

THE HOUSE OF REPRESENTATIVES
Wednesday, February 11, 2009

Committee Substitute for
House Bill No. 1491

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1491 - By: DEWITT of the House.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 156.1, as last amended by Section 18, Chapter 326, O.S.L. 2007 (47 O.S. Supp. 2008, Section 156.1), which relates to the use of state-owned vehicles; authorizing employees of the Oklahoma Department of Agriculture, Food, and Forestry to use state vehicles in certain circumstances; and providing an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 156.1, as last amended by
2 Section 18, Chapter 326, O.S.L. 2007 (47 O.S. Supp. 2008, Section 156.1), is amended to
3 read as follows:
4 Section 156.1 A. It shall be unlawful for any state official, officer, or employee,
5 except any essential employees approved by the Governor and those officers or employees
6 authorized in subsection B of this section, to ride to or from the employee's place of
7 residence in a state-owned automobile, truck, or pickup, except in the performance of the
8 employee's official duty, or to use or permit the use of any such automobile, truck,
9 ambulance, or pickup for other personal or private purposes. Any person convicted of
10 violating the provisions of this section shall be guilty of a misdemeanor and shall be
11 punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment

1 in the county jail for a period to not exceed thirty (30) days, or by both said fine and
2 imprisonment, and in addition thereto, shall be discharged from state employment.

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

1 number of times that a state vehicle was used in the performance of such emergency
2 calls.

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

16 3. Any employee of the Department of Public Safety who is an employee in the
17 Driver License Examining Division or the Driver Compliance Division or a wrecker
18 inspector/auditor of the Wrecker Services Division may be permitted, as determined by
19 the Commissioner, to use a state-owned vehicle to provide transportation between the
20 employee's residence and the assigned place of employment and between the residence
21 and any location other than the assigned place of employment to which the employee
22 travels in the performance of the employee's official duty.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

13 SECTION 2. This act shall become effective November 1, 2009.

14 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02-
15 10-09 - DO PASS, As Amended.