

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1537

BY: FERGUSON

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS;

PROHIBITING CERTAIN ACTIVITIES RELATING TO OILFIELD
EQUIPMENT; SPECIFYING PENALTY; DEFINING TERMS;
REQUIRING CERTAIN RECORDS; SPECIFYING CONTENT;
PROVIDING EXCEPTIONS; REQUIRING MAINTENANCE OF
RECORDS; AUTHORIZING ACCESS AND INVESTIGATIONS;
PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE
DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1842.1 of Title 21, unless there
is created a duplication in numbering, reads as follows:

A. Any new or used oil or gas field equipment dealer who
destroys, removes, covers, alters, defaces or causes to be
destroyed, removed, covered, altered, or defaced the serial number,
identifying number or mark of each piece of the equipment purchased
or sold shall be deemed guilty of a felony and upon conviction
thereof shall be punished by imprisonment in the State Penitentiary

for a term of not less than one (1) year nor more than five (5) years.

B. Any new or used oil or gas field equipment dealer who buys, receives, possesses, sells, or disposes of any used oil or gas field equipment knowing that the serial number or other identifying number or mark has been removed or falsified and with intent to conceal or misrepresent the identity of the used oil or gas field equipment shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years.

C. Any new or used oil or gas field equipment dealer who buys, sells, receives, possesses, or disposes of any used oil or gas field equipment knowing that the serial number or other identifying number or mark has been removed or falsified shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by the imposition of a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

D. As used in this section:

1. "Serial number" means the number placed on a metal plate affixed to the equipment or stamped into the frame of the equipment by the manufacturer;

2. "Identifying number" or "mark" means the number or mark placed on the equipment by the owner;

3. "Remove" includes deface, cover, or destroy; and

4. "Falsify" includes alter and forge.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1842.2 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. 1. Any dealer who has gross receipts of more than One Thousand Dollars (\$1,000.00) from the sale of used oil or gas field

equipment in the calendar year shall record, for each purchase or sale of used oil or gas field equipment by the dealer:

- a. the name, address, and social security number and driver's license number of the person selling the equipment to or buying the equipment from the dealer,
- b. the date of the transaction,
- c. the general location of the equipment at the time of the transaction, and
- d. the serial number or other identifying number or mark of each piece of the equipment purchased or sold and the kind, make, size, weight, length and quantity of each piece.

2. The provisions of this subsection shall not apply to the purchase or sale of equipment which has a fair market value of less than Fifty Dollars (\$50.00).

B. The record required by this section shall be maintained by the dealer for not less than three (3) years after the transaction.

C. Law enforcement officers of the federal government, the State of Oklahoma and of the city or county where a dealer's business is located or other location where such records or equipment may be maintained shall have access during regular business hours to the dealer's place of business. Access shall be for the purpose of periodically inspecting the dealer's inventory of used oil or gas field equipment and records relating to the purchase and sale of that equipment to determine if the dealer is complying with the provisions of this section.

D. Failure to maintain the records required by this section or to allow law enforcement officers access to a dealer's place of business as provided by this section is a misdemeanor which shall be punishable by the imposition of a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not more than six (6) months or by both such fine and imprisonment.

SECTION 3. This act shall become effective July 1, 1991.

SECTION 4. 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.

43-1-5703

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