

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 2603

By: Lowe (Dick) of the House

5 and

6 Weaver of the Senate

7

8 AS INTRODUCED

9 An Act relating to motor carriers; creating the Motor
10 Carrier Public Safety Enforcement Act; stating
11 purpose of act; transferring certain powers, duties
12 and responsibilities from the Oklahoma Corporation
13 Commission to the Department of Public Safety;
14 creating certain transitional task force; providing
15 for task force membership; providing for task force
16 meetings; requiring task force make certain
17 advise ment; providing for transitional period;
18 requiring transitional task force oversee transition;
19 requiring certain cooperation; allowing certain
20 transfer by certain interagency agreement and
21 approval; setting date for completion of transition;
22 setting date for the transfer of employees; providing
23 for the transfer of certain employees; providing for
24 equal pay and retention of certain benefits for
 transferred employees; requiring approval for certain
 actions regarding personnel; modifying designation of
 certain employees; requiring certain employees
 exercise certain powers and authorities; authorizing
 the setting of certain limitations; requiring
 employees maintain certain certification; limiting
 authority of certain employees to act as peace
 officers; requiring certain retirement system
 election; requiring the acceptance of all transferred
 employees; authorizing establishment of minimum
 standards for certain employees; requiring
 development of certain training program; requiring
 transfer of property and records by certain date;
 listing types of property and records to be
 transferred; requiring access to certain systems and

1 networks; authorizing the transfer of certain funds;
2 stating powers vested in certain officers; limiting
3 authority of state officials to direct officers of
the Department of Public Safety; authorizing certain
interagency agreements; amending 17 O.S. 2021,
Section 40, which relates to Transportation Division;
prohibiting Division from employing certain persons
after certain date; prohibiting function as law
enforcement agency; authorizing employment of certain
persons; amending 47 O.S. 2021, Section 14-116, as
amended by Section 9, Chapter 116, O.S.L. 2022 (47
O.S. Supp. 2023, Section 14-116), which relates to
permit fees; modifying receiver of certain collected
fees; authorizing use of certain monies; amending 47
O.S. 2021, Section 14-122, which relates to
apportionment of fees; modifying distribution of
certain collected fees; requiring monies received to
be used for certain purposes; amending 47 O.S. 2021,
Section 116.14, which relates to vehicles not
registered or improperly registered; authorizing
certain officers to make certain vehicle seizures;
modifying entity responsible for the sale of certain
seized vehicles; amending 47 O.S. 2021, Section 162,
which relates to powers and duties of the Commission;
granting exclusive authority to Department of Public
Safety for certain investigations and enforcement;
amending 47 O.S. 2021, Section 162.1, which relates
to participation in the Unified Carrier Registration
System; modifying applicable guidelines for the
promulgation of certain rules; declaring certain acts
unlawful; amending 47 O.S. 2021, Section 163, which
relates to certification to transport household
goods; requiring copy of certain certificate be
maintained in vehicle; declaring certain
noncompliance to be unlawful; amending 47 O.S. 2021,
Section 166.5, which relates to conflicting
constitutional provisions; modifying certain list of
authorities considered to be amendments; amending 47
O.S. 2021, Section 166a, which relates to
definitions; declaring certain act to be unlawful;
amending 47 O.S. 2021, Section 169, which relates to
filing certificates of insurance coverage; declaring
certain act to be unlawful; amending 47 O.S. 2021,
Section 170.1, which relates to complaints;
authorizing certain officers to make a complaint;
amending 47 O.S. 2021, Section 171, which relates to
appropriation; requiring Corporation Commission

1 adhere to certain acts; amending 47 O.S. 2021,
2 Section 171.1, which relates to expenditure of
3 Corporation Commission Revolving Fund; authorizing
4 the employment of certain personnel; allowing certain
5 purchases; amending 47 O.S. 2021, Section 172, which
6 relates to violation of act; requiring certain
7 operators not in compliance receive misdemeanor;
8 allowing certain discretionary reporting; deleting
9 requirement that certain willful conduct be deemed
10 official misconduct; modifying reference to
11 responsible agency; prohibiting plea bargaining in
12 certain matters submitted for adjudication; stating
13 Commission shall cease employment of certain
14 employees upon certain date; amending 47 O.S. 2021,
15 Section 177.2, which relates to license and permit
16 for transportation of deleterious substances;
17 requiring certain permit be carried in vehicle;
18 making certain actions unlawful; amending 47 O.S.
19 2021, Section 180c, which relates to seizure and
20 confiscation of devices; requiring motor carriers
21 comply with certain directions or demands; amending
22 47 O.S. 2021, Section 180m, which relates to
23 enforcement of act; modifying name of responsible
24 entity; amending 47 O.S. 2021, Section 230.29, which
relates to the operation of equipment not owned by
motor carrier; requiring certain lease be present in
operated equipment; amending 47 O.S. 2021, Section
230.30, which relates to liability and cargo
insurance or bond; declaring certain actions to be
unlawful; amending 47 O.S. 2021, Section 1115, as
last amended by Section 1, Chapter 246, O.S.L. 2023
(47 O.S. Supp. 2024, Section 1115), which relates to
vehicles required to be registered; modifying
responsible entity; amending 47 O.S. 2021, Section
1124, which relates to temporary permit; removing
language making certain exception for the
promulgation of rules; amending 47 O.S. 2021, Section
1151, as last amended by Section 109, Chapter 452,
O.S.L. 2024 (47 O.S. Supp. 2024, Section 1151), which
relates to offenses and penalties enumerated;
modifying list of unlawful acts; removing language
making certain exception for the promulgation of
rules; amending 47 O.S. 2021, Section 1168, which
relates to transfer of equipment and facilities;
modifying name of responsible agency; authorizing
certain agreement by certain date; amending 47 O.S.
2021, Section 1170, which relates to the

1 confidentiality of reports; authorizing certain
2 disclosures; amending 47 O.S. 2021, Section 1201,
3 which relates to definitions; modifying definition;
4 amending 47 O.S. 2021, Section 1202, which relates to
5 maintenance and operation of fixed facilities;
6 modifying name of responsible agency; requiring
7 certain operation of ports of entry weigh stations;
8 making certain exception; requiring certain transfer
9 of all powers, duties, and responsibilities for fixed
facilities; requiring certain transitional period;
requiring Commission operate port of entry weigh
stations until certain date; authorizing certain
interagency agreements; amending 68 O.S. 2021,
Section 608, which relates to display of license;
allowing officers to make certain inspection;
repealing 47 O.S. 2021, Sections 116.13 and 172.1,
which relate to enforcement officers; providing for
codification; and providing an effective date.

10
11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 160 of Title 47, unless there is
15 created a duplication in numbering, reads as follows:

16 A. This act shall be known and may be cited as the "Motor
17 Carrier Public Safety Enforcement Act".

18 B. The purpose of this act is to enhance public safety with
19 respect to the motor carrier industry, to foster a more consistent
20 and cohesive approach to enforcement of Oklahoma's laws regulating
21 the motor carrier industry, and to advance the efficiency and
22 efficacy of motor carrier enforcement.

23 C. Beginning July 1, 2026, and effective June 30, 2027, all
24 powers, duties, and responsibilities for roadside investigation and

1 enforcement as well as investigation and enforcement at fixed
2 facilities, as defined by Section 1201 of Title 47 of the Oklahoma
3 Statutes, of the following provisions, which shall be collectively
4 referenced within this section as the "Motor Carrier Laws", shall be
5 transferred from the Oklahoma Corporation Commission to the
6 Department of Public Safety:

7 1. Sections 161A through 180m of Title 47 of the Oklahoma
8 Statutes;

9 2. Sections 230.21 through 230.34b of Title 47 of the Oklahoma
10 Statutes;

11 3. The Trucking One-Stop Shop Act, including Sections 1166
12 through 1169 of Title 47 of the Oklahoma Statutes;

13 4. The Oklahoma Weigh Station Act of 2012, Sections 1200
14 through 1203 of Title 47 of the Oklahoma Statutes;

15 5. The Oklahoma Motor Fuel/Diesel Fuel Importer for Use Tax
16 Code, Sections 601 through 616 of Title 68 of the Oklahoma Statutes;
17 and

18 6. The Oklahoma Special Fuel Use Tax, Sections 701 through 723
19 of Title 68 of the Oklahoma Statutes.

20 D. To facilitate an orderly transition of duties, personnel,
21 and resources, there is hereby created a transitional task force to
22 oversee the transition mandated by this act. The transitional task
23 force shall consist of the Secretary of Public Safety or designee,
24 the Commissioner of Public Safety or designee, the Secretary of

1 Transportation or designee, a representative of Service Oklahoma, a
2 member of the Oklahoma State Senate to be appointed by the President
3 Pro Tempore, a member of the Oklahoma House of Representatives to be
4 appointed by the Speaker of the House, a member of the Oklahoma
5 Corporation Commission or designee, and a member of the motor
6 carrier industry to be appointed by the Governor, who shall serve as
7 the chair of the task force. The task force shall meet as often as
8 its membership deems necessary to carry out all duties set forth in
9 this section and to advise the Governor, the President Pro Tempore
10 of the Senate, and the Speaker of the House of Representatives of
11 any problems, issues, or concerns the task force concludes may
12 require further attention from the Legislature.

13 E. The period of July 1, 2026, through June 30, 2027, shall be
14 a transitional period in which the Department of Public Safety shall
15 gradually assume complete administration and authority over roadside
16 investigation and enforcement as well as investigation and
17 enforcement at fixed facilities, as defined by Section 1201 of Title
18 47 of the Oklahoma Statutes, with respect to the Motor Carrier Laws.
19 The transitional task force shall oversee the transition, and the
20 Corporation Commission and Department of Public Safety shall
21 cooperate with the task force and with each other on an orderly and
22 expeditious transition pursuant to the terms of this act. The
23 Corporation Commission and Department of Public Safety may, by
24 interagency agreement and with approval of the task force, transfer

1 personnel, property, and responsibilities, in whole or in part, at
2 any time during the transitional period, provided the transition
3 mandated by this act shall be completed no later than June 30, 2027,
4 at which time the Department of Public Safety shall have complete
5 administration and management over the enforcement authority granted
6 pursuant to this act, and any officer of the Department of Public
7 Safety, including State Troopers and Commercial Motor Vehicle
8 Enforcement Officers, shall be authorized to enforce the Motor
9 Carrier Laws in all parts of this state.

10 F. Corporation Commission personnel whose duties are
11 transferred under this act shall be transferred to the Department of
12 Public Safety during the transitional period and no later than June
13 30, 2027. The Corporation Commission and the Department of Public
14 Safety shall cooperate to complete an orderly and expeditious
15 transfer of personnel according to the supervision and direction of
16 the transitional task force.

17 1. All personnel of the Corporation Commission's
18 Transportation Division who, as of the effective date of this act,
19 carry a law enforcement commission shall be transferred to the
20 Department of Public Safety pursuant to the provisions of this act.

21 2. Noncommissioned enforcement officers of the Corporation
22 Commission's Transportation Division shall be transferred to the
23 Department of Public Safety pursuant to the provisions of this act,
24 provided the Corporation Commission may retain a limited number of

1 such noncommissioned personnel to serve as civilian enforcement
2 auditors and inspectors in furtherance of the regulatory programs
3 over which the Corporation Commission has jurisdiction. Any such
4 civilian personnel retained by the Corporation Commission shall no
5 longer be designated as Motor Vehicle Enforcement Officers. The
6 Corporation Commission and Department of Public Safety shall
7 cooperate on the identification of such personnel who shall be
8 transferred or retained by the Transportation Division, with the
9 transitional task force having final approval.

10 3. All Corporation Commission administrative personnel who are
11 assigned on a full-time basis to, and stationed at, fixed
12 facilities, as defined by Section 1201 of Title 47 of the Oklahoma
13 Statutes, shall be transferred to the Department of Public Safety
14 pursuant to the provisions of this act.

15 4. Personnel transferred pursuant to the provisions of this
16 act shall not be required to accept a lesser salary than received as
17 of the effective date of this act. All such persons shall retain
18 leave, sick, and annual time earned and any retirement benefits
19 which have accrued during their tenure with the Corporation
20 Commission.

21 5. Except as otherwise allowed by law, after the effective
22 date of this act, the Corporation Commission shall not increase the
23 number of personnel or the salary of personnel to be transferred

1 pursuant to the provisions of this act without the approval of the
2 Department of Public Safety or the transitional task force.

