

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE JOINT
RESOLUTION HJR1036

By: Reynolds

AS INTRODUCED

A Joint Resolution relating to proposed permanent rules of the Oklahoma Department of Public Safety; disapproving proposed permanent rules regarding parent-taught driver education; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, determine that a rule is not consistent with legislative intent and disapprove any rule or any portion thereof at any time; and

WHEREAS, pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes, the Oklahoma Department of Public Safety shall certify parent-taught driver education courses; and

WHEREAS, proposed permanent rules OAC 595:10-13-1, OAC 595:10-13-2, OAC 595:10-13-3, OAC 595:10-13-4, OAC 595:10-13-5, OAC 595:10-13-6, OAC 595:10-13-7, OAC 595:10-13-8, OAC 595:10-13-9, OAC 595:10-13-10 and OAC 595:10-13-11 establish the requirements, procedures and standards for parent-taught driver education; and

WHEREAS, the Legislature recognizes that OAC 595:10-13-1, OAC 595:10-13-2, OAC 595:10-13-3, OAC 595:10-13-4, OAC 595:10-13-5, OAC 595:10-13-6, OAC 595:10-13-7, OAC 595:10-13-8, OAC 595:10-13-9, OAC 595:10-13-10 and OAC 595:10-13-11 which were adopted by the State Department of Public Safety on March 31, 2003, and submitted to the Legislature and the Governor on April 1, 2003, for consideration, are not consistent with legislative intent, exceed the statutory

authority of the Oklahoma State Department of Public Safety, violate state statutes and violate the public policy of this state.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 49TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves OAC 595:10-13-1, OAC 595:10-13-2, OAC 595:10-13-3, OAC 595:10-13-4, OAC 595:10-13-5, OAC 595:10-13-6, OAC 595:10-13-7, OAC 595:10-13-8, OAC 595:10-13-9, OAC 595:10-13-10 and OAC 595:10-13-11.

SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Commissioner of Public Safety and the Editor of "The Oklahoma Register".

SECTION 3. 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.

49-1-6861 EAP 05/01/03