

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2199

By: Lowe (Dick) and **Dempsey** of  
the House

and

**Weaver** of the Senate

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12                                   COMMITTEE SUBSTITUTE

13           An Act relating to motor carriers; creating the Motor  
14           Carrier Public Safety Enforcement Act; stating  
15           purpose of act; transferring certain powers, duties  
16           and responsibilities from the Oklahoma Corporation  
17           Commission to the Department of Public Safety;  
18           creating certain transitional task force; providing  
19           for task force membership; providing for task force  
20           meetings; requiring task force make certain  
21           advisement; providing for transitional period;  
22           requiring transitional task force oversee transition;  
23           requiring certain cooperation; allowing certain  
24           transfer by certain interagency agreement and  
          approval; setting date for completion of transition;  
          setting date for the transfer of employees; providing  
          for the transfer of certain employees; providing for  
          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

1 officers; requiring certain retirement system  
2 election; requiring the acceptance of all transferred  
3 employees; authorizing establishment of minimum  
4 standards for certain employees; requiring  
5 development of certain training program; requiring  
6 transfer of property and records by certain date;  
7 listing types of property and records to be  
8 transferred; requiring access to certain systems and  
9 networks; authorizing the transfer of certain funds;  
10 stating powers vested in certain officers; limiting  
11 authority of state officials to direct officers of  
12 the Department of Public Safety; authorizing certain  
13 interagency agreements; amending 17 O.S. 2021,  
14 Section 40, which relates to Transportation Division;  
15 prohibiting Division from employing certain persons  
16 after certain date; prohibiting function as law  
17 enforcement agency; authorizing employment of certain  
18 persons; amending 47 O.S. 2021, Section 14-116, as  
19 amended by Section 9, Chapter 116, O.S.L. 2022 (47  
20 O.S. Supp. 2023, Section 14-116), which relates to  
21 permit fees; modifying receiver of certain collected  
22 fees; authorizing use of certain monies; amending 47  
23 O.S. 2021, Section 14-122, which relates to  
24 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

1 definitions; declaring certain act to be unlawful;  
2 amending 47 O.S. 2021, Section 169, which relates to  
3 filing certificates of insurance coverage; declaring  
4 certain act to be unlawful; amending 47 O.S. 2021,  
5 Section 170.1, which relates to complaints;  
6 authorizing certain officers to make a complaint;  
7 amending 47 O.S. 2021, Section 171, which relates to  
8 appropriation; requiring Corporation Commission  
9 adhere to certain acts; amending 47 O.S. 2021,  
10 Section 171.1, which relates to expenditure of  
11 Corporation Commission Revolving Fund; authorizing  
12 the employment of certain personnel; allowing certain  
13 purchases; amending 47 O.S. 2021, Section 172, which  
14 relates to violation of act; requiring certain  
15 operators not in compliance receive misdemeanor;  
16 allowing certain discretionary reporting; deleting  
17 requirement that certain willful conduct be deemed  
18 official misconduct; modifying reference to  
19 responsible agency; prohibiting plea bargaining in  
20 certain matters submitted for adjudication; stating  
21 Commission shall cease employment of certain  
22 employees upon certain date; amending 47 O.S. 2021,  
23 Section 177.2, which relates to license and permit  
24 for transportation of deleterious substances;  
requiring certain permit be carried in vehicle;  
making certain actions unlawful; amending 47 O.S.  
2021, Section 180c, which relates to seizure and  
confiscation of devices; requiring motor carriers  
comply with certain directions or demands; amending  
47 O.S. 2021, Section 180m, which relates to  
enforcement of act; modifying name of responsible  
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 1124, which  
relates to temporary permit; removing language making  
certain exception for the promulgation of rules;  
amending 47 O.S. 2021, Section 1151, as amended by  
Section 189, Chapter 282, O.S.L. 2022 (47 O.S. Supp.  
2023, 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

1 and facilities; modifying name of responsible agency;  
2 authorizing certain agreement by certain date;  
3 amending 47 O.S. 2021, Section 1170, which relates to  
4 the confidentiality of reports; authorizing certain  
5 disclosures; amending 47 O.S. 2021, Section 1201,  
6 which relates to definitions; modifying definition;  
7 amending 47 O.S. 2021, Section 1202, which relates to  
8 maintenance and operation of fixed facilities;  
9 modifying name of responsible agency; requiring  
10 certain operation of ports of entry weigh stations;  
11 making certain exception; requiring certain transfer  
12 of all powers, duties, and responsibilities for fixed  
13 facilities; requiring certain transitional period;  
14 requiring Commission operate port of entry weigh  
15 stations until certain date; authorizing certain  
16 interagency agreements; amending 68 O.S. 2021,  
17 Section 608, which relates to display of license;  
18 allowing officers to make certain inspection;  
19 repealing 47 O.S. 2021, Sections 116.13 and 172.1,  
20 which relate to enforcement officers; providing for  
21 codification; and providing an effective date.

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

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

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

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

1 the motor carrier industry, and to advance the efficiency and  
2 efficacy of motor carrier enforcement.

3 C. Beginning July 1, 2025, and effective June 30, 2026, all  
4 powers, duties, and responsibilities for roadside investigation and  
5 enforcement as well as investigation and enforcement at fixed  
6 facilities, as defined by Section 1201 of Title 47 of the Oklahoma  
7 Statutes, of the following provisions, which shall be collectively  
8 referenced within this section as the "Motor Carrier Laws", shall be  
9 transferred from the Oklahoma Corporation Commission to the  
10 Department of Public Safety:

11 1. Sections 161A through 180m of Title 47 of the Oklahoma  
12 Statutes;

13 2. Sections 230.21 through 230.34b of Title 47 of the Oklahoma  
14 Statutes;

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

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

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

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

24

1 D. To facilitate an orderly transition of duties, personnel,  
2 and resources, there is hereby created a transitional task force to  
3 oversee the transition mandated by this act. The transitional task  
4 force shall consist of the Secretary of Public Safety or designee,  
5 the Commissioner of Public Safety or designee, the Secretary of  
6 Transportation or designee, a representative of Service Oklahoma, a  
7 member of the Oklahoma State Senate to be appointed by the President  
8 Pro Tempore, a member of the Oklahoma House of Representatives to be  
9 appointed by the Speaker of the House, a member of the Oklahoma  
10 Corporation Commission or designee, and a member of the motor  
11 carrier industry to be appointed by the Governor, who shall serve as  
12 the chair of the task force. The task force shall meet as often as  
13 its membership deems necessary to carry out all duties set forth in  
14 this section and to advise the Governor, the President Pro Tempore  
15 of the Senate, and the Speaker of the House of Representatives of  
16 any problems, issues, or concerns the task force concludes may  
17 require further attention from the Legislature.

18 E. The period of July 1, 2025, through June 30, 2026, shall be  
19 a transitional period in which the Department of Public Safety shall  
20 gradually assume complete administration and authority over roadside  
21 investigation and enforcement as well as investigation and  
22 enforcement at fixed facilities, as defined by Section 1201 of Title  
23 47 of the Oklahoma Statutes, with respect to the Motor Carrier Laws.  
24 The transitional task force shall oversee the transition, and the

1 Corporation Commission and Department of Public Safety shall  
2 cooperate with the task force and with each other on an orderly and  
3 expeditious transition pursuant to the terms of this act. The  
4 Corporation Commission and Department of Public Safety may, by  
5 interagency agreement and with approval of the task force, transfer  
6 personnel, property, and responsibilities, in whole or in part, at  
7 any time during the transitional period, provided the transition  
8 mandated by this act shall be completed no later than June 30, 2026,  
9 at which time the Department of Public Safety shall have complete  
10 administration and management over the enforcement authority granted  
11 pursuant to this act, and any officer of the Department of Public  
12 Safety, including State Troopers and Commercial Motor Vehicle  
13 Enforcement Officers, shall be authorized to enforce the Motor  
14 Carrier Laws in all parts of this state.