3 G. As of the effective date of this act, all preexisting
4 Department of Public Safety port of entry officers shall be
5 designated as Commercial Motor Vehicle Enforcement Officers. All
6 enforcement officers transferred from the Corporation Commission to
7 the Department of Public Safety shall become Department of Public
8 Safety Commercial Motor Vehicle Enforcement Officers.

9 1. Any commissioned Department of Public Safety Commercial
10 Motor Vehicle Enforcement Officer shall exercise the powers and
11 authorities of an officer of the Department of Public Safety, as set
12 forth in Section 2-117 of Title 47 of the Oklahoma Statutes,
13 provided the Commissioner of Public Safety may set any limitations
14 on the power, scope of the authority, and geographical areas of
15 responsibility of such officers. All commissioned staff shall
16 obtain and maintain certification by the Council on Law Enforcement
17 Education and Training (CLEET) as full-time peace officers in
18 accordance with Section 3311 of Title 70 of the Oklahoma Statutes.

19 2. Any noncommissioned Department of Public Safety Commercial
20 Motor Vehicle Enforcement Officer shall exercise the powers and
21 authorities assigned by the Commissioner of Public Safety, but they
22 shall not have authority to act as a peace officer.

23 3. Any person appointed by the Department of Public Safety as
24 a commissioned Commercial Motor Vehicle Enforcement Officer may

1 participate in either the Oklahoma Law Enforcement Retirement System
2 or the retirement system operated by the Oklahoma Public Employees
3 Retirement System for which the person is eligible, and such person
4 shall make an irrevocable election in writing to participate in one
5 of the two retirement systems.

6 H. The Department of Public Safety shall accept all
7 enforcement officers transferred from the Corporation Commission;
8 provided, the Department of Public Safety may require all
9 transferred commissioned enforcement officers to meet the minimum
10 requirements established by the Department of Public Safety for
11 commissioned Commercial Motor Vehicle Enforcement Officers, and the
12 Department of Public Safety may require all transferred
13 noncommissioned enforcement officers to meet the minimum
14 requirements established by the Department of Public Safety for
15 noncommissioned Commercial Motor Vehicle Enforcement Officers. The
16 provisions of this act shall not prohibit the Department of Public
17 Safety from gradually reducing personnel through attrition.

18 I. The Department of Public Safety shall develop a training
19 program to cross-train all Commercial Motor Vehicle Enforcement
20 Officers, those previously employed by the Department of Public
21 Safety and those transferred to the Department of Public Safety
22 through this act, to equip such officers to carry out the authority
23 entrusted to them, including but not limited to the power to enforce
24 the Motor Carrier Laws and the Oklahoma Motor Carrier Safety and

1 Hazardous Materials Transportation Act, and to obtain the
2 certifications required to perform North American Standard
3 Inspections as defined by Section 1201 of Title 47 of the Oklahoma
4 Statutes.

5 J. Unless the Department of Public Safety and Corporation
6 Commission agree to an earlier transfer with the approval of the
7 task force, effective June 30, 2027, all records and property
8 allocated, as of the effective date of this act, by the Corporation
9 Commission to and for its enforcement officers shall be transferred
10 to the Department of Public Safety, including but not limited to:

11 1. Motor vehicles assigned to, or allocated for use by,
12 enforcement officers or fixed facilities, as defined by Section 1201
13 of Title 47 of the Oklahoma Statutes;

14 2. Uniforms, firearms, ammunition, duty belts, body armor,
15 communications equipment, telephone and mobile phone equipment,
16 computer equipment, furniture, and other law enforcement equipment
17 assigned to, or allocated for use by, enforcement officers;

18 3. All other computer equipment, telephone and mobile phone
19 equipment, furniture and property assigned to, or allocated for use
20 by, fixed facilities, as defined by Section 1201 of Title 47 of the
21 Oklahoma Statutes; and

22 4. Personnel records of transferred personnel.

23 K. The Corporation Commission shall grant to the Department of
24 Public Safety access to its systems and networks necessary for the

1 Department of Public Safety to perform all duties authorized by this
2 act.

3 L. Funds sufficient to support the transfer of powers, duties,
4 responsibilities, and personnel shall be appropriated or allocated
5 to the Department of Public Safety for fiscal year 2027 and
6 thereafter. The Office of Management and Enterprise Services is
7 hereby authorized to transfer such funds as may be necessary to
8 effect such allocations.

9 M. This act shall in no way limit the preexisting powers and
10 duties of officers of the Department of Public Safety. The power
11 vested in commissioned officers of the Department of Public Safety
12 shall include, but not be limited to, the power to:

13 1. Enforce, in all parts of this state, Sections 161A through
14 180m of Title 47 of the Oklahoma Statutes, Sections 230.1 through
15 230.34b of Title 47 of the Oklahoma Statutes, and any rules and
16 regulations issued pursuant thereto;

17 2. Stop and inspect any commercial operator, any commercial
18 motor vehicle, or the contents of any commercial motor vehicle for
19 compliance with Sections 161A through 180m of Title 47 of the
20 Oklahoma Statutes, Sections 230.1 through 230.34b of Title 47 of the
21 Oklahoma Statutes, or any rules and regulations issued pursuant
22 thereto;

23 3. Require a commercial operator to stop and submit to an
24 inspection of the identification device, or devices, in the vehicle

1 and submit to the officer any bills of lading, waybills, or other
2 evidences of the character of the commerce being transported in such
3 vehicle, and to submit to an inspection of the contents of such
4 vehicle for the purpose of comparing same with bills of lading or
5 shipping documentation, waybills, or other evidences of
6 transportation carried by the driver of the vehicle;

7 4. Enter upon, inspect, examine, and copy, at reasonable times
8 and in a reasonable manner, the records and properties of motor
9 carriers and other persons to the extent such records and properties
10 relate to compliance with Sections 161A through 180m of Title 47 of
11 the Oklahoma Statutes, Sections 230.1 through 230.34b of Title 47 of
12 the Oklahoma Statutes, or any rules and regulations issued pursuant
13 thereto;

14 5. Hold and detain any motor vehicle operating upon the
15 highways of this state if the officer has reason to believe the
16 vehicle is being operated contrary to the provisions of Sections
17 161A through 180m of Title 47 of the Oklahoma Statutes, Sections
18 230.1 through 230.34b of Title 47 of the Oklahoma Statutes, or any
19 rules and regulations issued pursuant thereto.

20 N. No state official, other than the Commissioner of Public
21 Safety or his or her designee, shall have any power, right, or
22 authority to command, order, or direct any officer of the Department
23 of Public Safety to perform any duty or service authorized by the
24 Motor Carrier Laws or this act.

1 O. The Department of Public Safety and the Corporation
2 Commission may enter into interagency agreements for the purpose of
3 implementing, administering, and enforcing the provisions of this
4 act.

5 SECTION 2. AMENDATORY 17 O.S. 2021, Section 40, is
6 amended to read as follows:

7 Section 40. A. There is hereby created within the Oklahoma
8 Corporation Commission a division to be known as the Transportation
9 Division. The Division shall be comprised of a Director and shall
10 include special motor carrier enforcement officers created by
11 Section 171.1 of Title 47 of the Oklahoma Statutes, motor carrier
12 enforcement officers created by Section 172 of Title 47 of the
13 Oklahoma Statutes, and such other persons as the Commission may find
14 necessary to carry out the responsibilities prescribed by law and to
15 enforce the orders, rules, regulations and judgments of the
16 Commission.

17 B. Effective June 30, 2027, the Division shall no longer employ
18 the motor carrier enforcement officers referenced in this section,
19 such officers having been transferred to the Department of Public
20 Safety.

21 C. Effective June 30, 2027, the Commission shall no longer
22 employ commissioned personnel or issue law enforcement commissions
23 to any of its personnel, and the Commission shall no longer function
24 as a law enforcement agency. The Commission and its Transportation

1 Division may continue to employ civilian enforcement auditors and
2 inspectors in furtherance of the regulatory programs over which the
3 Corporation Commission has jurisdiction, provided such personnel
4 shall not be designated as Motor Carrier Enforcement Officers or
5 Motor Vehicle Enforcement Officers.

6 SECTION 3. AMENDATORY 47 O.S. 2021, Section 14-116, as
7 amended by Section 9, Chapter 116, O.S.L. 2022 (47 O.S. Supp. 2023,
8 Section 14-116), is amended to read as follows:

9 Section 14-116. A. The Executive Director of the Department of
10 Transportation shall charge a minimum permit fee of Forty Dollars
11 (\$40.00) for any permit issued pursuant to the provisions of Section
12 14-101 et seq. of this title. In addition to the permit fee, the
13 Executive Director of the Department of Transportation shall charge
14 a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of
15 the legal load limit. The Executive Director of the Department of
16 Transportation shall establish any necessary rules for collecting
17 the fees.

18 B. The Department of Transportation is authorized to establish
19 an escrow account system for the payment of permit fees. Authorized
20 motor carriers meeting established credit requirements may
21 participate in the escrow account system for permits purchased from
22 all size and weight permit offices in this state. Carriers not
23 choosing to participate in the escrow account system shall be
24 required to make payment of the required fee or fees upon purchase

1 of each permit as required by law. All monies collected through the
2 escrow account system shall be deposited to a special account of the
3 Department of Transportation and placed in the custody of the State
4 Treasurer. Proceeds from permits purchased using the escrow account
5 system shall be distributed as provided for in subsection H of this
6 section. However, fees collected through such accounts for the
7 electronic transmission, transfer or delivery of permits, as
8 provided for in Section 14-118 of this title, shall be credited to
9 the Weigh Station Improvement Revolving Fund established pursuant to
10 Section 1167 of this title.

11 C. 1. Application for permits shall be made a reasonable time
12 in advance of the expected time of movement of such vehicles. For
13 emergencies affecting the health or safety of persons or a
14 community, permits may be issued for immediate movement.

15 2. Size and weight permit offices in all districts where
16 applicable shall issue permits to authorize carriers by telephone
17 during weekdays.

18 D. No overweight permit shall be valid until all license taxes
19 due the State of Oklahoma have been paid.

20 E. No permit violation shall be deemed to have occurred when an
21 oversize or overweight movement is made pursuant to a permit whose
22 stated weight or size exceeds the actual load.

23 F. Any permit issued for a truck or truck-tractor operating in
24 combination with a trailer or a semitrailer shall contain only the

1 license plate number for the truck or truck-tractor if the permittee
2 provides to the Department of Transportation a list containing the
3 license plate number, and such other information as the Department
4 of Transportation may prescribe by rule, for each trailer or
5 semitrailer which may be used for movement with the permit. When
6 the permittee provides the list described in this subsection, the
7 license plate number for any trailer or semitrailer to be moved with
8 the permit shall not be included on the permit; provided, a trailer
9 or semitrailer which is not on the list shall not be authorized to
10 be used for movement with the permit. It shall be the
11 responsibility of the permittee to ensure the list provided to the
12 Department of Transportation is maintained and updated with any
13 fleet changes. The Department of Transportation shall adopt any
14 rules deemed necessary to administer the provisions of this
15 subsection.

16 G. The first deliverer of motor vehicles designated truck
17 carriers or well service carriers manufactured in Oklahoma shall not
18 be required to purchase an overweight permit when being delivered to
19 the first purchaser.

20 H. Except as provided in Section 14-122 of this title, the
21 ~~first One Million Two Hundred Sixteen Thousand Dollars~~
22 ~~(\$1,216,000.00)~~ of proceeds from both the permit fees and the
23 ~~overweight permit fees imposed pursuant to subsection A of this~~
24 ~~section collected monthly shall be apportioned as provided in~~

1 | ~~Section 1104 of this title. For the fiscal year beginning July 1,~~
2 | ~~2022, and all subsequent years, the next Two Million Five Hundred~~
3 | ~~Thousand Dollars (\$2,500,000.00) of proceeds from both the permit~~
4 | ~~fees and the overweight permit fees imposed pursuant to subsection A~~
5 | ~~of this section collected monthly shall be remitted to the~~
6 | ~~Department of Public Safety for the purpose of staffing the port of~~
7 | ~~entry weigh stations with Department of Public Safety port of entry~~
8 | ~~officers whose powers and duties shall be specified by the~~
9 | ~~Department of Public Safety through the promulgation of rules. For~~
10 | ~~the fiscal year beginning July 1, 2017, and all subsequent years,~~
11 | all proceeds collected from both the permit fees and the overweight
12 | permit fees imposed pursuant to subsection A of this section ~~in~~
13 | ~~excess of Three Million Seven Hundred Sixteen Thousand Dollars~~
14 | ~~(\$3,716,000.00)~~ shall be deposited in the Weigh Station Improvement
15 | Revolving Fund as provided in Section 1167 of this title for the
16 | purpose set forth in that section and may be used for motor carrier
17 | permitting systems and motor carrier safety and enforcement.

