

1 ENGROSSED HOUSE
2 BILL NO. 1391

By: Roan and Billy of the House

3 and

4 Brown of the Senate
5
6

7 An Act relating to public safety; amending 47 O.S.
8 2001, Sections 2-105, as last amended by Section 1,
9 Chapter 60, O.S.L. 2010, 2-105.6, as last amended by
10 Section 3, Chapter 83, 2nd Extraordinary Session,
11 O.S.L. 2006 and 2-150, as amended by Section 9,
12 Chapter 62, O.S.L. 2007 (47 O.S. Supp. 2010, Sections
13 2-105, 2-105.6 and 2-150), which relate to powers and
14 duties of the Department of Public Safety; changing
15 name of unit within the Oklahoma Highway Patrol
16 Division; extending date for requiring certain
17 qualifications for persons appointed to the Oklahoma
18 Highway Patrol Division; deleting qualifications for
19 reclassification requests; deleting obsolete salary
20 schedule; modifying manner in which sidearms may be
21 retained by retired officers; amending 47 O.S. 2001,
22 Section 6-201, as last amended by Section 5, Chapter
23 149, O.S.L. 2004 (47 O.S. Supp. 2010, Section 6-201),
24 which relates to the cancellation or denial of
driving privileges; changing name of unit within the
Oklahoma Highway Patrol Division; amending 63 O.S.
2001, Section 4205, which relates to the Oklahoma
Vessel and Motor Registration Act; changing name of
unit within the Oklahoma Highway Patrol Division; and
providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 2-105, as
last amended by Section 1, Chapter 60, O.S.L. 2010 (47 O.S. Supp.
2010, Section 2-105), is amended to read as follows:

1 Section 2-105. A. The Commissioner of Public Safety, subject
2 to the Oklahoma Personnel Act, shall appoint:

3 1. A Chief of the Oklahoma Highway Patrol Division with the
4 rank of Colonel, Deputy Chiefs of the Oklahoma Highway Patrol
5 Division with the rank of Lieutenant Colonel, and subordinate
6 officers and employees of the Oklahoma Highway Patrol Division,
7 including Majors, Captains, Lieutenants, and Highway Patrolmen with
8 the rank of Trooper, who shall comprise the Oklahoma Highway Patrol
9 Division of the Department of Public Safety; provided, any officer
10 appointed to a commissioned position prescribed in this paragraph
11 which is unclassified pursuant to Section 840-5.5 of Title 74 of the
12 Oklahoma Statutes shall have a right of return to the highest
13 previously held classified commissioned position within the Highway
14 Patrol Division of the Department of Public Safety without any loss
15 of rights, privileges or benefits immediately upon completion of the
16 duties in the unclassified commissioned position;

17 2. A Captain, Lieutenants, and Patrolmen who shall comprise the
18 ~~Lake Patrol~~ Marine Enforcement Section of the Oklahoma Highway
19 Patrol Division of the Department of Public Safety;

20 3. A Captain, Lieutenants, and Patrolmen, who shall comprise
21 the Capitol Patrol Section of the Oklahoma Highway Patrol Division
22 of the Department of Public Safety; and

23 4. A Director of the Communications Division with the rank of
24 Captain, Communications Coordinators with the rank of First

1 Lieutenant, Communications Superintendents with the rank of Second
2 Lieutenant, Communications Supervisors with the rank of Sergeant,
3 Communications Dispatchers, Radio Technicians and Tower Maintenance
4 Officers who shall comprise the Communications Division of the
5 Department of Public Safety.

6 B. 1. The Commissioner, when appointing commissioned officers
7 and employees to the positions set out in subsection A of this
8 section, shall determine, in consultation with the Administrator of
9 the Office of Personnel Management, minimum qualifications and shall
10 select such officers and employees only after examinations to
11 determine their physical and mental qualifications for such
12 positions. The content of the examinations shall be prescribed by
13 the Commissioner, and all such appointees shall satisfactorily
14 complete a course of training in operations and procedures as
15 prescribed by the Commissioner.