15 F. Corporation Commission personnel whose duties are  
16 transferred under this act shall be transferred to the Department of  
17 Public Safety during the transitional period and no later than June  
18 30, 2026. The Corporation Commission and the Department of Public  
19 Safety shall cooperate to complete an orderly and expeditious  
20 transfer of personnel according to the supervision and direction of  
21 the transitional task force.

22 1. All personnel of the Corporation Commission's  
23 Transportation Division who, as of the effective date of this act,  
24

1 carry a law enforcement commission shall be transferred to the  
2 Department of Public Safety pursuant to the provisions of this act.

3 2. Noncommissioned enforcement officers of the Corporation  
4 Commission's Transportation Division shall be transferred to the  
5 Department of Public Safety pursuant to the provisions of this act,  
6 provided the Corporation Commission may retain a limited number of  
7 such noncommissioned personnel to serve as civilian enforcement  
8 auditors and inspectors in furtherance of the regulatory programs  
9 over which the Corporation Commission has jurisdiction. Any such  
10 civilian personnel retained by the Corporation Commission shall no  
11 longer be designated as Motor Vehicle Enforcement Officers. The  
12 Corporation Commission and Department of Public Safety shall  
13 cooperate on the identification of such personnel who shall be  
14 transferred or retained by the Transportation Division, with the  
15 transitional task force having final approval.

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

21 4. Personnel transferred pursuant to the provisions of this  
22 act shall not be required to accept a lesser salary than received as  
23 of the effective date of this act. All such persons shall retain  
24 leave, sick, and annual time earned and any retirement benefits



1 which have accrued during their tenure with the Corporation  
2 Commission.

3 5. Except as otherwise allowed by law, after the effective  
4 date of this act, the Corporation Commission shall not increase the  
5 number of personnel or the salary of personnel to be transferred  
6 pursuant to the provisions of this act without the approval of the  
7 Department of Public Safety or the transitional task force.

8 G. As of the effective date of this act, all preexisting  
9 Department of Public Safety port of entry officers shall be  
10 designated as Commercial Motor Vehicle Enforcement Officers. All  
11 enforcement officers transferred from the Corporation Commission to  
12 the Department of Public Safety shall become Department of Public  
13 Safety Commercial Motor Vehicle Enforcement Officers.

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

24

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

5           3. Any person appointed by the Department of Public Safety as  
6 a commissioned Commercial Motor Vehicle Enforcement Officer may  
7 participate in either the Oklahoma Law Enforcement Retirement System  
8 or the retirement system operated by the Oklahoma Public Employees  
9 Retirement System for which the person is eligible, and such person  
10 shall make an irrevocable election in writing to participate in one  
11 of the two retirement systems.

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

24

1 I. The Department of Public Safety shall develop a training  
2 program to cross-train all Commercial Motor Vehicle Enforcement  
3 Officers, those previously employed by the Department of Public  
4 Safety and those transferred to the Department of Public Safety  
5 through this act, to equip such officers to carry out the authority  
6 entrusted to them, including but not limited to the power to enforce  
7 the Motor Carrier Laws and the Oklahoma Motor Carrier Safety and  
8 Hazardous Materials Transportation Act, and to obtain the  
9 certifications required to perform North American Standard  
10 Inspections as defined by Section 1201 of Title 47 of the Oklahoma  
11 Statutes.

12 J. Unless the Department of Public Safety and Corporation  
13 Commission agree to an earlier transfer, with the approval of the  
14 task force, effective June 30, 2026, all records and property  
15 allocated, as of the effective date of this act, by the Corporation  
16 Commission to and for its enforcement officers shall be transferred  
17 to the Department of Public Safety, including but not limited to:

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

21 2. Uniforms, firearms, ammunition, duty belts, body armor,  
22 communications equipment, telephone and mobile phone equipment,  
23 computer equipment, furniture, and other law enforcement equipment  
24 assigned to, or allocated for use by, enforcement officers;

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

5           4. Personnel records of transferred personnel.

6           K. The Corporation Commission shall grant to the Department of  
7 Public Safety access to its systems and networks necessary for the  
8 Department of Public Safety to perform all duties authorized by this  
9 act.

10          L. Funds sufficient to support the transfer of powers, duties,  
11 responsibilities, and personnel shall be appropriated or allocated  
12 to the Department of Public Safety for fiscal year 2026 and  
13 thereafter. The Office of Management and Enterprise Services is  
14 hereby authorized to transfer such funds as may be necessary to  
15 effect such allocations.

16          M. This act shall in no way limit the preexisting powers and  
17 duties of officers of the Department of Public Safety. The power  
18 vested in commissioned officers of the Department of Public Safety  
19 shall include, but not be limited to, the power to:

20           1. Enforce, in all parts of this state, Sections 161A through  
21 180m of Title 47 of the Oklahoma Statutes, Sections 230.1 through  
22 230.34b of Title 47 of the Oklahoma Statutes, and any rules and  
23 regulations issued pursuant thereto;

1           2. Stop and inspect any commercial operator, any commercial  
2 motor vehicle, or the contents of any commercial motor vehicle for  
3 compliance with Sections 161A through 180m of Title 47 of the  
4 Oklahoma Statutes, Sections 230.1 through 230.34b of Title 47 of the  
5 Oklahoma Statutes, or any rules and regulations issued pursuant  
6 thereto;

7           3. Require a commercial operator to stop and submit to an  
8 inspection of the identification device, or devices, in the vehicle  
9 and submit to the officer any bills of lading, waybills, or other  
10 evidences of the character of the commerce being transported in such  
11 vehicle, and to submit to an inspection of the contents of such  
12 vehicle for the purpose of comparing same with bills of lading or  
13 shipping documentation, waybills, or other evidences of  
14 transportation carried by the driver of the vehicle;

15           4. Enter upon, inspect, examine, and copy, at reasonable times  
16 and in a reasonable manner, the records and properties of motor  
17 carriers and other persons to the extent such records and properties  
18 relate to compliance with Sections 161A through 180m of Title 47 of  
19 the Oklahoma Statutes, Sections 230.1 through 230.34b of Title 47 of  
20 the Oklahoma Statutes, or any rules and regulations issued pursuant  
21 thereto;

22           5. Hold and detain any motor vehicle operating upon the  
23 highways of this state if the officer has reason to believe the  
24 vehicle is being operated contrary to the provisions of Sections

1 161A through 180m of Title 47 of the Oklahoma Statutes, Sections  
2 230.1 through 230.34b of Title 47 of the Oklahoma Statutes, or any  
3 rules and regulations issued pursuant thereto.

4 N. No state official, other than the Commissioner of Public  
5 Safety or his or her designee, shall have any power, right, or  
6 authority to command, order, or direct any officer of the Department  
7 of Public Safety to perform any duty or service authorized by the  
8 Motor Carrier Laws or this act.

9 O. The Department of Public Safety and the Corporation  
10 Commission may enter into interagency agreements for the purpose of  
11 implementing, administering, and enforcing the provisions of this  
12 act.

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

15 Section 40. A. There is hereby created within the Oklahoma  
16 Corporation Commission a division to be known as the Transportation  
17 Division. The Division shall be comprised of a Director and shall  
18 include special motor carrier enforcement officers created by  
19 Section 171.1 of Title 47 of the Oklahoma Statutes, motor carrier  
20 enforcement officers created by Section 172 of Title 47 of the  
21 Oklahoma Statutes, and such other persons as the Commission may find  
22 necessary to carry out the responsibilities prescribed by law and to  
23 enforce the orders, rules, regulations and judgments of the  
24 Commission.