18 | SECTION 4. AMENDATORY 47 O.S. 2021, Section 14-122, is
19 | amended to read as follows:

20 | Section 14-122. A. Notwithstanding the provisions of Section
21 | ~~1104 of Title 47 of the Oklahoma Statutes this title, the first~~
22 | Twenty Million Dollars (\$20,000,000.00) of the following fees shall
23 | ~~be deposited in the General Revenue Fund remitted to the Department~~
24 |

1 of Public Safety for the purpose of public safety enforcement to be
2 apportioned distributed as follows:

3 1. Twenty Dollars (\$20.00) of any fee collected for a minimum
4 permit fee pursuant to Section 14-116 of ~~Title 47 of the Oklahoma~~
5 Statutes this title;

6 2. Five Dollars (\$5.00) of any fee collected for excess weight
7 pursuant to Section 14-116 of ~~Title 47 of the Oklahoma Statutes this~~
8 title;

9 3. Two Hundred Fifty Dollars (\$250.00) of any fee collected
10 pursuant to Section 14-120 of ~~Title 47 of the Oklahoma Statutes this~~
11 title; and

12 4. One Hundred Twenty Dollars (\$120.00) of any fee collected
13 pursuant to Section 14-121 of ~~Title 47 of the Oklahoma Statutes this~~
14 title.

15 B. Any fees collected pursuant to Sections 14-116, 14-120 and
16 14-121 of ~~Title 47 of the Oklahoma Statutes this title~~ that are in
17 excess of Twenty Million Dollars (\$20,000,000.00) shall be
18 apportioned as otherwise provided for in the sections specified in
19 this subsection.

20 C. Any monies remitted to the Department of Public Safety
21 pursuant to this section before the Department of Public Safety
22 receives the personnel transfer provided for by Section 1 of this
23 act shall be used by the Department of Public Safety for the

1 | purchase of vehicles and equipment for officers of the Department of
2 | Public Safety.

3 | SECTION 5. AMENDATORY 47 O.S. 2021, Section 116.14, is
4 | amended to read as follows:

5 | Section 116.14. In the event any vehicle is found with no
6 | registration, not properly registered for the load carried, or
7 | improperly registered in any manner under the provisions of Section
8 | 116.2a et seq. of this title or any provisions of the motor vehicle
9 | license and registration laws of this state, Corporation Commission
10 | enforcement officers or officers of the Department of Public Safety
11 | shall be authorized to seize and take such vehicle into custody
12 | until such time as such vehicle is properly registered and the
13 | license fee thereon is paid in full together with any penalty
14 | provided by law plus the cost of seizure, including the reasonable
15 | cost of taking such vehicle into custody and storing it. Any load
16 | on such vehicle shall be disposed of by the owner or operator of
17 | such vehicle. In the event such license fee and penalty together
18 | with the cost of seizure and storage is not paid, the ~~enforcement~~
19 | ~~officer~~ Office of Management and Enterprise Services shall proceed
20 | to sell such vehicle by posting not less than five notices of sale
21 | in five different public places in the county where such property is
22 | located, one of such notices to be posted at the place where the
23 | vehicle is stored; provided, a copy of such notice shall also be
24 | sent by registered mail, return receipt requested, to the last-known

1 address of the registered owner of such vehicle in question. Such
2 vehicle shall be sold at such sale subject to the following terms
3 and conditions:

4 1. In the event the sale price is equal to, or greater than,
5 the total ~~cost~~ costs of sale, seizure, and the fee and penalty, the
6 purchaser shall be issued a certificate of purchase, license plate
7 and registration certificate;

8 2. In the event the sale price is less than the total costs of
9 sale, seizure, and the fee and penalty, such vehicle shall be sold
10 as junk to the highest bidder, whereupon the bidder shall receive a
11 certificate of purchase; and if such vehicle be dismantled, the
12 record to such junked vehicle shall be canceled. If not dismantled,
13 the same shall forthwith be registered anew; and

14 3. Any residual amount remaining unclaimed by the delinquent
15 owner shall be administered in accordance with the Uniform Unclaimed
16 Property Act (1981).

17 SECTION 6. AMENDATORY 47 O.S. 2021, Section 162, is
18 amended to read as follows:

19 Section 162. A. The Corporation Commission is authorized to:

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

22 2. Protect the shipping and general public by requiring
23 liability insurance and cargo insurance of all motor carriers of
24 household goods;

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

3 4. Supervise and regulate such motor carriers in all other
4 matters affecting the relationship between such carriers and the
5 traveling and shipping public including, but not limited to,
6 consumer protection measures and loss and damage claim procedures;
7 and

8 5. Enforce the provisions of this act; provided, effective June
9 30, 2027, officers of the Department of Public Safety shall have
10 exclusive authority for roadside investigation and enforcement as
11 well as investigation and enforcement at fixed facilities, as
12 defined by Section 1201 of this title, of the provisions of this act
13 and associated rules promulgated by the Commission.

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

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

20 2. The Commission shall promulgate rules implementing the
21 provisions of this subsection. Rules promulgated pursuant to this
22 subsection shall be consistent with, and equivalent in scope,
23 coverage, and content to, requirements applicable to operators of
24 vehicles transporting hazardous materials contained in the report

1 submitted to the Secretary of the United States Department of
2 Transportation, pursuant to 49 U.S.C. 5119(b), by the Alliance for
3 Uniform Hazardous Material Transportation Procedures.

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

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

13 SECTION 7. AMENDATORY 47 O.S. 2021, Section 162.1, is
14 amended to read as follows:

15 Section 162.1. A. The Corporation Commission is authorized to
16 promulgate rules necessary to enable this state to participate in
17 the Unified Carrier Registration System for interstate motor
18 carriers, brokers, forwarders and leasing companies and interstate
19 motor carriers holding intrastate authority as set forth in ~~the~~
20 ~~Safe, Accountable, Flexible, Efficient Transportation Equity Act: A~~
21 ~~Legacy for Users (SAFETEA-LU), Subtitle C—Unified Carrier~~
22 ~~Registration Act of 2005~~ 49 U.S.C., Section 14504a et seq.

23 B. It is hereby declared unlawful for any person, its employee,
24 its agent, or its independent contractor to operate a motor vehicle

1 within this state when the motor carrier, the motor vehicle, or the
2 commercial operator is not in compliance with the Commission's rules
3 issued pursuant to this section.

4 SECTION 8. AMENDATORY 47 O.S. 2021, Section 163, is
5 amended to read as follows:

6 Section 163. A. No person shall transport household goods for
7 compensation or other consideration in intrastate commerce without a
8 valid certificate issued by the Corporation Commission, a copy of
9 which shall be maintained in the motor vehicle.

10 B. The Commission shall promulgate rules ensuring consumer
11 protection and loss and damage claim procedures.

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

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

21 E. It is hereby declared unlawful for any person, its employee,
22 its agent, or its independent contractor to operate a motor vehicle
23 within this state when the motor carrier, the motor vehicle, or the

1 commercial operator is not in compliance with this act or the
2 Commission's rules pursuant thereto.

3 F. Any person, motor carrier, or shipper who shall willfully
4 violate any provision of this act or the Commission's rules pursuant
5 thereto may be found in violation by the Commission. After proper
6 notice and hearing, violators may be assessed penalties in an amount
7 not to exceed One Thousand Dollars (\$1,000.00) for the first
8 violation and for the second violation within a year a penalty not
9 to exceed Five Thousand Dollars (\$5,000.00).

10 SECTION 9. AMENDATORY 47 O.S. 2021, Section 166.5, is
11 amended to read as follows:

12 Section 166.5. If this act ~~or,~~ the Motor Carrier Act of 1995,
13 the Motor Carrier Public Safety Enforcement Act, the Oklahoma Motor
14 Carrier Safety and Hazardous Materials Transportation Act, the
15 Oklahoma Weigh Station Act of 2012, or any provision ~~hereof of~~
16 Chapter 56 of this title is, or may be deemed to be, in conflict or
17 inconsistent with any of the provisions of Section 18 through
18 Section 34, inclusive, of Article IX of the Constitution of the
19 State of Oklahoma, then, to the extent of any such conflicts or
20 inconsistencies, it is hereby expressly declared ~~that this entire~~
21 ~~act~~ these aforementioned acts and this section are amendments to and
22 alterations of the sections of the Constitution, as authorized by
23 Section 35 of Article IX of said Constitution.

1 SECTION 10. AMENDATORY

47 O.S. 2021, Section 166a, is

2 amended to read as follows:

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

4 1. "Authorized carrier" means a motor carrier of household
5 goods;

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

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

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

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

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

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

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

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

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

6 2. The authorized carrier acquiring the use of equipment under
7 this section shall identify the equipment in accordance with the
8 Commission's requirements; and

9 3. Upon termination of the lease, the authorized carrier shall
10 remove all identification showing it as the operating carrier before
11 giving up possession of the equipment.

12 C. The written lease required pursuant to subsection B of this
13 section shall contain the following provisions. The required lease
14 provisions shall be adhered to and performed by the authorized
15 carrier as follows:

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

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

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

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

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

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 over-dimension 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 those lessors
23 whose revenue is based on a percentage of the gross revenue for a
24 shipment to examine copies of the authorized carrier's freight bill

1 before or at the time of settlement. The lease shall clearly
2 specify the right of the lessor, regardless of method of
3 compensation, to examine copies of the carrier's tariff;

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

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

15 11. As it relates to insurance:

16 a. the lease shall clearly specify the legal obligation
17 of the authorized carrier to maintain insurance
18 coverage for the protection of the public, and

19 b. the lease shall clearly specify the conditions under
20 which deductions for cargo or property damage may be
21 made from the lessor's settlements. The lease shall
22 further specify that the authorized carrier must
23 provide the lessor with a written explanation and
24 itemization of any deductions for cargo or property

1 damage made from any compensation of money owed to the
2 lessor. The written explanation and itemization must
3 be delivered to the lessor before any deductions are
4 made; and

5 12. An original and two copies of each lease shall be signed by
6 the parties. The authorized carrier shall keep the original and
7 shall place a copy of the lease in the equipment during the period
8 of the lease, and it shall be unlawful to operate such equipment
9 without a copy of the lease in the equipment. The owner of the
10 equipment shall keep the other copy of the lease.

11 D. The provisions of this section shall apply to the leasing of
12 equipment with which to perform household goods transportation by
13 motor carriers.

14 SECTION 11. AMENDATORY 47 O.S. 2021, Section 169, is
15 amended to read as follows:

16 Section 169. A. No certificate shall be issued by the
17 Corporation Commission to any motor carrier of household goods until
18 after such motor carrier shall have filed with the Commission a
19 liability insurance policy or bond covering public liability and
20 property damage, issued by some insurance or bonding company or
21 insurance carrier authorized as set forth below, and which has
22 complied with all of the requirements of the Commission, which bond
23 or policy shall be approved by the Commission, and shall be in such
24 sum and amount as fixed by a proper order of the Commission; and

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

9 B. Every motor carrier of household goods shall file with the
10 Commission 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 which bond or policy shall be approved by the Commission, and shall
15 be in a sum and amount as fixed by Commission rule. The cargo
16 insurance must be filed with the Commission prior to a certificate
17 being issued by the Commission.

18 C. No carrier, whose principal place of business is in
19 Oklahoma, shall conduct any operations in this state unless the
20 operations are covered by a valid primary bond or insurance policy
21 issued by an insurer authorized or approved by the Oklahoma
22 Insurance Department. No carrier whose principal place of business
23 is not in Oklahoma shall conduct any operations in this state unless
24 the operations are covered by a valid bond or insurance policy

1 issued by an insurer licensed or approved by the insurance
2 regulatory authority of the state of their principal place of
3 business or the Oklahoma Insurance Department.

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

14 1. No operation during the period in which the carrier did not
15 have insurance; and
16 2. Furnishing of proper insurance coverage.