16 2. No person shall be appointed to any position set out in
17 subsection A of this section unless the person is a citizen of the
18 United States of America, of good moral character, and:

19 a. for commissioned officer positions, shall be at least
20 twenty-three (23) years of age but less than forty-six
21 (46) years of age, and shall possess:

22 (1) an associate's degree or a minimum of sixty-two
23 (62) successfully completed semester hours from a
24 college or university which is recognized by and

1 accepted by the American Association of
2 Collegiate Registrars and Admissions Officers and
3 whose hours are transferable between such
4 recognized institutions, and

5 (2) for any person appointed to the Oklahoma Highway
6 Patrol Division on or after July 1, ~~2012~~ 2014:

7 (a) a bachelor's degree from a college or
8 university which is recognized by and
9 accepted by the American Association of
10 Collegiate Registrars and Admissions
11 Officers and whose hours are transferable
12 between such recognized institutions, or

13 (b) an associate's degree or a minimum of sixty-
14 two (62) successfully completed semester
15 hours from a college or university which is
16 recognized by and accepted by the American
17 Association of Collegiate Registrars and
18 Admissions Officers and whose hours are
19 transferable between such recognized
20 institutions, and:

21 i. at least two (2) years' experience as a
22 law enforcement officer certified by
23 the Council on Law Enforcement
24 Education and Training (C.L.E.E.T.) or

1 by the equivalent state agency in
2 another state or by any law enforcement
3 agency of the federal government, or

4 ii. at least two (2) years of honorable
5 military service in an active or
6 reserve component of the United States
7 Armed Forces.

8 Provided, such years of experience or service shall
9 have been consecutive and shall have been completed no
10 more than two (2) years prior to application for
11 appointment, or

12 b. for any such position in the Communications Division,
13 a person shall be at least twenty (20) years of age
14 and shall possess a high school diploma or General
15 Educational Development equivalency certificate; shall
16 possess either six (6) months of previous experience
17 as a dispatcher or fifteen (15) successfully completed
18 semester hours from a college or university which is
19 recognized by and accepted by the American Association
20 of Collegiate Registrars and Admissions Officers and
21 whose hours are transferable between such recognized
22 institutions.

23 3. No commissioned officer of the Department shall, while in
24 such position, be a candidate for any political office or take part

1 in or contribute any money or other thing of value, directly or
2 indirectly, to any political campaign or to any candidate for public
3 office. Anyone convicted of violating the provisions of this
4 paragraph shall be guilty of a misdemeanor and shall be punished as
5 provided by law.

6 4. The Commissioner or any employee of the Department shall not
7 be a candidate for any political office, or in any way be active or
8 participate in any political contest of any Primary, General, or
9 Special Election, except to cast a ballot. No commissioned officer
10 of the Department, while in the performance of the officer's
11 assigned duty of providing security and protection, shall be
12 considered as participating in a political campaign. The provisions
13 of this paragraph shall not be construed to preclude a commissioned
14 officer of the Oklahoma Highway Patrol Division of the Department of
15 Public Safety from being a candidate for a position on a local board
16 of education.

17 5. Drunkenness or being under the influence of intoxicating
18 substances shall be sufficient grounds for the removal of any
19 commissioned officer of the Department, in and by the manner
20 provided for in this section.

21 C. 1. Upon initial appointment to the position of Cadet
22 Highway Patrolman or Probationary Communications Dispatcher, the
23 appointed employee shall be required to serve an initial
24 probationary period of twelve (12) months. The Commissioner may

1 extend the probationary period for up to three (3) additional months
2 provided that the employee and the Office of Personnel Management
3 are notified in writing as to such action and the reasons therefor.
4 During such probationary period, the employee may be terminated at
5 any time and for any reason at the discretion of the Commissioner.
6 Retention in the service after expiration of the initial
7 probationary period shall entitle such employee to be classified as
8 a permanent employee and the employee shall be so classified. No
9 permanent employee may be discharged or removed except as provided
10 for in this section.

