

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 1907

BY: GRIESER

AS INTRODUCED

AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY;
AMENDING 17 O.S. 1991, SECTION 40, WHICH RELATES TO
THE TRANSPORTATION DIVISION OF THE OKLAHOMA
CORPORATION COMMISSION; MODIFYING THE COMPOSITION
OF THE TRANSPORTATION DIVISION; TRANSFERRING
CERTAIN MOTOR CARRIER ENFORCEMENT OFFICERS, THEIR
DUTIES AND ACCRUED LEAVE AND RETIREMENT BENEFITS
FROM THE OKLAHOMA CORPORATION COMMISSION TO THE
DEPARTMENT OF PUBLIC SAFETY; MODIFYING REFERENCES
IN THE OKLAHOMA STATUTES; AMENDING 47 O.S. 1991,
SECTION 116.13, WHICH RELATES TO THE OKLAHOMA TAX
COMMISSION; TRANSFERRING THE REGULATION AND
ENFORCEMENT OF CERTAIN MOTOR VEHICLE LAWS FROM THE
OKLAHOMA TAX COMMISSION TO THE DEPARTMENT OF PUBLIC
SAFETY; TRANSFERRING CERTAIN REVENUE ENFORCEMENT
OFFICERS, THEIR DUTIES AND ACCRUED LEAVE AND
RETIREMENT BENEFITS FROM THE OKLAHOMA TAX
COMMISSION TO THE DEPARTMENT OF PUBLIC SAFETY;
MODIFYING REFERENCES IN THE OKLAHOMA STATUTES;
AMENDING 47 O.S. 1991, SECTION 2-114, WHICH RELATES
TO THE DISTRIBUTION OF A SYNOPSIS OF CERTAIN LAWS;
REQUIRING THE ANNUAL PUBLICATION OF CERTAIN LAWS
AND RULES OF THE DEPARTMENT; PROVIDING AN EFFECTIVE
DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 17 O.S. 1991, Section 40, is amended to read as follows:

Section 40. A. There is hereby created within the Oklahoma Corporation Commission a division to be known as the Transportation Division. The Division shall be comprised of a Director and shall include ~~special motor carrier enforcement officers created by Section 171.1 of Title 47 of the Oklahoma Statutes, motor carrier enforcement officers created by Section 172 of Title 47 of the Oklahoma Statutes,~~ and such other persons as the Commission may find necessary to carry out the responsibilities prescribed by law and to enforce the orders, rules, regulations and judgments of the Commission.

B. 1. Effective July 1, 1992, all special motor carrier enforcement officers created by Section 171.1 of Title 47 of the Oklahoma Statutes and all motor carrier enforcement officers created by Section 172 of Title 47 of the Oklahoma Statutes, together with all powers, duties and responsibilities of such officers, shall be transferred to the Department of Public Safety. All officers so transferred shall be transferred at present salaries with all accrued annual and sick leave and retirement benefits.

2. All references in the Oklahoma Statutes to the special motor carrier enforcement officers or motor carrier enforcement officers of the Oklahoma Corporation Commission shall mean law enforcement officers of the Department of Public Safety.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 116.13, is amended to read as follows:

Section 116.13 ~~(a) It~~ A. Effective July 1, 1992, it shall be the duty of the Oklahoma Tax Commission to assign revenue

~~enforcement officers to work with members of the Oklahoma Highway Patrol in the enforcement of Department of Public Safety to enforce Sections 14-101 et seq. of this title and other acts regulating the usage of the highways of the state and in the enforcement of the motor vehicle license and registration laws of the state.~~

~~(b) Each employee of the Tax Commission assigned as a revenue enforcement officer, as herein provided, shall at all times while on duty be required to be dressed in a distinctive uniform and display a badge of office, both of which shall be completely different and distinguishable from those of the Oklahoma Highway Patrol. All such badges shall be furnished by the Tax Commission and each badge shall display a distinctive serial number. The type and detail of said uniforms shall be designated by the Tax Commission and the Tax Commission shall furnish said uniforms and replace them when necessary.~~

~~(c) Any person who without authority wears the badge or uniform of an Oklahoma Tax Commission revenue enforcement officer, or who without authority impersonates such an officer, with intent to deceive anyone, shall be guilty of a misdemeanor.~~

B. 1. Effective July 1, 1992, all revenue enforcement officers employed by the Oklahoma Tax Commission and all powers, duties and responsibilities of such officers shall be transferred to the Department of Public Safety. All officers so transferred shall be transferred at present salaries with all accrued annual and sick leave and retirement benefits.

2. All references in the Oklahoma Statutes to revenue enforcement officers of the Oklahoma Tax Commission shall mean law enforcement officers of the Department of Public Safety.

SECTION 3. AMENDATORY 47 O.S. 1991, Section 2-114, is amended to read as follows:

Section 2-114. The Department ~~may~~ shall publish annually a ~~synopsis or summary~~ copy of the laws of this state regulating the

operation of vehicles ~~and may deliver a~~ or the use of the highways,
the enforcement and administration of which are vested in the
Department. The publication also shall include a copy of all
administrative rules and regulations of the Department or the
Commissioner of Public Safety applicable to the operation of
vehicles or the use of such highways. A copy thereof of the
publication may be delivered without charge with each original
vehicle registration and with each original operator's or
chauffeur's license.

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.

43-2-6868

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