17 E. Any carrier who fails to reactivate the carrier's
18 certificate within sixty (60) days after such suspension, as above
19 provided, shall have the certificate canceled, by operation of law,
20 without any notice from the Commission. No certificate so canceled
21 shall be reinstated or otherwise made operative except that the
22 Commission may reinstate the authority of a motor carrier upon
23 proper showing that the motor carrier was actually covered by proper
24 insurance during the suspension or cancellation period, and that

1 failure to file with the Commission was not due to the motor
2 carrier's fault. Any carrier desiring to file for reinstatement of
3 the carrier's certificate shall do so within ninety (90) days of its
4 cancellation by law.

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

16 G. It is hereby declared unlawful for any person, its employee,
17 its agent, or its independent contractor to engage in household
18 goods transportation by motor carriers in violation of this section
19 or the Commission's rules issued pursuant to this section.

20 SECTION 12. AMENDATORY 47 O.S. 2021, Section 170.1, is
21 amended to read as follows:

22 Section 170.1. A. Upon any complaint in writing under oath
23 being made by any officer of the Department of Public Safety, any
24 other person, or by the Commission of its own motion, setting forth

1 any act or thing done or omitted to be done by any person in
2 violation, or claimed violation, of any provision of law, or of any
3 order or rule of the Commission, the Commission shall enter same
4 upon its docket and shall immediately serve a copy thereof upon each
5 defendant together with a notice directed to each defendant
6 requiring that the matter complained of be answered, in writing,
7 within ten (10) days of the date of service of such notice, provided
8 that the Commission may, in its discretion, require particular cases
9 to be answered within a shorter time, and the Commission may, for
10 good cause shown, extend the time in which an answer may be filed.

11 Upon the filing of the answer herein provided for, the
12 Commission shall set a time and place for the hearing, and notice of
13 the time and place of the hearing shall be served not less than ten
14 (10) days before the time set therefor, unless the Commission shall
15 find that public necessity requires the hearing at an earlier date.

16 B. The Commission may, in all matters within its jurisdiction,
17 issue subpoenas, subpoenas duces tecum, and all necessary process in
18 proceedings pending before the Commission; may administer oaths,
19 examine witnesses, compel the production of records, books, papers,
20 files, documents, contracts, correspondence, agreements, or accounts
21 necessary for any investigation being conducted, and certify
22 official acts.

23 C. In case of failure on the part of any person to comply with
24 any lawful order of the Commission, or of any Commissioner, or with

1 any subpoena or subpoena duces tecum, or to testify concerning any
2 matter on which he or she may be lawfully interrogated, the
3 Commission may compel obedience by proceedings for contempt as in
4 the case of disobedience of the requirements of a subpoena, or of
5 the refusal to testify.

6 D. Witnesses who are summoned before the Commission shall be
7 paid the same fees and mileage as are paid to witnesses in courts of
8 record. Any party to a proceeding at whose instance a subpoena is
9 issued and served shall pay the costs incident thereto and the fees
10 for mileage of all his or her witnesses.

11 E. In the event any process shall be directed to any
12 nonresident who is authorized to do business in this state, the
13 process may be served upon the agent designated by the nonresident
14 for the service of process, and service upon the agent shall be as
15 sufficient and as effective as if served upon the nonresident.

16 F. All process issued by the Commission shall extend to all
17 parts of the state and any such process, together with the service
18 of all notices issued by the Commission, as well as copies of
19 complaints, rules, orders and regulations of the Commission, may be
20 served by any person authorized to serve process issued out of
21 courts of record, or by certified mail.

22 G. After the conclusion of any hearing, the Commission shall,
23 within sixty (60) days, make and file its findings and order, with
24 its opinion. Its findings shall be in sufficient detail to enable

1 any court in which any action of the Commission is involved to
2 determine the controverted questions presented by the proceeding. A
3 copy of such order, certified under the seal of the Commission,
4 shall be served upon the person against whom it runs, or the
5 attorney of the person, and notice thereof shall be given to the
6 other parties to the proceedings or their attorneys. The order
7 shall take effect and become operative within fifteen (15) days
8 after the service thereof, unless otherwise provided. If an order
9 cannot, in the judgment of the Commission, be complied with within
10 fifteen (15) days, the Commission may grant and prescribe such
11 additional time as in its judgment is reasonably necessary to comply
12 with the order, and may, on application and for good cause shown,
13 extend the time for compliance fixed in the order.

14 H. In the event the Commission finds that the defendant is
15 guilty upon any complaint filed and proceeding had and that the
16 provisions of law, or the rules, regulations or orders of this the
17 Commission have been willfully and knowingly violated and the
18 violator holds a permit or certificate or license issued by the
19 Commission authorizing it to engage in the transportation of persons
20 or property for hire, then such permit or certificate or license may
21 also be revoked by the Commission.

22 I. Where a complaint is instituted by any person other than an
23 officer or employee of the Department of Public Safety or the
24 Commission of its own motion and in the event the Commission should

1 find that the complaint was not in good faith, the complaining party
2 shall be required to pay the defendant's attorney's fee, the fee to
3 be prescribed by the Commission in accordance with applicable
4 Oklahoma Bar Association standards.

5 J. Any person aggrieved by any findings and order of the
6 Commission may appeal to the Supreme Court in the way and manner now
7 or hereafter provided for appeals from the district court to the
8 Supreme Court.

9 SECTION 13. AMENDATORY 47 O.S. 2021, Section 171, is
10 amended to read as follows:

11 Section 171. All monies accruing to the "Corporation Commission
12 Revolving Fund" are hereby appropriated to the Corporation
13 Commission.

14 The Consistent with the provisions of this act and the Motor
15 Carrier Public Safety Enforcement Act, the Corporation Commission is
16 hereby authorized and empowered to employ such extra help as may be
17 necessary to carry out the provisions of this act for the
18 enforcement of the law and the collection of taxes set forth herein,
19 said employees to be paid from the appropriations made in this
20 section. Provided, such employees shall be paid such salaries or
21 compensation as is paid for similar service in this state in the
22 same or other departments of the state. The Corporation Commission
23 is hereby authorized to pay from the "Corporation Commission
24 Revolving Fund" such extra operating expenses as may be attributable

1 | to the enforcement of this act, in the same manner and form as other
2 | expenses are paid.

3 | Provided further, such employees shall be such extra help as may
4 | be in the judgment of the Corporation Commission necessary to aid in
5 | the enforcement of this act in addition to the positions hereinafter
6 | created; the salaries and expenses of the positions hereinafter
7 | created shall be paid out of funds appropriated by the general
8 | departmental appropriations act.

9 | SECTION 14. AMENDATORY 47 O.S. 2021, Section 171.1, is
10 | amended to read as follows:

11 | Section 171.1. In addition to other uses authorized by law,
12 | funds provided to the Corporation Commission Revolving Fund pursuant
13 | to Sections 165, 177.2 and 180h of this title shall be expended as
14 | follows:

15 | 1. The Corporation Commission Transportation Division shall may
16 | employ noncommissioned personnel to serve as civilian enforcement
17 | auditors and inspectors in furtherance of regulating the
18 | unauthorized transportation or disposal of deleterious substances or
19 | other unauthorized transportation in violation of the Motor Carrier
20 | Act of 1995 or the rules and regulations for motor carriers as
21 | promulgated by the Corporation Commission;

22 | 2. Except as provided by the Motor Carrier Public Safety
23 | Enforcement Act, the Commission may employ four special motor
24 | carrier enforcement officers and one supervisor-officer who shall

1 have the primary duty of investigating and assisting in the
2 prosecution of persons engaged in unauthorized transportation or
3 disposal of deleterious substances as contemplated under the
4 provisions of the ~~Oklahoma~~ Motor Carrier Act of 1995 and any other
5 applicable provisions of law. Such employees shall be compensated
6 as for similar service in the same or other departments of the state
7 and an expense allowance of One Hundred Dollars (\$100.00) per month
8 for maintenance and cleaning of uniforms and other related expenses
9 shall be paid to such employees. Nothing in this section regarding
10 expense allowances shall be construed to mean that such employees
11 shall receive any additional compensation beyond what is provided
12 for maintenance and cleaning of uniforms and other related expenses
13 by the Corporation Commission on the effective date of this act.;

14 2. ~~The Commission shall~~

15 3. Except as provided by the Motor Carrier Public Safety

16 Enforcement Act, the Commission may purchase a sufficient number of
17 motor vehicles to provide each motor carrier enforcement officer
18 employed in the Transportation Division a motor vehicle suitable to
19 carry out the enforcement provisions of applicable law. Said
20 vehicles shall be appropriately marked as official vehicles and
21 radio equipped. All costs for operation, maintenance and
22 replacement of the motor vehicles authorized in this section shall
23 be provided for from the Corporation Commission Revolving Fund.;

24

1 3. 4. The Commission shall employ a hearing officer whose
2 primary responsibility shall be the adjudication of enforcement
3 proceedings and complaints brought against persons engaged in
4 unauthorized transportation or disposal of deleterious substances or
5 other unauthorized transportation in violation of the ~~Oklahoma~~ Motor
6 Carrier Act of 1995 or the rules and regulations of motor carriers
7 as promulgated by the Corporation Commission.

8 SECTION 15. AMENDATORY 47 O.S. 2021, Section 172, is
9 amended to read as follows:

10 Section 172. A. Every owner of any motor vehicle, the agents
11 or employees of the owner, and every other person who violates or
12 fails to comply with or procures, aids, or abets in the violation of
13 Sections ~~161~~ 161A through 180m of this title or the Motor Carrier
14 Act of 1995, or who fails to obey, observe, or comply with any
15 order, decision, rule or regulation, direction, demand, or
16 requirement of the Corporation Commission, or who procures, aids or
17 abets any corporation or person in the person's, or its, refusal or
18 willful failure to obey, observe or comply with any such order,
19 decision, rule, direction, demand, or regulation, and any person who
20 operates a motor vehicle in this state when the motor carrier, the
21 motor vehicle, or the commercial operator is not in compliance with
22 Sections 161A through 180m of this title, the Motor Carrier Act of
23 1995, or any rule or regulation issued by the Corporation Commission
24 pursuant to these statutes, shall be deemed guilty of a misdemeanor.

1 Upon conviction in a criminal court of competent jurisdiction, such
2 misdemeanor is punishable by a fine of not exceeding One Thousand
3 Dollars (\$1,000.00).

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

22 C. Any person failing, neglecting or refusing to comply with
23 the provisions of Sections ~~161~~ 161A through 180m of this title or
24 the Motor Carrier Act of 1995, or with any rule, regulation, or

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

16 D. The Corporation Commission shall appoint a director of
17 transportation, a deputy director, an insurance supervisor, an
18 insurance clerk, two stenographers, a secretary to the director, an
19 identification device supervisor and an assistant identification
20 device supervisor at such salaries as the Legislature may from time
21 to time prescribe. The employees shall be allowed actual and
22 necessary travel expenses pursuant to the provisions of the State
23 Travel Reimbursement Act. All of the expense claims shall be
24 presented and paid monthly.

1 E. Enforcement officers, appointed by the Corporation
2 Commission, are hereby declared to be peace officers of this state.
3 Such officers shall be vested with all powers of peace officers in
4 enforcing the provisions of Sections ~~161~~ 161A through 180m of this
5 title and the Motor Carrier Act of 1995 in all parts of this state.

6 The powers and duties conferred upon said enforcement officers
7 shall in no way limit the powers and duties of sheriffs or other
8 peace officers of the state, or any political subdivision thereof,
9 or officers of members of the Division of Highway Patrol, subject to
10 the Department of Public Safety.

11 F. The enforcement officers when on duty, upon reasonable
12 belief that any motor vehicle is being operated in violation of any
13 provisions of Sections ~~161~~ 161A through 180m of this title or the
14 Motor Carrier Act of 1995, shall be authorized to require the driver
15 of the vehicle to stop and submit to an inspection of the
16 identification device, or devices, in the vehicle, and to submit to
17 such enforcement officer bills of lading, waybills, or other
18 evidences of the character of the commerce being transported in such
19 vehicle, and to submit to an inspection of the contents of such
20 vehicle for the purpose of comparing same with bills of lading or
21 shipping documentation, waybills, or other evidences of
22 transportation carried by the driver of the vehicle. The officers
23 shall not have the right to plea bargain.

1 G. The enforcement officers are authorized to serve all
2 warrants, writs, and notices issued by the Corporation Commission
3 relating to the enforcement of the provisions of Sections ~~161~~ 161A
4 through 180m of this title or the Motor Carrier Act of 1995 and the
5 rules, regulations, and requirements prescribed by the Corporation
6 Commission promulgated pursuant to Sections ~~161~~ 161A through 180m of
7 this title or the Motor Carrier Act of 1995.

