are hereby revoked.

16 C. The provisions of the Motor Carrier Act of 1995, except as
17 hereinafter specifically limited, shall apply to the transportation
18 of passengers or property by motor carriers and private carriers,
19 except motor carriers of household goods and used emigrant movables,
20 over public highways of this state; and the regulations of such
21 transportation, and the procurement thereof and the provisions of
22 facilities therefor, are hereby vested in the ~~Oklahoma Corporation~~
23 ~~Commission~~ Department of Public Safety.

24

1 D. Nothing herein shall be construed to interfere with the
2 exercise by agencies of the government of the United States of its
3 power of regulation of interstate commerce.

4 E. The terms and provisions of the Motor Carrier Act of 1995
5 shall apply to commerce with foreign nations, or commerce among the
6 several states of this Union, insofar as such application may be
7 permitted under the provisions of the Constitution of the United
8 States and the Acts of Congress.

9 SECTION 32. AMENDATORY 47 O.S. 2021, Section 230.23, is
10 amended to read as follows:

11 Section 230.23 As used in the Motor Carrier Act of 1995:

12 1. "Person" means any individual, firm, copartnership, limited
13 partnership, corporation, limited liability corporation, company,
14 association, or joint-stock association and includes any trustee,
15 receiver, assignee, or personal representative thereof;

16 2. ~~"Commission"~~ "Department" means the ~~Oklahoma Corporation~~
17 ~~Commission~~ Department of Public Safety;

18 3. "License" means the license issued under authority of the
19 laws of ~~the State of Oklahoma~~ this state to motor carriers and
20 private carriers;

21 4. "Interstate Registration Certificate" (IRC) means a document
22 issued by the ~~Commission~~ Department granting permission to operate
23 upon the highways of ~~the State of Oklahoma~~ this state in interstate
24 commerce exempt from federal motor carrier regulation;

1 5. "Motor vehicle" means any automobile, truck, truck-tractor,
2 trailer or semitrailer or any motor bus or any self-propelled
3 vehicle not operated or driven upon fixed rails or tracks;

4 6. "Motor carrier of persons or property" means any person,
5 except a carrier of household goods or used emigrant movables,
6 operating upon any public highway for the transportation of
7 passengers or property for compensation or for hire or for
8 commercial purposes, and not operating exclusively within the limits
9 of an incorporated city or town within this state. Provided, the
10 provisions of the Motor Carrier Act of 1995 shall not apply to the
11 following vehicles and equipment when such vehicles and equipment
12 are being used for the following:

- 13 a. taxicabs and bus companies engaged in the
14 transportation of passengers and their baggage, not
15 operated between two or more cities and towns, when
16 duly licensed by a municipal corporation in which they
17 might be doing business,
- 18 b. any person or governmental authority furnishing
19 transportation for school children to and from public
20 schools or to and from public-school-related
21 extracurricular activities under contract with, and
22 sponsored by, a public school board; provided, that
23 motor vehicles and equipment operated for the purposes
24 shall qualify in all respects for the transportation

1 of school children under the Oklahoma School Code and
2 the rules of the State Board of Education adopted
3 pursuant thereto~~.,~~

4 c. transport trucks transporting liquefied petroleum
5 gases intrastate which are owned or operated by a
6 person subject to and licensed by the Oklahoma
7 Liquefied Petroleum Gas Regulation Act, and

8 d. transportation of livestock and farm products in the
9 raw state, when any of such commodities move from farm
10 to market or from market to farm on a vehicle or on
11 vehicles owned and operated by a bona fide farmer not
12 engaged in motor vehicle transportation on a
13 commercial scale;

14 7. "Corporate family" means a group of corporations consisting
15 of a parent corporation and all subsidiaries in which the parent
16 corporation owns directly or indirectly one hundred percent (100%)
17 interest;

18 8. "Intercompany hauling" means the transportation of
19 property, by motor vehicle, for compensation, by a carrier which is
20 a member of a corporate family, as defined in the Motor Carrier Act
21 of 1995, when the transportation for compensation is provided for
22 other members of the corporate family;

23 9. "Private carrier" means any person engaged in transportation
24 upon public highways, of persons or property, or both, but not as a

1 motor carrier, and includes any person who transports property by
2 motor vehicle where such transportation is incidental to or in
3 furtherance of any commercial enterprise of such person, other than
4 transportation;

5 10. "Market" means the point at which livestock and farm
6 products in the raw state were first delivered by the producer of
7 the livestock and farm products in the raw state, upon the sale
8 thereof;

9 11. "Public highway" means every public street, road or
10 highway, or thoroughfare in this state, used by the public, whether
11 actually dedicated to the public and accepted by the proper
12 authorities or otherwise; and

13 12. "Commercial enterprise" means all undertakings entered into
14 for private gain or compensation, including all industrial pursuits,
15 whether the undertakings involve the handling of or dealing in
16 commodities for sale or otherwise.

17 SECTION 33. AMENDATORY 47 O.S. 2021, Section 230.24, is
18 amended to read as follows:

19 Section 230.24 A. The ~~Corporation Commission~~ Department of
20 Public Safety is hereby vested with power and authority, and it
21 shall be its duty:

22 1. To supervise and regulate every motor carrier whether
23 operating between fixed termini or over a regular route ~~or otherwise~~
24 ~~and not operating exclusively within the limits of an incorporated~~

1 ~~city or town in this state and all private carriers operating~~
2 ~~vehicles having a gross registered weight of greater than 26,000~~
3 ~~pounds and not operating exclusively within the limits of an~~
4 ~~incorporated city or town in this state;~~

5 2. To protect the shipping and general public by supervising
6 and requiring insurance of all motor carriers and private carriers;

7 3. To ensure motor carriers and private carriers are complying
8 with the applicable size and weight laws of this state and safety
9 requirements;

10 4. To establish there will be no detrimental environmental
11 impact; and

12 5. To supervise and regulate motor carriers in all other
13 matters affecting the relationship between such carriers and the
14 traveling and shipping public provided those matters do not exceed
15 federal standards as they apply to this state.

16 B. ~~The Commission~~ Department shall have the power and authority
17 ~~by general order or otherwise~~ to prescribe rules applicable to any
18 or all motor carriers and private carriers as applicable.

19 C. ~~The Commission shall cooperate and coordinate with the~~
20 ~~Oklahoma Department of Public Safety in regulating carrier safety,~~
21 ~~size and weight regulations of motor vehicles and the transportation~~
22 ~~of hazardous materials. The Commission may enter into interagency~~
23 ~~agreements with the Department of Public Safety for the purpose of~~
24 ~~implementing, administering and enforcing any provisions of the~~

1 ~~Oklahoma Motor Carrier Safety and Hazardous Materials Transportation~~
2 ~~Act and the rules and regulations of the Department of Public Safety~~
3 ~~issued pursuant thereto.~~ Any license issued by the ~~Commission~~
4 Department may be suspended or revoked due to operations conducted
5 in violation of any laws or rules and regulations pertaining to
6 motor carriers, private carriers, carrier safety, size and weight
7 regulations of motor vehicles and the transportation of hazardous
8 materials.

9 SECTION 34. AMENDATORY 47 O.S. 2021, Section 230.25, is
10 amended to read as follows:

11 Section 230.25 A. Every motor carrier, subject to the Motor
12 Carrier Act of 1995, receiving property for transportation in
13 intrastate commerce shall issue a receipt or bill of lading
14 therefor, the form of which shall be prescribed by the ~~Commission~~
15 Department of Public Safety.

16 B. Any person, motor carrier, or shipper who shall willfully
17 violate any provisions of the Motor Carrier Act of 1995 by any means
18 shall be deemed guilty of a misdemeanor and upon conviction thereof
19 be fined as provided by law.

20 SECTION 35. AMENDATORY 47 O.S. 2021, Section 230.26, is
21 amended to read as follows:

22 Section 230.26 When the ~~Commission~~ Department of Public Safety,
23 upon complaint, has reason to believe that any person, motor
24 carrier, or shipper is violating or has willfully violated any

1 provision of the Motor Carrier Act of 1995, the ~~Commission~~
2 Department shall, upon its own initiative, file a contempt
3 proceeding and set a date for the proceeding to be heard before the
4 ~~Commission~~ Department, and, upon conviction, the ~~Commission~~
5 Department shall invoke such contempt penalties as provided herein.

