

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 1868

6 By: Tibbs

7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 36 O.S.  
9 2001, Section 924.1, as last amended by Section 8,  
10 Chapter 519, O.S.L. 2004 (36 O.S. Supp. 2006, Section  
11 924.1), which relates to the reduction in premium  
12 charges for certain persons; modifying course  
13 approval requirement; providing statutory reference;  
14 amending 47 O.S. 2001, Section 2-106, as last amended  
15 by Section 6, Chapter 83, 2nd Extraordinary Session,  
16 O.S.L. 2006 (47 O.S. Supp. 2006, Section 2-106),  
17 which relates to divisions within the Department of  
18 Public Safety; deleting certain administrative unit  
19 and division; modifying name of certain division;  
20 amending 47 O.S. 2001, Sections 6-103, as last  
21 amended by Section 7, Chapter 311, O.S.L. 2006, 6-  
22 112, 6-205.1, as last amended by Section 18, Chapter  
23 311, O.S.L. 2006, 6-212, as last amended by Section  
24 1, Chapter 530, O.S.L. 2004 and 6-303, as last  
amended by Section 52, Chapter 1, O.S.L. 2005 (47  
O.S. Supp. 2006, Sections 6-103, 6-205.1, 6-212 and  
6-303), which relate to driver licenses; expanding  
certain time limitation; providing penalty for  
certain prohibited act; providing statutory  
reference; requiring dismissal of charge under  
certain circumstances; increasing certain time  
limitations; prohibiting modification of time  
periods; providing statutory reference; requiring  
dismissal of charge under certain circumstances;  
amending Sections 1 and 5, Chapter 322, O.S.L. 2006  
(47 O.S. Supp. 2006, Sections 7-600.2 and 7-612),  
which relate to compulsory liability insurance;  
providing exemption for certain registered vehicles;  
providing time limitations for mandatory suspensions;  
requiring suspension until certain conditions met;

1 providing statutory reference for notice requirement;  
2 providing time limitation for mandatory surrender of  
3 driver license and license plate; requiring payment  
4 of fee for noncompliance with certain requirement;  
5 amending 47 O.S. 2001, Section 8-104, as amended by  
6 Section 34, Chapter 519, O.S.L. 2004 (47 O.S. Supp.  
7 2006, Section 8-104), which relates to financial  
8 responsibility of taxicab operators; deleting  
9 reference to certain division within the Department  
10 of Public Safety; requiring certain information be  
11 filed with the Corporation Commission; amending 47  
12 O.S. 2001, Section 156.1, as last amended by Section  
13 3, Chapter 456, O.S.L. 2003 (47 O.S. Supp. 2006,  
14 Section 156.1), which relates to use of state-owned  
15 motor vehicles; modifying name of certain division;  
16 amending 74 O.S. 2001, Section 840-5.5, as last  
17 amended by Section 3, Chapter 47, 2nd Extraordinary  
18 Session, O.S.L. 2006 (74 O.S. Supp. 2006, Section  
19 840-5.5), which relates to classification of  
20 positions; deleting and modifying certain  
21 unclassified service positions within the Department  
22 of Public Safety and the Office of State Finance;  
23 deleting certain right for persons appointed to  
24 designated positions; and providing an effective  
date.

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

SECTION 1. AMENDATORY 36 O.S. 2001, Section 924.1, as  
last amended by Section 8, Chapter 519, O.S.L. 2004 (36 O.S. Supp.  
2006, Section 924.1), is amended to read as follows:

Section 924.1 A. Any schedule of rates or rating plan for  
automobile or motorcycle liability and physical damage insurance  
submitted to or filed with the State Insurance Commissioner shall  
provide for an appropriate reduction in premium charges for those  
insured persons for a three-year period after successfully

1 completing a motor vehicle accident prevention course which shall  
2 include but not be limited to an automobile or motorcycle accident  
3 prevention course ~~meeting the criteria established by the Department~~  
4 ~~of Public Safety~~ as approved by the insurance company of the  
5 policyholder. Provided, however, there shall be no reduction in  
6 premiums for a self-instructed course or a course which does not  
7 provide for actual classroom or field driving instruction for a  
8 minimum number of hours as ~~determined by the Department of Public~~  
9 ~~Safety~~ provided in subsection E of this section. Provided further,  
10 there shall be no reduction in premiums for a course attended  
11 pursuant to a court order in connection with a motor vehicle  
12 violation or an alcohol- or drug-related offense.

13 B. All insurance companies writing automobile or motorcycle  
14 liability and physical damage insurance in this state shall allow an  
15 appropriate reduction in premium charges to all eligible persons  
16 pursuant to this section.

17 C. ~~The approved course shall be taught by instructors approved~~  
18 ~~by the Department of Public Safety.~~

19 ~~D.~~ Upon successfully completing the approved course, each  
20 participant shall be issued by the sponsoring agency of the course,  
21 a certificate which shall be the basis of qualification for the  
22 discount on insurance.

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1        ~~E.~~ D. Each participant shall successfully complete an approved  
2 course each three (3) years to continue to be eligible for the  
3 discount on insurance.

4        ~~F.~~ E. An approved course pursuant to this section shall provide  
5 at least six (6) hours of instruction.

6        SECTION 2.        AMENDATORY        47 O.S. 2001, Section 2-106, as  
7 last amended by Section 6, Chapter 83, 2nd Extraordinary Session,  
8 O.S.L. 2006 (47 O.S. Supp. 2006, Section 2-106), is amended to read  
9 as follows:

10        Section 2-106.    A. There is hereby established in the  
11 Department of Public Safety ~~an administrative unit to be known as~~  
12 ~~the Driver License Administration, which shall be divided into the~~  
13 ~~Driver License Examining Division, the Driver License Services~~  
14 ~~Division, and the Driver Improvement Compliance Division, the~~  
15 ~~Financial Responsibility Division,~~ and such other divisions as the  
16 Commissioner of Public Safety may direct.

17        B. The Driver License Examining Division shall consist of  
18 noncommissioned classified employees of the Department who may  
19 administer tests for the purpose of issuing driver licenses pursuant  
20 to Chapter 6 of this title.

21        C. Any employee appointed to the position of Driver License  
22 Examiner shall be not less than twenty-one (21) nor more than  
23 sixty-five (65) years of age and any person appointed to the  
24 position of Senior Driver License Examiner shall have held the

1 position of Driver License Examiner with the Department for not less  
2 than three (3) years immediately preceding such appointment.

3 D. 1. Any person appointed to any position created pursuant to  
4 this section shall:

5 a. be a citizen of the State of Oklahoma,

6 b. be of good moral character,

7 c. possess a high school diploma or General Educational  
8 Development equivalency certificate, and

9 d. meet physical and mental standards as the Commissioner  
10 may prescribe. The scope of the physical and mental  
11 examinations for persons appointed as a Driver License  
12 Examiner or Senior Driver License Examiner shall be as  
13 prescribed by the Commissioner.

14 2. Any person appointed to the position of Driver License  
15 Examiner shall be required to complete satisfactorily a course of  
16 training as prescribed by the Commissioner.

17 E. Drunkenness, being under the influence of an intoxicating  
18 substance or any conduct not becoming an officer or public employee  
19 shall be sufficient grounds for the removal of any employee  
20 appointed pursuant to this section.

21 F. Effective January 1, 2007, the annual salaries of the  
22 following employees of the Driver License Examining Division of the  
23 Department of Public Safety shall be in accordance with the  
24

1 following salary schedule, exclusive of longevity pay, as authorized  
2 by Section 840-2.18 of Title 74 of the Oklahoma Statutes:

- 3 1. Driver License Examiner \$34,023.00;
- 4 2. Senior Driver License Examiner \$40,686.00;
- 5 3. Administrative Programs Officer I \$37,202.00;
- 6 4. Administrative Programs Officer II \$43,308.00; and
- 7 5. Training Specialist \$40,686.00.