8 H. The enforcement officers shall not have the power or right
9 of search, nor shall they have the right of power of seizure, except
10 as provided in Sections ~~161~~ 161A through 180m of this title or the
11 Motor Carrier Act of 1995. The enforcement officers are authorized
12 to hold and detain any motor vehicle operating upon the highways of
13 this state, if, the enforcement officer has reason to believe that
14 the vehicle is being operated contrary to the provisions of Sections
15 ~~161~~ 161A through 180m of this title or the Motor Carrier Act of
16 1995, or the rules, regulations, and requirements of the Corporation
17 Commission promulgated pursuant to Sections ~~161~~ 161A through 180m of
18 this title or the Motor Carrier Act of 1995.

19 I. No state official, other than members of the Corporation
20 Commission, shall have any power, right, or authority to command,
21 order, or direct any enforcement officer to perform any duty or
22 service authorized by Sections ~~161~~ 161A through 180m of this title
23 or the Motor Carrier Act of 1995.

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

7 K. No enforcement officer or employee of the Oklahoma
8 Corporation Commission shall have the right to plea bargain in motor
9 carrier or motor transportation matters submitted to the Commission
10 for adjudication except the chief legal counsel of the Commission or
11 an assign of the legal staff of the chief legal counsel.

12 L. In accordance with the Motor Carrier Public Safety
13 Enforcement Act, effective June 30, 2027, the Commission shall no
14 longer employ the enforcement officers referenced in this section.

15 SECTION 16. AMENDATORY 47 O.S. 2021, Section 177.2, is
16 amended to read as follows:

17 Section 177.2. A. No motor carrier shall engage in the
18 business of transporting any salt water, mineral brines, waste oil
19 and other deleterious substances produced from or obtained or used
20 in connection with the drilling, development, producing and
21 operating of oil and gas wells and brine wells, for any valuable
22 consideration whatever, or in any quantity over twenty (20) gallons,
23 without a license authorizing such operation and a deleterious
24 substance transport permit ~~to be~~ issued by the Commission.

1 Provided, transportation of such substances by private carrier of
2 property by motor vehicle shall require a deleterious substance
3 transport permit. Any permit required by this section shall be
4 carried in any vehicle engaged in the transportation of deleterious
5 substances.

6 B. No carrier shall transport deleterious substances under a
7 carrier license issued by the Commission until such time as the
8 carrier has been issued a deleterious substance transport permit.

9 C. No deleterious substance transport permit shall be issued to
10 a motor carrier or private carrier until the carrier has furnished
11 written proof of access to a Class II disposal well or wells. Said
12 written proof of access shall be provided by the owner of such
13 disposal well. Such disposal well must first be approved by the
14 Corporation Commission as adequate to meet the need for proper
15 disposal of all substances which the applicant may reasonably be
16 expected to transport as a motor carrier or private carrier.

17 Provided that nothing in this section shall be construed as
18 prohibiting the disposition of such deleterious substances in a
19 disposal well that is owned by a person other than the transporter.

20 D. The Commission shall maintain a current list of such
21 permits. The Commission shall charge such annual deleterious
22 substance transport permitting fees as will cover the cost of
23 issuing such licenses and an annual fee of Two Hundred Fifty Dollars
24 (\$250.00) for each such deleterious substance transport license.

1 Proceeds from the fees shall be deposited by the Commission in the
2 State Treasury to the credit of the Corporation Commission Revolving
3 Fund. The provisions of this section are supplemental and are in
4 addition to the laws applicable to motor carriers.

5 E. It shall be unlawful for any person to engage in the
6 transportation of deleterious substances or to operate a vehicle
7 engaged in the transportation of deleterious substances without a
8 permit required by this section.

9 SECTION 17. AMENDATORY 47 O.S. 2021, Section 180c, is
10 amended to read as follows:

11 Section 180c. The Oklahoma Corporation Commission may issue an
12 order for the seizure and confiscation and return to the Commission
13 of any identification device or devices, for any of the following
14 reasons, and to direct said order or orders to any officer of the
15 State of Oklahoma charged with the duties of enforcing the
16 provisions of this act and/or any other section of the motor carrier
17 law now in force or hereinafter enacted:

18 1. In all cases where the motor carrier has permitted the
19 insurance coverage, as required by law to be filed with the
20 Commission, to lapse or become ~~cancelled~~ canceled or for any reason
21 to become void and fail to meet the requirements as provided by law;

22 2. For failure on the part of any motor carrier, or his or her
23 or its agents or employees to comply with any part or provision of
24 this act, or any other act or law or part or provision thereof

1 relative to the legal operation of a for-hire motor carrier, or to
2 obey, observe or comply with any order, decision, rule or
3 regulation, direction, demand or requirement, or any part or
4 provision thereof, of the Commission, or who fails to obey, observe,
5 or comply with any direction or demand of an officer of the
6 Department of Public Safety;

7 3. Upon the cancellation or revocation of the certificate or
8 permit or ~~(IRC)~~ Interstate Registration Certificate (IRC) or license
9 under which said identification device or devices were issued; or

10 4. For operating any powered motor vehicle in violation of the
11 terms and provisions of this act or the Motor Carrier Act of 1995
12 and all applicable size and weight laws and safety standards of this
13 state.

14 SECTION 18. AMENDATORY 47 O.S. 2021, Section 180m, is
15 amended to read as follows:

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

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

1 2. To apprehend and detain any motor vehicle or vehicles and
2 driver or operator and their aides who are operating any motor
3 vehicle, upon or along the highways of this state, for a reasonable
4 length of time, for the purpose of investigating and determining
5 whether such vehicle is being operated in violation of any of the
6 provisions of Sections 180 through 180m of this title or the Motor
7 Carrier Act of 1995;

8 3. To make arrests for the violation of the provisions of
9 Sections 180 through 180m of this title or the Motor Carrier Act of
10 1995, without the necessity of procuring a warrant;

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

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

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

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

1 SECTION 19. AMENDATORY 47 O.S. 2021, Section 230.29, is
2 amended to read as follows:

3 Section 230.29. A. As used in this section:

4 1. "Authorized carrier" means a person or persons authorized to
5 engage in the transportation of passengers or property as a licensed
6 motor carrier;

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

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

14 4. "Lease" means a contract or arrangement in which the owner
15 grants the use of equipment, with or without driver, for a specified
16 period to an authorized carrier for use in the regulated
17 transportation of passengers or property, in exchange for
18 compensation;

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

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

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

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

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

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

8 2. The authorized carrier acquiring the use of equipment under
9 this section shall identify the equipment in accordance with the
10 requirements of the Commission; and

11 3. Upon termination of the lease, the authorized carrier shall
12 remove all identification showing it as the operating carrier before
13 giving up possession of the equipment.

14 C. The written lease required pursuant to subsection B of this
15 section shall contain the following provisions. The required lease
16 provisions shall be adhered to and performed by the authorized
17 carrier as follows:

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

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

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

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

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

12 6. The lease shall clearly specify the responsibility of each
13 party with respect to the cost of fuel, fuel taxes, empty mileage,
14 permits of all types, tolls, detention and accessorial services,
15 base plates and licenses, and any unused portions of such items.

16 Except when the violation results from the acts or omissions of the
17 lessor, the authorized carrier lessee shall assume the risks and
18 costs of fines for overweight and oversize trailers when the
19 trailers are preloaded, sealed, or the load is containerized, or
20 when the trailer or lading is otherwise outside of the lessor's
21 control, and for improperly permitted overdimension and overweight
22 loads and shall reimburse the lessor for any fines paid by the
23 lessor. If the authorized carrier is authorized to receive a refund
24 or a credit for base plates purchased by the lessor from, and issued

1 | in the name of, the authorized carrier, or if the base plates are
2 | authorized to be sold by the authorized carrier to another lessor,
3 | the authorized carrier shall refund to the initial lessor on whose
4 | behalf the base plate was first obtained a prorated share of the
5 | amount received;

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

15 | 8. The lease shall clearly specify the right of the lessor,
16 | regardless of method of compensation, to examine copies of the
17 | documentation of the carrier upon which charges are assessed;

18 | 9. The lease shall clearly specify all items that may be
19 | initially paid for by the authorized carrier, but ultimately
20 | deducted from the compensation of the lessor at the time of payment
21 | or settlement together with a recitation as to how the amount of
22 | each item is to be computed. The lessor shall be afforded copies of
23 | those documents which are necessary to determine the validity of the
24 | charge;

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

5 11. As it relates to insurance:

- 6 a. the lease shall clearly specify the legal obligation
7 of the authorized carrier to maintain insurance
8 coverage for the protection of the public, and
- 9 b. the lease shall clearly specify the conditions under
10 which deductions for cargo or property damage may be
11 made from the lessor's settlements. The lease shall
12 further specify that the authorized carrier must
13 provide the lessor with a written explanation and
14 itemization of any deductions for cargo or property
15 damage made from any compensation of money owed to the
16 lessor. The written explanation and itemization must
17 be delivered to the lessor before any deductions are
18 made; and

19 12. An original and two copies of each lease shall be signed by
20 the parties. The authorized carrier shall keep the original and
21 shall place a copy of the lease in the equipment during the period
22 of the lease, and it shall be unlawful to operate such equipment
23 without a copy of the lease in the equipment. The owner of the
24 equipment shall keep the other copy of the lease.

1 D. The provisions of this section shall apply to the leasing of
2 equipment with which to perform transportation regulated by the
3 Corporation Commission by motor carriers holding a license from the
4 Commission to transport passengers or property.

5 SECTION 20. AMENDATORY 47 O.S. 2021, Section 230.30, is
6 amended to read as follows:

7 Section 230.30. A. No license shall be issued by the Oklahoma
8 Corporation Commission to any carrier until after the carrier shall
9 have filed with the Commission a liability insurance policy or bond
10 covering public liability and property damage, issued by some
11 insurance or bonding company or insurance carrier authorized
12 pursuant to this section and which has complied with all of the
13 requirements of the Commission, which bond or policy shall be
14 approved by the Commission, and shall be in a sum and amount as
15 fixed by a proper order of the Commission; and the liability and
16 property damage insurance policy or bond shall bind the obligor
17 thereunder to make compensation for injuries to, or death of,
18 persons, and loss or damage to property, resulting from the
19 operation of any carrier for which the carrier is legally liable. A
20 copy of the policy or bond shall be filed with the Commission, and,
21 after judgment against the carrier for any damage, the injured party
22 may maintain an action upon the policy or bond to recover the same,
23 and shall be a proper party to maintain such action.

1 B. Every motor carrier shall file with the Commission a cargo
2 insurance policy or bond covering any goods or property being
3 transported, issued by some insurance or bonding company or
4 insurance carrier authorized as set forth below, and which has
5 complied with all of the requirements of the Commission, which bond
6 or policy shall be approved by the Commission, and shall be in a sum
7 and amount as fixed by a proper order of the Commission. The cargo
8 insurance must be filed with the Commission prior to a license being
9 issued by the Commission, unless the motor carrier has been exempted
10 from this requirement.

11 Intrastate motor carriers of sand, rock, gravel, asphaltic
12 mixtures or other similar road building materials shall not be
13 required to file cargo insurance and shall be required to maintain
14 liability insurance limits of Three Hundred Fifty Thousand Dollars
15 (\$350,000.00) combined single limit.

16 No carrier, whose principal place of business is in Oklahoma,
17 shall conduct any operations in this state unless the operations are
18 covered by a valid primary bond or insurance policy issued by a
19 provider authorized or approved by the State Insurance Commissioner.
20 No carrier shall conduct any operations in this state unless the
21 operations are covered by a valid bond or insurance policy issued by
22 a provider authorized and approved by a National Association of
23 Insurance Commissioners and certified by the State Insurance
24 Commission.

1 C. Each carrier shall maintain on file, in full force, all
2 insurance required by the laws of this state and the rules of the
3 Commission during the operation of the carrier and that the failure
4 for any cause to maintain the coverage in full force and effect
5 shall immediately, without any notice from the Commission, suspend
6 the rights of the carrier to operate until proper insurance is
7 provided. Any carrier suspended for failure to maintain proper
8 insurance shall have a reasonable time, not exceeding sixty (60)
9 days, to have its license reactivated, and to provide proper
10 insurance upon showing:

- 11 1. No operation during the period in which it did not have
12 insurance; and
- 13 2. Furnishing of proper insurance coverage.

