

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1609

By: Roan

AS INTRODUCED

An Act relating to the Department of Public Safety; amending 47 O.S. 1991, Section 2-123, as amended by Section 1, Chapter 47, O.S.L. 1995 (47 O.S. Supp. 2000, Section 2-123), which relates to sale of surplus vehicles; adding entities to which Department is authorized to sell surplus vehicles; requiring vehicle prices to meet certain conditions; stating exception; authorizing Department to conduct public auction; exempting Department from compliance with Oklahoma Surplus Property Act; authorizing promulgation of rules; amending Section 3, Chapter 342, O.S.L. 1995, as amended by Section 2, Chapter 218, O.S.L. 2000 (74 O.S. Supp. 2000, Section 62.3), which relates to duties of the Director of the Department of Central Services relating to surplus property; authorizing exemption from certain procedures for the Department of Public Safety; 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 2-123, as amended by Section 1, Chapter 47, O.S.L. 1995 (47 O.S. Supp. 2000, Section 2-123), is amended to read as follows:

Section 2-123. ~~In addition to the authority for public auction under the sanction of the Department of Central Services, the A.~~
The Department of Public Safety is hereby authorized to make available for sale surplus ~~highway patrol~~ vehicles to any federal, state, county or municipal law enforcement agency or public school district. ~~Vehicles may be offered for sale only after approval is given in writing by the Department of Central Services and an evaluation is made of each vehicle and a price set by the Department of Central Services.~~ The Department of Public Safety ~~may only~~ shall set a price at and shall receive no more for any vehicle than the

~~amount authorized by the Department of Central Services for the sale of the vehicle trade-in price, adjusted for mileage, formulated for the make and model year in the National Automobile Dealers Association (NADA) Official Used Car Guide. Any deduction for high-mileage from the wholesale price shall not exceed forty percent (40%) of the wholesale price.~~

B. The Department of Public Safety is hereby authorized to make available for sale at public auction any surplus vehicles and property of the Department and any property forfeited to the Department.

C. The Department of Public Safety shall be exempt from the provisions of the Oklahoma Surplus Property Act. The Department shall promulgate rules for the sale and auction of surplus vehicles, property, and forfeited property.

SECTION 2. AMENDATORY Section 3, Chapter 342, O.S.L. 1995, as amended by Section 2, Chapter 218, O.S.L. 2000 (74 O.S. Supp. 2000, Section 62.3), is amended to read as follows:

Section 62.3 A. The Director of the Department of Central Services shall promulgate rules for use by state agencies and the Department of Central Services to dispose of surplus property. The rules shall include standards for recordkeeping, methods for removal or disposal of surplus property, and acquisition by state agencies and authorized entities of surplus property, and for Department management of surplus property programs.

B. A state agency selling, trading, redistributing or otherwise disposing of surplus property shall comply with the rules promulgated by the Director.

C. The Department shall make surplus property available to state agencies and authorized entities, which shall include political subdivisions, school districts, and nonprofit entities of this state.

D. The provisions of ~~this act~~ the Oklahoma Surplus Property Act shall not apply to institutions of higher education in this state, ~~or~~ the Northeast Oklahoma Public Facilities Authority or the Department of Public Safety.

SECTION 3. This act shall become effective July 1, 2001.

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.

48-1-5422 LAC 6/12/15