8 Provided, however, no such employee shall receive less than the  
9 salary the employee was receiving on December 31, 2006.

10 SECTION 3. AMENDATORY 47 O.S. 2001, Section 6-103, as  
11 last amended by Section 7, Chapter 311, O.S.L. 2006 (47 O.S. Supp.  
12 2006, Section 6-103), is amended to read as follows:

13 Section 6-103. A. Except as otherwise provided by law, the  
14 Department of Public Safety shall not issue a driver license to:

15 1. Any person who is under eighteen (18) years of age, except  
16 that the Department may issue a Class D license to any person who  
17 attains sixteen (16) years of age on or after August 15, 2000, and  
18 meets the requirements of Sections 6-105 and 6-107.3 of this title;

19 2. Any unemancipated person who is under eighteen (18) years of  
20 age and whose custodial legal parent or legal guardian does not  
21 approve the issuance of a license as required by Section 6-110.2 of  
22 this title or objects to the issuance of a license or permit by  
23 filing an objection pursuant to Section 6-103.1 of this title;

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1           3. Any person whose driving privilege has been suspended,  
2 revoked, canceled or denied in this state or any other state or  
3 country until the driving privilege has been reinstated by the state  
4 or country withdrawing the privilege;

5           4. Any person who is classified as an excessive user of  
6 alcohol, any other intoxicating substance, or a combination of  
7 alcohol and any other intoxicating substance, and inimical to public  
8 safety, in accordance with rules promulgated by the Department,  
9 until all requirements granting or reinstating driving privileges  
10 are met, including, but not limited to, abstinence from the use of  
11 alcohol, any other intoxicating substance, or any combination of  
12 alcohol and any other intoxicating substance for a minimum of either  
13 twelve (12) months or eighteen (18) months, as determined by OAC  
14 595:10-5, immediately preceding application for or application for  
15 reinstatement of driving privileges;

16           5. Any person who is required by Section 6-101 et seq. of this  
17 title to take an examination, unless the person shall have  
18 successfully passed the examination;

19           6. Any person who is required under the laws of this state to  
20 deposit proof of financial responsibility and who has not deposited  
21 such proof;

22           7. Any person who is physically deformed or who is afflicted  
23 with any mental disease or physical condition that would impair the  
24 driving ability of the person or when the Commissioner of Public

1 Safety, from information concerning the person or from the records  
2 and reports on file in the Department of Public Safety, determines  
3 that the operation of a motor vehicle by such person on the highways  
4 would be inimical to public safety or welfare;

5 8. Any person who is a nonresident, as defined in Section 1-137  
6 of this title;

7 9. Any alien unless such person presents valid documentation of  
8 identity and authorization for presence in the United States issued  
9 pursuant to the laws of the United States; provided, no license  
10 shall be issued to any alien whose documentation indicates the alien  
11 is a visitor or is not eligible to establish residency; or

12 10. Any person who possesses a valid license to operate a motor  
13 vehicle issued by another state until the other state license has  
14 been surrendered.

15 B. Any applicant who is denied a license under the provisions  
16 of subsection A of this section shall have the right to an appeal as  
17 provided in Section 6-211 of this title.

18 SECTION 4. AMENDATORY 47 O.S. 2001, Section 6-112, is  
19 amended to read as follows:

20 Section 6-112. A. Every licensee shall have his ~~driver's~~ or  
21 her driver license in his or her immediate possession at all times  
22 when operating a motor vehicle and shall display the same upon  
23 demand of a peace officer. ~~However, no~~ Any person violating this

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1 subsection shall, upon conviction, be guilty of a misdemeanor and  
2 shall be punished as provided for in Section 17-101 of this title.

3 B. Any person charged with violating this section shall be  
4 convicted if he who produces in court or the office of the arresting  
5 officer, on or before the court date, a driver's driver license  
6 theretofore issued to him or her and valid at the time of his or her  
7 arrest shall be entitled to dismissal of such charge without payment  
8 of court costs and fine.

9 SECTION 5. AMENDATORY 47 O.S. 2001, Section 6-205.1, as  
10 last amended by Section 18, Chapter 311, O.S.L. 2006 (47 O.S. Supp.  
11 2006, Section 6-205.1), is amended to read as follows:

12 Section 6-205.1 A. The driving privilege of a person who is  
13 convicted of any offense as provided in paragraph 2 or 6 of  
14 subsection A of Section 6-205 of this title, or a person who has  
15 refused to submit to a test or tests as provided in Section 753 of  
16 this title, or a person whose alcohol concentration is subject to  
17 the provisions of Section 754 of this title, shall be revoked or  
18 denied by the Department of Public Safety for the following period,  
19 as applicable:

20 1. The first license revocation pursuant to paragraph 2 of  
21 subsection A of Section 6-205 of this title or to Section 753 or 754  
22 of this title shall be for one hundred eighty (180) days, which may  
23 be modified; provided, any modification under this paragraph shall  
24 apply to Class D motor vehicles only;

1           2. A revocation pursuant to paragraph 2 of subsection A of  
2 Section 6-205 of this title, or to Section 753 or 754 of this title  
3 shall be for a period of one (1) year if within ~~five (5)~~ ten (10)  
4 years preceding the date of arrest relating thereto, as shown by the  
5 records of the Department:

6           a. a prior revocation commenced pursuant to paragraph 2  
7 or 6 of subsection A of Section 6-205 of this title,  
8 or to Section 753 or 754 of this title. Such period  
9 shall not be modified, or

10          b. the record of the person reflects a prior conviction  
11 in another jurisdiction which did not result in a  
12 revocation of Oklahoma driving privileges, for a  
13 violation substantially similar to paragraph 2 of  
14 subsection A of Section 6-205 of this title, and the  
15 person was not a resident or a licensee of Oklahoma at  
16 the time of the offense resulting in the conviction.  
17 Such period shall not be modified; or

18           3. A revocation pursuant to paragraph 2 of subsection A of  
19 Section 6-205 of this title, or to Section 753 or 754 of this title  
20 shall be for a period of three (3) years if within ~~five (5)~~ ten (10)  
21 years preceding the date of arrest relating thereto, as shown by the  
22 records of the Department:

23           a. two or more prior revocations commenced pursuant to  
24 paragraph 2 or 6 of subsection A of Section 6-205 of

1 this title, or to Section 753 or 754 of this title.

2 Such period shall not be modified, or

3 b. the record of the person reflects two or more prior  
4 convictions in another jurisdiction which did not  
5 result in a revocation of Oklahoma driving privileges,  
6 for a violation substantially similar to paragraph 2  
7 of subsection A of Section 6-205 of this title, and  
8 the person was not a resident or a licensee of  
9 Oklahoma at the time of the offense resulting in the  
10 conviction. Such period shall not be modified.

