

1 ENGROSSED SENATE
2 BILL NO. 47

By: Barrington and Pittman of
the Senate

3 and

4 Johnson of the House
5

6
7 An Act relating to Oklahoma Department of Public
8 Safety; amending 47 O.S. 2011, Section 2-105.4A,
9 which relates to Oklahoma Highway Patrol employees
10 assigned to the Size and Weight Enforcement Section;
11 modifying certain positions; amending 47 O.S. 2011,
12 Section 2-105.6, which relates to Oklahoma Highway
13 Patrol Marine Enforcement salaries; clarifying salary
14 schedules; amending 47 O.S. 2011, Section 2-105.8, as
15 amended by Section 3, Chapter 135, O.S.L. 2014 (47
16 O.S. Supp. 2014, Section 2-105.8), which relates to
17 the Oklahoma Highway Patrol Communication Section;
18 allowing certain promotions; amending 47 O.S. 2011,
19 Section 2-106, as amended by Section 4, Chapter 135,
20 O.S.L. 2014 (47 O.S. Supp. 2014, Section 2-106),
21 which relates to the driver license division;
22 updating division title; and providing an effective
23 date.

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

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

21 Section 2-105.4A. There is hereby created within the Oklahoma
22 Highway Patrol Division the Size and Weight Enforcement Section.
23 The Commissioner of Public Safety shall employ a minimum of twenty-
24 five additional members of the Oklahoma Highway Patrol, one Captain,

1 ~~one First Lieutenant~~ and ~~three Second Lieutenant Supervisors~~ eight
2 Lieutenants and shall assign the twenty-five members of the Oklahoma
3 Highway Patrol, one Captain, ~~one First Lieutenant~~ and ~~three Second~~
4 ~~Lieutenant Supervisors~~ eight Lieutenants to the Size and Weight
5 Enforcement Section. The Size and Weight Enforcement Section shall
6 have the primary duty of the enforcement of the provisions of
7 Section 14-101 et seq. of this title.

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

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

15 Section 2-105.6. A. There is hereby created within the
16 Oklahoma Highway Patrol Division of the Department of Public Safety
17 a Marine Enforcement Section which shall consist of such employees
18 as may be necessary to enforce the provisions of Section 4001 et
19 seq., Section 4101 et seq., and Section 4200 et seq. of Title 63 of
20 the Oklahoma Statutes. All commissioned officers of the Marine
21 Enforcement Section as designated by the Commissioner shall have the
22 authority to stop and board any vessel subject to Section 4001 et
23 seq. of Title 63 of the Oklahoma Statutes and make any necessary
24 arrest for violations of Section 4001 et seq. of Title 63 of the

1 Oklahoma Statutes or the rules promulgated by the Department of
2 Public Safety or the Department of Wildlife Conservation or take any
3 other action within their lawful authority. Any statutory
4 references to the Oklahoma Lake Patrol Division or the Lake Patrol
5 Section of the Oklahoma Highway Patrol Division shall mean the
6 Marine Enforcement Section of the Oklahoma Highway Patrol Division
7 of the Department of Public Safety.

8 B. All commissioned officers of the Marine Enforcement Section
9 of the Oklahoma Highway Patrol Division of the Department of Public
10 Safety shall have, in addition to their primary duty as prescribed
11 in subsection A of this section, a secondary duty to enforce all
12 state statutes, to make arrests for violations and to perform other
13 duties as prescribed by the Commissioner.

14 C. The annual salaries for the commissioned officers within the
15 Marine Enforcement Section of the Oklahoma Highway Patrol Division
16 of the Department of Public Safety shall be in accordance and
17 conformity with ~~the following salary schedule, exclusive of~~
18 ~~longevity pay, as authorized by Section 840-2.18 of Title 74 of the~~
19 ~~Oklahoma Statutes, expense allowance, as authorized by Section 2-130~~
20 ~~of this title, and irregular shift pay, as authorized by Section 2-~~
21 ~~130.1 of this title:~~

22	Patrol Captain	\$69,004.00
23	Patrol Lieutenant	\$62,731.00
24	Patrolman	\$57,028.00

1 Section 2-105.4 of this title.

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

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

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

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

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

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

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

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

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

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

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

- 17 a. be a citizen of the State of Oklahoma,
- 18 b. be of good moral character,
- 19 c. possess a high school diploma or General Educational
20 Development equivalency certificate, and
- 21 d. meet physical and mental standards as the Commissioner
22 may prescribe. The scope of the physical and mental
23 examinations for persons appointed as a Driver License
24

1 Examiner or Senior Driver License Examiner shall be as
2 prescribed by the Commissioner.

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

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

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

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

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

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17 _____
18 Presiding Officer of the Senate

19 Passed the House of Representatives the ____ day of _____,
20 2015.

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22 _____
23 Presiding Officer of the House
24 of Representatives