

THE HOUSE OF REPRESENTATIVES  
Monday, April 14, 2008

Committee Substitute for  
ENGROSSED  
Senate Bill No. 1392

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1392 - By:  
CRUTCHFIELD of the Senate and ADKINS of the House.

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

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

- 1           SECTION 1.   AMENDATORY   Section 3, Chapter 522, O.S.L. 2004, as amended  
2 by Section 10, Chapter 238, O.S.L. 2006 (47 O.S. Supp. 2007, Section 1167), is amended  
3 to read as follows:
- 4           Section 1167. A. The Corporation Commission is hereby authorized to promulgate  
5 rules pursuant to the Administrative Procedures Act to establish the amounts of fees,  
6 fines and penalties as set forth in this act. The Corporation Commission shall notify all  
7 interested parties of any proposed rules to be promulgated as provided herein and shall  
8 provide such parties an opportunity to be heard prior to promulgation.
- 9           B. The Corporation Commission shall adjudicate enforcement actions initiated by  
10 Corporation Commission personnel.

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

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

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

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

11 D. There is hereby created in the State Treasury a revolving fund for the  
12 Corporation Commission to be known and designated as the “Trucking One-Stop Shop  
13 Fund”. The Trucking One-Stop Shop Fund shall consist of:

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

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

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

18 The fund shall be a continuing fund, not subject to fiscal year limitations, and shall  
19 not be subject to legislative appropriation. Monies in the Trucking One-Stop Shop Fund  
20 shall only be expended for direct expenses relating to the Trucking One-Stop Shop Act.

21 Expenditures from the revolving fund shall be made pursuant to the laws of this state.

22 In addition, expenditures from the revolving fund may be made pursuant to The

1 Oklahoma Central Purchasing Act for the purpose of immediately responding to  
2 emergency situations, within the Commission’s jurisdiction, having potentially critical  
3 environmental or public safety impact. Warrants for expenditures from the fund shall be  
4 drawn by the State Treasurer against claims filed as prescribed by law with the Director  
5 of State Finance for approval and payment.

6 E. There is hereby created in the State Treasury a revolving fund for the  
7 Department of Transportation to be designated the “Weigh Station Improvement  
8 Revolving Fund”. The fund shall be a continuing fund, not subject to fiscal year  
9 limitations, and shall consist of all monies deposited thereto. All monies accruing to the  
10 credit of the fund are hereby appropriated and may be budgeted and expended by the  
11 Department for the purpose of constructing, equipping and maintaining facilities to  
12 determine the weight of vehicles traveling on the roads and highways of this state.  
13 Expenditures from the fund shall be made upon warrants issued by the State Treasurer  
14 against claims filed as prescribed by law with the Director of State Finance for approval  
15 and payment.

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

19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
20 dated 04-10-08 - DO PASS, As Amended.