11 B. The driving privilege of a person who is convicted of any  
12 offense as provided in paragraph 6 of subsection A of Section 6-205  
13 of this title shall be revoked or denied by the Department of Public  
14 Safety for the following period, as applicable:

15 1. The first license revocation shall be for one hundred eighty  
16 (180) days, which may be modified; provided, for license revocations  
17 for a misdemeanor charge of possessing a controlled dangerous  
18 substance, the provisions of this paragraph shall apply to any such  
19 revocations by the Department on or after January 1, 1993; provided  
20 further, any modification under this paragraph shall apply to Class  
21 D motor vehicles only;

22 2. A revocation shall be for a period of one (1) year if within  
23 ~~five~~(5) ten (10) years preceding the date of arrest relating  
24 thereto, as shown by the records of the Department:

1 a. a prior revocation commenced pursuant to paragraph 2  
2 or 6 of subsection A of Section 6-205 of this title,  
3 or under Section 753 or 754 of this title. Such  
4 period shall not be modified, or

5 b. the record of the person reflects a prior conviction  
6 in another jurisdiction which did not result in a  
7 revocation of Oklahoma driving privileges, for a  
8 violation substantially similar to paragraph 2 or 6 of  
9 subsection A of Section 6-205 of this title, and the  
10 person was not a resident or a licensee of Oklahoma at  
11 the time of the offense resulting in the conviction.  
12 Such period shall not be modified; or

13 3. A revocation shall be for a period of three (3) years if  
14 within ~~five (5)~~ ten (10) years preceding the date of arrest relating  
15 thereto, as shown by the records of the Department:

16 a. two or more prior revocations commenced pursuant to  
17 paragraph 2 or 6 of subsection A of Section 6-205 of  
18 this title, or under Section 753 or 754 of this title.  
19 Such period shall not be modified, or

20 b. the record of the person reflects two or more prior  
21 convictions in another jurisdiction which did not  
22 result in a revocation of Oklahoma driving privileges,  
23 for a violation substantially similar to paragraph 2  
24 or 6 of subsection A of Section 6-205 of this title,

1 and the person was not a resident or licensee of  
2 Oklahoma at the time of the offense resulting in the  
3 conviction. Such period shall not be modified.

4 The revocation of the driving privilege of any person under this  
5 subsection shall not run concurrently with any other withdrawal of  
6 driving privilege resulting from a different incident and which  
7 requires the driving privilege to be withdrawn for a prescribed  
8 amount of time. A denial based on a conviction of any offense as  
9 provided in paragraph 6 of subsection A of Section 6-205 of this  
10 title shall become effective on the first day the convicted person  
11 is otherwise eligible to apply for and be granted driving privilege  
12 if the person was not eligible to do so at the time of the  
13 conviction.

14 C. For the purposes of this subsection:

15 1. The term "conviction" includes a juvenile delinquency  
16 adjudication by a court or any notification from a court pursuant to  
17 Section 6-107.1 of this title; and

18 2. The term "revocation" includes a denial of driving  
19 privileges by the Department.

20 D. Each period of revocation not subject to modification shall  
21 be mandatory and neither the Department nor any court shall grant  
22 driving privileges based upon hardship or otherwise for the duration  
23 of that period. Each period of revocation, subject to modification  
24 as provided for in this section, may be modified as provided for in

1 Section 754.1 or 755 of this title; provided, any modification under  
2 this paragraph shall apply to Class D motor vehicles only.

3 E. Any appeal of a revocation or denial of driving privileges  
4 shall be governed by Section 6-211 of this title.

5 SECTION 6. AMENDATORY 47 O.S. 2001, Section 6-212, as  
6 last amended by Section 1, Chapter 530, O.S.L. 2004 (47 O.S. Supp.  
7 2006, Section 6-212), is amended to read as follows:

8 Section 6-212. A. The Department of Public Safety shall not  
9 assess and collect multiple reinstatement fees when reinstating the  
10 driving privilege of any person having more than one suspension or  
11 revocation affecting the person's driving privilege at the time of  
12 reinstatement.

13 B. The Department shall:

14 1. Suspend or revoke a person's driving privilege for each  
15 basis as delineated within the Oklahoma Statutes; and

16 2. Require any person having more than one suspension or  
17 revocation affecting the person's driving privilege to meet the  
18 statutory requirements for each action as a condition precedent to  
19 the reinstatement of any driving privilege. Provided, however,  
20 reinstatement fees shall not be cumulative, and a single  
21 reinstatement fee, as provided for in subsection C of this section,  
22 shall be paid for all suspensions or revocations as shown by the  
23 Department's records at the time of reinstatement.

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1 C. Whenever a person's privilege to operate a motor vehicle is  
2 suspended or revoked pursuant to any provision as authorized by the  
3 Oklahoma Statutes, the license or privilege to operate a motor  
4 vehicle shall remain under suspension or revocation and shall not be  
5 reinstated until:

6 1. The expiration of each such revocation or suspension order;

7 2. The person has paid to the Department:

8 a. if such privilege is suspended or revoked pursuant to  
9 Section 1115.5 of Title 22 of the Oklahoma Statutes or  
10 pursuant to any provisions of this title, except as  
11 provided in subparagraph b of this paragraph, a  
12 processing fee of Twenty-five Dollars (\$25.00) for  
13 each such suspension or revocation as shown by the  
14 Department's records, or

15 b. if such privilege is suspended or revoked pursuant to  
16 the provisions of Section 6-205, 6-205.1, 7-608, 7-  
17 612, 753, 754 or 761 of this title or pursuant to  
18 subsection A of Section 7-605 of this title for a  
19 conviction for failure to maintain the mandatory motor  
20 vehicle insurance required by law or pursuant to  
21 subsection B of Section 6-206 of this title for a  
22 suspension other than for points accumulation, a  
23 processing fee of Seventy-five Dollars (\$75.00) for  
24 each such suspension or revocation as shown by the

1 Department's records, and a special assessment trauma-  
2 care fee of Two Hundred Dollars (\$200.00) to be  
3 deposited into the Trauma Care Assistance Revolving  
4 Fund created in Section 1-2522 of Title 63 of the  
5 Oklahoma Statutes for each suspension or revocation as  
6 shown by the records of the Department; and

7 3. The person has paid to the Department a single reinstatement  
8 fee of Twenty-five Dollars (\$25.00).

9 D. Effective July 1, 2002, and for each fiscal year thereafter:

10 1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all  
11 monies collected each month pursuant to this section shall be  
12 apportioned as provided in Section 1104 of this title, except as  
13 otherwise provided in this section; and

14 2. All other monies collected in excess of Two Hundred Fifty  
15 Thousand Dollars (\$250,000.00) each month shall be deposited in the  
16 General Revenue Fund.

17 SECTION 7. AMENDATORY 47 O.S. 2001, Section 6-303, as  
18 last amended by Section 52, Chapter 1, O.S.L. 2005 (47 O.S. Supp.  
19 2006, Section 6-303), is amended to read as follows:

20 Section 6-303. A. No person shall operate a motor vehicle upon  
21 the public roads, streets, highways, turnpikes or other public place  
22 of this state without having ~~first procured~~ a valid driver license  
23 for the class of vehicle being operated from the ~~Oklahoma~~ Department  
24 of Public Safety, except as herein specifically exempted.

1 Any violation of the provisions of this subsection shall  
2 constitute a misdemeanor and shall be punishable by a fine of not  
3 less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars  
4 (\$300.00) plus costs or by imprisonment for not more than thirty  
5 (30) days, or by both such fine and imprisonment.

6 Any person charged with violating this section who produces in  
7 court, on or before the court date, a renewal or replacement driver  
8 license issued to him or her shall be entitled to dismissal of such  
9 charge without payment of court costs and fine.

10 B. Any person who drives a motor vehicle on any public roads,  
11 streets, highways, turnpikes or other public place of this state at  
12 a time when the person's privilege to do so is canceled, denied,  
13 suspended or revoked or at a time when the person is disqualified  
14 from so doing shall be guilty of a misdemeanor and upon conviction  
15 shall be punished by a fine:

16 1. For a first conviction, of not less than One Hundred Dollars  
17 (\$100.00) and not more than Five Hundred Dollars (\$500.00);

18 2. For a second conviction, of not less than Two Hundred  
19 Dollars (\$200.00) and not more than Seven Hundred Fifty Dollars  
20 (\$750.00); or

21 3. For a third and subsequent conviction, of not less than  
22 Three Hundred Dollars (\$300.00) and not more than One Thousand  
23 Dollars (\$1,000.00),

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1 or by imprisonment for not more than one (1) year or by both such  
2 fine and imprisonment. Each act of driving on the highways as  
3 prohibited shall constitute a separate offense.

