

SB 1392

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THE STATE SENATE  
Monday, February 25, 2008

Senate Bill No. 1392  
As Amended

SENATE BILL NO. 1392 - By: CRUTCHFIELD of the Senate and ADKINS of the House.

[ motor vehicles - Trucking One-Stop Shop Fund - legislative appropriation - emergency ]

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

SECTION 1. AMENDATORY 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), is amended to read as follows:

Section 1167. A. The Corporation Commission is hereby authorized to promulgate rules pursuant to the Administrative Procedures Act to establish the amounts of fees, fines and penalties as set forth in this act. The Corporation Commission shall notify all interested parties of any proposed rules to be promulgated as provided herein and shall provide such parties an opportunity to be heard prior to promulgation.

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

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

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

5           2. One-half of the remaining amount shall be deposited to the  
6 Trucking One-Stop Shop Fund created in subsection D of this section;  
7 and

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

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

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

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

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

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

1 Monies in the Trucking One-Stop Shop Fund shall only be expended for  
2 direct expenses relating to the Trucking One-Stop Shop Act.  
3 Expenditures from the revolving fund shall be made pursuant to the  
4 laws of this state. In addition, expenditures from the revolving  
5 fund may be made pursuant to the Oklahoma Central Purchasing Act for  
6 the purpose of immediately responding to emergency situations,  
7 within the Commission's jurisdiction, having potentially critical  
8 environmental or public safety impact. Warrants for expenditures  
9 from the fund shall be drawn by the State Treasurer against claims  
10 filed as prescribed by law with the Director of State Finance for  
11 approval and payment.

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-20-08 - DO  
6 PASS, As Amended and Coauthored.