

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2452

BY: HILLIARD, ADAIR,  
LITTLEFIELD, SADLER,  
SATTERFIELD, WIDENER,  
COMBS and KOUBA of the  
HOUSE

and

ROBERTS of the SENATE

COMMITTEE SUBSTITUTE AN ACT RELATING TO MOTOR VEHICLES; AMENDING 47 O.S. 1991, SECTIONS 2-134 AND 116.11, WHICH RELATE TO THE DEPARTMENT OF PUBLIC SAFETY; ABOLISHING THE LAKE PATROL DIVISION; TRANSFERRING DUTIES AND RESPONSIBILITIES TO HIGHWAY PATROL; REQUIRING TRANSFER OF EMPLOYEES WITHOUT LOSS OF CREDITED SERVICE; REQUIRING TRANSFERRED EMPLOYEES TO SERVE PROBATIONARY PERIOD; CREATING THE SIZE AND WEIGHT ENFORCEMENT SECTION; REQUIRING COMMISSIONER OF PUBLIC SAFETY TO EMPLOY AND ASSIGN MEMBERS; REQUIRING COMMISSIONER OF PUBLIC SAFETY TO PURCHASE AND MAINTAIN NECESSARY VEHICLES AND EQUIPMENT AND PROVIDE CERTAIN TRAINING; REPEALING 47 O.S. 1991, SECTIONS 2-135 AND 2-136, WHICH RELATE TO LAKE PATROL OFFICERS AND PROPERTY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 2-134, is amended to read as follows:

Section 2-134. ~~There is hereby created in~~ The Lake Patrol Division of the Department of Public Safety ~~a Division of Lake Patrol which shall consist of such employees as may be necessary to enforce~~ is hereby abolished and all authority, duties and responsibilities, including the enforcement of the provisions of this act Section 4001 et seq. of Title 63 of the Oklahoma Statutes, are hereby transferred to the Oklahoma Highway Patrol Division of the Department of Public Safety. ~~All members~~ commissioned employees of the Lake Patrol Division as designated by the Commissioner shall have the authority to stop and board any vessel subject to this act and make any necessary arrest for violations of this act or the rules and regulations promulgated by the Department of Public Safety or the Department of Wildlife Conservation or take any other action within their lawful authority shall be transferred to the Oklahoma Highway Patrol Division without loss of credited service, and the position of the Lake Patrol Commander shall be reclassified as a Highway Patrol First Lieutenant, and all Lake Patrol Supervisors shall be reclassified as Highway Patrol Supervisors, and all Senior Lake Patrolmen and Lake Patrolmen shall be reclassified as Highway Patrolmen in a step commensurate to their years of service with the Department of Public Safety. All such employees shall be reclassified into their new classifications without the need to meet minimum qualifications or to pass an examination for the reclassification; provided, however, such employees may be required to complete a course of additional training as established by the Department of Public Safety.

~~Unless otherwise provided by law, salaries and traveling expenses of officers and employees of the Lake Patrol Division and the cost of equipment for the Division shall be paid from the appropriation made to the Department of Public Safety.~~

SECTION 2. AMENDATORY 47 O.S. 1991, Section 116.11, is amended to read as follows:

Section 116.11 There is hereby created within the Oklahoma Highway Patrol Division the Size and Weight Enforcement Section. The Commissioner of Public Safety ~~is hereby authorized to~~ shall employ a minimum of twenty-five additional members of the Oklahoma Highway Patrol, one Captain, one First Lieutenant and three ~~supervisors~~ Second Lieutenant Supervisors and shall assign the twenty-five members of the Oklahoma Highway Patrol, one Captain, one First Lieutenant and three ~~supervisors~~ Second Lieutenant Supervisors 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 ~~Chapter 14~~ Section 14-101 et seq. of this title.

Said Commissioner shall ~~further be authorized to~~ 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 ~~this act~~ Section 14-101 et seq. of this title.

SECTION 3. REPEALER 47 O.S. 1991, Sections 2-135 and 2-136, are hereby repealed.

SECTION 4. This act shall become effective July 1, 1992.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-2131 PWA