

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 2652

By: Vaughan

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 180h, which relates to carrier
9 identification device fees; authorizing Corporation
10 Commission establishment of fee amounts; amending 47
11 O.S. 2011, Section 230.27, which relates to motor
12 carrier license filing fees; authorizing Corporation
13 Commission establishment of fee amounts; amending
14 Section 4, Chapter 279, O.S.L. 2015 (47 O.S. Supp.
15 2017, Section 1013), which relates to transportation
16 network company permit fees; authorizing Corporation
17 Commission establishment of fee amounts; and
18 providing an effective date.

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

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 180h, is
21 amended to read as follows:

22 Section 180h. The Corporation Commission is hereby authorized
23 to collect from applicants for motor carrier and private carrier
24 identification devices a fee ~~of Seven Dollars (\$7.00)~~ in the amount
established pursuant to rules promulgated by the Commission for
registration of each of its vehicles registered under the provisions
of this act or the Motor Carrier Act of 1995; and the fee shall be
in addition to any other fees now provided for by law for the

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

3 SECTION 2. AMENDATORY 47 O.S. 2011, Section 230.27, is
4 amended to read as follows:

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

14 B. Every motor carrier or private carrier wishing to continue
15 operations under the original license, shall pay to the Corporation
16 Commission ~~an annual renewal fee of Fifty Dollars (\$50.00).~~ An
17 ~~intrastate license may be renewed for up to three (3) years~~ a filing
18 fee in the amount established pursuant to rules promulgated by the
19 Commission.

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

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1 SECTION 3. AMENDATORY Section 4, Chapter 279, O.S.L.
2 2015 (47 O.S. Supp. 2017, Section 1013), is amended to read as
3 follows:

4 Section 1013. A. A person shall not operate a transportation
5 network company in Oklahoma without first having obtained a permit
6 from the Oklahoma Corporation Commission (Commission).

7 B. The Commission shall issue a permit to each applicant that
8 presents proof, in a form prescribed by the Commission, that the
9 applicant meets the requirements for a TNC set forth in this act,
10 and proof of insurance required by this act and pays to the
11 Commission an annual permit ~~fee of Five Thousand Dollars (\$5,000.00)~~
12 filing fee in the amount established pursuant to rules promulgated
13 by the Commission.

14 C. The Commission shall promulgate rules as needed to implement
15 the provisions of this act. The Commission may also set additional
16 fees and assess fines for noncompliance with this act or with
17 promulgated rules.

18 D. The authority of the Commission shall be limited to
19 permitting and regulation of TNCs to ensure compliance by TNCs with
20 the provisions of this act and shall not include jurisdiction to
21 adjudicate private causes of action arising from the provision of
22 prearranged rides.

23 E. The Commission shall have the authority to examine the
24 records of TNCs for the purpose of enforcement of this act,

1 including a random sample of the TNC's records related to
2 prearranged rides and TNC drivers at the Oklahoma City offices of
3 the Commission, unless an alternative location is agreed to by the
4 Commission and the TNC. Such examinations shall not occur more than
5 two times per year unless necessary to investigate a complaint.
6 Records obtained by the Commission pursuant to this act shall not be
7 subject to disclosure under the Oklahoma Open Records Act and shall
8 be kept confidential by the Commission, except as may be required in
9 a Commission proceeding.

10 F. Failure of a TNC to comply with the provisions of this act
11 may result in the denial or revocation of the TNC permit or fines as
12 assessed by the Commission.

13 SECTION 4. This act shall become effective November 1, 2018.

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