4 C. Any person who drives a motor vehicle on any public roads,  
5 streets, highways, turnpikes or other public roads of this state at  
6 a time when the driving privilege of that person is canceled,  
7 denied, suspended or revoked, pursuant to paragraph 1 of subsection  
8 A of Section 6-205.1 of this title, shall be guilty of a misdemeanor  
9 and upon conviction shall be punished by a fine:

10 1. For a first conviction, of not less than Five Hundred  
11 Dollars (\$500.00) and not more than One Thousand Dollars  
12 (\$1,000.00);

13 2. For a second conviction, of not less than One Thousand  
14 Dollars (\$1,000.00) and not more than Two Thousand Dollars  
15 (\$2,000.00); or

16 3. For a third and subsequent conviction, of not less than Two  
17 Thousand Dollars (\$2,000.00) and not more than Five Thousand Dollars  
18 (\$5,000.00),

19 or by imprisonment for not more than one (1) year or by both such  
20 fine and imprisonment. Each act of driving on the highways as  
21 prohibited shall constitute a separate offense.

22 D. The Department upon receiving a record of conviction of an  
23 offense committed by any person whose license or privilege to  
24 operate motor vehicles is under suspension or revocation, shall

1 extend the period of such suspension or revocation for an additional  
2 three-month period of time. The additional orders of suspension or  
3 revocation shall be dated and become effective the day following the  
4 date terminating the prior order of suspension or revocation.

5 E. The Department upon receiving a record of conviction of an  
6 offense committed by any person whose license or privilege to  
7 operate motor vehicles is under revocation, pursuant to paragraph 1,  
8 2, or 3 of subsection A of Section 6-205.1 of this title, shall  
9 extend the period of such revocation for an additional four-month  
10 period of time. The additional orders of revocation shall be dated  
11 and become effective the day following the date terminating the  
12 prior order of revocation.

13 F. It shall be a misdemeanor, punishable by imprisonment for  
14 not less than seven (7) days, nor more than six (6) months or by a  
15 fine of not more than Five Hundred Dollars (\$500.00), or by both  
16 such fine and imprisonment for any person to apply for a renewal or  
17 a replacement license to operate a motor vehicle while the person's  
18 license, permit or other evidence of driving privilege is in the  
19 custody of a law enforcement officer or the Department. A notice  
20 regarding this offense and the penalty therefor shall be included on  
21 the same form containing the notice of revocation issued by the  
22 officer.

23 G. Any fine collected pursuant to a second or subsequent  
24 conviction as provided for in subsections B and C of this section,

1 shall be deposited to the Trauma Care Assistance Revolving Fund  
2 created in Section 1-2522 of Title 63 of the Oklahoma Statutes.

3 SECTION 8. AMENDATORY Section 1, Chapter 322, O.S.L.  
4 2006 (47 O.S. Supp. 2006, Section 7-600.2), is amended to read as  
5 follows:

6 Section 7-600.2 A. The Department of Public Safety shall  
7 promulgate and adopt rules for an online verification system for  
8 motor vehicle insurance or bond as required by the Compulsory  
9 Insurance Law, subject to the following:

10 1. The Department shall cooperate with the Oklahoma Tax  
11 Commission in the development of the verification system;

12 2. The verification system shall be accessible through the  
13 Internet, World Wide Web or a similar proprietary or common carrier  
14 electronic system by authorized personnel of the Department, the  
15 Oklahoma Tax Commission, the courts, law enforcement personnel, and  
16 any other entities authorized by the Department;

17 3. The verification system shall provide for direct inquiry and  
18 response between the Department and insurance carriers and direct  
19 access to insurers' records by personnel authorized by the  
20 Department;

21 4. The verification system shall be available twenty-four (24)  
22 hours a day to verify the insurance status of any vehicle registered  
23 in this state through the vehicle's identification number, policy  
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1 number, registered owner's name or other identifying characteristic  
2 or marker as prescribed by the Department in its rules;

3 5. The Department shall conduct a pilot project to test the  
4 system prior to statewide use;

5 6. The verification system shall be installed and operational  
6 no later than July 1, 2008, following an appropriate testing period;

7 7. The Department may contract with a private vendor to assist  
8 in establishing and maintaining the verification system;

9 8. The verification system shall include appropriate  
10 provisions, consistent with industry standards, to secure its data  
11 against unauthorized access and to maintain a record of all  
12 information requests;

13 9. Information contained in the verification system shall not  
14 be considered a public record; and

15 10. Any law enforcement officer, during a traffic stop or  
16 accident investigation, may access information from the online  
17 verification system to establish compliance with the Compulsory  
18 Insurance Law and to verify the current validity of the policy  
19 described on a security verification form and produced by the  
20 operator of a motor vehicle during the traffic stop or accident  
21 investigation.

22 B. This section shall not apply to a policy issued pursuant to  
23 paragraph 3 of subsection A of Section 7-601.1 of this title or  
24

1 paragraph 3 of subsection A of Section 7-602 of this title to insure  
2 a commercial motor vehicle.

3 C. Insurance carriers shall cooperate with the Department in  
4 establishing and maintaining the insurance verification system and  
5 shall provide access to motor vehicle insurance policy status  
6 information as provided in the Department's rules.

7 SECTION 9. AMENDATORY Section 5, Chapter 322, O.S.L.  
8 2006 (47 O.S. Supp. 2006, Section 7-612), is amended to read as  
9 follows:

10 Section 7-612. A. It is a misdemeanor for any person:

11 1. To purchase a security verification form which bears altered  
12 or fictitious information concerning the existence of security  
13 required by the Compulsory Insurance Law;

14 2. To display or cause or permit to be displayed or to possess  
15 a security verification form which the person knows bears altered or  
16 fictitious information concerning the existence of security required  
17 by the Compulsory Insurance Law; or

18 3. To display or cause or permit to be displayed or to possess  
19 any security verification form that is counterfeit.

20 B. It is a felony for anyone, other than an insurance carrier  
21 or insurance producer as defined by Section 1435.2 of Title 36 of  
22 the Oklahoma Statutes, to:

23 1. Create or otherwise manufacture a security verification form  
24 or facsimile thereof, or to create, manufacture or possess an

1 engraved plate or other such device for the printing of security  
2 verification forms; or

3 2. Issue or sell security verification forms.

4 C. 1. The violation of any of the provisions of subsection A  
5 of this section shall constitute a misdemeanor punishable by a fine  
6 of not less than Twenty-five Dollars (\$25.00), nor more than Two  
7 Hundred Fifty Dollars (\$250.00) and by mandatory suspension of the  
8 person's driving privilege and vehicle registration for:

9 a. two (2) months, for a first offense,

10 b. six (6) months, for a second offense, or

11 c. one (1) year, for a third or subsequent offense.

12 The suspension imposed under this subsection shall not be modified.

13 2. The violation of any of the provisions of subsection B of  
14 this section shall constitute a felony punishable by a fine not  
15 exceeding Ten Thousand Dollars (\$10,000.00) or a term of  
16 imprisonment in the custody of the Department of Corrections not to  
17 exceed seven (7) years, or by both such fine and imprisonment.

18 D. The suspension required in subsection C of this section  
19 shall remain in effect until payment is made of the fees provided  
20 for in Section 6-212 of this title and proof of security is  
21 furnished to the Department of Public Safety which complies with the  
22 requirements of Section 7-601 of this title. Suspension under this  
23 section shall be effective when notice is given pursuant to Section  
24 2-116 of this title.

1        E. Any person whose driving privilege and registration have  
2 been suspended pursuant to the provisions of subsection C of this  
3 section shall surrender to the Department his or her driver license  
4 and the license plate of any motor vehicle registered in his or her  
5 name and not covered by security within thirty (30) days from the  
6 date of the suspension. Any owner failing to surrender his or her  
7 driver license or license plate or plates to the Department within  
8 such time shall pay a fee of Fifty Dollars (\$50.00) which shall be  
9 in addition to the fees provided for in Section 6-212 of this title.

