

1 ENGROSSED SENATE
2 BILL NO. 258

By: Coates of the Senate

3 and

4 McNeil of the House

5
6 [Oklahoma Tourism and Recreation Commission - state
7 parks - rules - boat rental business - codification -
8 effective date]

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY Section 18, Chapter 363, O.S.L.
12 2005 (74 O.S. Supp. 2010, Section 2217), is amended to read as
13 follows:

14 Section 2217. The public shall have the right to access and use
15 the facilities, services, and programs provided within state parks.

16 1. Notwithstanding any other provision of law, no person may:

17 a. discharge fireworks in any area of a state park unless
18 specified otherwise by the Division of State Parks

19 Director,

20 b. possess any glass container in a designated and posted
21 swim or beach area within a state park,

22 c. build a fire within a state park in areas posted as
23 prohibited by the Department,

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- 1 d. solicit or demand gifts, money, goods or services
2 within a state park,
- 3 e. enter a state park with a dog, unless the dog is on a
4 leash, or permit any dog to enter a state park or
5 recreation area under the jurisdiction of the
6 Commission. It is further provided that any
7 authorized member of the Department or any authorized
8 employee of the Oklahoma Department of Wildlife
9 Conservation may kill any vicious dog found running
10 loose in any state park which poses imminent threat to
11 humans or other animals, or which may be chasing or
12 running any game in the state park. Any such
13 authorized employees of the Departments shall not be
14 held liable for the killing of said dog,
- 15 f. injure, destroy, mutilate or deface any building,
16 structure, sign, rock, tree, shrub, vine, or property,
17 or dispose of any matter which will likely contaminate
18 any swimming pool or other waters on the state park,
19 or take, kill, injure, pursue, hunt, or molest, any
20 wild game animal, or mar or rifle the nest of any bird
21 or the den or nest or abode of any wild animal within
22 any of the state parks, recreational grounds or state
23 monuments now created or which may be hereafter
24 acquired or designated,

- 1 g. use or operate motor vehicles, including motorcycles,
2 motorbikes or motor scooters, in areas not
3 specifically posted by the Department, ~~or~~
4 h. sell, hawk, or peddle within a state park any goods,
5 wares, merchandise, liquids, edibles, or any item of
6 value, without having a contract or lease agreement
7 approved by the Commission, or
8 i. violate any other prohibitions specified in rules
9 promulgated by the Oklahoma Tourism and Recreation
10 Commission.

11 2. Any such violation of the provisions of this section shall
12 be punishable as a misdemeanor, and subject to a fine of not less
13 than Fifty Dollars (\$50.00) and no more than Five Hundred Dollars
14 (\$500.00), or imprisonment in the county jail for not more than
15 thirty (30) days, or by both such fine and imprisonment.

16 3. Fifty percent (50%) of all monies collected pursuant to this
17 section shall be deposited in the Oklahoma Tourism and Recreation
18 Department Revolving Fund and fifty percent (50%) shall be remitted
19 to the county in which the violation is made.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2217.1 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Any boat rental business operating in a state park:
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- 1 1. Shall have a current valid written contract with the
2 Oklahoma Tourism and Recreation Department or the agency which owns
3 the lake;
- 4 2. Is prohibited from operating within a fifteen-mile radius of
5 an existing authorized Department boat rental operation;
- 6 3. Shall have a visible, commercially accessible public
7 location;
- 8 4. Shall be properly licensed with a tax permit and any other
9 required local permits;
- 10 5. Shall carry a valid commercial liability insurance policy
11 with a minimum limit of One Million Dollars (\$1,000,000.00) which
12 provides bodily injury and property damage coverage for customers or
13 other individuals, naming the Department as an additional insured
14 with a waiver of subrogation in favor of the Department;
- 15 6. Must have a valid commercial automobile policy with minimum
16 limits of One Million Dollars (\$1,000,000.00) combined single limit,
17 naming the Department as an additional insured with a waiver of
18 subrogation in favor of the Department;
- 19 7. Shall be subject to a minimum of ten percent (10%)
20 commission payable to the Department;
- 21 8. Shall be subject to annual audits with fine, suspension, or
22 termination for violating or not properly reporting and paying
23 established commissions; and
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1 9. Shall be subject to a fine of Five Hundred Dollars (\$500.00)
2 or imprisonment in the county jail for not more than thirty (30)
3 days or both such fine and imprisonment if found guilty of operating
4 illegally in a state park.

5 B. As used in this section, "boat rental business" means a
6 short term lease or rental of any boat, including the completion of
7 paperwork or documents, and the loading and delivery of the boat.

8 SECTION 3. This act shall become effective November 1, 2011.

9 Passed the Senate the 8th day of March, 2011.

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Presiding Officer of the Senate

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13 Passed the House of Representatives the ____ day of _____,
14 2011.

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Presiding Officer of the House
of Representatives

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