

An Act

ENROLLED SENATE
BILL NO. 47

By: Barrington and Pittman of
the Senate

and

Johnson of the House

An Act relating to Oklahoma Department of Public Safety; amending 47 O.S. 2011, Section 2-105.4A, which relates to Oklahoma Highway Patrol employees assigned to the Size and Weight Enforcement Section; modifying certain positions; amending 47 O.S. 2011, Section 2-105.6, which relates to Oklahoma Highway Patrol Marine Enforcement salaries; clarifying salary schedules; amending 47 O.S. 2011, Section 2-105.8, as amended by Section 3, Chapter 135, O.S.L. 2014 (47 O.S. Supp. 2014, Section 2-105.8), which relates to the Oklahoma Highway Patrol Communication Section; allowing certain promotions; amending 47 O.S. 2011, Section 2-106, as amended by Section 4, Chapter 135, O.S.L. 2014 (47 O.S. Supp. 2014, Section 2-106), which relates to the driver license division; updating division title; and providing an effective date.

SUBJECT: Department of Public Safety administration

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-105.4A, is amended to read as follows:

Section 2-105.4A. There is hereby created within the Oklahoma Highway Patrol Division the Size and Weight Enforcement Section. The Commissioner of Public Safety shall employ a minimum of twenty-five additional members of the Oklahoma Highway Patrol, one Captain, ~~one First Lieutenant~~ and ~~three Second Lieutenant Supervisors~~ eight Lieutenants and shall assign the twenty-five members of the Oklahoma Highway Patrol, one Captain, ~~one First Lieutenant~~ and ~~three Second Lieutenant Supervisors~~ eight Lieutenants to the Size and Weight Enforcement Section. The Size and Weight Enforcement Section shall have the primary duty of the enforcement of the provisions of Section 14-101 et seq. of this title.

Said Commissioner shall purchase and maintain the necessary motor vehicle equipment, portable scales and other items of equipment and supplies and shall provide proper training necessary for the enforcement of the provisions of Section 14-101 et seq. of this title.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 2-105.6, is amended to read as follows:

Section 2-105.6. A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety a Marine Enforcement Section which shall consist of such employees as may be necessary to enforce the provisions of Section 4001 et seq., Section 4101 et seq., and Section 4200 et seq. of Title 63 of the Oklahoma Statutes. All commissioned officers of the Marine Enforcement Section as designated by the Commissioner shall have the authority to stop and board any vessel subject to Section 4001 et seq. of Title 63 of the Oklahoma Statutes and make any necessary arrest for violations of Section 4001 et seq. of Title 63 of the Oklahoma Statutes or the rules promulgated by the Department of Public Safety or the Department of Wildlife Conservation or take any other action within their lawful authority. Any statutory references to the Oklahoma Lake Patrol Division or the Lake Patrol Section of the Oklahoma Highway Patrol Division shall mean the Marine Enforcement Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

B. All commissioned officers of the Marine Enforcement Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall have, in addition to their primary duty as prescribed

in subsection A of this section, a secondary duty to enforce all state statutes, to make arrests for violations and to perform other duties as prescribed by the Commissioner.

C. The annual salaries for the commissioned officers within the Marine Enforcement Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall be in accordance and conformity with ~~the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, and irregular shift pay, as authorized by Section 2-130.1 of this title:~~

~~Patrol Captain~~ _____ ~~\$69,004.00~~

~~Patrol Lieutenant~~ _____ ~~\$62,731.00~~

~~Patrolman~~ _____ ~~\$57,028.00~~

Section 2-105.4 of this title.

D. The provisions of this section shall supersede all existing laws covering the salaries for the commissioned officers in the Marine Enforcement Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 3. AMENDATORY 47 O.S. 2011, Section 2-105.8, as amended by Section 3, Chapter 135, O.S.L. 2014 (47 O.S. Supp. 2014, Section 2-105.8), is amended to read as follows:

Section 2-105.8. A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety, the Communications Section.

B. An employee ~~shall not~~ may be promoted to the position of Communications Coordinator.

C. The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

D. The provisions of this section shall supersede all existing laws covering the salaries for the positions in the Communications Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 4. AMENDATORY 47 O.S. 2011, Section 2-106, as amended by Section 4, Chapter 135, O.S.L. 2014 (47 O.S. Supp. 2014, Section 2-106), is amended to read as follows:

Section 2-106. A. There is hereby established in the Department of Public Safety the Driver License ~~Examining~~ Services Division and the Driver Compliance Division and such other divisions as the Commissioner of Public Safety may direct.

B. The Driver License ~~Examining~~ Services Division shall consist of noncommissioned classified employees of the Department who may administer tests for the purpose of issuing driver licenses pursuant to Section 6-101 et seq. of this title.

C. Any employee appointed to the position of Driver License Examiner shall be not less than twenty-one (21) nor more than sixty-five (65) years of age and any person appointed to the position of Senior Driver License Examiner shall have held the position of Driver License Examiner with the Department for not less than three (3) years immediately preceding such appointment.

D. 1. Any person appointed to any position created pursuant to this section shall:

- a. be a citizen of the State of Oklahoma,
- b. be of good moral character,
- c. possess a high school diploma or General Educational Development equivalency certificate, and
- d. meet physical and mental standards as the Commissioner may prescribe. The scope of the physical and mental examinations for persons appointed as a Driver License Examiner or Senior Driver License Examiner shall be as prescribed by the Commissioner.

2. Any person appointed to the position of Driver License Examiner shall be required to complete satisfactorily a course of training as prescribed by the Commissioner.

E. Drunkenness, being under the influence of an intoxicating substance or any conduct not becoming an officer or public employee shall be sufficient grounds for the removal of any employee appointed pursuant to this section.

F. The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

SECTION 5. This act shall become effective November 1, 2015.

Passed the Senate the 3rd day of March, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2015.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____