1        B. Effective June 30, 2026, the Division shall no longer employ  
2 the motor carrier enforcement officers referenced in this section,  
3 such officers having been transferred to the Department of Public  
4 Safety.

5        C. Effective June 30, 2026, the Commission shall no longer  
6 employ commissioned personnel or issue law enforcement commissions  
7 to any of its personnel, and the Commission shall no longer function  
8 as a law enforcement agency. The Commission and its Transportation  
9 Division may continue to employ civilian enforcement auditors and  
10 inspectors in furtherance of the regulatory programs over which the  
11 Corporation Commission has jurisdiction, provided such personnel  
12 shall not be designated as Motor Carrier Enforcement Officers or  
13 Motor Vehicle Enforcement Officers.

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

17        Section 14-116. A. The Executive Director of the Department of  
18 Transportation shall charge a minimum permit fee of Forty Dollars  
19 (\$40.00) for any permit issued pursuant to the provisions of Section  
20 14-101 et seq. of this title. In addition to the permit fee, the  
21 Executive Director of the Department of Transportation shall charge  
22 a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of  
23 the legal load limit. The Executive Director of the Department of  
24

1 Transportation shall establish any necessary rules for collecting  
2 the fees.

3 B. The Department of Transportation is authorized to establish  
4 an escrow account system for the payment of permit fees. Authorized  
5 motor carriers meeting established credit requirements may  
6 participate in the escrow account system for permits purchased from  
7 all size and weight permit offices in this state. Carriers not  
8 choosing to participate in the escrow account system shall be  
9 required to make payment of the required fee or fees upon purchase  
10 of each permit as required by law. All monies collected through the  
11 escrow account system shall be deposited to a special account of the  
12 Department of Transportation and placed in the custody of the State  
13 Treasurer. Proceeds from permits purchased using the escrow account  
14 system shall be distributed as provided for in subsection H of this  
15 section. However, fees collected through such accounts for the  
16 electronic transmission, transfer or delivery of permits, as  
17 provided for in Section 14-118 of this title, shall be credited to  
18 the Weigh Station Improvement Revolving Fund established pursuant to  
19 Section 1167 of this title.

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

24



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

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

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

9        F. Any permit issued for a truck or truck-tractor operating in  
10 combination with a trailer or a semitrailer shall contain only the  
11 license plate number for the truck or truck-tractor if the permittee  
12 provides to the Department of Transportation a list containing the  
13 license plate number, and such other information as the Department  
14 of Transportation may prescribe by rule, for each trailer or  
15 semitrailer which may be used for movement with the permit. When  
16 the permittee provides the list described in this subsection, the  
17 license plate number for any trailer or semitrailer to be moved with  
18 the permit shall not be included on the permit; provided, a trailer  
19 or semitrailer which is not on the list shall not be authorized to  
20 be used for movement with the permit. It shall be the  
21 responsibility of the permittee to ensure the list provided to the  
22 Department of Transportation is maintained and updated with any  
23 fleet changes. The Department of Transportation shall adopt any

24

1 rules deemed necessary to administer the provisions of this  
2 subsection.

3 G. The first deliverer of motor vehicles designated truck  
4 carriers or well service carriers manufactured in Oklahoma shall not  
5 be required to purchase an overweight permit when being delivered to  
6 the first purchaser.

7 H. Except as provided in Section 14-122 of this title, ~~the~~  
8 ~~first One Million Two Hundred Sixteen Thousand Dollars~~  
9 ~~(\$1,216,000.00) of proceeds from both the permit fees and the~~  
10 ~~overweight permit fees imposed pursuant to subsection A of this~~  
11 ~~section collected monthly shall be apportioned as provided in~~  
12 ~~Section 1104 of this title. For the fiscal year beginning July 1,~~  
13 ~~2022, and all subsequent years, the next Two Million Five Hundred~~  
14 ~~Thousand Dollars (\$2,500,000.00) of proceeds from both the permit~~  
15 ~~fees and the overweight permit fees imposed pursuant to subsection A~~  
16 ~~of this section collected monthly shall be remitted to the~~  
17 ~~Department of Public Safety for the purpose of staffing the port of~~  
18 ~~entry weigh stations with Department of Public Safety port of entry~~  
19 ~~officers whose powers and duties shall be specified by the~~  
20 ~~Department of Public Safety through the promulgation of rules. For~~  
21 ~~the fiscal year beginning July 1, 2017, and all subsequent years,~~  
22 all proceeds collected from both the permit fees and the overweight  
23 permit fees imposed pursuant to subsection A of this section in  
24 excess of Three Million Seven Hundred Sixteen Thousand Dollars

1 ~~(\$3,716,000.00)~~ shall be deposited in the Weigh Station Improvement  
2 Revolving Fund as provided in Section 1167 of this title for the  
3 purpose set forth in that section and may be used for motor carrier  
4 permitting systems and motor carrier safety and enforcement.

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

7 Section 14-122. A. Notwithstanding the provisions of Section  
8 1104 of ~~Title 47 of the Oklahoma Statutes~~ this title, the first  
9 Twenty Million Dollars (\$20,000,000.00) of the following fees shall  
10 ~~be deposited in the General Revenue Fund~~ remitted to the Department  
11 of Public Safety for the purpose of public safety enforcement to be  
12 ~~apportioned~~ distributed as follows:

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

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

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

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

1 B. Any fees collected pursuant to Sections 14-116, 14-120 and  
2 14-121 of ~~Title 47 of the Oklahoma Statutes~~ this title that are in  
3 excess of Twenty Million Dollars (\$20,000,000.00) shall be  
4 apportioned as otherwise provided for in the sections specified in  
5 this subsection.

6 C. Any monies remitted to the Department of Public Safety  
7 pursuant to this section before the Department of Public Safety  
8 receives the personnel transfer provided for by Section 1 of this  
9 act shall be used by the Department of Public Safety for the  
10 purchase of vehicles and equipment for officers of the Department of  
11 Public Safety.

12 SECTION 5. AMENDATORY 47 O.S. 2021, Section 116.14, is  
13 amended to read as follows:

14 Section 116.14 In the event any vehicle is found with no  
15 registration, not properly registered for the load carried, or  
16 improperly registered in any manner under the provisions of Section  
17 116.2a et seq. of this title or any provisions of the motor vehicle  
18 license and registration laws of this state, Corporation Commission  
19 enforcement officers or officers of the Department of Public Safety  
20 shall be authorized to seize and take such vehicle into custody  
21 until such time as such vehicle is properly registered and the  
22 license fee thereon is paid in full together with any penalty  
23 provided by law plus the cost of seizure, including the reasonable  
24 cost of taking such vehicle into custody and storing it. Any load

1 on such vehicle shall be disposed of by the owner or operator of  
2 such vehicle. In the event such license fee and penalty together  
3 with the cost of seizure and storage is not paid, the ~~enforcement~~  
4 ~~officer~~ Office of Management and Enterprise Services shall proceed  
5 to sell such vehicle by posting not less than five notices of sale  
6 in five different public places in the county where such property is  
7 located, one of such notices to be posted at the place where the  
8 vehicle is stored; provided, a copy of such notice shall also be  
9 sent by registered mail, return receipt requested, to the last-known  
10 address of the registered owner of such vehicle in question. Such  
11 vehicle shall be sold at such sale subject to the following terms  
12 and conditions:

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

17 2. In the event the sale price is less than the total costs of  
18 sale, seizure, and the fee and penalty, such vehicle shall be sold  
19 as junk to the highest bidder, whereupon the bidder shall receive a  
20 certificate of purchase; and if such vehicle be dismantled, the  
21 record to such junked vehicle shall be canceled. If not dismantled,  
22 the same shall forthwith be registered anew; and  
23  
24

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

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

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

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

9 2. Protect the shipping and general public by requiring  
10 liability insurance and cargo insurance of all motor carriers of  
11 household goods;

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

14 4. Supervise and regulate such motor carriers in all other  
15 matters affecting the relationship between such carriers and the  
16 traveling and shipping public including, but not limited to,  
17 consumer protection measures and loss and damage claim procedures;  
18 and

19 5. Enforce the provisions of this act; provided, effective June  
20 30, 2026, officers of the Department of Public Safety shall have  
21 exclusive authority for roadside investigation and enforcement as  
22 well as investigation and enforcement at fixed facilities, as  
23 defined by Section 1201 of this title, of the provisions of this act  
24 and associated rules promulgated by the Commission.

