

ENROLLED SENATE
BILL NO. 1883

By: Leftwich of the Senate

and

Tibbs of the House

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 954, which relates to enforcement of wrecker operators; clarifying authority to enforce certain provisions; allowing detention and arrest of unlicensed operators by peace officers; requiring certain persons to establish authority and valid license upon stop by peace officer; providing for penalty; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 954, is amended to read as follows:

Section 954. A. The Department of Public Safety shall be charged with the duty of enforcing the provisions of Section 951 et seq. of this title for licensed wreckers and towing services operating in this state. ~~Its duly appointed officers and duly~~

B. Duly appointed peace officers of the political subdivisions of this state shall have authority to make arrests for violations of detain and arrest any person operating a wrecker or tow truck without a valid license issued pursuant to the provisions of Section 951 et seq. of this title. Such officers, upon reasonable belief that any wrecker or tow truck is being operated in violation of any provision of without proper authority or without a valid license

issued pursuant to Section 951 et seq. of this title, shall be authorized to require the operator thereof to stop and exhibit such documentation as may be required to establish his or her authority to tow or transport another vehicle or to prove possession of a valid wrecker or tow service license issued in this state. Any person convicted of operating a wrecker or tow truck in this state without a license shall be punished as provided in Section 958 of this title.

SECTION 2. This act shall become effective July 1, 2010.

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.

Passed the Senate the 29th day of April, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2010.

Presiding Officer of the House
of Representatives