11 2. A commissioned officer of the Oklahoma Highway Patrol
12 Division may be promoted during the initial probationary period if
13 such officer satisfactorily completes all training requirements
14 prescribed by the Commissioner.

15 D. 1. No permanent employee, as provided for in this section,
16 who is a commissioned officer of the Department, may be suspended
17 without pay or dismissed unless the employee has been notified in
18 writing by the Commissioner of such intended action and the reasons
19 therefor. No such notice shall be given by the Commissioner unless
20 sworn charges or statements have been obtained to justify the
21 action.

22 2. Whenever such charges are preferred, the Commissioner may
23 suspend the accused pending the hearing and final determination of
24 such charges. If the charges are not sustained in whole or in part,

1 the accused shall be entitled to pay during the period of such
2 suspension. If the charges are sustained in whole or in part, the
3 accused shall not receive any pay for the period of such suspension.

4 3. Commissioned officers of the Department of Public Safety are
5 not entitled to appeal intra-agency transfer to the Oklahoma Merit
6 Protection Commission pursuant to the Oklahoma Personnel Act unless
7 transfer is in violation of Section 840-2.5 or 840-2.9 of Title 74
8 of the Oklahoma Statutes.

9 4. The Department of Public Safety shall follow the uniform
10 grievance procedure established and adopted by the Office of
11 Personnel Management for permanent classified employees, except for
12 those employees who are commissioned officers of the Department.
13 The Department of Public Safety shall establish and adopt a
14 proprietary grievance procedure for commissioned officers of the
15 Department which is otherwise in compliance with the provisions of
16 Section 840-6.2 of Title 74 of the Oklahoma Statutes.

17 E. 1. The Commissioner is hereby authorized to purchase and
18 issue uniforms and necessary equipment for all commissioned officers
19 of the Highway Patrol Division of the Department. All uniforms and
20 equipment shall be used only in the performance of the official
21 duties of such officers and shall remain the property of the
22 Department, except as provided in Section 2-150 of this title.

23 2. Each commissioned officer of the Highway Patrol Division of
24 the Department of Public Safety shall be entitled to reimbursement

1 of expenses pursuant to the State Travel Reimbursement Act while
2 away from the assigned area of the officer as designated by the
3 Chief of the Oklahoma Highway Patrol Division, when such expense is
4 incurred in the service of the state.

5 F. 1. The positions with the rank of Colonel and Lieutenant
6 Colonel of the Oklahoma Highway Patrol Division shall be filled from
7 the body of commissioned officers of the Oklahoma Highway Patrol
8 Division and appointment to said position shall be based on
9 qualifications, previous record as a commissioned officer of the
10 Oklahoma Highway Patrol Division, length of service, years of
11 experience within the Oklahoma Highway Patrol Division or other
12 service as prescribed in this subsection, and efficiency of service
13 performed.

14 2. In addition to the requirements of paragraph 1 of this
15 subsection, the position of Chief of the Oklahoma Highway Patrol
16 Division shall be based on one of the following:

- 17 a. one (1) year of experience in any combination:
- 18 (1) as Commissioner of Public Safety,
 - 19 (2) as Assistant Commissioner of Public Safety, or
 - 20 (3) as Assistant Chief,
- 21 b. two (2) years of experience in any combination:
- 22 (1) as Deputy Chief or higher rank, or
 - 23 (2) if the experience was prior to the effective date
24 of this act, as Major or higher rank,

1 c. four (4) years of experience in any combination:

2 (1) as Major or higher rank, or

3 (2) if the experience was prior to the effective date
4 of this act, as Captain or higher rank, or

5 d. six (6) years of experience in any combination:

6 (1) as Captain or higher rank, or

7 (2) if the experience was prior to the effective date
8 of this act, as First Lieutenant or higher rank.

