

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1392

By: Crutchfield of the Senate

and

Adkins of the House

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8 COMMITTEE SUBSTITUTE

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10 An Act relating to motor vehicles; amending Section
11 3, Chapter 522, O.S.L. 2004, as amended by Section
12 10, Chapter 238, O.S.L. 2006 (47 O.S. Supp. 2007,
13 Section 1167), which relates to the Trucking One-Stop
14 Shop Fund; stating fund shall not be subject to
15 legislative appropriation; providing for expenditures
16 from fund; and declaring an emergency.

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

18 SECTION 1. AMENDATORY Section 3, Chapter 522, O.S.L.
19 2004, as amended by Section 10, Chapter 238, O.S.L. 2006 (47 O.S.
20 Supp. 2007, Section 1167), is amended to read as follows:

21 Section 1167. A. The Corporation Commission is hereby
22 authorized to promulgate rules pursuant to the Administrative
23 Procedures Act to establish the amounts of fees, fines and penalties
24 as set forth in this act. The Corporation Commission shall notify
all interested parties of any proposed rules to be promulgated as

1 provided herein and shall provide such parties an opportunity to be
2 heard prior to promulgation.

3 B. The Corporation Commission shall adjudicate enforcement
4 actions initiated by Corporation Commission personnel.

5 C. Revenue derived from all fines and penalties collected or
6 received by the Corporation Commission pursuant to the provisions of
7 this act shall be apportioned as follows:

8 1. The first Eight Hundred Fifty Thousand Dollars (\$850,000.00)
9 collected or received each fiscal year shall be remitted to the
10 Oklahoma Tax Commission and apportioned as provided in Section 1104
11 of ~~Title 47 of the Oklahoma Statutes~~ this title;

12 2. One-half (1/2) of the remaining amount shall be deposited to
13 the Trucking One-Stop Shop Fund created in subsection D of this
14 section; and

15 3. One-half (1/2) of the remaining amount shall be deposited to
16 the Weigh Station Improvement Revolving Fund created in subsection E
17 of this section.

18 D. There is hereby created in the State Treasury a revolving
19 fund for the Corporation Commission to be known and designated as
20 the "Trucking One-Stop Shop Fund". The Trucking One-Stop Shop Fund
21 shall consist of:

22 1. All funds apportioned thereto in subsection C of this
23 section;

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1 2. Fees collected by the Commission to be retained as a motor
2 license agent or other Corporation Commission registration or motor
3 fuel fees as allowed by statute or rule; and

4 3. Any other monies to be utilized for the Trucking One-Stop
5 Shop Act.

6 The fund shall be a continuing fund, not subject to fiscal year
7 limitations, and shall not be subject to legislative appropriation.

8 Monies in the Trucking One-Stop Shop Fund shall only be expended for
9 direct expenses relating to the Trucking One-Stop Shop Act.

10 Expenditures from the revolving fund shall be made pursuant to the
11 laws of this state. In addition, expenditures from the revolving
12 fund may be made pursuant to The Oklahoma Central Purchasing Act for
13 the purpose of immediately responding to emergency situations,
14 within the Commission's jurisdiction, having potentially critical
15 environmental or public safety impact. Warrants for expenditures
16 from the fund shall be drawn by the State Treasurer against claims
17 filed as prescribed by law with the Director of State Finance for
18 approval and payment.

19 E. There is hereby created in the State Treasury a revolving
20 fund for the Department of Transportation to be designated the
21 "Weigh Station Improvement Revolving Fund". The fund shall be a
22 continuing fund, not subject to fiscal year limitations, and shall
23 consist of all monies deposited thereto. All monies accruing to the
24 credit of the fund are hereby appropriated and may be budgeted and

1 expended by the Department for the purpose of constructing,
2 equipping and maintaining facilities to determine the weight of
3 vehicles traveling on the roads and highways of this state.
4 Expenditures from the fund shall be made upon warrants issued by the
5 State Treasurer against claims filed as prescribed by law with the
6 Director of State Finance for approval and payment.

7 SECTION 2. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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