

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1395

By: Rhoads (Karroll)

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Sections 856.5, 857 and 858, which relate to mechanical inspection of motor vehicles; modifying fee for inspection; providing amount that inspection stations may retain; providing that portion of fee be used for certain purpose; providing procedure for ensuring that portion of fee is used for certain purpose; 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 856.5, is amended to read as follows:

Section 856.5 The Department of Public Safety shall furnish to every official vehicle inspection station required to perform the emission control inspection pursuant to the provisions of Section 856.1 of ~~Title 47 of the Oklahoma Statutes~~ this title, all equipment, supplies and inspection stickers required for the emission control inspection without cost to such station. Official vehicle inspection stations performing the mechanical inspection and the emission control inspection pursuant to the provisions of Sections 851 through 860 of ~~Title 47 of the Oklahoma Statutes~~ this

title shall retain as compensation ~~all~~ Five Dollars (\$5.00) of the five-dollar eight-dollar fee provided for in Section 858 of ~~Title 47 of the Oklahoma Statutes~~ this title.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 857, is amended to read as follows:

Section 857. A. All monies, fees, and revenues accruing to the state pursuant to the provisions of Section 858 of this title shall be remitted to the State Treasurer to be credited to the General Revenue Fund in the State Treasury; provided, Three Dollars (\$3.00) of the fee charged for each inspection pursuant to Section 858 of this title shall be used for any salary increases authorized by the Legislature for employees of the Department of Public Safety.

B. In order that the Legislature may guarantee that the portion of the fee generated as a result of the changes contained in this act shall be appropriated to fund the salary increases for the Department of Public Safety as provided for in this section, the Office of State Finance shall present as part of the official certification process for each fiscal year an estimate of all revenues which will accrue to the General Revenue Fund as a result of the fee changes contained in this act.

C. The Office of State Finance shall separately account for and report monthly revenues which it determines accrued to the General Revenue Fund which were attributable to the fee increase contained in this act.

D. Funds separately accounted for herein shall be used only to fund salary increases as provided for in this section and for no other purpose. Any appropriation or expenditure of any of such funds for any other purpose shall be null and void and of no effect.

E. Increased certification for fiscal year 1993, as a result of the fee changes contained in this act, shall not be available for appropriation prior to July 1, 1994.

F. The Office of State Finance shall track appropriations of revenues which are deposited to the credit of the General Revenue Fund of the State Treasury which are attributable to the changes contained in this act on a fiscal year basis and shall provide an accounting to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate, within thirty (30) days after the end of the fiscal year.

SECTION 3. AMENDATORY 47 O.S. 1991, Section 858, is amended to read as follows:

Section 858. Official inspection stations shall charge and collect ~~Five Dollars (\$5.00)~~ Eight Dollars (\$8.00) for each vehicle inspected pursuant to the provisions of Sections 851 through 860 of this title.

1. Stations inspecting the vehicle mechanical equipment shall obtain from the Commissioner of Public Safety an ample quantity of serially numbered decalcomania-type stickers at a cost to the inspection station of One Dollar (\$1.00) each. Any quantity of unused approved stickers may be returned to the Commissioner of Public Safety for a credit or refund. The Commissioner of Public Safety shall remit to the State Treasurer to be credited to the General Revenue Fund in the State Treasury the sum of fifty cents (\$0.50) for each inspection sticker delivered to said inspection station at the time of issuance. The Commissioner of Public Safety shall deposit to the Oklahoma Law Enforcement Retirement Fund the sum of fifty cents (\$0.50) for each inspection sticker delivered to said inspection stations.

2. Stations performing emission control vehicle mechanical equipment inspections, in counties where there exists U.S. Environmental Protection Agency designated air quality nonattainment area for auto-related pollutants, shall obtain an ample quantity of the inspection stickers from the Department without cost to the inspection station.

3. Each inspection station shall keep an accurate record of the serially numbered decalcomania-type inspection stickers. Such record shall designate to whom issued or rejected, and list thereon the name of the workman performing the final inspection on each inspected vehicle or trailer.

SECTION 4. This act shall become effective July 1, 1993.

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.

44-1-5690

SD