10        SECTION 10.        AMENDATORY        47 O.S. 2001, Section 8-104, as  
11 amended by Section 34, Chapter 519, O.S.L. 2004 (47 O.S. Supp. 2006,  
12 Section 8-104), is amended to read as follows:

13        Section 8-104. A. 1. Every person, firm or corporation  
14 engaged in the business of operating a taxicab or taxicabs within a  
15 municipality shall file with the governing board of the municipality  
16 in which such business is operated proof of financial  
17 responsibility.

18        2. No governing board of a municipality shall hereafter issue  
19 any certificate of convenience and necessity, franchise, license  
20 permit or other privilege or authority to any person, firm or  
21 corporation authorizing such person, firm or corporation to engage  
22 in the business of operating a taxicab or taxicabs within the  
23 municipality unless such person, firm or corporation first files  
24 with the governing board proof of financial responsibility.

1           3. Every person, firm or corporation engaging in the business  
2 of operating a taxicab or taxicabs without the corporate city limits  
3 of a municipality or municipalities shall file with the ~~Department~~  
4 ~~of Public Safety, Financial Responsibility Division, of the state,~~  
5 Corporation Commission proof of financial responsibility.

6           4. No person, firm or corporation shall hereafter engage in the  
7 business of operating a taxicab or taxicabs without the corporate  
8 city limits of a municipality or municipalities in the state unless  
9 such person, firm or corporation first files with the ~~Department of~~  
10 ~~Public Safety~~ Corporation Commission proof of financial  
11 responsibility.

12           B. As used in this section, "proof of financial responsibility"  
13 shall mean a certificate of any insurance carrier or risk retention  
14 group, as defined in Section 6453 of Title 36 of the Oklahoma  
15 Statutes, authorized to do business in the state certifying that  
16 there is in effect a policy of liability insurance insuring the  
17 owner and operator of the taxicab business, his agents and employees  
18 while in the performance of their duties against loss from any  
19 liability imposed by law for damages including damages for care and  
20 loss of services because of bodily injury to or death of any person  
21 and injury to or destruction of property caused by accident and  
22 arising out of the ownership, use or operation of such taxicab or  
23 taxicabs, subject to minimum limits, exclusive of interest and cost,  
24 with respect to each such motor vehicle as follows:

1 1. Twenty-five Thousand Dollars (\$25,000.00) because of bodily  
2 injury to or death of one person in any one accident and, subject to  
3 said limit for one person;

4 2. Fifty Thousand Dollars (\$50,000.00) because of bodily injury  
5 to or death of two or more persons in any one accident; and

6 3. Twenty-five Thousand Dollars (\$25,000.00) because of injury  
7 to or destruction of property of others in any one accident.

8 SECTION 11. AMENDATORY 47 O.S. 2001, Section 156.1, as  
9 last amended by Section 3, Chapter 456, O.S.L. 2003 (47 O.S. Supp.  
10 2006, Section 156.1), is amended to read as follows:

11 Section 156.1 A. It shall be unlawful for any state official,  
12 officer, or employee, except any essential employees approved by the  
13 Governor and those officers or employees authorized in subsection B  
14 of this section, to ride to or from the employee's place of  
15 residence in a state-owned automobile, truck, or pickup, except in  
16 the performance of the employee's official duty, or to use or permit  
17 the use of any such automobile, truck, ambulance, or pickup for  
18 other personal or private purposes. Any person convicted of  
19 violating the provisions of this section shall be guilty of a  
20 misdemeanor and shall be punished by a fine of not more than One  
21 Hundred Dollars (\$100.00) or by imprisonment in the county jail for  
22 a period to not exceed thirty (30) days, or by both said fine and  
23 imprisonment, and in addition thereto, shall be discharged from  
24 state employment.

1 B. 1. Any state employee, other than the individuals provided  
2 for in paragraph 2 of this subsection and any employee of the  
3 Department of Public Safety who is an employee in the Driver License  
4 Examining Division and the Driver ~~Improvement~~ Compliance Division or  
5 a wrecker inspector/auditor of the Wrecker Services Division as  
6 provided for in paragraph 3 of this subsection, who receives  
7 emergency telephone calls regularly at the employee's residence when  
8 the employee is not on duty and is regularly called upon to use a  
9 vehicle after normal work hours in response to such emergency calls,  
10 may be permitted to use a vehicle belonging to the State of Oklahoma  
11 to provide transportation between the employee's residence and the  
12 assigned place of employment, provided such distance does not exceed  
13 seventy-five (75) miles in any round trip or is within the county  
14 where the assigned place of employment is located. Provided  
15 further, an employee may be permitted to use a state-owned vehicle  
16 to provide temporary transportation between a specific work location  
17 other than the assigned place of employment and the employee's  
18 residence, if such use shall result in a monetary saving to the  
19 agency, and such authorization shall not be subject to the distance  
20 or area restrictions provided for in this paragraph. Authorization  
21 for temporary use of a state-owned vehicle for a specific project  
22 shall be in writing stating the justification for this use and the  
23 saving expected to result. Such authorization shall be valid for  
24 not to exceed sixty (60) days. Any state entity other than law

1 enforcement that avails itself of this provision shall keep a  
2 monthly record of all participating employees, the number of  
3 emergency calls received, and the number of times that a state  
4 vehicle was used in the performance of such emergency calls.

5 2. Any employee of the Department of Public Safety, Oklahoma  
6 State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma  
7 State Bureau of Investigation, Alcoholic Beverage Laws Enforcement  
8 Commission, Oklahoma Horse Racing Commission, Office of the  
9 Inspector General within the Department of Human Services or Office  
10 of the State Fire Marshal, who is a law enforcement officer or  
11 criminalist, Public Information officer, Special Investigator or  
12 Assistant Director of the Oklahoma State Bureau of Investigation, or  
13 any employee of a district attorney who is a law enforcement  
14 officer, may be permitted to use a state-owned vehicle to provide  
15 transportation between the employee's residence and the assigned  
16 place of employment and between the residence and any location other  
17 than the assigned place of employment to which the employee travels  
18 in the performance of the employee's official duty.

19 3. Any employee of the Department of Public Safety who is an  
20 employee in the Driver License Examining Division or the Driver  
21 ~~Improvement~~ Compliance Division or a wrecker inspector/auditor of  
22 the Wrecker Services Division may be permitted, as determined by the  
23 Commissioner, to use a state-owned vehicle to provide transportation  
24 between the employee's residence and the assigned place of

1 employment and between the residence and any location other than the  
2 assigned place of employment to which the employee travels in the  
3 performance of the employee's official duty.

4 4. The Director, department heads and other essential employees  
5 of the Department of Wildlife Conservation, as authorized by the  
6 Wildlife Conservation Commission, may be permitted to use a state-  
7 owned vehicle to provide transportation between the employee's  
8 residence and the assigned place of employment and between the  
9 residence and any location other than the assigned place of  
10 employment to which the employee travels in the performance of the  
11 employee's official duty.

12 C. The principal administrator of the state agency with which  
13 the employee is employed shall so designate the employee's status in  
14 writing or provide a copy of the temporary authorization to the  
15 Governor, the President Pro Tempore of the Senate, and the Speaker  
16 of the House of Representatives. Such employee status report shall  
17 also be provided to the State Fleet Manager of the Division of Fleet  
18 Management if the motor vehicle for emergency use is provided by  
19 said Division.

