

1 THE STATE SENATE
2 Tuesday, March 31, 2009

3 ENGROSSED

4 House Bill No. 1491

5 As Amended

6 ENGROSSED HOUSE BILL NO. 1491 - By: Wright (Harold) and DeWitt of
7 the House and Anderson of the Senate.

8 [motor vehicles - amending 47 O.S., Section 156.1 - state-
9 owned vehicles - effective date]

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

11 SECTION 1. AMENDATORY 47 O.S. 2001, Section 156.1, as
12 last amended by Section 18, Chapter 326, O.S.L. 2007 (47 O.S. Supp.
13 2008, Section 156.1), is amended to read as follows:

14 Section 156.1 A. It shall be unlawful for any state official,
15 officer, or employee, except any essential employees approved by the
16 Governor and those officers or employees authorized in subsection B
17 of this section, to ride to or from the employee's place of
18 residence in a state-owned automobile, truck, or pickup, except in
19 the performance of the employee's official duty, or to use or permit
20 the use of any such automobile, truck, ambulance, or pickup for
21 other personal or private purposes. Any person convicted of
22 violating the provisions of this section shall be guilty of a
23 misdemeanor and shall be punished by a fine of not more than One
24 Hundred Dollars (\$100.00) or by imprisonment in the county jail for

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

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

1 temporary use of a state-owned vehicle for a specific project shall
2 be in writing stating the justification for this use and the saving
3 expected to result. Such authorization shall be valid for not to
4 exceed sixty (60) days. Any state entity other than law enforcement
5 that avails itself of this provision shall keep a monthly record of
6 all participating employees, the number of emergency calls received,
7 and the number of times that a state vehicle was used in the
8 performance of such emergency calls.

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

1 employment to which the employee travels in the performance of the
2 employee's official duty.

3 3. Any employee of the Department of Public Safety who is an
4 employee in the Driver License Examining Division or the Driver
5 Compliance Division or a wrecker inspector/auditor of the Wrecker
6 Services Division may be permitted, as determined by the
7 Commissioner, to use a state-owned vehicle to provide transportation
8 between the employee's residence and the assigned place of
9 employment and between the residence and any location other than the
10 assigned place of employment to which the employee travels in the
11 performance of the employee's official duty.

12 4. The Director, department heads and other essential employees
13 of the Department of Wildlife Conservation, as authorized by the
14 Wildlife Conservation Commission, may be permitted to use a state-
15 owned vehicle to provide transportation between the employee's
16 residence and the assigned place of employment and between the
17 residence and any location other than the assigned place of
18 employment to which the employee travels in the performance of the
19 employee's official duty.

20 C. The principal administrator of the state agency with which
21 the employee is employed shall so designate the employee's status in
22 writing or provide a copy of the temporary authorization to the
23 Governor, the President Pro Tempore of the Senate, and the Speaker

1 of the House of Representatives. Such employee status report shall
2 also be provided to the State Fleet Manager of the Division of Fleet
3 Management if the motor vehicle for emergency use is provided by
4 said Division.

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

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-25-09 - DO
7 PASS, As Amended.