6 SECTION 36. AMENDATORY 47 O.S. 2021, Section 230.27, is
7 amended to read as follows:

8 Section 230.27 A. Upon the filing by an intrastate motor
9 carrier or private carrier of an application for a license, the
10 applicant shall pay to the ~~Corporation-Commission~~ Department of
11 Public Safety a filing fee in the sum of One Hundred Dollars
12 (\$100.00) with an original or subapplication. Any valid license
13 issued will remain in force, unless otherwise revoked by the
14 ~~Commission~~ Department in accordance with the provisions of the Motor
15 Carrier Act of 1995, for one (1) year from date of issuance.

16 B. Every motor carrier or private carrier wishing to continue
17 operations under the original license, shall pay to the ~~Corporation~~
18 ~~Commission~~ Department of Public Safety an annual renewal fee of
19 Fifty Dollars (\$50.00). An intrastate license may be renewed for up
20 to three (3) years.

21 C. The ~~Commission~~ Department shall, upon the receipt of any
22 fee, deposit the same in the State Treasury to the credit of the
23 Trucking One-Stop Shop Fund.

24

1 SECTION 37. AMENDATORY 47 O.S. 2021, Section 230.28, is
2 amended to read as follows:

3 Section 230.28 A. It shall be unlawful for any motor carrier
4 to operate or furnish service within this state without first having
5 obtained from the ~~Commission~~ Department a license declaring that all
6 insurance requirements have been met and that the carrier will
7 operate within all existing rules and state laws pertaining to
8 safety standards, size and weight requirements and, when applicable,
9 lawful handling and disposal of hazardous materials and deleterious
10 substances, and will operate in such a manner as to ensure there
11 will be no detrimental environmental impact. It shall also be
12 unlawful for any private carrier to operate or furnish service
13 within this state without first having obtained from the ~~Corporation~~
14 ~~Commission~~ Department of Public Safety a license declaring that all
15 insurance requirements have been met and that the carrier will
16 operate within all existing rules and state laws pertaining to
17 safety standards, size and weight requirements and, when applicable,
18 lawful handling and disposal of hazardous materials and deleterious
19 substances, and will operate in such a manner as to ensure there
20 will be no detrimental environmental impact. The ~~Commission~~
21 Department shall have power, and it shall be its duty, to issue the
22 license or set the application for hearing within thirty (30) days
23 of the ~~Commission~~ Department determining that the application is
24 complete. Any such hearing shall be scheduled to occur on a date

1 within an additional forty-five (45) business days of such
2 determination. The mere filing of an application does not authorize
3 any person to operate as a carrier.

4 B. In granting applications for licenses, the ~~Commission~~
5 Department shall take into consideration the reliability of the
6 applicant; the proper equipment meeting minimum safety criteria as
7 adequate to perform the service; and the applicant's sense of
8 responsibility toward the public and the environment.

9 C. The ~~Commission~~ Department may, at any time after a public
10 hearing and for good cause, suspend or revoke any license.
11 Provided, the record owner of the license shall be entitled to have
12 ~~ten (10) days'~~ ten-days written notice by certified mail from the
13 ~~Commission~~ Department of any hearing affecting the license, except
14 as otherwise provided in the Motor Carrier Act of 1995. The right
15 of appeal from such order or orders shall be given as in other cases
16 appealed from orders of the ~~Commission~~ Department.

17 D. The ~~Commission~~ Department shall be authorized to exercise
18 any additional power that may from time to time be conferred upon
19 the state by any Act of Congress. The ~~Commission~~ Department shall
20 adopt rules prescribing the manner and form in which motor carriers
21 and private carriers shall apply for licenses required by the Motor
22 Carrier Act of 1995. Among other rules adopted, the application
23 shall be in writing and shall set forth the following facts:

24

1 1. The name and address of the applicant and the names and
2 addresses of its officers, if any;

3 2. Full information concerning the physical properties of the
4 applicant; and

5 3. Such other information as the ~~Commission~~ Department may
6 consider pertinent to the application.

7 SECTION 38. AMENDATORY 47 O.S. 2021, Section 230.29, is
8 amended to read as follows:

9 Section 230.29 A. As used in this section:

10 1. "Authorized carrier" means a person or persons authorized to
11 engage in the transportation of passengers or property as a licensed
12 motor carrier;

13 2. "Equipment" means a motor vehicle, straight truck, tractor,
14 semitrailer, full trailer, any combination of these and any other
15 type of equipment used by authorized carriers in the transportation
16 of passengers or property for hire;

17 3. "Owner" means a person to whom title to equipment has been
18 issued, or who, without title, has the right to exclusive use of
19 equipment for a period longer than thirty (30) days;

20 4. "Lease" means a contract or arrangement in which the owner
21 grants the use of equipment, with or without driver, for a specified
22 period to an authorized carrier for use in the regulated
23 transportation of passengers or property, in exchange for
24 compensation;

1 5. "Lessor", in a lease, means the party granting the use of
2 equipment, with or without driver, to another;

3 6. "Lessee", in a lease, means the party acquiring the use of
4 equipment, with or without driver, from another;

5 7. "Addendum" means a supplement to an existing lease which is
6 not effective until signed by the lessor and lessee; and

7 8. "Shipper" means a person who sends or receives passengers or
8 property which is transported in intrastate commerce in this state.

9 B. An authorized carrier may perform authorized transportation
10 in equipment it does not own only under the following conditions:

11 1. There shall be a written lease granting the use of the
12 equipment and meeting the requirements as set forth in subsection C
13 of this section;

14 2. The authorized carrier acquiring the use of equipment under
15 this section shall identify the equipment in accordance with the
16 requirements of the ~~Commission~~ Department of Public Safety; and

17 3. Upon termination of the lease, the authorized carrier shall
18 remove all identification showing it as the operating carrier before
19 giving up possession of the equipment.

20 C. The written lease required pursuant to subsection B of this
21 section shall contain the following provisions. The required lease
22 provisions shall be adhered to and performed by the authorized
23 carrier as follows:

24

1 1. The lease shall be made between the authorized carrier and
2 the owner of the equipment. The lease shall be signed by these
3 parties or by their authorized representatives;

4 2. The lease shall specify the time and date or the
5 circumstances on which the lease begins and ends and include a
6 description of the equipment which shall be identified by vehicle
7 serial number, make, year model and current license plate number;

8 3. The period for which the lease applies shall be for thirty
9 (30) days or more when the equipment is to be operated for the
10 authorized carrier by the owner or an employee of the owner;

11 4. The lease shall provide that the authorized carrier lessee
12 shall have exclusive possession, control and use of the equipment
13 for the duration of the lease. The lease shall further provide that
14 the authorized carrier lessee shall assume complete responsibility
15 for the operation of the equipment for the duration of the lease;

16 5. The amount to be paid by the authorized carrier for
17 equipment and driver's services shall be clearly stated on the face
18 of the lease or in an addendum which is attached to the lease;

19 6. The lease shall clearly specify the responsibility of each
20 party with respect to the cost of fuel, fuel taxes, empty mileage,
21 permits of all types, tolls, detention and accessorial services,
22 base plates and licenses, and any unused portions of such items.
23 Except when the violation results from the acts or omissions of the
24 lessor, the authorized carrier lessee shall assume the risks and

1 costs of fines for overweight and oversize trailers when the
2 trailers are preloaded, sealed, or the load is containerized, or
3 when the trailer or lading is otherwise outside of the lessor's
4 control, and for improperly permitted overdimension and overweight
5 loads and shall reimburse the lessor for any fines paid by the
6 lessor. If the authorized carrier is authorized to receive a refund
7 or a credit for base plates purchased by the lessor from, and issued
8 in the name of, the authorized carrier, or if the base plates are
9 authorized to be sold by the authorized carrier to another lessor
10 the authorized carrier shall refund to the initial lessor on whose
11 behalf the base plate was first obtained a prorated share of the
12 amount received;

13 7. The lease shall specify that payment to the lessor shall be
14 made by the authorized carrier within fifteen (15) days after
15 submission of the necessary delivery documents and other paperwork
16 concerning a trip in the service of the authorized carrier. The
17 paperwork required before the lessor can receive payment is limited
18 to those documents necessary for the authorized carrier to secure
19 payment from the shipper. The authorized carrier may require the
20 submission of additional documents by the lessor but not as a
21 prerequisite to payment;