9 3. In addition to the requirements of paragraph 1 of this
10 subsection, the position of Deputy Chief of the Oklahoma Highway
11 Patrol Division shall be based on one of the following:

12 a. one (1) year of experience in any combination:

13 (1) as Commissioner of Public Safety,

14 (2) as Assistant Commissioner of Public Safety, or

15 (3) as Colonel,

16 b. two (2) years of experience in any combination:

17 (1) as Major or higher rank, or

18 (2) if the experience was prior to the effective date
19 of this act, as Captain or higher rank, or

20 c. four (4) years of experience in any combination:

21 (1) as Captain or higher rank, or

22 (2) if the experience was prior to the effective date
23 of this act, as Highway Patrol First Lieutenant
24 or higher rank.

1 G. The Commissioner of Public Safety is hereby authorized to
2 send employees of the Department of Public Safety to schools such as
3 Northwestern University Center for Public Safety, Southern Police
4 Institute, the FBI National Academy, the Institute of Police
5 Technology and Management, or to any other schools of similar
6 training which would be conducive to improving the efficiency of the
7 Oklahoma Highway Patrol Division and the Department of Public
8 Safety. While an employee is attending a school, the Commissioner
9 is authorized to permit the employee to use a state-owned vehicle
10 and to use a fuel-purchasing card for any expenses related to the
11 operation of the vehicle. In addition, while an employee is
12 attending the FBI National Academy, a one-time expense allowance of
13 Two Thousand Dollars (\$2,000.00) for uniforms, fees, travel, room
14 and board, and other related expenses shall be paid to the employee
15 by the Department; provided, the employee shall not be further
16 compensated through the State Travel Reimbursement Act, and, if any
17 other agency reimburses the employee for any expenses, the
18 reimbursement shall be given to the Department. All purchases made
19 by the employee with the expense allowance shall be considered
20 property of the employee.

21 H. 1. Any former commissioned officer of the Department whose
22 separation from the Department was at such officer's own request and
23 not a result of such officer's own actions contrary to the policy of
24 the Department or was not as a result of the retirement of that

1 officer from the Department may make application for reinstatement
2 as a commissioned officer of the division or section of the
3 Department in which such officer was previously employed, provided
4 such reinstated officer will be able to complete twenty (20) years
5 of credited service by the time the reinstated officer reaches
6 sixty-two (62) years of age. The Commissioner may waive the
7 requirements of possessing the number of semester hours or degree as
8 required in subsection B of this section for any former commissioned
9 officer making application for reinstatement as a commissioned
10 officer of the Department. The Commissioner may require the
11 applicant for reinstatement to attend selected courses of
12 instruction, as prescribed by the Commissioner.

13 2. In the event of future hostilities wherein the Congress of
14 the United States declares this nation in a state of war with a
15 foreign nation, including military service brought about by the
16 Vietnam War, any period of military service served by a commissioned
17 officer of the Department shall be considered as continued service
18 with such Department, provided such commissioned officer returns to
19 duty with the Department within sixty (60) days after release from
20 military service.

21 SECTION 2. AMENDATORY 47 O.S. 2001, Section 2-105.6, as
22 last amended by Section 3, Chapter 83, 2nd Extraordinary Session,
23 O.S.L. 2006 (47 O.S. Supp. 2010, Section 2-105.6), is amended to
24 read as follows:

1 Section 2-105.6 A. There is hereby created within the Oklahoma
2 Highway Patrol Division of the Department of Public Safety a ~~Lake~~
3 ~~Patrol~~ Marine Enforcement Section which shall consist of such
4 employees as may be necessary to enforce the provisions of Section
5 4001 et seq., Section 4101 et seq., and Section 4200 et seq. of
6 Title 63 of the Oklahoma Statutes. All commissioned officers of the
7 ~~Lake Patrol~~ Marine Enforcement Section as designated by the
8 Commissioner shall have the authority to stop and board any vessel
9 subject to Section 4001 et seq. of Title 63 of the Oklahoma Statutes
10 and make any necessary arrest for violations of Section 4001 et seq.
11 of Title 63 of the Oklahoma Statutes or the rules promulgated by the
12 Department of Public Safety or the Department of Wildlife
13 Conservation or take any other action within their lawful authority.
14 Any statutory references to the Oklahoma Lake Patrol Division or the
15 Lake Patrol Section of the Oklahoma Highway Patrol Division shall
16 mean the ~~Lake Patrol~~ Marine Enforcement Section of the Oklahoma
17 Highway Patrol Division of the Department of Public Safety.

18 B. ~~Any officer of the Lake Patrol Section of the Oklahoma~~
19 ~~Highway Patrol Division of the Department of Public Safety may~~
20 ~~request reclassification to the equivalent lateral position, rank~~
21 ~~and salary within the Oklahoma Highway Patrol Division and shall be~~
22 ~~reclassified to such position if the officer.~~

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1 ~~1. Meets the requirements of paragraph 2 of subsection B of~~
2 ~~Section 2-105 of this title. Provided, such officer shall be exempt~~
3 ~~from the maximum age limitation;~~

4 ~~2. Satisfactorily completes a course of training as prescribed~~
5 ~~by the Commissioner; and~~

6 ~~3. Serves a twelve month probationary period which shall~~
7 ~~commence upon entering into the course of training required by~~
8 ~~paragraph 2 of this subsection.~~

9 ~~C. All commissioned officers of the Lake Patrol Marine~~
10 ~~Enforcement Section of the Oklahoma Highway Patrol Division of the~~
11 ~~Department of Public Safety shall have, in addition to their primary~~
12 ~~duty as prescribed in subsection A of this section, a secondary duty~~
13 ~~to enforce all state statutes, to make arrests for violations and to~~
14 ~~perform other duties as prescribed by the Commissioner.~~

15 ~~D. 1. a. The annual salaries for the commissioned officers~~
16 ~~within the Lake Patrol Section of the Oklahoma Highway~~
17 ~~Patrol Division of the Department of Public Safety~~
18 ~~shall be in accordance and conformity with the~~
19 ~~following salary schedule, exclusive of longevity pay,~~
20 ~~as authorized by Section 840-2.18 of Title 74 of the~~
21 ~~Oklahoma Statutes, expense allowance, as authorized by~~
22 ~~Section 2-130 of this title, and irregular shift pay,~~
23 ~~as authorized by Section 2-130.1 of this title.~~

24 ~~Patrol Captain \$57,243.00~~

1	Patrol Lieutenant	\$53,306.00
2	Patrolman	
3	Step 6	\$45,881.00
4	Step 7	\$50,087.00

5 ~~b. Each Highway Patrolman shall receive upon the~~
6 ~~anniversary date of the Patrolman an annual salary~~
7 ~~increase to the next higher step of the salary~~
8 ~~schedule provided for in subparagraph a of this~~
9 ~~paragraph if the Patrolman, within the preceding~~
10 ~~twelve month period:~~

11 ~~(1) has achieved a satisfactory Performance Rating~~
12 ~~Score,~~

13 ~~(2) has not received any disciplinary action which~~
14 ~~has resulted in any suspension from the~~
15 ~~Department for a period of ten (10) or more days,~~
16 ~~and~~

17 ~~(3) has not received any disciplinary action which~~
18 ~~has resulted in demotion.~~

19 ~~If the number of completed years of service on the anniversary date~~
20 ~~of the Patrolman is or exceeds seven (7) years, the Patrolman shall~~
21 ~~be assigned to, and the salary of the Patrolman adjusted to, Step 7~~
22 ~~of the salary schedule.~~