14 D. Any carrier who fails to reactivate its license within sixty
15 (60) days after the suspension, as above provided, shall have the
16 license canceled, by operation of law, without any notice from the
17 Commission. No license so canceled shall be reinstated or otherwise
18 made operative except that the Commission may reinstate the license
19 of a carrier upon proper showing that the carrier was actually
20 covered by proper insurance during the suspension or cancellation
21 period, and that failure to file with the Commission was not due to
22 the negligence of the carrier. Any carrier desiring to file for
23 reinstatement of its license shall do so within ninety (90) days of
24 its cancellation by law.

1 E. The Commission shall, in its discretion, permit the filing
2 of certificates of insurance coverage or such form as may be
3 prescribed by the Commission, in lieu of copies of insurance
4 policies or bonds, with the proviso that if the certificates are
5 authorized the insurance company or carrier so filing it, upon
6 request of the Commission, will, at any time, furnish an
7 authenticated copy of the policy which the certificate represents,
8 and further provided that thirty (30) days prior to effective
9 cancellation or termination of the policy of insurance for any
10 cause, the insurer shall so notify the Commission in writing of the
11 facts or as deemed necessary by the Commission.

12 F. It is hereby declared unlawful for any person, its employee,
13 its agent, or its independent contractor to operate a motor vehicle
14 when a motor carrier is not in compliance with this section or the
15 Commission's rules issued pursuant to this section.

16 SECTION 21. AMENDATORY 47 O.S. 2021, Section 1115, as
17 last amended by Section 1, Chapter 246, O.S.L. 2023 (47 O.S. Supp.
18 2024, Section 1115), is amended to read as follows:

19 Section 1115. A. Unless provided otherwise by statute, the
20 following vehicles shall be registered annually: manufactured
21 homes, vehicles registered with a permanent nonexpiring license
22 plate pursuant to Section 1113 of this title, and commercial
23 vehicles registered pursuant to the installment plan provided in
24 subsection H of Section 1133 of this title. The following schedule

1 shall apply for such vehicle purchased in this state or brought into
2 this state by residents of this state:

3 1. Between January 1 and March 31, the payment of the full
4 annual fee shall be required;

5 2. Between April 1 and June 30, the payment of three-fourths
6 (3/4) the annual fee shall be required;

7 3. Between July 1 and September 30, the payment of one-half
8 (1/2) the annual fee shall be required; and

9 4. Between October 1 and November 30, one-fourth (1/4) the
10 annual fee shall be required.

11 License plates or decals for each year shall be made available
12 on December 1 of each preceding year for such vehicles. Any person
13 who purchases such vehicle or manufactured home between December 1
14 and December 31 of any year shall register it within thirty (30)
15 days from date of purchase and obtain a license plate or

16 Manufactured Home License Registration Decal, as appropriate, for
17 the following calendar year upon payment of the full annual fee.

18 Unless provided otherwise by statute, all annual license,
19 registration and other fees for such vehicles shall be due and
20 payable on January 1 of each year and if not paid by February 1
21 shall be deemed delinquent.

22 B. 1. All vehicles, other than those required to be registered
23 pursuant to the provisions of subsection A of this section, shall be
24 registered on a staggered system of registration and licensing on a

1 monthly series basis to distribute the work of registering such
2 vehicles as uniformly and expeditiously as practicable throughout
3 the calendar year unless otherwise provided in this section. After
4 the end of the month following the expiration date, the license and
5 registration fees for the new registration period shall become
6 delinquent. At the time of registration or renewal, the owner of
7 the vehicle may choose either an annual or a biennial registration
8 of the vehicle.

9 2. All fleet vehicles registered pursuant to new applications
10 approved pursuant to the provisions of Section 1120 of this title
11 shall be registered on a staggered system monthly basis.

12 3. Applicants seeking to establish Oklahoma as the base
13 jurisdiction for registering apportioned fleet vehicles shall have a
14 one-time option of registering for a period of not less than six (6)
15 months nor greater than eighteen (18) months. Subsequent renewals
16 for these registrants will be for twelve (12) months, expiring on
17 the last day of the month chosen by the registrant under the one-
18 time option as provided herein. In addition, registrants with
19 multiple fleets may designate a different registration month of
20 expiration for each fleet.

21 As used in this section, "fleet" shall have the same meaning as
22 set forth in the International Registration Plan.

23 4. Effective January 1, 2004, all motorcycles and mopeds shall
24 be registered on a staggered system of registration. Service

1 Oklahoma shall notify in writing, prior to December 1, 2003, all
2 owners of motorcycles or mopeds registered as of such date, who
3 shall have a one-time option of registering for a period of not less
4 than three (3) months nor greater than fifteen (15) months.
5 Subsequent renewals for these registrants will be for twelve (12)
6 months, expiring on the last day of the month chosen by the
7 registrant under the one-time option as provided herein. All
8 motorcycles and mopeds registered pursuant to new applications
9 received on or after December 1, 2003, shall also be registered
10 pursuant to the provisions of this paragraph.

11 5. Any three or more commercial vehicles owned by the same
12 person and previously registered in this state may be registered at
13 the same time regardless of the month or months in which they were
14 previously registered. The month in which the commercial vehicles
15 are newly registered shall be the month in which their registration
16 is renewed annually. If a commercial vehicle is registered pursuant
17 to this paragraph in the same calendar year in which it was
18 previously registered, license and registration fees shall be
19 prorated to account for the difference between the previous renewal
20 month and the new renewal month and those fees shall be due at the
21 time of registration pursuant to this paragraph.

22 C. The following penalties shall apply for delinquent
23 registration fees:

1 1. For fleet vehicles required to be registered pursuant to the
2 provisions of Section 1120 of this title for which a properly
3 completed application for registration has not been received by the
4 Corporation Commission by the last day of the month following the
5 registration expiration date, a penalty of thirty percent (30%) of
6 the Oklahoma portion of the annual registration fee, or Two Hundred
7 Dollars (\$200.00), whichever is greater, shall be assessed. The
8 license and registration cards issued by the Corporation Commission
9 for each fleet vehicle shall be valid until two (2) months after the
10 registration expiration date;

11 2. For commercial vehicles registered under the provisions of
12 subsection B of this section, except those vehicles registered
13 pursuant to Section 1133.1 of this title, a penalty shall be
14 assessed after the last day of the month following the registration
15 expiration date. A penalty of twenty-five cents (\$0.25) per day
16 shall be added to the license fee of such vehicle and shall accrue
17 for one (1) month. Thereafter, the penalty shall be thirty percent
18 (30%) of the annual registration fee, or Two Hundred Dollars
19 (\$200.00), whichever is greater;

20 3. For new or used manufactured homes, not registered within
21 thirty (30) days from date of purchase or date such manufactured
22 home was brought into this state, a penalty equal to the
23 registration fee shall be assessed; or

1 4. For all vehicles a penalty shall be assessed after the last
2 day of the month following the expiration date and no penalty shall
3 be waived by Service Oklahoma or any licensed operator except as
4 provided for in subsection H of Section 1133, subsection C of
5 Section 1127 of this title, or when the vehicle was stolen as
6 certified by a police report or other documentation as required by
7 Service Oklahoma. A penalty of One Dollar (\$1.00) per day shall be
8 added to the license fee of such vehicle, provided that the penalty
9 shall not exceed One Hundred Dollars (\$100.00). Of each dollar
10 penalty collected pursuant to this subsection:

- a. twenty-one cents (\$0.21) shall be apportioned as provided in Section 1104 of this title,
 - b. twenty-one cents (\$0.21) shall be retained by the licensed operator, and
 - c. fifty-eight cents (\$0.58) shall be deposited in the General Revenue Fund.

17 D. In addition to all other penalties provided in the Oklahoma
18 Vehicle License and Registration Act, the following penalties shall
19 be imposed and collected by ~~any Enforcement Officer~~ of the
20 Corporation Commission upon finding any commercial vehicle being
21 operated in violation of the provisions of the Oklahoma Vehicle
22 License and Registration Act.

The penalties shall apply to any commercial vehicle found to be operating in violation of the following provisions:

1 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
2 imposed upon any person found to be operating a commercial vehicle
3 sixty (60) days after the end of the month in which the license
4 plate or registration credentials expire without the current year
5 license plate or registration credential displayed. Such penalty
6 shall not exceed the amount established by the Corporation
7 Commission pursuant to the provisions of subsection A of Section
8 1167 of this title. Revenue from such penalties shall be
9 apportioned as provided in Section 1167 of this title;

10 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
11 imposed for any person operating a commercial vehicle subject to the
12 provisions of Section 1120 or Section 1133 of this title without the
13 proper display of, or, carrying in such commercial vehicle, the
14 identification credentials issued by the Corporation Commission as
15 evidence of payment of the fee or tax as provided in Section 1120 or
16 Section 1133 of this title. Such penalty shall not exceed the
17 amount established by the Corporation Commission pursuant to the
18 provisions of subsection A of Section 1167 of this title. Revenue
19 from such penalties shall be apportioned as provided in Section 1167
20 of this title; and

21 3. A penalty of not less than One Hundred Dollars (\$100.00)
22 shall be imposed for any person that fails to register any
23 commercial vehicle subject to the Oklahoma Vehicle License and
24 Registration Act. Such penalty shall not exceed the amount

1 established by the Corporation Commission pursuant to the provisions
2 of subsection A of Section 1167 of this title. Revenue from such
3 penalties shall be apportioned as provided in Section 1167 of this
4 title.

5 E. Service Oklahoma, or the Corporation Commission with respect
6 to vehicles registered under Section 1120 or Section 1133 of this
7 title, shall assess the registration fees and penalties for the year
8 or years a vehicle was not registered. For vehicles not registered
9 for two (2) or more years, the registration fees and penalties shall
10 be due only for the current year and one (1) previous year.

11 F. In addition to any other penalty prescribed by law, there
12 shall be a penalty of not less than Twenty Dollars (\$20.00) upon a
13 finding by an enforcement officer that:

14 1. The registration of a vehicle registered pursuant to Section
15 1132 of this title is expired and it is sixty (60) or more days
16 after the end of the month of expiration; or

17 2. The registration fees for a vehicle that is subject to the
18 registration fees pursuant to Section 1132 of this title have not
19 been paid.

20 Such penalty shall not exceed the amount established by the
21 Corporation Commission pursuant to the provisions of subsection A of
22 Section 1167 of this title. Revenue from such penalties shall be
23 apportioned as provided in Section 1167 of this title.

1 G. If a vehicle is donated to a nonprofit charitable
2 organization, the nonprofit charitable organization shall be exempt
3 from paying any current or past due registration fees, excise tax,
4 transfer fees, and penalties and interest. However, after the
5 donation, if the person donating the vehicle, or someone on behalf
6 of such person, purchases the same vehicle back from the nonprofit
7 charitable organization to which the vehicle was donated, such
8 person shall be liable for all current and past-due registration
9 fees, excise tax, title or transfer fees, and penalties and interest
10 on such vehicle.

11 H. Service Oklahoma shall promulgate rules and any necessary
12 procedures to establish an option for a biennial registration for
13 vehicles registered pursuant to paragraph 1 of subsection B of this
14 section.

15 1. Regardless of whether the vehicle owner elects annual or
16 biennial registration, the vehicle is still subject to all fees,
17 fines, and penalties provided in the Oklahoma Vehicle License and
18 Registration Act.

19 2. For vehicle owners who elect biennial registration, the
20 annual registration fee shall be twice the annual registration fee
21 provided in the Oklahoma Vehicle License and Registration Act.

22 3. When processing biennial registrations, licensed operators
23 shall be entitled to retain twice the amounts provided in paragraphs
24 1 and 2 of subsection A of Section 1141.1 of this title and twice

1 | the amount provided in paragraph 14 of subsection A of Section
2 | 1141.1 of this title for processing insurance verification
3 | information.

4 | SECTION 22. AMENDATORY 47 O.S. 2021, Section 1124, is
5 | amended to read as follows:

6 | Section 1124. A. Any person, firm or corporation owning or
7 | possessing a commercial vehicle who:

8 | 1. Is a resident of the United States;

9 | 2. Is required to register the vehicle under the laws of this
10 | state;

11 | 3. Is not authorized to drive the vehicle on the public roads
12 | of this state for lack of registration or reciprocity of this
13 | state's laws with the laws of the state in which the vehicle is
14 | registered; and

15 | 4. Operates the vehicle for commercial purposes,,

16 | may receive a temporary permit from the Corporation Commission. The
17 | permit shall be recognized in lieu of registration in this state.