22 8. The lease shall clearly specify the right of the lessor,
23 regardless of method of compensation, to examine copies of the
24 documentation of the carrier upon which charges are assessed;

1 9. The lease shall clearly specify all items that may be
2 initially paid for by the authorized carrier, but ultimately
3 deducted from the compensation of the lessor at the time of payment
4 or settlement together with a recitation as to how the amount of
5 each item is to be computed. The lessor shall be afforded copies of
6 those documents which are necessary to determine the validity of the
7 charge;

8 10. The lease shall specify that the lessor is not required to
9 purchase or rent any products, equipment, or services from the
10 authorized carrier as a condition of entering into the lease
11 arrangement;

12 11. As it relates to insurance:

- 13 a. the lease shall clearly specify the legal obligation
14 of the authorized carrier to maintain insurance
15 coverage for the protection of the public, and
16 b. the lease shall clearly specify the conditions under
17 which deductions for cargo or property damage may be
18 made from the lessor's settlements. The lease shall
19 further specify that the authorized carrier must
20 provide the lessor with a written explanation and
21 itemization of any deductions for cargo or property
22 damage made from any compensation of money owed to the
23 lessor. The written explanation and itemization must
24

1 be delivered to the lessor before any deductions are
2 made; and

3 12. An original and two copies of each lease shall be signed by
4 the parties. The authorized carrier shall keep the original and
5 shall place a copy of the lease in the equipment during the period
6 of the lease. The owner of the equipment shall keep the other copy
7 of the lease.

8 D. The provisions of this section shall apply to the leasing of
9 equipment with which to perform transportation regulated by the
10 ~~Corporation Commission~~ Department of Public Safety by motor carriers
11 holding a license from the ~~Commission~~ Department to transport
12 passengers or property.

13 SECTION 39. AMENDATORY 47 O.S. 2021, Section 230.30, is
14 amended to read as follows:

15 Section 230.30 A. No license shall be issued by the ~~Commission~~
16 Department of Public Safety to any carrier until after the carrier
17 shall have filed with the ~~Commission~~ Department a liability
18 insurance policy or bond covering public liability and property
19 damage, issued by some insurance or bonding company or insurance
20 carrier authorized pursuant to this section and which has complied
21 with all of the requirements of the ~~Commission~~ Department, which
22 bond or policy shall be approved by the ~~Commission~~ Department, and
23 shall be in a sum and amount as fixed by a proper order of the
24 ~~Commission~~ Department; and the liability and property damage

1 insurance policy or bond shall bind the obligor thereunder to make
2 compensation for injuries to, or death of, persons, and loss or
3 damage to property, resulting from the operation of any carrier for
4 which the carrier is legally liable. A copy of the policy or bond
5 shall be filed with the ~~Commission~~ Department, and, after judgment
6 against the carrier for any damage, the injured party may maintain
7 an action upon the policy or bond to recover the same, and shall be
8 a proper party to maintain such action.

9 B. Every motor carrier shall file with the ~~Commission~~
10 Department a cargo insurance policy or bond covering any goods or
11 property being transported, issued by some insurance or bonding
12 company or insurance carrier authorized as set forth below, and
13 which has complied with all of the requirements of the ~~Commission~~
14 Department, which bond or policy shall be approved by the ~~Commission~~
15 Department, and shall be in a sum and amount as fixed by a proper
16 order of the ~~Commission~~ Department. The cargo insurance must be
17 filed with the ~~Commission~~ Department prior to a license being issued
18 by the ~~Commission~~ Department, unless the motor carrier has been
19 exempted from this requirement.

20 Intrastate motor carriers of sand, rock, gravel, asphaltic
21 mixtures or other similar road building materials shall not be
22 required to file cargo insurance and shall be required to maintain
23 liability insurance limits of Three Hundred Fifty Thousand Dollars
24 (\$350,000.00) combined single limit.

1 No carrier, whose principal place of business is in Oklahoma,
2 shall conduct any operations in this state unless the operations are
3 covered by a valid primary bond or insurance policy issued by a
4 provider authorized or approved by the State Insurance Commissioner.
5 No carrier shall conduct any operations in this state unless the
6 operations are covered by a valid bond or insurance policy issued by
7 a provider authorized and approved by a National Association of
8 Insurance Commissioners and certified by the ~~State~~ Insurance
9 ~~Commission~~ Commissioner.

10 C. Each carrier shall maintain on file, in full force, all
11 insurance required by the laws of this state and the rules of the
12 ~~Commission~~ Department during the operation of the carrier and that
13 the failure for any cause to maintain the coverage in full force and
14 effect shall immediately, without any notice from the ~~Commission~~
15 Department, suspend the rights of the carrier to operate until
16 proper insurance is provided. Any carrier suspended for failure to
17 maintain proper insurance shall have a reasonable time, not
18 exceeding sixty (60) days, to have its license reactivated, and to
19 provide proper insurance upon showing:

- 20 1. No operation during the period in which it did not have
21 insurance; and
- 22 2. Furnishing of proper insurance coverage.

23 D. Any carrier who fails to reactivate its license within sixty
24 (60) days after the suspension, as above provided, shall have the

1 license canceled, by operation of law, without any notice from the
2 ~~Commission~~ Department. No license so canceled shall be reinstated
3 or otherwise made operative except that the ~~Commission~~ Department
4 may reinstate the license of a carrier upon proper showing that the
5 carrier was actually covered by proper insurance during the
6 suspension or cancellation period, and that failure to file with the
7 ~~Commission~~ Department was not due to the negligence of the carrier.
8 Any carrier desiring to file for reinstatement of its license shall
9 do so within ninety (90) days of its cancellation by law.

10 E. The ~~Commission~~ Department shall, in its discretion, permit
11 the filing of certificates of insurance coverage or such form as may
12 be prescribed by the ~~Commission~~ Department, in lieu of copies of
13 insurance policies or bonds, with the proviso that if the
14 certificates are authorized the insurance company or carrier so
15 filing it, upon request of the ~~Commission~~ Department, will, at any
16 time, furnish an authenticated copy of the policy which the
17 certificate represents, and further provided that thirty (30) days
18 prior to effective cancellation or termination of the policy of
19 insurance for any cause, the insurer shall so notify the ~~Commission~~
20 Department in writing of the facts or as deemed necessary by the
21 ~~Commission~~ Department.

22 SECTION 40. AMENDATORY 47 O.S. 2021, Section 230.31, is
23 amended to read as follows:
24

1 Section 230.31 A. Nothing contained in the Motor Carrier Act
2 of 1995 shall be construed to authorize the operation of any
3 passenger or freight vehicle in excess of the gross weight, width,
4 length or height authorized by law.

5 B. Any person who willfully advertises to perform
6 transportation services for which the person does not hold a license
7 shall be in violation of the Motor Carrier Act of 1995 and subject
8 to the penalties prescribed for contempt of the ~~Commission~~
9 Department of Public Safety.

10 C. All licenses issued by the ~~Commission~~ Department under any
11 law of the state relating to motor carriers or private carriers
12 shall contain the provision that the ~~Commission~~ Department reserves
13 to itself authority to suspend or cancel any such license for the
14 violation, on the part of the applicant or any operator or operators
15 of any motor vehicle to be operated thereunder, of any law of this
16 state or any rule adopted by the ~~Commission~~ Department.

17 D. Licenses shall be considered personal to the holder of the
18 license and shall be issued only to some definite legal entity
19 operating motor vehicles as a motor carrier or private carrier, and
20 shall not be subject to lease, nor shall the holder of the license
21 sublet or permit the exercise, by another, of the rights or
22 privileges granted under the license.

23 SECTION 41. AMENDATORY 47 O.S. 2021, Section 230.32, is
24 amended to read as follows:

1 Section 230.32 The ~~Commission~~ Department of Public Safety shall
2 have the power and authority by general order or otherwise to
3 promulgate rules and regulations for the administration and
4 enforcement of the provisions of the Motor Carrier Act of 1995.

5 SECTION 42. AMENDATORY 47 O.S. 2021, Section 230.34a, is
6 amended to read as follows:

7 Section 230.34a A. Any person, firm, partnership, limited
8 liability company, or corporation owning or possessing a vehicle and
9 required to register the vehicle under the laws of this state for
10 the purpose of transporting farm products in a raw state may receive
11 a harvest permit from the ~~Oklahoma Corporation Commission~~ Department
12 of Public Safety.