23 ~~2. Effective January 1, 2007, the C. The annual salaries for~~
24 ~~the commissioned officers within the Lake Patrol Marine Enforcement~~

1 Section of the Oklahoma Highway Patrol Division of the Department of
2 Public Safety shall be in accordance and conformity with the
3 following salary schedule, exclusive of longevity pay, as authorized
4 by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense
5 allowance, as authorized by Section 2-130 of this title, and
6 irregular shift pay, as authorized by Section 2-130.1 of this title:

7	Patrol Captain	\$69,004.00
8	Patrol Lieutenant	\$62,731.00
9	Patrolman	\$57,028.00

10 ~~E.~~ D. The provisions of this section shall supersede all
11 existing laws covering the salaries for the commissioned ~~Patrolmen~~
12 officers in the ~~Lake Patrol~~ Marine Enforcement Section of the
13 Oklahoma Highway Patrol Division of the Department of Public Safety.

14 SECTION 3. AMENDATORY 47 O.S. 2001, Section 2-150, as
15 amended by Section 9, Chapter 62, O.S.L. 2007 (47 O.S. Supp. 2010,
16 Section 2-150), is amended to read as follows:

17 Section 2-150. A. A commissioned officer of the Oklahoma
18 Highway Patrol Division of the Department of Public Safety shall be
19 entitled to receive upon retirement, by reason of length of service
20 or physical disability, the continued custody and possession of the
21 sidearm and badge carried by the retired officer immediately prior
22 to retirement. In addition to the sidearm carried by the retired
23 officer immediately prior to retirement, the retired officer may
24 purchase the rifle or shotgun, or both, issued to the retired

1 officer immediately prior to retirement. The cost of purchasing the
2 weapon or weapons shall be the replacement ~~value~~ cost for a new
3 weapon or weapons and upon payment of that price, the retired
4 officer shall be entitled to ownership of the weapon or weapons.
5 Any records regarding the ownership of ~~the~~ each weapon transferred
6 shall be modified to reflect the transfer to the retired officer.
7 Proceeds from the purchase of the weapon or weapons shall be
8 deposited in the Department of Public Safety Revolving Fund.

9 ~~B. In the event a commissioned officer of the Oklahoma Highway
10 Patrol Division of the Department of Public Safety retires by reason
11 of disability, the retired officer shall be entitled to receive the
12 continued custody and possession of the sidearm issued to the
13 retired officer immediately prior to retirement upon written
14 approval of the Commissioner of the Department of Public Safety.~~

15 ~~C.~~ A commissioned officer of the Oklahoma Highway Patrol
16 Division of the Department of Public Safety shall be entitled to
17 receive, upon retirement ~~by reason of length of service or
18 disability~~, the continued custody and possession of the official
19 license plate issued for the vehicle that was assigned to the
20 retired officer immediately prior to retirement, provided the
21 license plate shall not be placed on any motor vehicle. The
22 provisions of this subsection shall apply to any officer retiring on
23 or after April 1, 1993, if the official license plate is available.

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1 ~~D.~~ C. Custody and possession of the sidearm, one complete
2 uniform, badge and official license plate of a commissioned officer
3 of the Oklahoma Highway Patrol Division of the Department of Public
4 Safety who dies during his or her appointment may be awarded by the
5 Commissioner to the spouse or next-of-kin of the deceased officer,
6 provided the license plate shall not be placed on any motor vehicle.

7 SECTION 4. AMENDATORY 47 O.S. 2001, Section 6-201, as
8 last amended by Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp.
9 2010, Section 6-201), is amended to read as follows:

10 Section 6-201. A. The Department of Public Safety is hereby
11 authorized to cancel or deny any person's driving privilege upon
12 determining that the person:

13 1. Is not entitled to a driver license or identification card
14 issued to the person; or

15 2. Failed to give the required or correct information in the
16 application.