1 B. The Commission is authorized to promulgate rules applicable  
2 to persons transporting household goods.

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

7 2. The Commission shall promulgate rules implementing the  
8 provisions of this subsection. Rules promulgated pursuant to this  
9 subsection shall be consistent with, and equivalent in scope,  
10 coverage, and content to, requirements applicable to operators of  
11 vehicles transporting hazardous materials contained in the report  
12 submitted to the Secretary of the United States Department of  
13 Transportation, pursuant to 49 U.S.C. 5119(b), by the Alliance for  
14 Uniform Hazardous Material Transportation Procedures.

15 D. Nothing in this section shall be construed to remove or  
16 affect the jurisdiction of the Department of Environmental Quality  
17 to implement hazardous waste transportation requirements for federal  
18 hazardous waste program delegation to this state under the federal  
19 Resource Conservation and Recovery Act.

20 E. The Commission is authorized to promulgate rules and set  
21 fees applicable to interstate motor carriers, pertaining to carrier  
22 registration, operation of equipment and filing of proper proof of  
23 liability insurance.

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

3 Section 162.1 A. The Corporation Commission is authorized to  
4 promulgate rules necessary to enable this state to participate in  
5 the Unified Carrier Registration System for interstate motor  
6 carriers, brokers, forwarders and leasing companies and interstate  
7 motor carriers holding intrastate authority as set forth in ~~the~~  
8 ~~Safe, Accountable, Flexible, Efficient Transportation Equity Act: A~~  
9 ~~Legacy for Users (SAFETEA-LU), Subtitle C-Unified Carrier~~  
10 ~~Registration Act of 2005~~ 49 U.S.C., Section 14504a et seq.

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

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

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

22 B. The Commission shall promulgate rules ensuring consumer  
23 protection and loss and damage claim procedures.

24



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

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

10 E. It is hereby declared unlawful for any person, its employee,  
11 its agent, or its independent contractor to operate a motor vehicle  
12 within this state when the motor carrier, the motor vehicle, or the  
13 commercial operator is not in compliance with this act or the  
14 Commission's rules pursuant thereto.

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

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

24

1       Section 166.5 If this act ~~or~~, the Motor Carrier Act of 1995,  
2 the Motor Carrier Public Safety Enforcement Act, the Oklahoma Motor  
3 Carrier Safety and Hazardous Materials Transportation Act, the  
4 Oklahoma Weigh Station Act of 2012, or any provision ~~hereof~~ of  
5 Chapter 56 of this title is, or may be deemed to be, in conflict or  
6 inconsistent with any of the provisions of Section 18 through  
7 Section 34, inclusive, of Article IX of the Constitution of the  
8 State of Oklahoma, then, to the extent of any such conflicts or  
9 inconsistencies, it is hereby expressly declared ~~that this entire~~  
10 ~~act~~ these aforementioned acts and this section are amendments to and  
11 alterations of the sections of the Constitution, as authorized by  
12 Section 35 of Article IX of said Constitution.

13       SECTION 10.           AMENDATORY           47 O.S. 2021, Section 166a, is  
14 amended to read as follows:

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

16       1. "Authorized carrier" means a motor carrier of household  
17 goods;

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

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

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

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

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

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

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

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

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

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

21       3. Upon termination of the lease, the authorized carrier shall  
22 remove all identification showing it as the operating carrier before  
23 giving up possession of the equipment.

24

1 C. The written lease required pursuant to subsection B of this  
2 section shall contain the following provisions. The required lease  
3 provisions shall be adhered to and performed by the authorized  
4 carrier as follows:

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

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

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

15 4. The lease shall provide that the authorized carrier lessee  
16 shall have exclusive possession, control and use of the equipment  
17 for the duration of the lease. The lease shall further provide that  
18 the authorized carrier lessee shall assume complete responsibility  
19 for the operation of the equipment for the duration of the lease;

20 5. The amount to be paid by the authorized carrier for  
21 equipment and driver's services shall be clearly stated on the face  
22 of the lease or in an addendum which is attached to the lease. The  
23 amount to be paid may be expressed as a percentage of gross revenue,  
24 a flat rate per mile, a variable rate depending on the direction

1 traveled or the type of commodity transported, or by any other  
2 method of compensation mutually agreed upon by the parties to the  
3 lease. The compensation stated on the lease or in the attached  
4 addendum may apply to equipment and driver's services either  
5 separately or as a combined amount;

6 6. The lease shall clearly specify the responsibility of each  
7 party with respect to the cost of fuel, fuel taxes, empty mileage,  
8 permits of all types, tolls, detention and accessorial services,  
9 base plates and licenses, and any unused portions of such items.  
10 Except when the violation results from the acts or omissions of the  
11 lessor, the authorized carrier lessee shall assume the risks and  
12 costs of fines for overweight and oversize trailers when the  
13 trailers are preloaded, sealed, or the load is containerized, or  
14 when the trailer or lading is otherwise outside of the lessor's  
15 control, and for improperly permitted over-dimension and overweight  
16 loads and shall reimburse the lessor for any fines paid by the  
17 lessor. If the authorized carrier is authorized to receive a refund  
18 or a credit for base plates purchased by the lessor from, and issued  
19 in the name of, the authorized carrier, or if the base plates are  
20 authorized to be sold by the authorized carrier to another lessor,  
21 the authorized carrier shall refund to the initial lessor on whose  
22 behalf the base plate was first obtained a prorated share of the  
23 amount received;

24

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

10       8. The lease shall clearly specify the right of those lessors  
11 whose revenue is based on a percentage of the gross revenue for a  
12 shipment to examine copies of the authorized carrier's freight bill  
13 before or at the time of settlement. The lease shall clearly  
14 specify the right of the lessor, regardless of method of  
15 compensation, to examine copies of the carrier's tariff;

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

23       10. The lease shall specify that the lessor is not required to  
24 purchase or rent any products, equipment, or services from the

1 authorized carrier as a condition of entering into the lease  
2 arrangement;

3 11. As it relates to insurance:

4 a. the lease shall clearly specify the legal obligation  
5 of the authorized carrier to maintain insurance  
6 coverage for the protection of the public, and

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

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

23

24

1 D. The provisions of this section shall apply to the leasing of  
2 equipment with which to perform household goods transportation by  
3 motor carriers.