20 SECTION 12. AMENDATORY 74 O.S. 2001, Section 840-5.5, as  
21 last amended by Section 3, Chapter 47, 2nd Extraordinary Session,  
22 O.S.L. 2006 (74 O.S. Supp. 2006, Section 840-5.5), is amended to  
23 read as follows:  
24

1 Section 840-5.5 A. The following offices, positions, and  
2 personnel shall be in the unclassified service and shall not be  
3 placed under the classified service:

4 1. Persons chosen by popular vote or appointment to fill an  
5 elective office, and their employees, except the employees of the  
6 Corporation Commission, the State Department of Education and the  
7 Department of Labor;

8 2. Members of boards and commissions, and heads of agencies;  
9 also one principal assistant or deputy and one executive secretary  
10 for each state agency;

11 3. All judges, elected or appointed, and their employees;

12 4. Persons employed with one-time, limited duration, federal or  
13 other grant funding that is not continuing or indefinitely  
14 renewable. The length of the unclassified employment shall not  
15 exceed the period of time for which that specific federal funding is  
16 provided;

17 5. All officers and employees of The Oklahoma State System of  
18 Higher Education, State Board of Education and Oklahoma Department  
19 of Career and Technology Education;

20 6. Persons employed in a professional or scientific capacity to  
21 make or conduct a temporary and special inquiry, investigation, or  
22 examination on behalf of the Legislature or a committee thereof or  
23 by authority of the Governor. These appointments and authorizations  
24 shall terminate on the first day of the regular legislative session

1 immediately following the appointment, if not terminated earlier.  
2 However, nothing in this paragraph shall prevent the reauthorization  
3 and reappointment of any such person. Any such appointment shall be  
4 funded from the budget of the appointing authority;

5 7. Election officials and employees;

6 8. Temporary employees employed to work less than one thousand  
7 (1,000) hours in any twelve-month period, seasonal employees  
8 employed by the Oklahoma Tourism and Recreation Department pursuant  
9 to Section 2241 of this title who work less than one thousand two  
10 hundred (1,200) hours in any twelve-month period, and seasonal  
11 employees employed at lodges and golf courses operated by the  
12 Oklahoma Tourism and Recreation Department pursuant to Section 2241  
13 of this title who work less than one thousand six hundred (1,600)  
14 hours in any twelve-month period;

15 9. Department of Public Safety employees occupying the  
16 following offices or positions:

- 17 a. administrative aides to the Commissioner,
- 18 b. executive secretaries to the Commissioner,
- 19 c. the Governor's representative of the Oklahoma Highway  
20 Safety Office who shall be appointed by the Governor,
- 21 d. Highway Patrol Colonel,
- 22 e. Highway Patrol Lieutenant Colonel,
- 23 f. ~~Highway Patrol Major,~~
- 24 g. ~~Director of Finance,~~

1        ~~h.~~ g.        noncommissioned pilots,  
2        ~~i.~~ h.        Information Systems Administrator,  
3        ~~j.~~ i.        Law Enforcement Telecommunications System Specialist,  
4        ~~k.~~ j.        Director of Driver License Administration Compliance,  
5        ~~l.~~ k.        Director of Transportation Division,  
6        ~~m.~~        ~~Director of the Alcohol and Drug Countermeasures Unit,~~  
7        ~~n.~~ l.        Director of the Oklahoma Highway Safety Office,  
8        ~~o.~~ m.        Civil Rights Administrator,  
9        ~~p.~~ n.        Budget Analyst,  
10       ~~q.~~ o.        Comptroller,  
11       ~~r.~~ p.        Chaplain,  
12       ~~s.~~ q.        Helicopter Mechanic,  
13       ~~t.~~ r.        Director of Safety Compliance,  
14       ~~u.~~ s.        Human Resources Director,  
15       ~~v.~~ t.        Administrator of Department Services, and  
16       ~~w.~~ u.        a maximum of seven (7) positions for the purpose of  
17       administering programs in the Oklahoma Highway Safety  
18       Office, within full-time employee limitations of the  
19       Department, employed with federal funding that is  
20       continuing or indefinitely renewable. The  
21       authorization for such positions shall be terminated  
22       if the federal funding for positions is discontinued;  
23       provided, any person appointed to a position prescribed in  
24       subparagraph ~~d,~~ or e, ~~f or e~~ of this paragraph shall have a right of

1 return to the classified commissioned position without any loss of  
2 rights, privileges or benefits immediately upon completion of the  
3 duties in the unclassified commissioned position, ~~and any person~~  
4 ~~appointed to a position prescribed in subparagraph i, j, k, l, m or~~  
5 ~~n of this paragraph shall have a right of return to the previously~~  
6 ~~held vacant classified position within the Department of Public~~  
7 ~~Safety without any loss of rights, privileges or benefits~~  
8 ~~immediately upon completion of the duties in the unclassified~~  
9 ~~commissioned position;~~

10 10. Professional trainees only during the prescribed length of  
11 their course of training or extension study;

12 11. Students who are employed on a part-time basis, which shall  
13 be seventy-five percent (75%) of a normal forty-hour work week or  
14 thirty (30) hours per week, or less, or on a full-time basis if the  
15 employment is pursuant to a cooperative education program such as  
16 that provided for under Title I IV-D of the Higher Education Act of  
17 1965 (20 U.S.C. 1087a-1087c), as amended, and who are regularly  
18 enrolled in:

19 a. an institution of higher learning within The Oklahoma  
20 State System of Higher Education,

21 b. an institution of higher learning qualified to become  
22 coordinated with The Oklahoma State System of Higher  
23 Education. For purposes of this section, a student  
24 shall be considered a regularly enrolled student if

1 the student is enrolled in a minimum of five (5) hours  
2 of accredited graduate courses or a minimum of ten  
3 (10) hours of accredited undergraduate courses,  
4 provided, however, the student shall only be required  
5 to be enrolled in a minimum of six (6) hours of  
6 accredited undergraduate courses during the summer, or  
7 c. high school students regularly enrolled in a high  
8 school in Oklahoma and regularly attending classes  
9 during such time of enrollment;

10 12. The spouses of personnel who are employed on a part-time  
11 basis to assist or work as a relief for their spouses in the  
12 Oklahoma Tourism and Recreation Department;

13 13. Service substitute attendants who are needed to replace  
14 museum and site attendants who are unavoidably absent. Service  
15 substitutes may work as part-time or full-time relief for absentees  
16 for a period of not more than four (4) weeks per year in the  
17 Oklahoma Historical Society sites and museums; such substitutes will  
18 not count towards the agency's full-time-equivalent (FTE) employee  
19 limit;

20 14. Employees of the Oklahoma House of Representatives, the  
21 State Senate, or the Legislative Service Bureau;

22 15. Corporation Commission personnel occupying the following  
23 offices and positions:  
24

- a. Administrative aides, and executive secretaries to the Commissioners,
- b. Directors of all the divisions, personnel managers and comptrollers,
- c. General Counsel,
- d. Public Utility Division Chief Engineer,
- e. Public Utility Division Chief Accountant,
- f. Public Utility Division Chief Economist,
- g. Public Utility Division Deputy Director,
- h. Secretary of the Commission,
- i. Deputy Conservation Director,
- j. Manager of Pollution Abatement,
- k. Manager of Field Operations,
- l. Manager of Technical Services,
- m. Public Utility Division Chief of Telecommunications,
- n. Director of Information Services, and
- o. All Data Processing employees hired on or after September 1, 2005;

16. At the option of the employing agency, the Supervisor, Director, or Educational Coordinator in any other state agency having a primary responsibility to coordinate educational programs operated for children in state institutions;

1 17. Department of Mental Health and Substance Abuse Services  
2 personnel occupying the following offices and positions at each  
3 facility:

- 4 a. Director of Facility,
- 5 b. Deputy Director for Administration,
- 6 c. Clinical Services Director,
- 7 d. Executive Secretary to Director, and
- 8 e. Directors or Heads of Departments or Services;

9 18. Office of State Finance personnel occupying the following  
10 offices and positions:

- 11 a. State Comptroller,
- 12 b. Administrative Officers,
- 13 c. Alternator Claims Auditor,
- 14 d. Employees hired to fulfill state compliance agency  
15 requirements under Model Tribal Gaming Compacts,
- 16 e. Employees of the Budget Division,
- 17 f. Employees of the Fiscal and Research Division,
- 18 g. Employees hired to work on the CORE Systems Project;  
19 and
- 20 h. The following employees of the Information Services  
21 Division:
  - 22 (1) Information Services Division Manager,
  - 23 (2) Network Manager,
  - 24 (3) Network ~~Technician~~ Technicians,

- 1 (4) Security Manager,
- 2 (5) Contracts/Purchasing Manager,
- 3 (6) Operating and Applications Manager,
- 4 (7) Project Manager,
- 5 (8) Help Desk Manager,
- 6 (9) Help Desk ~~Technician~~ Technicians,
- 7 (10) Quality Assurance Manager,
- 8 (11) ISD Analysts,
- 9 (12) CORE Manager,
- 10 (13) Enterprise System/Database Software Manager,
- 11 (14) Data Center Operations and Production Manager,
- 12 (15) Voice Communications Manager,
- 13 (16) Applications Development Manager,
- 14 (17) Projects Manager,
- 15 (18) PC's Manager,
- 16 (19) Servers Manager,
- 17 (20) Portal Manager, and
- 18 (21) Procurement ~~Specialist~~ Specialists,
- 19 (22) Security Technicians,
- 20 (23) Enterprise Communications and Network
- 21 Administrator,
- 22 (24) Server Support Specialists,
- 23 (25) Senior Server Support Specialists,
- 24 (26) Systems Support Specialists, and

1                   (27) Senior Systems Support Specialists;

2           19. Employees of the Oklahoma Industrial Finance Authority;

3           20. Those positions so specified in the annual business plan of  
4 the Oklahoma Department of Commerce;

5           21. Those positions so specified in the annual business plan of  
6 the Oklahoma Center for the Advancement of Science and Technology;

7           22. The following positions and employees of the Oklahoma  
8 School of Science and Mathematics:

- 9           a. positions for which the annual salary is Twenty-four  
10            Thousand One Hundred Ninety-three Dollars (\$24,193.00)  
11            or more, as determined by the Office of Personnel  
12            Management, provided no position shall become  
13            unclassified because of any change in salary or grade  
14            while it is occupied by a classified employee,
- 15           b. positions requiring certification by the State  
16            Department of Education, and
- 17           c. positions and employees authorized to be in the  
18            unclassified service of the state elsewhere in this  
19            section or in subsection B of this section;

20           23. Office of Personnel Management employees occupying the  
21 following positions:

- 22           a. the Carl Albert Internship Program Coordinator,  
23           b. one Administrative Assistant, and  
24           c. one Workforce Planning Manager;

1        24. Department of Labor personnel occupying the following  
2 offices and positions:

- 3            a. two Deputy Commissioners,
- 4            b. two Executive Secretaries to the Commissioner,
- 5            c. Chief of Staff,
- 6            d. two Administrative Assistants,
- 7            e. Information Systems Administrator,
- 8            f. three Safety and Health Directors,
- 9            g. Research Director,
- 10           h. Employment Standards Director,
- 11           i. Asbestos Director, and
- 12           j. General Counsel;

13        25. The State Bond Advisor and his or her employees;

14        26. The Oklahoma Employment Security Commission employees  
15 occupying the following positions:

- 16            a. Associate Director,
- 17            b. Secretary to the Associate Director, and
- 18            c. Assistant to the Executive Director;

19        27. Oklahoma Human Rights Commission personnel occupying the  
20 position of Administrative Assistant;

21        28. Officers and employees of the State Banking Department;

22        29. Officers and employees of the University Hospitals

23 Authority except personnel in the state classified service pursuant  
24 to Section 3211 of Title 63 of the Oklahoma Statutes and members of

1 the University Hospitals Authority Model Personnel System created  
2 pursuant to subsection E of Section 3211 of Title 63 of the Oklahoma  
3 Statutes or as otherwise provided for in Section 3213.2 of Title 63  
4 of the Oklahoma Statutes;

5 30. Alcoholic Beverage Laws Enforcement Commission employees  
6 occupying the following positions:

7 a. three Administrative Service Assistant positions,  
8 however, employees in such positions who are in the  
9 unclassified service on June 4, 2003, may make an  
10 election to be in the classified service without a  
11 loss in salary by September 1, 2003, and

12 b. the Deputy Director position in addition to the one  
13 authorized by paragraph 2 of this subsection;

14 31. The Oklahoma State Bureau of Investigation employees  
15 occupying the following positions:

16 a. five assistant directors,

17 b. six special investigators,

18 c. one information representative,

19 d. one federally funded physical evidence technician,

20 e. four federally funded laboratory analysts,

21 f. a maximum of fourteen positions employed for the  
22 purpose of managing the automated information systems  
23 of the agency, and  
24

1 g. one executive secretary in addition to the one  
2 authorized pursuant to paragraph 2 of this subsection;

3 32. The Department of Transportation, the following positions:

- 4 a. Director of the Oklahoma Aeronautics Commission,
- 5 b. five Department of Transportation Assistant Director  
6 positions,
- 7 c. eight field division engineer positions, and
- 8 d. one pilot position;

9 33. Commissioners of the Land Office employees occupying the  
10 following positions:

- 11 a. Director of the Investments Division,
- 12 b. Assistant Director of the Investments Division,
- 13 c. one Administrative Assistant,
- 14 d. one Audit Tech position,
- 15 e. one Auditor I position,
- 16 f. two Accounting Tech I positions,
- 17 g. two Administrative Assistant I positions,
- 18 h. two Imaging Specialist positions, and
- 19 i. one Information Systems Specialist position;

20 34. Within the Oklahoma State Bureau of Narcotics and Dangerous  
21 Drugs Control Commission, the following positions:

- 22 a. six Narcotics Agent positions and three Typist  
23 Clerk/Spanish transcriptionists, including a Typist  
24 Clerk Supervisor/Spanish transcriptionist, provided,

1 authorization for such positions shall be terminated  
2 if the federal funding for the positions is  
3 discontinued,

4 b. one executive secretary in addition to the one  
5 authorized pursuant to paragraph 2 of this subsection,

6 c. one fiscal officer,

7 d. one full-time Programmer, and

8 e. one full-time Network Engineer;

9 35. The Military Department of the State of Oklahoma is  
10 authorized such unclassified employees within full-time employee  
11 limitations to work in any of the Department of Defense directed  
12 youth programs, the State of Oklahoma Juvenile Justice youth  
13 programs, those persons reimbursed from Armory Board or Billeting  
14 Fund accounts, and skilled trade positions;

15 36. Within the Oklahoma Commission on Children and Youth the  
16 following unclassified positions:

17 a. one Oversight Specialist and one Community Development  
18 Planner,

19 b. one State Plan Grant Coordinator, provided  
20 authorization for the position shall be terminated  
21 when federal support for the position by the United  
22 States Department of Education Early Intervention  
23 Program is discontinued, and  
24

1 c. one executive secretary in addition to the one  
2 authorized pursuant to paragraph 2 of this subsection;

3 37. The following positions and employees of the Department of  
4 Central Services:

5 a. one Executive Secretary in addition to the Executive  
6 Secretary authorized by paragraph 2 of this  
7 subsection,

8 b. the Director of Central Purchasing,

9 c. one Alternate Fuels Administrator,

10 d. one Director of Special Projects,

11 e. three postauditors,

12 f. four high-technology contracting officers,

13 g. one Executive Assistant to the Purchasing Director,

14 h. four Contracts Managers,

15 i. one Associate Director,

16 j. one specialized HiTech/Food Contracting Officer,

17 k. one State Use Contracting Officer,

18 l. one Property Distribution Administrator,

19 m. three licensed architects assigned to the Facilities  
20 and Properties Division,