18 | The permit shall indicate the time and date of its issuance and
19 | shall be valid for a period not to exceed seventy-two (72) hours
20 | from such indicated time.

21 | B. A fee of Twelve Dollars (\$12.00) shall be charged for the
22 | issuance of the temporary permit,, which shall be apportioned in the
23 | same manner as other vehicle license fees are apportioned under the
24 |

1 terms of the motor vehicle license and registration laws of this
2 state.

3 C. The temporary permit shall not be issued to any person, firm
4 or corporation owning or possessing a commercial vehicle, truck,
5 truck-tractor, trailer, semitrailer or motor bus~~s~~ who has been
6 apprehended for violating the registration laws of this state. If
7 apprehended, the vehicle shall be immediately subject to such
8 registration laws. Possession of the temporary permit shall not
9 affect any liability or duty which the owner or operator of a
10 vehicle might otherwise have by law. An operator of a vehicle
11 possessing an expired, altered or undated temporary permit shall be
12 deemed to be operating an unregistered motor vehicle and shall be
13 subject to registration and penalties therefor as provided by law.

14 D. The Corporation Commission may enter into an agreement with
15 any person or corporation located within or without the state for
16 transmission of temporary permits for a commercial vehicle by way of
17 a facsimile machine or other device when the Corporation Commission
18 determines that such agreement is in the best interests of the
19 state.

20 E. The Corporation Commission may enter into an agreement with
21 any state for transmission of that state's temporary permits for a
22 commercial vehicle by way of a facsimile machine or other device
23 when the Corporation Commission determines that such agreement is in
24 the best interests of the state.

1 F. Any provision of this act providing for proportional
2 registration under reciprocal agreements and the International
3 Registration Plan that relate to the promulgation of rules shall not
4 be subject to the provisions of Section 1151 of this title. The
5 Corporation Commission may promulgate such rules as it deems
6 necessary to administer the provisions of this section. The
7 Corporation Commission may prescribe an application form for the
8 temporary permit and such other forms as it deems appropriate.

9 G. The provisions of this section shall not apply to vehicles
10 entering this state for the express purpose of transporting the
11 resources and equipment necessary to support production activities
12 of the motion picture, television and video film industries
13 operating within the state. Any such vehicle properly registered
14 under the laws of another state or not registered with this state
15 pursuant to the provisions of the International Registration Plan
16 and used for the above-stated purpose shall not be subject to the
17 registration requirements as set forth in Section 1101 et seq. of
18 this title while conducting said business.

19 SECTION 23. AMENDATORY 47 O.S. 2021, Section 1151, as
20 last amended by Section 109, Chapter 452, O.S.L. 2024 (47 O.S. Supp.
21 2024, Section 1151), is amended to read as follows:

22 Section 1151. A. It shall be unlawful for any person to commit
23 any of the following acts:
24

1 1. To lend or to sell to, or knowingly permit the use of by,
2 one not entitled thereto any certificate of title, license plate or
3 decal issued to or in the custody of the person so lending or
4 permitting the use thereof;

5 2. To alter or in any manner change a certificate of title,
6 registration certificate, license plate or decal issued under the
7 laws of this or any other state;

8 3. To procure from another state or country, or display upon
9 any vehicle owned by such person within this state, except as
10 otherwise provided in the Oklahoma Vehicle License and Registration
11 Act, any license plate issued by any state or country other than
12 this state, unless there shall be displayed upon such vehicle at all
13 times the current license plate and decal assigned to it by Service
14 Oklahoma or the Corporation Commission or the vehicle shall display
15 evidence that the vehicle is registered as a nonresident vehicle
16 pursuant to rules promulgated by Service Oklahoma, with the
17 concurrence of the Department of Public Safety. A violation of the
18 provisions of this paragraph shall be presumed to have occurred if a
19 person who is the holder of an Oklahoma driver license operates a
20 vehicle owned by such person on the public roads or highways of this
21 state and there is not displayed on the vehicle a current Oklahoma
22 license plate and decal, unless the vehicle is owned by a member of
23 the Armed Forces of the United States assigned to duty in this state

1 in compliance with official military or naval orders or the spouse
2 of such a member of the Armed Forces;

3 4. To drive, operate or move, or for the owner to cause or
4 permit to be driven or moved, upon the roads, streets or highways of
5 this state, any vehicle loaded in excess of its registered laden
6 weight, or which is licensed for a capacity less than the
7 manufacturer's rated capacity as provided for in the Oklahoma
8 Vehicle License and Registration Act;

9 5. To operate a vehicle without proper license plate or decal
10 or on which all taxes due the state have not been paid. No citation
11 may be issued by any state, county or municipal law enforcement
12 officer during the one-month period immediately succeeding the last
13 day of the month during which a vehicle registration should have
14 been renewed and a current license plate decal obtained and
15 displayed on the license plate of the vehicle;

16 6. To buy, sell or dispose of, or possess for sale, use or
17 storage, any secondhand or used vehicle on which the registration or
18 license fee has not been paid, as required by law, and on which
19 vehicle the person neglects, fails or refuses to display at all
20 times the license plate or decal assigned to it;

21 7. To give a fictitious name or fictitious address or make any
22 misstatement of facts in application for certificate of title and
23 registration of a vehicle;

1 8. To purchase a license plate on an assigned certificate of
2 title. This particular paragraph shall be applicable to all persons
3 except a bona fide registered dealer in used cars who are holders of
4 a current and valid used car dealer license;

5 9. To operate a vehicle upon the highways of this state after
6 the registration deadline for that vehicle without a proper license
7 plate, as prescribed by the Oklahoma Vehicle License and
8 Registration Act, for the current year;

9 10. For any owner of a vehicle registered on the basis of laden
10 weight to fail or refuse to weigh or reweigh it when requested to do
11 so by any enforcement officer charged with the duty of enforcing
12 this law;

13 11. To operate or possess any vehicle which bears a motor
14 number or serial number other than the original number placed
15 thereon by the factory except a number duly assigned and authorized
16 by the state;

17 12. For any licensed operator to release a license plate, a
18 manufactured home registration receipt, decal or excise tax receipt
19 to any unauthorized person or source including any dealer in new or
20 used motor vehicles. Violation of this paragraph shall constitute
21 sufficient grounds for discharge of a licensed operator by Service
22 Oklahoma;

23 13. To operate any vehicle registered as a commercial vehicle
24 without the lettering requirements of Section 1102 of this title; **or**

1 14. To operate any vehicle in violation of the provisions of
2 Sections 7-600 through 7-606 of this title while displaying a yearly
3 decal issued to the owner who has filed an affidavit with the
4 appropriate licensed operator in accordance with Section 7-607 of
5 this title; or

6 15. To otherwise operate a commercial vehicle when the motor
7 carrier, the vehicle, or the commercial operator is not in
8 compliance with the Oklahoma Vehicle License and Registration Act or
9 with the rules of the Corporation Commission pursuant to this act.

10 Any person convicted of violating any provision of this
11 subsection, other than paragraph 3 of this subsection, shall be
12 deemed guilty of a misdemeanor and upon conviction shall be punished
13 by a fine not to exceed Five Hundred Dollars (\$500.00). Any person
14 convicted of violating the provisions of paragraph 3 of this
15 subsection shall be deemed guilty of a misdemeanor and, upon
16 conviction, shall be punished by a fine of not less than One Hundred
17 Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00)
18 and shall be required to obtain an Oklahoma license plate.

19 Employees of the Corporation Commission may be authorized by the
20 Corporation Commission to issue citations to motor carriers or
21 operators of commercial motor vehicles, pursuant to the jurisdiction
22 of the Corporation Commission, for a violation of this subsection.
23 If a person convicted of violating the provisions of this subsection
24 was issued a citation by a duly authorized employee of the

1 Corporation Commission, the fine herein levied shall be apportioned
2 as provided in Section 1167 of this title.

3 B. Except as otherwise authorized by law, it shall be unlawful
4 to:

5 1. Lend or sell to, or knowingly permit the use of by, one not
6 entitled thereto any certificate of title issued for a manufactured
7 home, manufactured home registration receipt, manufactured home
8 registration decal or excise tax receipt;

9 2. Alter or in any manner change a certificate of title issued
10 for a manufactured home under the laws of this state or any other
11 state;

12 3. Remove or alter a manufactured home registration receipt,
13 manufactured home registration decal or excise tax receipt attached
14 to a certificate of title or attach such receipts to a certificate
15 of title with the intent to misrepresent the payment of the required
16 excise tax and registration fees;

17 4. Buy, sell or dispose of, or possess for sale, use or storage
18 any used manufactured home on which the registration fees or excise
19 taxes have not been paid as required by law; or

20 5. Purchase identification, manufactured home registration
21 receipt, manufactured home registration decal or excise tax receipt
22 on an assigned certificate of title.

23 Anyone violating the provisions of this subsection, upon
24 conviction, shall be guilty of a felony.

1 C. In the event a new vehicle is not registered within thirty
2 (30) days from date of purchase, the penalty for the failure of the
3 owner of the vehicle to register the vehicle within thirty (30) days
4 shall be One Dollar (\$1.00) per day; provided, that in no event
5 shall the penalty exceed One Hundred Dollars (\$100.00). No penalty
6 shall be waived by Service Oklahoma or any licensed operator except
7 as provided in subsection C of Section 1127 of this title. Of each
8 dollar penalty collected pursuant to this subsection:

9 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
10 Section 1104 of this title;

11 2. Twenty-one cents (\$0.21) shall be retained by the licensed
12 operator; and

13 3. Fifty-eight cents (\$0.58) shall be deposited in the General
14 Revenue Fund. The penalty for new commercial vehicles shall be
15 equal to the license fee for such vehicles.

16 If a used vehicle is brought into Oklahoma by a resident of this
17 state and is not registered within thirty (30) days, a penalty of
18 One Dollar (\$1.00) per day shall be charged from the date of entry
19 to the date of registration; provided, that in no event shall the
20 penalty exceed One Hundred Dollars (\$100.00). No penalty shall be
21 waived by Service Oklahoma or any licensed operator except as
22 provided in subsection C of Section 1127 of this title. Of each
23 dollar penalty collected pursuant to this subsection:

1 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
2 Section 1104 of this title;

3 2. Twenty-one cents (\$0.21) shall be retained by the licensed
4 operator; and

5 3. Fifty-eight cents (\$0.58) shall be deposited in the General
6 Revenue Fund. The penalty for used commercial vehicles shall be
7 equal to the license fee for such vehicles.

8 D. Any owner who knowingly makes or causes to be made any false
9 statement of a fact required in this section to be shown in an
10 application for the registration of one or more vehicles shall be
11 deemed guilty of a misdemeanor and, upon conviction, shall be fined
12 not more than One Thousand Dollars (\$1,000.00), or shall be
13 imprisoned in the county jail for not more than one (1) year, or by
14 both such fine and imprisonment.

15 E. The following self-propelled or motor-driven and operated
16 vehicles shall not be registered under the provisions of the
17 Oklahoma Vehicle License and Registration Act or, except as provided
18 for in Section 11-1116 of this title, be permitted to be operated on
19 the streets or highways of this state:

20 1. Vehicles known and commonly referred to as "minibikes" and
21 other similar trade names; provided, minibikes may be registered and
22 operated in this state by food vendor services upon streets having a
23 speed limit of thirty (30) miles per hour or less;

24 2. Golf carts;

1 3. Go-carts; and

2 4. Other motor vehicles, except motorcycles, which are

3 manufactured principally for use off the streets and highways.

4 Transfers and sales of such vehicles shall be subject to sales
5 tax and not motor vehicle excise taxes.

6 F. Any person violating paragraph 3 or 6 of subsection A of
7 this section, in addition to the penal provisions provided in this
8 section, shall pay as additional penalty a sum equal to the amount
9 of license fees due on such vehicle or registration fees due on a
10 manufactured home known to be in violation and such amount is hereby
11 declared to be a lien upon the vehicle as provided in the Oklahoma
12 Vehicle License and Registration Act. In addition to the penalty
13 provisions provided in this section, any person violating paragraph
14 3 of subsection A of this section shall be deemed guilty of a
15 misdemeanor and shall, upon conviction, be punished by a fine of One
16 Hundred Dollars (\$100.00).

17 G. Each violation of any provision of the Oklahoma Vehicle
18 License and Registration Act for each and every day such violation
19 has occurred shall constitute a separate offense.

20 H. Anyone violating any of the provisions heretofore enumerated
21 in this section shall be guilty of a misdemeanor and upon conviction
22 shall be fined not less than Ten Dollars (\$10.00) and not to exceed
23 Three Hundred Dollars (\$300.00).