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

6 Section 169. A. No certificate shall be issued by the  
7 Corporation Commission to any motor carrier of household goods until  
8 after such motor carrier shall have filed with the Commission a  
9 liability insurance policy or bond covering public liability and  
10 property damage, issued by some insurance or bonding company or  
11 insurance carrier authorized as set forth below, and which has  
12 complied with all of the requirements of the Commission, which bond  
13 or policy shall be approved by the Commission, and shall be in such  
14 sum and amount as fixed by a proper order of the Commission; and  
15 such liability and property damage insurance policy or bond shall  
16 bind the obligor thereunder to make compensation for injuries to, or  
17 death of, persons, and loss or damage to property, resulting from  
18 the operation of any such motor carrier for which such carrier is  
19 legally liable. After judgment against the carrier for any damage,  
20 the injured party may maintain an action upon the policy or bond to  
21 recover the same, and shall be a proper party to maintain such  
22 action.

23 B. Every motor carrier of household goods shall file with the  
24 Commission a cargo insurance policy or bond covering any goods or



1 property being transported, issued by some insurance or bonding  
2 company or insurance carrier authorized as set forth below, and  
3 which has complied with all of the requirements of the Commission,  
4 which bond or policy shall be approved by the Commission, and shall  
5 be in a sum and amount as fixed by Commission rule. The cargo  
6 insurance must be filed with the Commission prior to a certificate  
7 being issued by the Commission.

8 C. No carrier, whose principal place of business is in  
9 Oklahoma, shall conduct any operations in this state unless the  
10 operations are covered by a valid primary bond or insurance policy  
11 issued by an insurer authorized or approved by the Oklahoma  
12 Insurance Department. No carrier whose principal place of business  
13 is not in Oklahoma shall conduct any operations in this state unless  
14 the operations are covered by a valid bond or insurance policy  
15 issued by an insurer licensed or approved by the insurance  
16 regulatory authority of the state of their principal place of  
17 business or the Oklahoma Insurance Department.

18 D. Each motor carrier shall maintain on file, in full force,  
19 all insurance required by the laws of the State of Oklahoma and the  
20 rules of the Commission during such motor carrier's operation and  
21 that the failure for any cause to maintain such coverage in full  
22 force and effect shall immediately, without any notice from the  
23 Commission, suspend such carrier's rights to operate until proper  
24 insurance is provided. Any carrier suspended for failure to

1 maintain proper insurance shall have a reasonable time, not  
2 exceeding sixty (60) days, within which to provide proper insurance  
3 and to have the carrier's authority reactivated, upon showing:

4 1. No operation during the period in which the carrier did not  
5 have insurance; and

6 2. Furnishing of proper insurance coverage.

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

19 F. The Commission shall, in its discretion, permit the filing  
20 of certificates of insurance coverage on such form as may be  
21 prescribed by the Commission, in lieu of copies of insurance  
22 policies or bonds, with the proviso that if the certificates are  
23 authorized, the insurance company or carrier so filing it, upon  
24 request of the Commission, shall, at any time, furnish an

1 authenticated copy of the policy which the certificate represents,  
2 and further provided that thirty (30) days prior to effective  
3 cancellation or termination of the policy of insurance for any  
4 cause, the insurer shall so notify the Commission in writing of the  
5 facts or as deemed necessary by the Commission.

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

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

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

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

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

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

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

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

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

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

1 additional time as in its judgment is reasonably necessary to comply  
2 with the order, and may, on application and for good cause shown,  
3 extend the time for compliance fixed in the order.

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

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

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

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

1 Section 171. All monies accruing to the "Corporation Commission  
2 Revolving Fund" are hereby appropriated to the Corporation  
3 Commission.

4 The Consistent with the provisions of this act and the Motor  
5 Carrier Public Safety Enforcement Act, the Corporation Commission is  
6 hereby authorized and empowered to employ such extra help as may be  
7 necessary to carry out the provisions of this act for the  
8 enforcement of the law and the collection of taxes set forth herein,  
9 said employees to be paid from the appropriations made in this  
10 section. Provided, such employees shall be paid such salaries or  
11 compensation as is paid for similar service in this state in the  
12 same or other departments of the state. The Corporation Commission  
13 is hereby authorized to pay from the "Corporation Commission  
14 Revolving Fund" such extra operating expenses as may be attributable  
15 to the enforcement of this act, in the same manner and form as other  
16 expenses are paid.

17 Provided further, such employees shall be such extra help as may  
18 be in the judgment of the Corporation Commission necessary to aid in  
19 the enforcement of this act in addition to the positions hereinafter  
20 created; the salaries and expenses of the positions hereinafter  
21 created shall be paid out of funds appropriated by the general  
22 departmental appropriations act.

23 SECTION 14. AMENDATORY 47 O.S. 2021, Section 171.1, is  
24 amended to read as follows:

1 Section 171.1 In addition to other uses authorized by law,  
2 funds provided to the Corporation Commission Revolving Fund pursuant  
3 to Sections 165, 177.2 and 180h of this title shall be expended as  
4 follows:

5 1. The Corporation Commission Transportation Division ~~shall~~ may  
6 employ noncommissioned personnel to serve as civilian enforcement  
7 auditors and inspectors in furtherance of regulating the  
8 unauthorized transportation or disposal of deleterious substances or  
9 other unauthorized transportation in violation of the Motor Carrier  
10 Act of 1995 or the rules and regulations for motor carriers as  
11 promulgated by the Corporation Commission;

12 2. Except as provided by the Motor Carrier Public Safety  
13 Enforcement Act, the Commission may employ four special motor  
14 carrier enforcement officers and one supervisor-officer who shall  
15 have the primary duty of investigating and assisting in the  
16 prosecution of persons engaged in unauthorized transportation or  
17 disposal of deleterious substances as contemplated under the  
18 provisions of the ~~Oklahoma~~ Oklahoma Motor Carrier Act of 1995 and any other  
19 applicable provisions of law. Such employees shall be compensated  
20 as for similar service in the same or other departments of the state  
21 and an expense allowance of One Hundred Dollars (\$100.00) per month  
22 for maintenance and cleaning of uniforms and other related expenses  
23 shall be paid to such employees. Nothing in this section regarding  
24 expense allowances shall be construed to mean that such employees



1 shall receive any additional compensation beyond what is provided  
2 for maintenance and cleaning of uniforms and other related expenses  
3 by the Corporation Commission on the effective date of this act-;

4 ~~2. The Commission shall~~ 3. Except as provided by the Motor  
5 Carrier Public Safety Enforcement Act, the Commission may purchase a  
6 sufficient number of motor vehicles to provide each motor carrier  
7 enforcement officer employed in the Transportation Division a motor  
8 vehicle suitable to carry out the enforcement provisions of  
9 applicable law. Said vehicles shall be appropriately marked as  
10 official vehicles and radio equipped. All costs for operation,  
11 maintenance and replacement of the motor vehicles authorized in this  
12 section shall be provided for from the Corporation Commission  
13 Revolving Fund-;

14 ~~3.~~ 4. The Commission shall employ a hearing officer whose  
15 primary responsibility shall be the adjudication of enforcement  
16 proceedings and complaints brought against persons engaged in  
17 unauthorized transportation or disposal of deleterious substances or  
18 other unauthorized transportation in violation of the ~~Oklahoma~~ Motor  
19 Carrier Act of 1995 or the rules and regulations of motor carriers  
20 as promulgated by the Corporation Commission.