13 B. The harvest permit shall be recognized in lieu of
14 registration, fuel permit and intrastate operating authority in this
15 state. The harvest permit shall be issued to the operating motor
16 carrier.

17 C. Each permit shall be valid for a period of thirty (30) or
18 sixty (60) days. The permit shall identify the time and date of its
19 issuance and shall additionally reflect its effective and expiration
20 dates.

21 D. The following information shall be required of an applicant
22 for a harvest permit and shall apply to each vehicle to be operated
23 under the permit:

24 1. Owner of the vehicle;

1 2. Vehicle registrant;

2 3. Make, model, year, license plate number, state of
3 registration and VIN of each vehicle which will be operated under
4 the permit; and

5 4. The operating carrier must provide a certificate that each
6 vehicle is operating under a liability insurance policy valid in
7 Oklahoma for Three Hundred Fifty Thousand Dollars (\$350,000.00) or
8 more.

9 E. There shall be a fee of Twenty Dollars (\$20.00) per axle for
10 a thirty-day permit or Thirty-five Dollars (\$35.00) per axle for a
11 sixty-day permit, for each vehicle registered pursuant to the Motor
12 Carrier Harvest Permit Act of 2006. Revenue derived from this fee
13 shall be apportioned as follows:

14 1. One-half (1/2) of the revenue shall be deposited in the
15 Weigh Station Improvement Revolving Fund as set forth in Section
16 1167 of ~~Title 47 of the Oklahoma Statutes~~ this title; and

17 2. The remaining amount shall be deposited in the One-Stop
18 Trucking Fund as set forth in Section 1167 of ~~Title 47 of the~~
19 ~~Oklahoma Statutes~~ this title.

20 F. A harvest permit may be extended in fifteen-day increments.
21 The permit holder shall be required to pay the additional prorated
22 portion of the tag fee at Eight Dollars and seventy-five cents
23 (\$8.75) per axle per fifteen-day extension.

1 G. An application for a harvest permit shall be made to the
2 ~~Corporation Commission~~ Department of Public Safety. The ~~Corporation~~
3 ~~Commission~~ Department of Public Safety shall allow applications to
4 be submitted ~~by facsimile and electronically~~ or by mail. The
5 ~~Commission~~ Department must provide reasonable access for persons to
6 obtain a harvest permit before taking enforcement action.

7 H. If found to be in violation of the Motor Carrier Harvest
8 Permit Act of 2006 for failure to obtain or maintain a current
9 harvest permit, the operating carrier shall post bond in the amount
10 of the cost of the harvest permit and shall be allowed seventy-two
11 (72) hours to apply for the permit. If the operating carrier makes
12 application within seventy-two (72) hours, the bond amount will be
13 applied toward the harvest permit fee.

14 I. A harvest permit does not exempt its holder from federal or
15 state safety regulations nor from the state's size and weight laws
16 or rules.

17 J. The ~~Corporation Commission~~ Department of Public Safety may
18 enter into an agreement with any person or corporation located
19 within or outside of the state for transmission of harvest permits
20 ~~by way of facsimile or other device~~ electronically or by mail when
21 the ~~Corporation Commission~~ Department of Public Safety determines
22 that such agreements are in the best interest of the state.
23
24

1 K. ~~The Corporation Commission~~ Department of Public Safety may
2 promulgate rules to administer the provisions of the Motor Carrier
3 Harvest Permit Act of 2006.

4 SECTION 43. AMENDATORY 47 O.S. 2021, Section 230.6, is
5 amended to read as follows:

6 Section 230.6 A. No person prohibited from operating a
7 commercial vehicle shall operate such commercial motor vehicle, nor
8 shall any person authorize or require a person who has been
9 prohibited from such operation of a motor vehicle to operate a
10 commercial motor vehicle.

11 B. No person shall operate, authorize to operate, or require
12 the operation of any vehicle or the use of any container when the
13 person has been placed out-of-service or the vehicle or container
14 has been marked out-of-service until all requirements of the out-of-
15 service order of the person have been met or all required
16 corrections for the vehicle or container have been made; provided,
17 upon approval of the Department of Public Safety, the vehicle or
18 container may be moved to another location for the purpose of repair
19 or correction.

20 C. No person shall remove an out-of-service marking from a
21 transport vehicle or container unless all required corrections have
22 been made and the vehicle or container has been inspected and
23 approved by an authorized officer, employee, or agent of the
24 Department. No person shall return to duty unless all requirements

1 of the out-of-service order have been met and the person has been
2 approved to return to duty by an authorized officer, employee or
3 agent of the Department.

4 D. No employer shall knowingly allow, require, permit or
5 authorize an employee to operate a commercial motor vehicle:

6 1. During any period in which the employee:

7 a. has had driving privileges to operate a commercial
8 motor vehicle suspended, revoked, canceled, denied or
9 disqualified,

10 b. has had driving privileges to operate a commercial
11 motor vehicle disqualified,

12 c. is not licensed to operate a commercial motor vehicle;
13 provided, this subparagraph shall not apply to any
14 person who is the holder of a valid commercial learner
15 permit issued by the Department in conjunction with a
16 Class D driver license,

17 d. has more than one commercial driver license; provided,
18 this subparagraph shall not apply to any person who is
19 the holder of a valid commercial learner permit issued
20 by the Department in conjunction with a Class A, B or
21 C driver license,

22 e. does not have the proper class or endorsements on the
23 driver license or commercial learner permit, or
24

1 f. is in violation of any restriction on the driver
2 license or commercial learner permit;

3 2. During any period in which the employee, the commercial
4 motor vehicle which the employee is operating, the motor carrier
5 business or operation, or the employer is subject to an out-of-
6 service order; or

7 3. In violation:

8 a. of a federal, state, or local law, regulation, or
9 ordinance pertaining to railroad-highway grade
10 crossings, or

11 b. of any restriction on the driver license or commercial
12 learner permit of the employee.

13 E. An employer who is determined by the Commissioner of Public
14 Safety to have committed a violation of subsection D of this section
15 shall be subject to an administrative penalty of not less than Two
16 Thousand Seven Hundred Fifty Dollars (\$2,750.00) nor more than
17 Twenty-five Thousand Dollars (\$25,000.00).

18 F. A determination by the Commissioner by issuance of a Notice
19 of Claim that a violation of any provision of this section shall be
20 a conviction for purposes of paragraph 2 of subsection A and
21 subsection G of Section 6-205.2 of this title, twenty-five (25) days
22 after issuance, unless dismissed by order following an
23 administrative hearing. The conviction shall be reported to CDLIS
24 in accordance with Section 18-101 of this title.

1 G. An employee who is determined by the Commissioner to have
2 committed a violation of any provision of this section shall be
3 subject to an administrative penalty of not less than Two Thousand
4 Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars
5 (\$5,000.00).

6 H. For any violation of a provision of this section identified
7 during a Compliance Review/Investigation, the administrative penalty
8 amount shall be in accordance with federal regulations and
9 determined by utilizing the Uniform Fine Assessment (UFA) software
10 and any successor software now or hereafter used by the Federal
11 Motor Carrier Safety Administration.

12 SECTION 44. AMENDATORY 47 O.S. 2021, Section 230.9, is
13 amended to read as follows:

14 Section 230.9 A. The transportation of any property in
15 commerce, including hazardous materials or the transportation of
16 passengers for compensation or for hire by bus, that is not in
17 compliance with the Oklahoma Motor Carrier Safety and Hazardous
18 Materials Transportation Act or the rules issued pursuant thereto,
19 is prohibited.

20 B. Pursuant to the provisions of this section and except as
21 otherwise provided by ~~subsection~~ subsections D and E of this
22 section, any person who is determined by the Commissioner of Public
23 Safety to have committed:

1 1. An act which is a violation of a recordkeeping requirement
2 of this title or of any rule or regulation promulgated thereto or
3 the Federal Motor Carrier Safety Act of 1984, such person shall be
4 liable to the State of Oklahoma for an administrative penalty not to
5 exceed One Hundred Dollars (\$100.00) for each offense₇; provided
6 that the total of all administrative penalties assessed against any
7 violator pursuant to this paragraph for all offenses related to any
8 single violation shall not exceed Five Hundred Dollars (\$500.00);

9 2. An act or acts other than recordkeeping requirements₇ which
10 evidences a serious pattern of safety violations₇ as determined by
11 the Commissioner, such person shall be liable to the State of
12 Oklahoma for an administrative penalty not to exceed Two Hundred
13 Dollars (\$200.00) for each offense₇; provided, the maximum fine for
14 each pattern of safety violations shall not exceed One Thousand
15 Dollars (\$1,000.00). The Commissioner may consider present and
16 prior offenses in determining a serious pattern of safety
17 violations; or

18 3. An act or acts which evidences to the Commissioner₇ that a
19 substantial health or safety violation exists or has occurred which
20 could reasonably lead to or has resulted in serious personal injury
21 or death, such person shall be liable to the State of Oklahoma for
22 an administrative penalty not to exceed One Thousand Dollars
23 (\$1,000.00) for each offense.