21 n. three licensed engineers assigned to the Facilities  
22 and Properties Division,

23 o. four construction consultants assigned to the  
24 Facilities and Properties Division,

1 p. one attorney assigned to the Facilities and Properties  
2 Division,

3 q. three positions assigned to the Information Services  
4 Division, which shall include one Information  
5 Technology Manager, one Applications Specialist and  
6 one Data Planning Specialist, and

7 r. four positions assigned to Fleet Management, which  
8 shall include one Deputy Fleet Manager and three  
9 Management Analysts;

10 38. Four Water Quality Specialists, and four Water Resources  
11 Division Chiefs within the Oklahoma Water Resources Board;

12 39. J.D. McCarty Center for Children with Developmental  
13 Disabilities personnel occupying the following offices and  
14 positions:

- 15 a. Physical Therapists,
- 16 b. Physical Therapist Assistants,
- 17 c. Occupational Therapists,
- 18 d. Certified Occupational Therapist Aides, and
- 19 e. Speech Pathologists;

20 40. The Development Officer and the Director of the State  
21 Museum of History within the Oklahoma Historical Society;

22 41. Oklahoma Department of Agriculture, Food, and Forestry  
23 personnel occupying the following positions:

- a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection and one Executive Assistant,
- b. nineteen Agricultural Marketing Coordinator III positions,
- c. temporary fire suppression personnel, regardless of the number of hours worked, who are employed by the Oklahoma Department of Agriculture, Food, and Forestry; provided, however, notwithstanding the provisions of any other section of law, the hours worked by such employees shall not entitle such employees to any benefits received by full-time employees,
- d. one Administrator for Human Resources,
- e. one Director of Administrative Services,
- f. one Water Quality Consumer Complaint Coordinator,
- g. one hydrologist position,
- h. Public Information Office Director,
- i. Market Development Services Director,
- j. Legal Services Director,
- k. Animal Industry Services Director,
- l. Agricultural Environmental Management Services Director,
- m. Forestry Services Director,

- 1 n. Plant Industry and Consumer Services Director,  
2 o. one Grants Administrator position,  
3 p. Director of Laboratory Services,  
4 q. Chief of Communications,  
5 r. Public Information Manager,  
6 s. Inventory/Supply Officer,  
7 t. five Agriculture Field Inspector positions assigned  
8 the responsibility for conducting inspections and  
9 audits of agricultural grain storage warehouses. All  
10 other Agriculture Field Inspector positions and  
11 employees of the Oklahoma Department of Agriculture,  
12 Food, and Forestry shall be classified and subject to  
13 the provisions of the Merit System of Personnel  
14 Administration. On November 1, 2002, all other  
15 unclassified Agriculture Field Inspectors shall be  
16 given status in the classified service as provided in  
17 Section 840-4.2 of this title,  
18 u. Rural Fire Coordinator,  
19 v. one Agricultural Marketing Coordinator III,  
20 w. Food Safety Division Director,  
21 x. two Environmental Program Specialists,  
22 y. two Scale Technicians, and  
23 z. two Plant Protection Specialists;

1       42. The Contracts Administrator within the Oklahoma State  
2 Employees Benefits Council;

3       43. The Development Officer within the Oklahoma Department of  
4 Libraries;

5       44. Oklahoma Real Estate Commission personnel occupying the  
6 following offices and positions:

7           a. Educational Program Director, and  
8           b. Data Processing Manager;

9       45. A Chief Consumer Credit Examiner for the Department of  
10 Consumer Credit;

11       46. All officers and employees of the Oklahoma Capitol Complex  
12 and Centennial Commemoration Commission;

13       47. All officers and employees of the Oklahoma Motor Vehicle  
14 Commission;

15       48. One Museum Archivist of The Will Rogers Memorial  
16 Commission;

17       49. One Fire Protection Engineer of the Office of the State  
18 Fire Marshal;

19       50. Acting incumbents employed pursuant to Section 209 of Title  
20 44 or Section 48 of Title 72 of the Oklahoma Statutes who shall not  
21 be included in any limitation on full-time equivalency imposed by  
22 law on an agency. Permanent classified employees may request a  
23 leave of absence from classified status and accept an unclassified  
24 appointment and compensation as an acting incumbent with the same

1 agency; provided, the leave shall expire no later than two (2) years  
2 from the date of the acting incumbent appointment. An appointing  
3 authority may establish unclassified positions and appoint  
4 unclassified employees to perform the duties of a permanent  
5 classified employee who is on leave of absence from a classified  
6 position to serve as an acting incumbent. All unclassified  
7 appointments created pursuant to this paragraph shall expire no  
8 later than two (2) years from the date of appointment. Classified  
9 employees accepting unclassified appointments and compensation  
10 pursuant to this paragraph shall be entitled to participate without  
11 interruption in any benefit programs available to classified  
12 employees, including retirement and insurance programs. Immediately  
13 upon termination of an unclassified appointment pursuant to this  
14 paragraph, an employee on assignment from the classified service  
15 shall have a right to be restored to the classified service and  
16 reinstated to the former job family level and compensation plus any  
17 adjustments and increases in salary or benefits which the employee  
18 would have received but for the leave of absence;

19 51. The Oklahoma Homeland Security Director and all other  
20 positions assigned the responsibilities of working in the Oklahoma  
21 Office of Homeland Security;

22 52. The following eighteen (18) positions in the State  
23 Department of Health:

24 a. one surveillance supervisor,

- b. one surveillance project monitor,
- c. two bilingual interviewers,
- d. eight senior interviewers, and
- e. six interviewers; and

53. State Board of Registration for Professional Engineers and Land Surveyors personnel occupying the following offices and positions:

- a. one Director of Enforcement, and
- b. one Board Investigator.

B. If an agency has the authority to employ personnel in the following offices and positions, the appointing authority shall have the discretion to appoint personnel to the unclassified service:

- 1. Licensed medical doctors, osteopathic physicians, dentists, psychologists, and nurses;
- 2. Certified public accountants;
- 3. Licensed attorneys;
- 4. Licensed veterinarians; and
- 5. Licensed pharmacists.

C. Effective July 1, 1996, authorization for unclassified offices, positions, or personnel contained in a bill or joint resolution shall terminate June 30 of the ensuing fiscal year after the authorization unless the authorization is codified in the Oklahoma Statutes or the termination is otherwise provided in the legislation.

1 D. The appointing authority of agencies participating in the  
2 statewide information systems project may establish unclassified  
3 positions and appoint unclassified employees to the project as  
4 needed. Additional unclassified positions may be established, if  
5 required, to appoint an unclassified employee to perform the duties  
6 of a permanent classified employee who is temporarily absent from a  
7 classified position as a result of assignment to this project. All  
8 unclassified appointments under this authority shall expire no later  
9 than December 31, 2007, and all unclassified positions established  
10 to support the project shall be abolished. Both the positions and  
11 appointments resulting from this authority shall be exempt from any  
12 agency FTE limitations and any limits imposed on the number of  
13 unclassified positions authorized. Permanent classified employees  
14 may request a leave of absence from classified status and accept an  
15 unclassified appointment and compensation with the same agency under  
16 the provisions of this subsection; provided, the leave shall expire  
17 no later than December 31, 2007. Employees accepting the  
18 appointment and compensation shall be entitled to participate  
19 without interruption in any benefit programs available to classified  
20 employees, including retirement and insurance programs. Immediately  
21 upon termination of an unclassified appointment pursuant to this  
22 subsection, an employee on assignment from the classified service  
23 shall have a right to be restored to the classified service and  
24 reinstated to the former job family level and compensation plus any

1 adjustments and increases in salary or benefits which the employee  
2 would have received but for the leave of absence.

3 SECTION 13. This act shall become effective November 1, 2007.

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