

1 **SENATE FLOOR VERSION**

2 February 28, 2017

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 767

6 By: Bass

7 An Act relating to commercial truck drivers;  
8 requiring certain employers of commercial truck  
9 drivers to disclose paid mileage to drivers;  
10 requiring written document; allowing for negotiated  
11 terms; allowing civil remedies, costs and attorney  
12 fees; and providing for codification.

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 196 of Title 40, unless there is  
16 created a duplication in numbering, reads as follows:

17 A. Notwithstanding any other law or regulation by this state or  
18 by the Federal Motor Carrier Safety Administration (FMCSA), all  
19 employers authorized to do business in this state that employ  
20 transport drivers of commercial trucks with a gross combination  
21 weight of twenty-six thousand and one (26,001) pounds or more shall  
22 disclose to the prospective transport driver the total contracted  
23 price for paid total mileage between the employer and the  
24 destination entity prior to the delivery of a product. The  
disclosure of the total mileage and the amount to be paid for the

1 total mileage shall be in writing and a copy retained by each party.  
2 Any document deemed as the contract between the employer and the  
3 driver shall reflect that stated amount and that amount shall be  
4 paid to the driver upon completion and shall be signed by both  
5 parties. Nothing herein shall prevent an employer and a driver from  
6 negotiating different terms for payment of mileage so long as the  
7 original amount and the agreed amount are reflected.

8 B. Any employer not in compliance with the provisions of this  
9 section is subject to any civil remedy available to a petitioner,  
10 including the difference in any discrepancy between the amount paid  
11 to a driver to perform a job and the exact amount paid to an  
12 employer along with court costs and recovery of attorney fees. Any  
13 judgment entered against an employer shall also be disclosed to all  
14 licensing regulating bodies of the employer.

15 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
16 February 28, 2017 - DO PASS AS AMENDED  
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