24

1 C. Each day of violation as specified in subsection B of this
2 section shall constitute a separate single violation/offense.

3 D. Except for recordkeeping violations, no administrative
4 penalty shall be assessed pursuant to the provisions of this
5 section, against an employee of any person subject to the provisions
6 of the Oklahoma Motor Carrier Safety and Hazardous Materials
7 Transportation Act for a violation unless the Commissioner
8 determines that such actions of the employee constituted gross
9 negligence or reckless disregard for safety in which case such
10 employee shall be liable for an administrative penalty not to exceed
11 One Thousand Dollars (\$1,000.00).

12 E. For violations identified during a Compliance
13 Review/Investigation, the administrative penalty amount shall be in
14 accordance with federal regulations and determined by utilizing the
15 Uniform Fine Assessment (UFA) software and any successor software
16 now or hereafter used by the Federal Motor Carrier Safety
17 Administration.

18 F. In determining the amount of any administrative penalty ~~and~~
19 ~~the reasonable amount of time for abatement of the violation,~~ the
20 Commissioner shall include, but not be limited to, consideration of
21 the nature of the violation, circumstances ~~and~~ of the violation,
22 extent of the violation, gravity of the violation, and with respect
23 to the person found to have committed the violation, the degree of
24 culpability, history of prior offenses, effect on ability to

1 continue to do business and such other matters as justice and public
2 safety may require. In each case, the penalty shall be calculated
3 to induce further compliance.

4 ~~F.~~ G. The Commissioner or his or her designated representative
5 shall assess the amount of any administrative penalty, after notice
6 and an opportunity for hearing, by written notice to the violator
7 together with notice of findings in the case. An appeal therefrom
8 may be made to the district court of Oklahoma County pursuant to the
9 provisions of Sections 318 through 323 of Title 75 of the Oklahoma
10 Statutes.

11 ~~G.~~ H. An administrative penalty assessed by the Commissioner
12 may be recovered:

13 1. In an action brought by the Attorney General on behalf of
14 the State of Oklahoma. However, before referral to the Attorney
15 General, the administrative penalty may be compromised by the
16 Commissioner;

17 2. By the Commissioner in the appropriate district court of ~~the~~
18 ~~State of Oklahoma~~ this state; ~~or~~

19 3. By the Commissioner in an administrative hearing conducted
20 by the Department of Public Safety.

21 ~~H.~~ I. The Department may deny issuance of documentation needed
22 for operation of a commercial motor vehicle including, but not
23 limited to, permits, certificates and contracts, when an entity or
24

1 person has unpaid administrative penalties, fees or charges, until
2 paid.

3 J. The Department shall issue an order placing the operating
4 authority of any intrastate carrier out-of-service on the sixty-
5 first day after the date of a notice of proposed "unsatisfactory"
6 safety rating issued by the Department following a Compliance Review
7 or Investigation. The out-of-service order or suspension of
8 operating authority shall remain in place until the Department
9 determines that the carrier has remedied the safety issue as
10 determined by the Department. The carrier shall also be placed out
11 of service if it does not allow the Department to conduct a
12 compliance review/investigation. The Department shall use the
13 Federal Motor Carrier Safety Administration safety rating
14 methodology.

15 K. If a motor carrier is found to be operating any vehicle
16 while operating authority is suspended, in violation of an out-of-
17 service order, or with past-due administrative penalties, fees, and
18 charges owed to the Department, the Department may hold the vehicle
19 until cleared.

20 L. The first One Hundred Thousand Dollars (\$100,000.00) of the
21 administrative penalties collected each fiscal year pursuant to the
22 provisions of the Oklahoma Motor Carrier Safety and Hazardous
23 Materials Transportation Act shall be deposited in the General
24 Revenue Fund of the State of Oklahoma. All other monies collected

1 in excess of One Hundred Thousand Dollars (\$100,000.00) each fiscal
2 year shall be deposited to the credit of the Department of Public
3 Safety Restricted Revolving Fund for the purpose of administering
4 the Oklahoma Motor Carrier Safety and Hazardous Materials
5 Transportation Act.

6 SECTION 45. AMENDATORY 47 O.S. 2021, Section 1120, is
7 amended to read as follows:

8 Section 1120. A. The ~~Corporation Commission~~ Department of
9 Public Safety may, when in the interest of ~~the State of Oklahoma~~
10 this state and its residents, enter into the International
11 Registration Plan or other compacts or agreements with other states
12 to permit motor vehicle registration and license taxes on any truck,
13 bus, or truck-tractor on a proportional basis commensurate with the
14 use of Oklahoma highways. Proportional registration under such
15 plans may be permitted for vehicles engaged in interstate commerce
16 or combined interstate and intrastate commerce. Any action taken by
17 the ~~Oklahoma Tax Corporation~~ Commission with respect to the
18 International Registration Plan or other such compacts or agreements
19 prior to ~~July 1, 2004~~ January 1, 2024, shall remain in effect unless
20 altered by the ~~Corporation Commission~~ Department of Public Safety
21 pursuant to its authority to do so after ~~the effective date of this~~
22 ~~act~~ July 1, 2004.

23 B. The ~~Corporation Commission~~ Department of Public Safety shall
24 require that such proportional registration be based on the

1 percentage of miles actually operated by such vehicles or fleets of
2 vehicles in ~~the State of Oklahoma~~ this state in the reporting period
3 in proportion to the total fleet miles operated both within and
4 without Oklahoma. If the registrant did not incur mileage during
5 the preceding reporting period, the registrant shall pay fees for
6 its future operations in accordance with the International
7 Registration Plan. Such percentage figure, so determined by the
8 ~~Corporation Commission~~ Department of Public Safety, shall be the
9 Oklahoma mileage factor. In computing the taxes under the foregoing
10 formula, the ~~Corporation Commission~~ Department of Public Safety
11 shall first compute the license fees for the entire fleet and then
12 multiply the amount by the Oklahoma mileage factor on a dollar
13 basis.

14 C. Upon receipt of the Oklahoma license and registration tax,
15 which shall be paid by cash and/or certified funds, as computed
16 under the provisions of the Oklahoma Vehicle License and
17 Registration Act, the ~~Corporation Commission~~ Department of Public
18 Safety shall register all such fleet vehicles, and shall issue a
19 license plate, cab card or decal for each of such vehicles
20 identifying it as part of an interstate fleet. The ~~Corporation~~
21 ~~Commission~~ Department of Public Safety may, upon satisfactory review
22 of the payment history of an applicant, waive the requirement for
23 payment in cash or certified funds.

24

1 D. Vehicles so registered on a prorated basis shall be
2 considered fully licensed in Oklahoma and shall be exempt from all
3 further registration or license fees under the provisions of the
4 Oklahoma Vehicle License and Registration Act; provided that such
5 fleet vehicles are proportionally licensed in some other state,
6 territory or possession of the United States or some foreign
7 province, state or country with which the ~~Corporation Commission~~
8 Department of Public Safety has entered into a prorating compact
9 or agreement.

10 If a vehicle is permanently withdrawn from a proportionally
11 registered fleet and a replacement vehicle is added to the fleet in
12 the same calendar month, the replacement vehicle shall be considered
13 fully registered as provided in Section 1133 of this title and
14 Section 14-109 of this title, if the replacement vehicle is
15 registered for a weight equal to or less than the vehicle
16 permanently withdrawn, or if additional registration fees are paid
17 when the replacement vehicle is registered for a weight greater than
18 the vehicle withdrawn. If a vehicle is permanently withdrawn from a
19 proportionally registered fleet and is not replaced by another
20 vehicle in the same calendar month, credit shall be allowed as
21 otherwise provided in this section.