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

23 Section 172. A. Every owner of any motor vehicle, the agents  
24 or employees of the owner, and every other person who violates or

1 fails to comply with or procures, aids, or abets in the violation of  
2 Sections ~~161~~ 161A through 180m of this title or the Motor Carrier  
3 Act of 1995, or who fails to obey, observe, or comply with any  
4 order, decision, rule or regulation, direction, demand, or  
5 requirement of the Corporation Commission, or who procures, aids or  
6 abets any corporation or person in the person's, or its, refusal or  
7 willful failure to obey, observe or comply with any such order,  
8 decision, rule, direction, demand, or regulation, and any person who  
9 operates a motor vehicle in this state when the motor carrier, the  
10 motor vehicle, or the commercial operator is not in compliance with  
11 Sections 161A through 180m of this title, the Motor Carrier Act of  
12 1995, or any rule or regulation issued by the Corporation Commission  
13 pursuant to these statutes, shall be deemed guilty of a misdemeanor.  
14 Upon conviction in a criminal court of competent jurisdiction, such  
15 misdemeanor is punishable by a fine ~~of~~ not exceeding One Thousand  
16 Dollars (\$1,000.00).

17 B. The Corporation Commission ~~shall~~ may report to the Attorney  
18 General of this state and the district attorney of the proper county  
19 having jurisdiction of such offense, any violation of any of the  
20 provisions of Sections ~~161~~ 161A through 180m of this title or the  
21 Motor Carrier Act of 1995, or any rule of the Corporation Commission  
22 promulgated pursuant to the provisions of Sections ~~161~~ 161A through  
23 180m of this title or the Motor Carrier Act of 1995, by any motor  
24 vehicle owner, agent or employee of such owner, or any other person.

1 Upon receipt of such report, the Attorney General or the district  
2 attorney of the proper county having jurisdiction of such offense  
3 shall institute criminal or civil proceedings against such offender  
4 in the proper court having jurisdiction of such offense. ~~Any~~  
5 ~~willful failure on the part of members of the Corporation~~  
6 ~~Commission, the Attorney General or any district attorney, to comply~~  
7 ~~with the provisions of this section, shall be deemed official~~  
8 ~~misconduct. The Corporation Commission shall report such complaints~~  
9 ~~so made to the Governor of this state who shall direct and cause the~~  
10 ~~laws of this state to be enforced.~~

11 C. Any person failing, neglecting or refusing to comply with  
12 the provisions of Sections ~~161~~ 161A through 180m of this title or  
13 the Motor Carrier Act of 1995, or with any rule, regulation, or  
14 requirement of the Corporation Commission promulgated pursuant to  
15 the provisions of Sections ~~161~~ 161A through 180m of this title or  
16 the Motor Carrier Act of 1995, shall be guilty of contempt of the  
17 Corporation Commission, and shall be subject to a fine to be imposed  
18 by the Corporation Commission in a sum not exceeding Five Hundred  
19 Dollars (\$500.00). Each day on which such contempt occurs shall be  
20 deemed a separate and distinct offense. The maximum fine to be  
21 assessed on each day shall be Five Hundred Dollars (\$500.00). All  
22 fines collected pursuant to the provisions of this section shall be  
23 deposited in the State Treasury to the credit of the Corporation  
24 Commission Trucking One-Stop Shop Fund, as created in Section 1167

1 of this title. This subsection shall not apply in the specific  
2 instance of load capacity violations or violations applicable to the  
3 transportation or discharge of deleterious substances provided for  
4 by specific statutory provisions.

5 D. The Corporation Commission shall appoint a director of  
6 transportation, a deputy director, an insurance supervisor, an  
7 insurance clerk, two stenographers, a secretary to the director, an  
8 identification device supervisor and an assistant identification  
9 device supervisor at such salaries as the Legislature may from time  
10 to time prescribe. The employees shall be allowed actual and  
11 necessary travel expenses pursuant to the provisions of the State  
12 Travel Reimbursement Act. All of the expense claims shall be  
13 presented and paid monthly.

14 E. Enforcement officers~~7~~ appointed by the Corporation  
15 Commission~~7~~ are hereby declared to be peace officers of this state.  
16 Such officers shall be vested with all powers of peace officers in  
17 enforcing the provisions of Sections ~~161~~ 161A through 180m of this  
18 title and the Motor Carrier Act of 1995 in all parts of this state.

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

24

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

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

21 H. The enforcement officers shall not have the power or right  
22 of search, nor shall they have the right of power of seizure, except  
23 as provided in Sections ~~161~~ 161A through 180m of this title or the  
24 Motor Carrier Act of 1995. The enforcement officers are authorized

1 to hold and detain any motor vehicle operating upon the highways of  
2 this state, if, the enforcement officer has reason to believe that  
3 the vehicle is being operated contrary to the provisions of Sections  
4 ~~161~~ 161A through 180m of this title or the Motor Carrier Act of  
5 1995, or the rules, regulations, and requirements of the Corporation  
6 Commission promulgated pursuant to Sections ~~161~~ 161A through 180m of  
7 this title or the Motor Carrier Act of 1995.

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

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

19 K. No enforcement officer or employee of the Oklahoma  
20 Corporation Commission shall have the right to plea bargain in motor  
21 carrier or motor transportation matters submitted to the Commission  
22 for adjudication except the chief legal counsel of the Commission or  
23 an assign of the legal staff of the chief legal counsel.

24



1 disposal well. Such disposal well must first be approved by the  
2 Corporation Commission as adequate to meet the need for proper  
3 disposal of all substances which the applicant may reasonably be  
4 expected to transport as a motor carrier or private carrier.  
5 Provided that nothing in this section shall be construed as  
6 prohibiting the disposition of such deleterious substances in a  
7 disposal well that is owned by a person other than the transporter.

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

17 E. It shall be unlawful for any person to engage in the  
18 transportation of deleterious substances or to operate a vehicle  
19 engaged in the transportation of deleterious substances without a  
20 permit required by this section.

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

23 Section 180c. The Oklahoma Corporation Commission may issue an  
24 order for the seizure and confiscation and return to the Commission



1 of any identification device or devices, for any of the following  
2 reasons, and to direct said order or orders to any officer of the  
3 State of Oklahoma charged with the duties of enforcing the  
4 provisions of this act and/or any other section of the motor carrier  
5 law now in force or hereinafter enacted:

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

10 2. For failure on the part of any motor carrier, or his or her  
11 or its agents or employees to comply with any part or provision of  
12 this act, or any other act or law or part or provision thereof  
13 relative to the legal operation of a for-hire motor carrier, or to  
14 obey, observe or comply with any order, decision, rule or  
15 regulation, direction, demand or requirement, or any part or  
16 provision thereof, of the Commission, or who fails to obey, observe,  
17 or comply with any direction or demand of an officer of the  
18 Department of Public Safety;

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

22 4. For operating any powered motor vehicle in violation of the  
23 terms and provisions of this act or the Motor Carrier Act of 1995  
24

1 and all applicable size and weight laws and safety standards of this  
2 state.

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

5 Section 180m. In addition to all other duties as provided by  
6 law, it is hereby declared to be, and shall be, the duty of all  
7 officers of the Department of Public Safety, sheriffs, deputy  
8 sheriffs, district attorneys, and enforcement officers appointed by  
9 the Corporation Commission of the State of Oklahoma, ~~and all highway~~  
10 ~~patrolmen within the State of Oklahoma:~~

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

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

20 3. To make arrests for the violation of the provisions of  
21 Sections 180 through 180m of this title or the Motor Carrier Act of  
22 1995, without the necessity of procuring a warrant;

23  
24

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

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

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

11 7. At the request of the Corporation Commission, to seize and  
12 confiscate any and all identification devices and to forward the  
13 same to the Corporation Commission for cancellation.

