

ENROLLED SENATE
BILL NO. 62

By: Robinson of the Senate
and
Dunegan of the House

An Act relating to motor vehicles; amending 47 O.S. 1991, Sections 854, as last amended by Section 14, Chapter 379, O.S.L. 1994 and 858, as amended by Section 2, Chapter 287, O.S.L. 1996 (47 O.S. Supp. 1996, Sections 854 and 858), which relate to vehicle inspections; permitting vehicles owned or operated by fire department to be inspected at fire station; modifying provisions regarding deposit of certain fees; creating Department of Public Safety Patrol Vehicle Revolving Fund; exempting Fund from fiscal year limitations; appropriating certain monies from Fund; stating purpose of certain appropriations; requiring Legislative authorization for certain expenditures; requiring certain warrants for certain expenditures; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 854, as last amended by Section 14, Chapter 379, O.S.L. 1994 (47 O.S. Supp. 1996, Section 854), is amended to read as follows:

Section 854. A. The Commissioner of Public Safety shall require that every motor vehicle, trailer, semitrailer and pole trailer, as defined herein, registered or operated in this state be inspected once a year at official inspection stations as provided in this act, and that an official certificate of inspection and approval be obtained for each such vehicle; provided, however, vehicles owned or operated by a fire department may have the inspection performed at the fire station location or the principal location of the fire vehicle, and that motor carriers and express companies operating under the jurisdiction of the Interstate

Commerce Commission, and/or the Department of Transportation and interstate and/or intrastate owners and/or operators of commercial, private or public fleets of vehicles maintaining inspection and repair facilities which meet standards established by the Commissioner of Public Safety, may be authorized by the Commissioner to perform such inspections in such carriers' own maintenance shops, without bond, on vehicles owned or operated by them. The conversion equipment on any such vehicles fueled by alternative fuels as defined in Section 130.2 of Title 74 of the Oklahoma Statutes, shall be inspected once a year. Any station, facility or conversion center which converts motor vehicles to have the capability of being fueled by alternative fuels as defined by Section 130.2 of Title 74 of the Oklahoma Statutes may be authorized by the Commissioner to perform inspections as provided in this act.

Such inspections shall be made and such certificates obtained with respect to the mechanism and equipment of every such vehicle as shall be designated by the Commissioner of Public Safety.

B. The Commissioner of Public Safety shall require that every motor vehicle equipped to be fueled by compressed natural gas shall obtain the annual inspection required by subsection A of this section from an official compressed natural gas inspection station that holds a special permit issued pursuant to subsection C of Section 855 of this title.

C. Except for vehicles sold dealer to dealer, every vehicle when sold by a dealer must have been inspected and must meet the standards of inspection as provided in this act and must display a current inspection sticker.

D. The Commissioner of Public Safety is hereby authorized and directed to make necessary rules and regulations for the administration and enforcement of this act and to designate any period or periods of time during which owners of any vehicles, subject to this section, shall display upon such vehicle, except those vehicles exempted pursuant to Section 851 of this title, certificates of inspection and approval or shall produce the same upon demand of any officer or employee of the Department of Public Safety designated by the Commissioner of Public Safety or any police or peace officer when authorized by said Commissioner. As a part of such rules and regulations, the Commissioner of Public Safety shall include the requirement that every person subject to the in-lieu-of-tax fee under Section 723 of Title 68 of the Oklahoma Statutes display a current Oklahoma Tax Commission decal on the vehicle as described in Section 723 of Title 68 of the Oklahoma Statutes and that proper display of the decal shall be a requirement for the issuance of an official certificate of inspection and approval for any vehicle using an alternative fuel as defined in Section 130.2 of Title 74 of the Oklahoma Statutes.

E. The Commissioner of Public Safety shall also designate a special certificate of inspection and approval for all vehicles equipped to be fueled by compressed natural gas and shall require all special compressed natural gas inspection stations to issue the special certificate of inspection for any vehicle so equipped that has passed inspection. The certificate shall indicate on its face that the vehicle for which it is issued is equipped for compressed natural gas.

F. The Commissioner of Public Safety may authorize the acceptance in this state of a certificate of inspection and approval issued in another state having an inspection law similar to this act and may extend the time within which a certificate shall be obtained by the resident owner of a vehicle which was not in this state during the time an inspection was required.

G. The Commissioner of Public Safety may suspend the registration of any vehicle which he determines is in such unsafe condition as to constitute a menace to safety or which after notice

and demand is not equipped as required in this act or for which a required certificate has not been obtained. Any person who shall have his vehicle registration suspended under the provisions of this section shall immediately forward his registration to the Department.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 858, as amended by Section 2, Chapter 287, O.S.L. 1996 (47 O.S. Supp. 1996, Section 858), is amended to read as follows:

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

B. Stations 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 for a credit or refund. The Commissioner, for each inspection sticker delivered to an inspection station, shall:

1. Remit to the State Treasurer to be credited to the General Revenue Fund in the State Treasury the sum of fifty cents (\$0.50); and

2. Deposit to the Oklahoma Law Enforcement Retirement Fund the sum of fifty cents (\$0.50). Provided, however, for the fiscal year beginning July 1, 1997, and for each fiscal year thereafter, the Commissioner shall deposit to the Department of Public Safety Patrol Vehicle Revolving Fund, as created pursuant to this act, the first Five Hundred Thousand Dollars (\$500,000.00) of such monies collected for each inspection sticker as hereinbefore mentioned, for the purpose of purchasing patrol vehicles.

C. 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 inspector performing the final inspection on each inspected vehicle or trailer.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 854.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Public Safety, to be designated the "Department of Public Safety Patrol Vehicle Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. All monies accruing to the credit of said fund are hereby appropriated and shall be budgeted and expended by the Department for the exclusive purpose of the purchase of patrol vehicles and equipment necessary to equip those vehicles. No monies shall be expended from this fund without expressed authorization by the Legislature. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

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.