22 E. Vehicles subsequently added to a proportionally registered
23 fleet after commencement of the registration year shall be
24 proportionally registered by applying the mileage percentage used in

1 the original application for such fleet for such registration period
2 to the regular registration fees due with respect to such vehicle
3 for the remainder of the registration year.

4 F. If a vehicle is permanently withdrawn from a proportionally
5 registered fleet because it has been destroyed, sold or otherwise
6 completely removed from service, credit shall be allowed. Such
7 credit shall be a sum equal to the amount paid with respect to such
8 vehicle when it was first proportionally registered in the
9 registration year, reduced by those months elapsing since the
10 beginning of the registration year. The credit may be applied
11 against subsequent additions to the fleet, with the exception of
12 vehicles removed from a renewal fleet and later added back to the
13 same fleet, to be prorated or for other additional registration fees
14 assessed. In no event shall credit be allowed for fees beyond such
15 registration year, nor shall any such amount be subject to refund.
16 Provided, further, that vehicles removed from a prorated fleet or
17 sold to a nonprorated fleet for operation in Oklahoma shall be
18 registered in Oklahoma for the remaining portion of the year.

19 G. The records of total mileage operated in all states upon
20 which the application is made for a period of three (3) years
21 following the year upon which the application is based shall be
22 preserved. Upon request of the ~~Corporation Commission~~ Department of
23 Public Safety, such records shall be made available for audit as to
24 accuracy of computation and payments. The ~~Corporation Commission~~

1 Department of Public Safety may enter into agreements with agencies
2 of other states administering motor vehicle registration laws for
3 joint audits of any such records.

4 H. ~~The Corporation Commission~~ Department of Public Safety may
5 enter into compacts or agreements with other states or other
6 countries or subdivisions of such countries allowing reciprocal
7 privileges to vehicles based in such other states and operating in
8 interstate commerce if the vehicles are properly registered therein.

9 I. Interchanged vehicles properly registered in another state
10 may be granted reciprocal privileges when engaged in a continuous
11 movement in interstate commerce, but must register in this state if
12 used in intrastate commerce.

13 J. In addition to those taxes or fees imposed by the Oklahoma
14 Vehicle License and Registration Act, the same or substantially the
15 same type or category of tax or fee may be imposed upon an out-of-
16 state resident as is imposed upon residents of Oklahoma for the same
17 or substantially similar use of a vehicle in such other state in the
18 amount, or approximate total amount, of any fee or tax, including
19 property, motor fuel, excise, sales, use or mileage tax required by
20 the laws of such other state to be paid by a resident of this state
21 making the same or similar use of a like vehicle in such state.

22 The ~~Corporation Commission~~ Department of Public Safety shall
23 have the authority to promulgate rules which provide procedures for
24

1 implementation of comparable regulatory fees and taxes for vehicles
2 used in this state by residents of other states.

3 Any revenue derived from this subsection shall be apportioned in
4 the same manner as provided in Section 1104 of this title.

5 It is the intention of the Legislature that the motor vehicle
6 registration and licensing fees assessed against residents of other
7 states operating similar vehicles in Oklahoma be comparably the same
8 as the motor vehicle registration and licensing fees assessed
9 against residents of Oklahoma operating a similar vehicle for a
10 similar purpose in such other state; and that the ~~Corporation~~
11 ~~Commission~~ Department of Public Safety diligently monitor the motor
12 vehicle registration and licensing fees assessed against residents
13 of Oklahoma by other states and to provide for uniform treatment of
14 Oklahoma residents operating vehicles in other states and for
15 residents of other states operating vehicles in Oklahoma.

16 SECTION 46. AMENDATORY 47 O.S. 2021, Section 1120.1, is
17 amended to read as follows:

18 Section 1120.1 A. The ~~Corporation Commission~~ Department of
19 Public Safety, when in the interest of ~~the State of Oklahoma~~ this
20 state and its residents, may enter into the International
21 Registration Plan or other compacts or agreements with other states
22 to permit motor vehicle registration and license taxes on any motor
23 vehicle to be used as a rental motor vehicle as defined in the
24 International Registration Plan.

1 B. The Tax Commission or ~~Corporation Commission~~ the Department
2 of Public Safety, as applicable, shall require that each rental
3 motor vehicle be assessed the following registration fees in lieu of
4 the fee schedule set forth in Section 1132 of this title:

5 1. A fee of Fifteen Dollars (\$15.00) shall be assessed for the
6 first year of registration in this or any other state; and

7 2. A fee of Ten Dollars (\$10.00) shall be assessed in the first
8 year and each subsequent year of registration in this or any other
9 state.

10 C. Upon registration and payment of the fees required by this
11 section, the owner shall receive a license plate which shall be
12 valid until the vehicle is permanently withdrawn from the rental
13 fleet of the owner.

14 SECTION 47. AMENDATORY 47 O.S. 2021, Section 1166, is
15 amended to read as follows:

16 Section 1166. A. Effective ~~July 1, 2004~~ January 1, 2024, all
17 powers, duties and responsibilities exercised by the Motor Vehicle
18 Enforcement Section ~~shall be~~ previously transferred from the
19 Oklahoma Tax Commission to the Corporation Commission shall be
20 transferred to the Department of Public Safety. Beginning July 1,
21 ~~2004~~ 2022, and effective ~~July 1, 2005~~ January 1, 2024, all powers,
22 duties and responsibilities exercised by the International
23 Registration Plan Section and the International Fuel Tax Agreement
24 Section shall be transferred from the ~~Tax Commission to the~~

1 Corporation Commission to the Department of Public Safety. All
2 records, property and matters pending of the sections shall be
3 transferred to the ~~Corporation Commission~~ Department of Public
4 Safety. Funds sufficient to administer the powers, duties and
5 responsibilities exercised by these sections shall be appropriated
6 or allocated to the ~~Corporation Commission~~ Department of Public
7 Safety for fiscal ~~year 2005~~ years 2024 and 2025 as provided herein.
8 Such funds appropriated or allocated to the ~~Corporation Commission~~
9 Department of Public Safety shall not be subject to budgetary
10 limitations. The Director of ~~State Finance~~ the Office of Management
11 and Enterprise Services is hereby authorized to transfer such funds
12 as may be necessary to effect such allocations.

13 B. The period of July 1, ~~2004~~ 2022, through ~~June 30, 2005~~
14 December 31, 2023, shall be a transitional period in which the
15 ~~Corporation Commission~~ Department of Public Safety shall gradually
16 assume complete administration and management over the powers,
17 duties, responsibilities and staff currently carrying out the
18 administration of the International Registration Plan Section and
19 the International Fuel Tax Agreement Section. During this
20 transition period, the employees assigned to the International
21 Registration Plan Section and the International Fuel Tax Agreement
22 Section shall continue to be employees of the ~~Tax~~ Corporation
23 Commission unless otherwise agreed to by the ~~Tax Commission~~
24 Department of Public Safety and the Corporation Commission.

1 Effective ~~July 1, 2005~~ January 1, 2024, the International
2 Registration Plan Section and the International Fuel Tax Agreement
3 Section shall be administered solely by the ~~Corporation Commission~~
4 Department of Public Safety. For the period of July 1, ~~2004~~ 2022,
5 through ~~June 30, 2005~~ December 31, 2023, the Corporation Commission
6 and the ~~Tax Commission~~ shall enter into a contract whereby funds
7 shall be paid to the ~~Tax Commission~~ by the ~~Corporation Commission~~ in
8 exchange for the ~~Tax Commission's~~ agreement to continue to operate
9 Department of Public Safety shall develop and implement a reasonable
10 and expeditious method for expenditure of funds in support of the
11 International Registration Plan Section and the International Fuel
12 Tax Agreement Section.

13 C. The powers, duties and responsibilities exercised by the
14 Motor Vehicle Enforcement Section of the Tax Commission previously
15 transferred to the Corporation Commission shall be fully transferred
16 to the ~~Corporation Commission~~ Department of Public Safety on ~~July 1,~~
17 ~~2004~~ January 1, 2024.