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

16 Section 230.29 A. As used in this section:

17 1. "Authorized carrier" means a person or persons authorized to  
18 engage in the transportation of passengers or property as a licensed  
19 motor carrier;

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

24

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

4 4. "Lease" means a contract or arrangement in which the owner  
5 grants the use of equipment, with or without driver, for a specified  
6 period to an authorized carrier for use in the regulated  
7 transportation of passengers or property, in exchange for  
8 compensation;

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

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

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

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

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

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

22 2. The authorized carrier acquiring the use of equipment under  
23 this section shall identify the equipment in accordance with the  
24 requirements of the Commission; and

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

4           C. The written lease required pursuant to subsection B of this  
5 section shall contain the following provisions. The required lease  
6 provisions shall be adhered to and performed by the authorized  
7 carrier as follows:

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

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

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

18           4. The lease shall provide that the authorized carrier lessee  
19 shall have exclusive possession, control and use of the equipment  
20 for the duration of the lease. The lease shall further provide that  
21 the authorized carrier lessee shall assume complete responsibility  
22 for the operation of the equipment for the duration of the lease;

23  
24

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

4           6. The lease shall clearly specify the responsibility of each  
5 party with respect to the cost of fuel, fuel taxes, empty mileage,  
6 permits of all types, tolls, detention and accessorial services,  
7 base plates and licenses, and any unused portions of such items.  
8 Except when the violation results from the acts or omissions of the  
9 lessor, the authorized carrier lessee shall assume the risks and  
10 costs of fines for overweight and oversize trailers when the  
11 trailers are preloaded, sealed, or the load is containerized, or  
12 when the trailer or lading is otherwise outside of the lessor's  
13 control, and for improperly permitted overdimension and overweight  
14 loads and shall reimburse the lessor for any fines paid by the  
15 lessor. If the authorized carrier is authorized to receive a refund  
16 or a credit for base plates purchased by the lessor from, and issued  
17 in the name of, the authorized carrier, or if the base plates are  
18 authorized to be sold by the authorized carrier to another lessor,  
19 the authorized carrier shall refund to the initial lessor on whose  
20 behalf the base plate was first obtained a prorated share of the  
21 amount received;

22           7. The lease shall specify that payment to the lessor shall be  
23 made by the authorized carrier within fifteen (15) days after  
24 submission of the necessary delivery documents and other paperwork

1 concerning a trip in the service of the authorized carrier. The  
2 paperwork required before the lessor can receive payment is limited  
3 to those documents necessary for the authorized carrier to secure  
4 payment from the shipper. The authorized carrier may require the  
5 submission of additional documents by the lessor but not as a  
6 prerequisite to payment;

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

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

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

21 11. As it relates to insurance:

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

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

11           12.  An original and two copies of each lease shall be signed by  
12           the parties.  The authorized carrier shall keep the original and  
13           shall place a copy of the lease in the equipment during the period  
14           of the lease, and it shall be unlawful to operate such equipment  
15           without a copy of the lease in the equipment.  The owner of the  
16           equipment shall keep the other copy of the lease.

17           D.  The provisions of this section shall apply to the leasing of  
18           equipment with which to perform transportation regulated by the  
19           Corporation Commission by motor carriers holding a license from the  
20           Commission to transport passengers or property.

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

23           Section 230.30  A.  No license shall be issued by the Oklahoma  
24           Corporation Commission to any carrier until after the carrier shall



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

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

1 issued by the Commission, unless the motor carrier has been exempted  
2 from this requirement.

3 Intrastate motor carriers of sand, rock, gravel, asphaltic  
4 mixtures or other similar road building materials shall not be  
5 required to file cargo insurance and shall be required to maintain  
6 liability insurance limits of Three Hundred Fifty Thousand Dollars  
7 (\$350,000.00) combined single limit.

8 No carrier, whose principal place of business is in Oklahoma,  
9 shall conduct any operations in this state unless the operations are  
10 covered by a valid primary bond or insurance policy issued by a  
11 provider authorized or approved by the State Insurance Commissioner.  
12 No carrier shall conduct any operations in this state unless the  
13 operations are covered by a valid bond or insurance policy issued by  
14 a provider authorized and approved by a National Association of  
15 Insurance Commissioners and certified by the State Insurance  
16 Commission.

17 C. Each carrier shall maintain on file, in full force, all  
18 insurance required by the laws of this state and the rules of the  
19 Commission during the operation of the carrier and that the failure  
20 for any cause to maintain the coverage in full force and effect  
21 shall immediately, without any notice from the Commission, suspend  
22 the rights of the carrier to operate until proper insurance is  
23 provided. Any carrier suspended for failure to maintain proper  
24 insurance shall have a reasonable time, not exceeding sixty (60)

1 days, to have its license reactivated, and to provide proper  
2 insurance upon showing:

3 1. No operation during the period in which it did not have  
4 insurance; and

5 2. Furnishing of proper insurance coverage.

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

17 E. The Commission shall, in its discretion, permit the filing  
18 of certificates of insurance coverage or such form as may be  
19 prescribed by the Commission, in lieu of copies of insurance  
20 policies or bonds, with the proviso that if the certificates are  
21 authorized the insurance company or carrier so filing it, upon  
22 request of the Commission, will, at any time, furnish an  
23 authenticated copy of the policy which the certificate represents,  
24 and further provided that thirty (30) days prior to effective

1 cancellation or termination of the policy of insurance for any  
2 cause, the insurer shall so notify the Commission in writing of the  
3 facts or as deemed necessary by the Commission.

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

8 SECTION 21. AMENDATORY 47 O.S. 2021, Section 1124, is  
9 amended to read as follows:

10 Section 1124. A. Any person, firm or corporation owning or  
11 possessing a commercial vehicle who:

- 12 1. Is a resident of the United States;
- 13 2. Is required to register the vehicle under the laws of this  
14 state;
- 15 3. Is not authorized to drive the vehicle on the public roads  
16 of this state for lack of registration or reciprocity of this  
17 state's laws with the laws of the state in which the vehicle is  
18 registered; and
- 19 4. Operates the vehicle for commercial purposes~~+~~,  
20 may receive a temporary permit from the Corporation Commission. The  
21 permit shall be recognized in lieu of registration in this state.  
22 The permit shall indicate the time and date of its issuance and  
23 shall be valid for a period not to exceed seventy-two (72) hours  
24 from such indicated time.

1 B. A fee of Twelve Dollars (\$12.00) shall be charged for the  
2 issuance of the temporary permit, which shall be apportioned in the  
3 same manner as other vehicle license fees are apportioned under the  
4 terms of the motor vehicle license and registration laws of this  
5 state.

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

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

23 E. The Corporation Commission may enter into an agreement with  
24 any state for transmission of that state's temporary permits for a

1 commercial vehicle by way of a facsimile machine or other device  
2 when the Corporation Commission determines that such agreement is in  
3 the best interests of the state.

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

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

22 SECTION 22. AMENDATORY 47 O.S. 2021, Section 1151, as  
23 amended by Section 189, Chapter 282, O.S.L. 2022 (47 O.S. Supp.  
24 2023, Section 1151), is amended to read as follows:

1 Section 1151. A. It shall be unlawful for any person to commit  
2 any of the following acts:

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

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

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

1 the Armed Forces of the United States assigned to duty in this state  
2 in compliance with official military or naval orders or the spouse  
3 of such a member of the Armed Forces;

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

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

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

22 7. To give a fictitious name or fictitious address or make any  
23 misstatement of facts in application for certificate of title and  
24 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 issued pursuant to this  
10 act.

11 Any person convicted of violating any provision of this  
12 subsection, other than paragraph 3 of this subsection, shall be  
13 deemed guilty of a misdemeanor and, upon conviction, shall be  
14 punished by a fine not to exceed Five Hundred Dollars (\$500.00).

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

20 Employees of the Corporation Commission may be authorized by the  
21 Corporation Commission to issue citations to motor carriers or  
22 operators of commercial motor vehicles, pursuant to the jurisdiction  
23 of the Corporation Commission, for a violation of this subsection.