17 Upon such cancellation or denial, the person to whom the license or
18 card was issued shall surrender the license or card so canceled to
19 the Department. The person may apply for a valid driver license or
20 identification card, if the person is otherwise eligible. Any
21 person whose driving privilege is canceled or denied under the
22 provisions of this subsection shall have the right to an appeal as
23 provided in Section 6-211 of this title.

24 B. Upon determination by the Department that any person:

1 1. Used fraudulent information to apply for or obtain a driver
2 license or identification card;

3 2. Committed or aided another person in the commission of any
4 act provided in subparagraph b, c, e, g, or h of paragraph 1 of
5 Section 6-301 of this title; or

6 3. Committed or aided another person in the commission of any
7 act provided in subparagraph a, b, c, d, e, or f of paragraph 2 of
8 Section 6-301 of this title,

9 the Department shall revoke the person's driving privilege for a
10 period of sixty (60) days for a first determination. For a second
11 or subsequent determination by the Department under paragraph 1, 2
12 or 3 of this subsection, the person's driving privilege shall be
13 revoked for a period of six (6) months. Such periods shall not be
14 subject to modification. Upon such revocation, the person to whom
15 the license or card was issued shall surrender the license or card
16 to the Department. The person may apply for a valid identification
17 card, if the person is otherwise eligible.

18 C. A determination, as provided for in subsection B of this
19 section, shall include:

20 1. A conviction in any court, when the conviction becomes
21 final; or

22 2. The findings of an investigation by the ~~Driver License Fraud~~
23 Identity Verification Unit ~~of,~~ the Oklahoma Highway Patrol Division
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1 ~~of the Department,~~ or a designee of the Commissioner of Public
2 Safety.

3 D. Any person whose driving privilege is revoked under the
4 provisions of subsection B of this section may be required to obtain
5 a release from the ~~Driver License Fraud~~ Identity Verification Unit
6 of the Department, the Oklahoma Highway Patrol Division, or a
7 designee of the Commissioner of Public Safety before being
8 considered for reinstatement of driving privileges.

9 E. Any person whose driving privilege is revoked under the
10 provisions of subsection B of this section shall have the right to
11 an appeal as provided in Section 6-211 of this title.

12 SECTION 5. AMENDATORY 63 O.S. 2001, Section 4205, is
13 amended to read as follows:

14 Section 4205. A. The United States Army Corps of Engineers,
15 the Oklahoma Department of Tourism and Recreation, and the Grand
16 River Dam Authority may authorize the holding of sanctioned events
17 on any waters of this state under their jurisdiction. Said
18 administering entities shall promulgate rules pursuant to Article 1
19 of the Oklahoma Administrative Procedures Act, ~~Section 250 et seq.~~
20 ~~of Title 75 of the Oklahoma Statutes,~~ concerning the safety of other
21 vessels and persons thereon, both observers and participants. No
22 sanctioned event shall be held without a written permit from said
23 administering entity, and said written permit shall be available for
24 inspection at all times during the event.

1 B. Whenever a sanctioned event is proposed to be held, the
2 administering entity shall, upon granting approval to hold such
3 event and at least ten (10) days prior thereto, file a notification
4 in writing of said event with the ~~Lake Patrol~~ Marine Enforcement
5 Section of the Highway Patrol Division of the Department of Public
6 Safety. Such notification shall set forth the date, time, location
7 where the sanctioned event is proposed to be held, the type of event
8 and the person in charge of said event.

9 C. No person shall hold or give permission to hold any
10 sanctioned event in an unsafe manner or under unsafe environmental
11 conditions so as to endanger life or property. Should any duly
12 authorized peace officer of this state determine within their
13 jurisdiction that such event is being held or conducted in an unsafe
14 manner or under unsafe environmental conditions, such officer shall
15 have the authority to cancel or terminate said event.

16 SECTION 6. This act shall become effective November 1, 2011.

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1 Passed the House of Representatives the 17th day of March, 2011.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2011.

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9 Presiding Officer of the Senate