

1 **SENATE FLOOR VERSION**

2 February 16, 2023

3 SENATE BILL NO. 858

By: Weaver

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6 An Act relating to state-owned motor vehicles;
7 amending 47 O.S. 2021, Section 156.1, which relates
8 to use of state-owned motor vehicles for private use;
9 permitting employees of the Oklahoma Indigent Defense
10 System to use state-owned or state-leased vehicle;
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2021, Section 156.1, is
14 amended to read as follows:

15 Section 156.1. A. It shall be unlawful for any state official,
16 officer or employee, except any essential employees approved by the
17 Governor and those officers or employees authorized in subsection B
18 of this section, to ride to or from the place of residence of the
19 employee in a state-owned or state-leased automobile, truck or
20 pickup, except in the performance of the official duty of the
21 employee, or to use or permit the use of any such automobile, truck,
22 ambulance or pickup for other personal or private purposes. Any
23 person convicted of violating the provisions of this section shall
24 be guilty of a misdemeanor and shall be punished by a fine of not
more than One Hundred Dollars (\$100.00) or by imprisonment in the

1 county jail for a period to not exceed thirty (30) days, or by both
2 said fine and imprisonment, and in addition thereto, shall be
3 discharged from state employment.

4 B. 1. Any state employee, other than the individuals provided
5 for in paragraph 2 of this subsection and any employee of the
6 Department of Public Safety who is an employee in the Driver License
7 Examining Division or the Driver Compliance Division or a wrecker
8 inspector or auditor of the Wrecker Services Division as provided
9 for in paragraph 3 of this subsection, who receives emergency
10 telephone calls regularly at the residence of the employee when the
11 employee is not on duty and is regularly called upon to use a
12 vehicle after normal work hours in response to such emergency calls,
13 may be permitted to use a vehicle belonging to the state to provide
14 transportation between the residence of the employee and the
15 assigned place of employment, provided such distance does not exceed
16 seventy-five (75) miles in any round trip or is within the county
17 where the assigned place of employment is located. Provided
18 further, an employee may be permitted to use a state-owned or state-
19 leased vehicle to provide temporary transportation between a
20 specific work location other than the assigned place of employment
21 and the residence of the employee, if such use shall result in a
22 monetary saving to the agency, and such authorization shall not be
23 subject to the distance or area restrictions provided for in this
24 paragraph. Authorization for temporary use of a state-owned or

1 state-leased vehicle for a specific project shall be in writing
2 stating the justification for this use and the saving expected to
3 result. Such authorization shall be valid for not to exceed sixty
4 (60) days. Any state entity other than law enforcement that avails
5 itself of this provision shall keep a monthly record of all
6 participating employees, the number of emergency calls received and
7 the number of times that a state vehicle was used in the performance
8 of such emergency calls.

9 2. Any employee of the Department of Public Safety, Oklahoma
10 Department of Corrections, Oklahoma State Bureau of Narcotics and
11 Dangerous Drugs Control, Oklahoma Indigent Defense System, Oklahoma
12 State Bureau of Investigation, Alcoholic Beverage Laws Enforcement
13 Commission, Oklahoma Horse Racing Commission, Oklahoma Department of
14 Agriculture, Food, and Forestry, Office of the Inspector General
15 within the Department of Human Services or Office of the State Fire
16 Marshal, who is a law enforcement officer or criminalist, Public
17 Information officer, Special Investigator or Assistant Director of
18 the Oklahoma State Bureau of Investigation, CLEET-certified
19 Investigator for a state board or any employee of a district
20 attorney who is a law enforcement officer, may be permitted to use a
21 state-owned or state-leased vehicle to provide transportation
22 between the residence of the employee and the assigned place of
23 employment and between the residence and any location other than the

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1 assigned place of employment to which the employee travels in the
2 performance of the official duty of the employee.

3 3. Any employee of the Department of Public Safety who is an
4 employee in the Driver License Examining Division, an employee of
5 the Driver Compliance Division, a wrecker inspector or auditor of
6 the Wrecker Services Division, or a noncommissioned pilot may be
7 permitted, as determined by the Commissioner, to use a state-owned
8 or state-leased vehicle to provide transportation between the
9 residence of the employee and the assigned place of employment and
10 between the residence and any location other than the assigned place
11 of employment to which the employee travels in the performance of
12 the official duty of the employee.

13 4. The Director, department heads and other essential employees
14 of the Department of Wildlife Conservation, as authorized by the
15 Wildlife Conservation Commission, may be permitted to use a state-
16 owned or state-leased vehicle to provide transportation between the
17 residence of the employee and the assigned place of employment and
18 between the residence and any location other than the assigned place
19 of employment to which the employee travels in the performance of
20 the official duty of the employee.

21 5. The Director, department heads, emergency responders and
22 other essential employees of the Department of Corrections, as
23 authorized by the Director, may be permitted to use a state-owned or
24 state-leased vehicle to provide transportation between the residence

1 of the employee and the assigned place of employment and between the
2 residence and any location other than the assigned place of
3 employment to which the employee travels in the performance of the
4 official duty of the employee.

5 C. The principal administrator of the state agency with which
6 the employee is employed shall so designate the status of the
7 employee in writing or provide a copy of the temporary authorization
8 to the Governor, the President Pro Tempore of the Senate and the
9 Speaker of the House of Representatives. Such employee status
10 report shall also be provided to the State Fleet Manager of the
11 Division of Fleet Management if the motor vehicle for emergency use
12 is provided by said Division.

13 SECTION 2. This act shall become effective November 1, 2023.

14 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
15 February 16, 2023 - DO PASS

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