1 I. Any violation of any portion of the Oklahoma Vehicle License
2 and Registration Act where a specific penalty has not been imposed
3 shall constitute a misdemeanor, and upon conviction thereof, the
4 person having violated it shall be fined not less than Ten Dollars
5 (\$10.00) and not to exceed Three Hundred Dollars (\$300.00).

6 J. ~~Any provision of the Oklahoma Vehicle License and~~
7 ~~Registration Act providing for proportional registration under~~
8 ~~reciprocal agreements and the International Registration Plan that~~
9 ~~relates to the promulgation of rules and regulations shall not be~~
10 ~~subject to the provisions of this section.~~

11 SECTION 24. AMENDATORY 47 O.S. 2021, Section 1168, is
12 amended to read as follows:

13 Section 1168. All facilities and equipment under the
14 administrative control of the Oklahoma Tax Commission and used for
15 determining the weight of vehicles operated on the roads or highways
16 of this state are hereby transferred to the Department of
17 Transportation. Any funds appropriated to or any powers, duties and
18 responsibilities exercised by the Tax Commission for such purpose
19 shall be transferred to the Department of Transportation. The
20 Director of the Office of Management and Enterprise Services is
21 hereby authorized to transfer such funds as may be necessary. The
22 Effective July 1, 2026, the Department of Transportation is hereby
23 authorized to enter into an agreement with the Corporation
24 Commission Department of Public Safety to operate such facilities or

1 equipment. The provisions of this section shall not be construed to
2 obligate the Department of Transportation to incur expenses in
3 connection with the administration of such facilities and equipment
4 in an amount which exceeds deposits to the Weigh Station Improvement
5 Revolving Fund.

6 SECTION 25. AMENDATORY 47 O.S. 2021, Section 1170, is
7 amended to read as follows:

8 Section 1170. A. Reports and files of the Corporation
9 Commission concerning the administration of the International
10 Registration Plan and the International Fuel Tax Agreement, shall be
11 considered confidential and privileged, except as otherwise provided
12 for by law, and neither the Commission nor any employee engaged in
13 the administration of the International Registration Plan or
14 International Fuel Tax Agreement or charged with the custody of any
15 such reports or records nor any person who may have secured such
16 reports or records from the Commission shall disclose any
17 information obtained from the reports or records of any person.

18 B. The provisions of this section shall not prevent the
19 Commission from disclosing the following information, and no
20 liability whatsoever, civil or criminal, shall attach to any member
21 of the Commission or any employee thereof for any error or omission
22 in the disclosure of such information:

23 1. The delivery to a taxpayer or a duly authorized
24 representative of the taxpayer of a copy of any report or any other

1 paper filed by the taxpayer pursuant to the provisions of the
2 International Registration Plan or the International Fuel Tax
3 Agreement;

4 2. The exchange of information that is not protected by the
5 federal Privacy Protection Act, 42 U.S.C., Section 2000aa et seq.,
6 pursuant to reciprocal agreements or compacts entered into by the
7 Commission and other state agencies or agencies of the federal
8 government;

9 3. The publication of statistics so classified as to prevent
10 the identification of a particular report and the items thereof;

11 4. The examination of records and files by the State Auditor
12 and Inspector or the duly authorized agents of the State Auditor and
13 Inspector;

14 5. The disclosing of information or evidence to the Oklahoma
15 State Bureau of Investigation, Attorney General, Oklahoma State
16 Bureau of Narcotics and Dangerous Drugs Control, Department of
17 Public Safety, any district attorney, or agent of any federal law
18 enforcement agency when the information or evidence is to be used by
19 such officials to investigate or prosecute violations of the
20 criminal provisions of the Uniform Tax Procedure Code or of any
21 state tax law or of any federal crime committed against this state.

22 Any information disclosed to the Oklahoma State Bureau of
23 Investigation, Attorney General, Oklahoma State Bureau of Narcotics
24 and Dangerous Drugs Control, Department of Public Safety, any

1 district attorney, or agent of any federal law enforcement agency
2 shall be kept confidential by such person and not be disclosed
3 except when presented to a court in a prosecution for violation of
4 the tax laws of this state or except as specifically authorized by
5 law, and a violation by the Oklahoma State Bureau of Investigation,
6 Attorney General, Oklahoma State Bureau of Narcotics and Dangerous
7 Drugs Control, Department of Public Safety, district attorney, or
8 agent of any federal law enforcement agency by otherwise releasing
9 the information shall be a felony;

10 6. The use by any division of the Commission of any information
11 or evidence in the possession of or contained in any report or
12 return filed or documents obtained by the Commission in the
13 administration of the International Fuel Tax Agreement or the
14 International Registration Plan;

15 7. The furnishing, at the discretion of the Commission, of any
16 information disclosed by its records or files to any official person
17 or body of this state, any other state, the United States, or
18 foreign country who is concerned with the administration or
19 assessment of any similar tax in this state, any other state or
20 province or the United States;

21 8. The furnishing of information as to the issuance or
22 revocation of any registration or license by the Commission as
23 provided for by law. Such information shall be limited to the name
24 of the person issued the permit or license, the name of the business

1 entity authorized to engage in business pursuant to the permit or
2 license, the address of the business entity, and the grounds for
3 revocation;

4 9. The disclosure of information to any person for a purpose as
5 authorized by the taxpayer pursuant to a waiver of confidentiality.
6 The waiver shall be in writing and shall be made upon such form as
7 the Commission may prescribe;

8 10. The disclosure of information directly involved in the
9 resolution of the protest by a taxpayer to an assessment of tax or
10 additional tax or the resolution of a claim for a refund filed by a
11 taxpayer, including the disclosure of the pendency of an
12 administrative proceeding involving such protest or claim, to a
13 person called by the Commission as an expert witness or as a witness
14 whose area of knowledge or expertise specifically addresses the
15 issue addressed in the protest or claim for refund. Such disclosure
16 to a witness shall be limited to information pertaining to the
17 specific knowledge of that witness as to the transaction or
18 relationship between taxpayer and witness;

19 11. The furnishing to a prospective purchaser of any business,
20 or his or her authorized representative, of information relating to
21 any liabilities, delinquencies, assessments or warrants of the
22 prospective seller of the business which have not been filed of
23 record, established, or become final and which relate solely to the
24 seller's business. Any disclosure under this paragraph shall only

1 be allowed upon the presentment by the prospective buyer, or the
2 buyer's authorized representative, of the purchase contract and a
3 written authorization between the parties; and

4 12. The furnishing of information as to the amount of state
5 revenue affected by the issuance or granting of any registration or
6 license or credit issued by the Corporation Commission as provided
7 for by law. Such information shall be limited to the type of
8 registration, license or credit issued or granted, the date and
9 duration of such registration, license or credit, and the amount of
10 such revenue. The provisions of this paragraph shall not authorize
11 the disclosure of the name of the person issued such registration,
12 license, exemption, credit, or the name of the business entity
13 authorized to engage in business pursuant to the registration,
14 license or credit.

15 SECTION 26. AMENDATORY 47 O.S. 2021, Section 1201, is
16 amended to read as follows:

17 Section 1201. As used in the Oklahoma Weigh Station Act of
18 2012:

- 19 1. "Authority" means the Oklahoma Turnpike Authority;
- 20 2. "Commission" means the Corporation Commission;
- 21 3. "Fixed facility" means a weigh station or a port of entry;
- 22 4. "Port of entry" means a facility, in close proximity to a
23 state line, designed to electronically weigh and screen motor
24 carriers and commercial motor vehicles for compliance with federal

1 and state statutes and rules, allowing compliant carriers to proceed
2 with minimal or no delay;

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

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

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

18 SECTION 27. AMENDATORY 47 O.S. 2021, Section 1202, is
19 amended to read as follows:

20 Section 1202. A. The Department of Transportation, the
21 Oklahoma Turnpike Authority and the ~~Corporation Commission~~
22 Department of Public Safety may enter into interagency agreements
23 concerning the equipment, maintenance and operations of fixed
24 facilities.

1 B. The Department of Transportation, the Authority and the
2 ~~Commission~~ Department of Public Safety shall endeavor to
3 electronically upgrade weigh stations as practical to minimize the
4 duplication of inspections for compliant commercial motor vehicles
5 and motor carriers.

6 C. ~~The Commission shall operate all~~ All current and future
7 ports of entry weigh stations shall be operated eighteen (18) to
8 twenty (20) hours a day and seven (7) days a week upon the
9 availability of funds and manpower.

10 D. The Except as provided by subsection J of this section, the
11 Commission shall continue to conduct roadside enforcement in the
12 general area where a fixed facility is planned but no fixed facility
13 currently exists until a fixed facility is located in the general
14 area or July 1, 2016, whichever is earlier.

15 E. When a fixed facility is located in the general area,
16 Commission motor carrier and commercial motor vehicle enforcement
17 shall be limited to the fixed facility and a radius surrounding the
18 facility. If the fixed facility is a weigh station as defined in
19 Section 1201 of this title, the applicable radius shall be seven (7)
20 miles. If the fixed facility is a port of entry weigh station as
21 defined in Section 1201 of this title, the applicable radius shall
22 be twenty-five (25) miles. These geographic limitations on
23 enforcement shall not apply to officers of the Department of Public
24 Safety.

1 F. The Commission may assist in roadside enforcement in a joint
2 effort at the request of the Oklahoma Highway Patrol.

3 G. The Commission is authorized to conduct audits, reviews,
4 investigations, inspections or other enforcement actions ~~by~~
5 ~~enforcement officers,~~ provided those activities are within the scope
6 of the Commission's jurisdiction and are not conducted as roadside
7 enforcement in accordance with the provisions of the Oklahoma Weigh
8 Station Act of 2012.

9 H. The ~~Commission~~ Department of Public Safety may enter into
10 interagency cooperative agreements with other state or federal
11 agencies to jointly enforce federal and state laws or rules.

12 I. North American Standard Inspections shall be conducted only
13 by individuals holding certification in the level or classification
14 of inspection being conducted.

15 J. Beginning July 1, 2026, and effective June 30, 2027, all
16 powers, duties, and responsibilities for operation of fixed
17 facilities shall be transferred from the Corporation Commission to
18 the Department of Public Safety. The period between July 1, 2026,
19 and June 30, 2027, shall be a transitional period in which the duty
20 and authority to operate all current and future fixed facilities is
21 transferred from the Corporation Commission to the Department of
22 Public Safety. During this transitional period, the Corporation
23 Commission shall operate all current and future ports of entry weigh
24 stations according to the standards set forth in this section unless

1 the Department of Transportation, Department of Public Safety, and
2 Corporation Commission agree, with approval of the transitional task
3 force created in Section 1 of this act, to an orderly transition of
4 authority to the Department of Public Safety prior to June 30, 2027.
5 During this transitional period, the Department of Transportation,
6 Oklahoma Turnpike Authority, Department of Public Safety, and
7 Corporation Commission may enter into interagency agreements
8 concerning the equipment, maintenance, and operations of fixed
9 facilities.

10 SECTION 28. AMENDATORY 68 O.S. 2021, Section 608, is

11 amended to read as follows:

12 Section 608. (a) Every person operating a motor vehicle on the
13 highways of this state as a Motor Fuel/Diesel Fuel Importer for Use
14 must at all times during such operation have displayed in the cab of
15 such motor vehicle, a copy of the Motor Fuel/Diesel Fuel Importer
16 for Use License which shall be subject to inspection at all times by
17 representatives of the Corporation Commission and any officer of the
18 Department of Public Safety.

19 (b) Any person operating a motor vehicle on the highways of
20 this state, the operation of which is subject to the tax levied by
21 this article, without having obtained a Motor Fuel/Diesel Fuel
22 Importer for Use License as required by Section 607 of this title,
23 shall be guilty of a misdemeanor and, upon conviction, punished by a
24 fine of not more than One Thousand Dollars (\$1,000.00), or by

1 imprisonment in the county jail for a period not exceeding one (1)
2 year or both. The venue for prosecutions arising under this section
3 shall be in the district court of any county in which such vehicle
4 is being operated.

5 SECTION 29. REPEALER 47 O.S. 2021, Sections 116.13 and
6 172.1, are hereby repealed.

7 SECTION 30. This act shall become effective November 1, 2025.

9 COMMITTEE REPORT BY: COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT
10 OVERSIGHT, dated 03/04/2025 - DO PASS.

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