24 If a person convicted of violating the provisions of this subsection

1 was issued a citation by a duly authorized employee of the  
2 Corporation Commission, the fine herein levied shall be apportioned  
3 as provided in Section 1167 of this title.

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

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

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

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

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

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

24

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

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

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

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

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

18 If a used vehicle is brought into Oklahoma by a resident of this  
19 state and is not registered within thirty (30) days, a penalty of  
20 One Dollar (\$1.00) per day shall be charged from the date of entry  
21 to the date of registration; provided, that in no event shall the  
22 penalty exceed One Hundred Dollars (\$100.00). No penalty shall be  
23 waived by Service Oklahoma or any licensed operator except as  
24

1 provided in subsection C of Section 1127 of this title. Of each  
2 dollar penalty collected pursuant to this subsection:

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

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

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

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

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

22 1. Vehicles known and commonly referred to as "minibikes" and  
23 other similar trade names; provided, minibikes may be registered and  
24

1 operated in this state by food vendor services upon streets having a  
2 speed limit of thirty (30) miles per hour or less;

3 2. Golf carts;

4 3. Go-carts; and

5 4. Other motor vehicles, except motorcycles, which are  
6 manufactured principally for use off the streets and highways.

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

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

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

23 H. Anyone violating any of the provisions heretofore enumerated  
24 in this section shall be guilty of a misdemeanor and, upon

1 conviction, shall be fined not less than Ten Dollars (\$10.00) and  
2 not to exceed Three Hundred Dollars (\$300.00).

3 I. Any violation of any portion of the Oklahoma Vehicle License  
4 and Registration Act where a specific penalty has not been imposed  
5 shall constitute a misdemeanor, and upon conviction thereof, the  
6 person having violated it shall be fined not less than Ten Dollars  
7 (\$10.00) and not to exceed Three Hundred Dollars (\$300.00).

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

13 SECTION 23. AMENDATORY 47 O.S. 2021, Section 1168, is  
14 amended to read as follows:

15 Section 1168. All facilities and equipment under the  
16 administrative control of the Oklahoma Tax Commission and used for  
17 determining the weight of vehicles operated on the roads or highways  
18 of this state are hereby transferred to the Department of  
19 Transportation. Any funds appropriated to or any powers, duties and  
20 responsibilities exercised by the Tax Commission for such purpose  
21 shall be transferred to the Department of Transportation. The  
22 Director of the Office of Management and Enterprise Services is  
23 hereby authorized to transfer such funds as may be necessary. ~~The~~  
24 Effective July 1, 2025, the Department of Transportation is hereby

1 authorized to enter into an agreement with the ~~Corporation~~  
2 ~~Commission~~ Department of Public Safety to operate such facilities or  
3 equipment. The provisions of this section shall not be construed to  
4 obligate the Department of Transportation to incur expenses in  
5 connection with the administration of such facilities and equipment  
6 in an amount which exceeds deposits to the Weigh Station Improvement  
7 Revolving Fund.

8 SECTION 24. AMENDATORY 47 O.S. 2021, Section 1170, is  
9 amended to read as follows:

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

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



1 1. The delivery to a taxpayer or a duly authorized  
2 representative of the taxpayer of a copy of any report or any other  
3 paper filed by the taxpayer pursuant to the provisions of the  
4 International Registration Plan or the International Fuel Tax  
5 Agreement;

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

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

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

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

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

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

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

23 8. The furnishing of information as to the issuance or  
24 revocation of any registration or license by the Commission as

1 provided for by law. Such information shall be limited to the name  
2 of the person issued the permit or license, the name of the business  
3 entity authorized to engage in business pursuant to the permit or  
4 license, the address of the business entity, and the grounds for  
5 revocation;

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

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

21 11. The furnishing to a prospective purchaser of any business,  
22 or his or her authorized representative, of information relating to  
23 any liabilities, delinquencies, assessments or warrants of the  
24 prospective seller of the business which have not been filed of

1 record, established, or become final and which relate solely to the  
2 seller's business. Any disclosure under this paragraph shall only  
3 be allowed upon the presentment by the prospective buyer, or the  
4 buyer's authorized representative, of the purchase contract and a  
5 written authorization between the parties; and

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

17 SECTION 25. AMENDATORY 47 O.S. 2021, Section 1201, is  
18 amended to read as follows:

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

- 21 1. "Authority" means the Oklahoma Turnpike Authority;
- 22 2. "Commission" means the Corporation Commission;
- 23 3. "Fixed facility" means a weigh station or a port of entry;

24

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

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

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

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

21 SECTION 26. AMENDATORY 47 O.S. 2021, Section 1202, is  
22 amended to read as follows:

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

1 Department of Public Safety may enter into interagency agreements  
2 concerning the equipment, maintenance and operations of fixed  
3 facilities.

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

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

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

18 E. When a fixed facility is located in the general area,  
19 Commission motor carrier and commercial motor vehicle enforcement  
20 shall be limited to the fixed facility and a radius surrounding the  
21 facility. If the fixed facility is a weigh station as defined in  
22 Section 1201 of this title, the applicable radius shall be seven (7)  
23 miles. If the fixed facility is a port of entry weigh station as  
24 defined in Section 1201 of this title, the applicable radius shall

1 be twenty-five (25) miles. These geographic limitations on  
2 enforcement shall not apply to officers of the Department of Public  
3 Safety.

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

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

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

15 I. North American Standard Inspections shall be conducted only  
16 by individuals holding certification in the level or classification  
17 of inspection being conducted.

18 J. Beginning July 1, 2025, and effective June 30, 2026, all  
19 powers, duties, and responsibilities for operation of fixed  
20 facilities shall be transferred from the Corporation Commission to  
21 the Department of Public Safety. The period between July 1, 2025,  
22 and June 30, 2026, shall be a transitional period in which the duty  
23 and authority to operate all current and future fixed facilities is  
24 transferred from the Corporation Commission to the Department of

1 Public Safety. During this transitional period, the Corporation  
2 Commission shall operate all current and future ports of entry weigh  
3 stations according to the standards set forth in this section unless  
4 the Department of Transportation, Department of Public Safety, and  
5 Corporation Commission agree, with approval of the transitional task  
6 force created in Section 1 of this act, to an orderly transition of  
7 authority to the Department of Public Safety prior to June 30, 2026.  
8 During this transitional period, the Department of Transportation,  
9 Oklahoma Turnpike Authority, Department of Public Safety, and  
10 Corporation Commission may enter into interagency agreements  
11 concerning the equipment, maintenance, and operations of fixed  
12 facilities.

13 SECTION 27. AMENDATORY 68 O.S. 2021, Section 608, is  
14 amended to read as follows:

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

22 (b) Any person operating a motor vehicle on the highways of  
23 this state, the operation of which is subject to the tax levied by  
24 this article, without having obtained a Motor Fuel/Diesel Fuel



1 Importer for Use License as required by Section 607 of this title,  
2 shall be guilty of a misdemeanor and, upon conviction, punished by a  
3 fine of not more than One Thousand Dollars (\$1,000.00), or by  
4 imprisonment in the county jail for a period not exceeding one (1)  
5 year or both. The venue for prosecutions arising under this section  
6 shall be in the district court of any county in which such vehicle  
7 is being operated.

8 SECTION 28. REPEALER 47 O.S. 2021, Sections 116.13 and  
9 172.1, are hereby repealed.

10 SECTION 29. This act shall become effective November 1, 2024.

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12 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/21/2024 -  
13 DO PASS, As Amended and Coauthored.

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