18 D. All employees of the ~~Tax~~ Corporation Commission whose duties
19 are transferred under this act shall be transferred to the
20 ~~Corporation Commission~~ Department of Public Safety at the discretion
21 of the Commissioner of Public Safety. Personnel transferred
22 pursuant to the provisions of this section shall not be required to
23 accept a lesser salary than presently received; provided, the
24 provisions of this section shall not operate to prohibit the

1 Corporation Commission or the ~~Tax Commission~~ Department of Public
2 Safety from ~~imposing furloughs or reductions in force with respect~~
3 ~~to such personnel as allowed by law~~ gradually reducing personnel
4 through attrition. Personnel transferred shall be placed within the
5 classification level in which they meet qualifications without an
6 entrance exam. All such persons shall retain seniority, leave, sick
7 and annual time earned and any retirement benefits which have
8 accrued during their tenure with the ~~Tax~~ Corporation Commission.
9 The transfer of personnel among the agencies shall be coordinated
10 with the Office of ~~Personnel~~ Management and Enterprise Services.

11 E. Effective ~~July 1, 2004~~ January 1, 2024, any administrative
12 rules promulgated by the ~~Tax~~ Corporation Commission related to the
13 administration of the International Registration Plan authorized by
14 Section 1120 of ~~Title 47 of the Oklahoma Statutes~~ this title, the
15 International Fuel Tax Agreement authorized by Section 607 of Title
16 68 of the Oklahoma Statutes, or the enforcement of Section 1115.1 of
17 ~~Title 47 of the Oklahoma Statutes~~ this title shall be transferred to
18 and become a part of the administrative rules of the ~~Corporation~~
19 ~~Commission~~ Department of Public Safety. The Office of
20 Administrative Rules in the Secretary of State's office shall
21 provide adequate notice in the Oklahoma Register of the transfer of
22 rules, and shall place the transferred rules under the
23 Administrative Code section of the ~~Corporation Commission~~ Department
24 of Public Safety. From and after ~~July 1, 2004~~ January 1, 2024, any

1 amendment, repeal or addition to the transferred rules shall be
2 under the jurisdiction of the ~~Corporation Commission~~ Department of
3 Public Safety. All documents issued by the sections transferred to
4 the ~~Corporation Commission~~ Department of Public Safety, including,
5 but not limited to, vehicle registrations and permits, shall be
6 deemed to have been issued by the ~~Corporation Commission~~ Department
7 of Public Safety.

8 F. The ~~Corporation Commission~~ Department of Public Safety may
9 promulgate rules necessary for the utilization of motor license
10 agents in the registration of vehicles pursuant to Section 1120 of
11 ~~Title 47 of the Oklahoma Statutes~~ this title.

12 G. For the period of July 1, 2022, through December 31, 2023,
13 the Corporation Commission and the Department of Public Safety shall
14 cooperate to develop and implement a reasonable and expeditious
15 method to transfer powers and duties from the Corporation Commission
16 to the Department of Public Safety including, but not limited to,
17 the expenditure of funds in support of the International
18 Registration Plan Section and the International Fuel Tax Agreement
19 Section. After July 1, 2022, the Corporation Commission shall not
20 increase the number of personnel or the salary of personnel
21 transferred pursuant to the provisions of this section unless
22 otherwise agreed upon by the Department of Public Safety.

23 SECTION 48. AMENDATORY 47 O.S. 2021, Section 1167, is
24 amended to read as follows:

1 Section 1167. A. The ~~Corporation Commission~~ Department of
2 Public Safety is hereby authorized to promulgate rules pursuant to
3 the Administrative Procedures Act to establish the amounts of fees,
4 fines and penalties as set forth in Section 1166 et seq. of this
5 title. The ~~Corporation Commission~~ Department of Public Safety shall
6 notify all interested parties of any proposed rules to be
7 promulgated as provided herein and shall provide such parties an
8 opportunity to be heard prior to promulgation.

9 B. The ~~Corporation Commission~~ Department of Public Safety shall
10 adjudicate enforcement actions initiated by ~~Corporation Commission~~
11 Department of Public Safety personnel.

12 C. Revenue derived from all fines and penalties collected or
13 received by the ~~Corporation Commission~~ Department of Public Safety
14 pursuant to the provisions of the Trucking One-Stop Shop Act shall
15 be apportioned as follows:

16 1. For the period beginning August 23, 2013, the first ~~Three~~
17 ~~Hundred Thousand Dollars (\$300,000.00)~~ collected or received each
18 ~~fiscal year shall be remitted to the Department of Public Safety for~~
19 ~~the purpose of staffing the port of entry weigh stations to conduct~~
20 ~~safety inspections. The next~~ Five Hundred Fifty Thousand Dollars
21 (\$550,000.00) shall be remitted to the Oklahoma Tax Commission and
22 apportioned as provided in Section 1104 of this title; and

23 2. The remaining amount shall be deposited to the Trucking One-
24 Stop Shop Fund created in subsection D of this section.

1 D. There is hereby created in the State Treasury a revolving
2 fund for the ~~Corporation Commission~~ Department of Public Safety to
3 be known and designated as the "Trucking One-Stop Shop Fund". The
4 Trucking One-Stop Shop Fund shall consist of:

5 1. All funds apportioned thereto in subsection C of this
6 section;

7 2. Fees collected by the ~~Commission~~ Department of Public Safety
8 to be retained as a motor license agent or other ~~Corporation~~
9 ~~Commission~~ Department of Public Safety registration or motor fuel
10 fees as allowed by statute or rule; and

11 3. Any other monies to be utilized for the Trucking One-Stop
12 Shop Act.

13 The fund shall be a continuing fund, not subject to fiscal year
14 limitations, and shall not be subject to legislative appropriation.
15 Monies in the Trucking One-Stop Shop Fund shall only be expended for
16 direct expenses relating to the Trucking One-Stop Shop Act.

17 Expenditures from the revolving fund shall be made pursuant to the
18 laws of this state. ~~In addition, expenditures from the revolving~~
19 ~~fund may be made pursuant to The Oklahoma Central Purchasing Act for~~
20 ~~the purpose of immediately responding to emergency situations,~~
21 ~~within the Commission's jurisdiction, having potentially critical~~
22 ~~environmental or public safety impact. Warrants for expenditures~~
23 ~~from the fund shall be drawn by the State Treasurer against claims~~

24

1 ~~filed as prescribed by law with the Director of the Office of~~
2 ~~Management and Enterprise Services for approval and payment.~~

3 E. There is hereby created in the State Treasury a revolving
4 fund for the Department of Transportation to be designated the
5 "Weigh Station Improvement Revolving Fund". The fund shall be a
6 continuing fund, not subject to fiscal year limitations, and shall
7 consist of all monies deposited thereto. All monies accruing to the
8 credit of the fund are hereby appropriated and may be budgeted and
9 expended by the Department for the purpose of constructing,
10 equipping and maintaining facilities to determine the weight of
11 vehicles traveling on the roads and highways of this state.
12 Expenditures from the fund shall be made upon warrants issued by the
13 State Treasurer against claims filed as prescribed by law with the
14 Director of the Office of Management and Enterprise Services for
15 approval and payment.

16 SECTION 49. AMENDATORY 47 O.S. 2021, Section 1168, is
17 amended to read as follows:

18 Section 1168. All facilities and equipment under the
19 administrative control of the Oklahoma Tax Commission and used for
20 determining the weight of vehicles operated on the roads or highways
21 of this state are hereby transferred to the Department of
22 Transportation. Any funds appropriated to or any powers, duties and
23 responsibilities exercised by the Tax Commission for such purpose
24 shall be transferred to the Department of Transportation. The

1 Director of the Office of Management and Enterprise Services is
2 hereby authorized to transfer such funds as may be necessary. The
3 Department of Transportation is hereby authorized to enter into an
4 agreement with the ~~Corporation Commission~~ Department of Public
5 Safety to operate such facilities or equipment. The provisions of
6 this section shall not be construed to obligate the Department of
7 Transportation to incur expenses in connection with the
8 administration of such facilities and equipment in an amount which
9 exceeds deposits to the Weigh Station Improvement Revolving Fund.

10 SECTION 50. AMENDATORY 47 O.S. 2021, Section 1169, is
11 amended to read as follows:

12 Section 1169. A. The ~~Corporation Commission~~ Department of
13 Public Safety is authorized to revoke, suspend or deny the issuance,
14 extension or reinstatement of any ~~Corporation Commission~~ Department
15 of Public Safety issued motor carrier or commercial motor vehicle
16 license, permit, registration, certificate or duplicate copy thereof
17 issued pursuant to the jurisdiction of the ~~Corporation Commission,~~
18 Department of Public Safety to any person who shall be guilty of:

- 19 1. Violation of any of the provisions of applicable state law;
- 20 2. Violation of rules promulgated by the ~~Corporation Commission~~
21 Department of Public Safety;
- 22 3. Failure to observe or fulfill the conditions upon which the
23 license, permit, registration or certificate was issued;

24

1 4. Nonpayment of any delinquent tax, fee or penalty to the
2 ~~Commission~~ Department or the State of Oklahoma; or

3 5. Nonpayment of a uniform base state program delinquent tax,
4 fee or penalty to a state or province participating with the
5 ~~Corporation Commission~~ Department of Public Safety in that program.

6 B. The interest or penalty or any portion thereof ordinarily
7 accruing by failure of the motor carrier, registrant or licensee to
8 properly file a report or return may be waived or reduced by the
9 ~~Corporation Commission~~ Department of Public Safety. No interest or
10 penalties in excess of Ten Thousand Dollars (\$10,000.00) shall be
11 allowed except by order of the ~~Commission~~ Department.

12 C. The ~~Corporation Commission~~ Department of Public Safety shall
13 promulgate rules setting forth the revocation, suspension or denial
14 of a motor carrier or commercial motor vehicle certificate,
15 registration, license or permit issued pursuant to the jurisdiction
16 of the ~~Corporation Commission~~ Department of Public Safety. The
17 ~~Corporation Commission~~ Department of Public Safety shall
18 additionally promulgate rules allowing for the collection and
19 remittance of financial liabilities owed by a motor carrier,
20 registrant, licensee or permittee to a state or province
21 participating with the ~~Corporation Commission~~ Department of Public
22 Safety in a uniform base state program or to another state agency.

23 D. Upon the revocation or expiration of any motor carrier or
24 commercial motor vehicle license, permit, registration or

1 certificate issued pursuant to the jurisdiction of the ~~Corporation~~
2 ~~Commission~~ Department of Public Safety, all accrued taxes, fees and
3 penalties due and payable under the terms of state law, rules or
4 order imposing or levying such tax, fee or penalty shall become due
5 and payable concurrently upon the revocation or expiration of the
6 license, permit, registration or certificate and the licensee,
7 permittee, registrant or certificate holder shall forthwith make a
8 report covering the period of time not covered by preceding reports
9 filed by ~~said~~ the person and ending with the date of the revocation
10 or expiration and shall pay all such taxes, fees or penalties owed.

11 E. No person shall knowingly~~r~~ or intentionally~~r~~ present an
12 altered or fraudulent credential or document to the ~~Corporation~~
13 ~~Commission~~ Department of Public Safety or to any duly authorized
14 peace officer. Any person or persons violating the provisions of
15 this subsection shall be found guilty of contempt of the ~~Commission~~
16 Department and shall, upon conviction thereof, be punished by a fine
17 of not more than Two Thousand Dollars (\$2,000.00) for each offense.

18 SECTION 51. AMENDATORY 47 O.S. 2021, Section 1201, is
19 amended to read as follows:

20 Section 1201. As used in the Oklahoma Weigh Station Act of
21 2012:

- 22 1. "Authority" means the Oklahoma Turnpike Authority;
- 23 2. "~~Commission~~" "Department" means the ~~Corporation~~ Commission
24 Department of Public Safety;

1 3. "Fixed facility" means a weigh station or a port of entry;

2 4. "Port of entry" means a facility, in close proximity to a
3 state line, designed to electronically weigh and screen motor
4 carriers and commercial motor vehicles for compliance with federal
5 and state statutes and rules, allowing compliant carriers to proceed
6 with minimal or no delay;

7 5. "Roadside enforcement" means a temporary location, with or
8 without portable or semi-portable scales, used to randomly check
9 commercial motor vehicles or motor carriers for compliance with
10 federal or state statutes or rules;

11 6. "Weigh station" means a stationary and permanent weighing
12 facility with fixed scales owned by the state where commercial motor
13 vehicles are checked for compliance with weight and size standards.
14 Weigh stations are also utilized to enforce federal and state laws
15 and rules applicable to motor carriers and the operation of
16 commercial motor vehicles and their drivers; and

17 7. "North American Standard Inspection" means a Level I, Level
18 II, Level III, Hazardous Materials, Cargo Tank or Passenger Carrier
19 inspection conducted by an individual certified by the Federal Motor
20 Carrier Safety Administration to conduct such inspections.

21 SECTION 52. AMENDATORY 47 O.S. 2021, Section 1202, is
22 amended to read as follows:

23 Section 1202. A. The Department of Transportation, the
24 Oklahoma Turnpike Authority and the ~~Corporation Commission~~

1 Department of Public Safety may enter into interagency agreements
2 concerning the equipment, maintenance and operations of fixed
3 facilities. From July 1, 2022, to January 1, 2024, the Department
4 of Transportation and the Corporation Commission may enter into
5 interagency agreements concerning the equipment, maintenance, and
6 operations of fixed facilities.

7 B. The Department of Transportation, the Authority and the
8 ~~Commission~~ Department shall endeavor to electronically upgrade weigh
9 stations as practical to minimize the duplication of inspections for
10 compliant commercial motor vehicles and motor carriers.

11 C. ~~The Commission~~ Effective January 1, 2024, all powers,
12 duties, and responsibilities exercised by the International
13 Registration Plan Section, the International Fuel Tax Agreement, the
14 Unified Carrier Registration program, and the administration of trip
15 permits, temporary fuel permits, and harvest permits shall be
16 transferred from the Corporation Commission to the Department of
17 Public Safety.

18 D. Beginning January 1, 2024, the Department shall operate all
19 current and future ports of entry weigh stations eighteen (18) to
20 twenty (20) hours a day and seven (7) days a week upon the
21 availability of funds.

22 ~~D. The Commission shall continue to conduct roadside~~
23 ~~enforcement in the general area where a fixed facility is planned~~
24

1 ~~but no fixed facility currently exists until a fixed facility is~~
2 ~~located in the general area or July 1, 2016, whichever is earlier.~~

3 ~~E. When a fixed facility is located in the general area,~~
4 ~~Commission motor carrier and commercial motor vehicle enforcement~~
5 ~~shall be limited to the fixed facility and a radius surrounding the~~
6 ~~facility. If the fixed facility is a weigh station as defined in~~
7 ~~Section 1201 of this title, the applicable radius shall be seven (7)~~
8 ~~miles. If the fixed facility is a port of entry weigh station as~~
9 ~~defined in Section 1201 of this title, the applicable radius shall~~
10 ~~be twenty-five (25) miles.~~

11 ~~F. The Commission may assist in roadside enforcement in a joint~~
12 ~~effort at the request of the Oklahoma Highway Patrol.~~

13 ~~G. The Commission is authorized to conduct audits, reviews,~~
14 ~~investigations, inspections or other enforcement actions by~~
15 ~~enforcement officers provided those activities are within the scope~~
16 ~~of the Commission's jurisdiction and are not conducted as roadside~~
17 ~~enforcement in accordance with the provisions of the Oklahoma Weigh~~
18 ~~Station Act of 2012.~~

19 ~~H. E.~~ The Commission Department may enter into interagency
20 cooperative agreements with other state or federal agencies to
21 jointly enforce federal and state laws or rules.

22 ~~I. F.~~ North American Standard Inspections shall be conducted
23 only by individuals holding certification in the level or
24 classification of inspection being conducted.

1 SECTION 53. AMENDATORY 47 O.S. 2021, Section 1203, is
2 amended to read as follows:

3 Section 1203. A. A commercial motor vehicle, its driver or a
4 motor carrier may not be cited for the same violation of motor
5 carrier or commercial motor vehicle requirements on the same date by
6 any Oklahoma officer, provided neither the vehicle configuration nor
7 the load have changed. This subsection is not applicable to a
8 Commercial Vehicle Safety Alliance out-of-service violation.

9 B. ~~The Corporation Commission and the~~ Department of Public
10 Safety or other state or local agencies may enter into interagency
11 agreements to share information electronically to facilitate this
12 section.

13 SECTION 54. REPEALER 47 O.S. 2021, Sections 171, 171.2
14 and 172.1, are hereby repealed.

15 SECTION 55. This act shall become effective July 1, 2022.

16 SECTION 56. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

20

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