

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 HOUSE BILL 1391

 By: Roan

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7 AS INTRODUCED

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

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

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 2-105, as
2 last amended by Section 1, Chapter 60, O.S.L. 2010 (47 O.S. Supp.
3 2010, Section 2-105), is amended to read as follows:

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

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

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

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

4 4. A Director of the Communications Division with the rank of
5 Captain, Communications Coordinators with the rank of First
6 Lieutenant, Communications Superintendents with the rank of Second
7 Lieutenant, Communications Supervisors with the rank of Sergeant,
8 Communications Dispatchers, Radio Technicians and Tower Maintenance
9 Officers who shall comprise the Communications Division of the
10 Department of Public Safety.

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

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

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

4 (1) an associate's degree or a minimum of sixty-two
5 (62) successfully completed semester hours from a
6 college or university which is recognized by and
7 accepted by the American Association of
8 Collegiate Registrars and Admissions Officers and
9 whose hours are transferable between such
10 recognized institutions, and

11 (2) for any person appointed to the Oklahoma Highway
12 Patrol Division on or after July 1, 2012:

13 (a) a bachelor's degree from a college or
14 university which is recognized by and
15 accepted by the American Association of
16 Collegiate Registrars and Admissions
17 Officers and whose hours are transferable
18 between such recognized institutions, or

19 (b) an associate's degree or a minimum of sixty-
20 two (62) successfully completed semester
21 hours from a college or university which is
22 recognized by and accepted by the American
23 Association of Collegiate Registrars and

1 Admissions Officers and whose hours are
2 transferable between such recognized
3 institutions, and:

- 4 i. at least two (2) years' experience as a
5 law enforcement officer certified by
6 the Council on Law Enforcement
7 Education and Training (C.L.E.E.T.) or
8 by the equivalent state agency in
9 another state or by any law enforcement
10 agency of the federal government, or
11 ii. at least two (2) years of honorable
12 military service in an active or
13 reserve component of the United States
14 Armed Forces.

15 Provided, such years of experience or service shall
16 have been consecutive and shall have been completed no
17 more than two (2) years prior to application for
18 appointment, or

- 19 b. for any such position in the Communications Division,
20 a person shall be at least twenty (20) years of age
21 and shall possess a high school diploma or General
22 Educational Development equivalency certificate; shall
23 possess either six (6) months of previous experience

1 as a dispatcher or fifteen (15) successfully completed
2 semester hours from a college or university which is
3 recognized by and accepted by the American Association
4 of Collegiate Registrars and Admissions Officers and
5 whose hours are transferable between such recognized
6 institutions.

7 3. No commissioned officer of the Department shall, while in
8 such position, be a candidate for any political office or take part
9 in or contribute any money or other thing of value, directly or
10 indirectly, to any political campaign or to any candidate for public
11 office. Anyone convicted of violating the provisions of this
12 paragraph shall be guilty of a misdemeanor and shall be punished as
13 provided by law.

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

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

7 C. 1. Upon initial appointment to the position of Cadet
8 Highway Patrolman or Probationary Communications Dispatcher, the
9 appointed employee shall be required to serve an initial
10 probationary period of twelve (12) months. The Commissioner may
11 extend the probationary period for up to three (3) additional months
12 provided that the employee and the Office of Personnel Management
13 are notified in writing as to such action and the reasons therefor.
14 During such probationary period, the employee may be terminated at
15 any time and for any reason at the discretion of the Commissioner.
16 Retention in the service after expiration of the initial
17 probationary period shall entitle such employee to be classified as
18 a permanent employee and the employee shall be so classified. No
19 permanent employee may be discharged or removed except as provided
20 for in this section.

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

3 D. 1. No permanent employee, as provided for in this section,
4 who is a commissioned officer of the Department, may be suspended
5 without pay or dismissed unless the employee has been notified in
6 writing by the Commissioner of such intended action and the reasons
7 therefor. No such notice shall be given by the Commissioner unless
8 sworn charges or statements have been obtained to justify the
9 action.

10 2. Whenever such charges are preferred, the Commissioner may
11 suspend the accused pending the hearing and final determination of
12 such charges. If the charges are not sustained in whole or in part,
13 the accused shall be entitled to pay during the period of such
14 suspension. If the charges are sustained in whole or in part, the
15 accused shall not receive any pay for the period of such suspension.

16 3. Commissioned officers of the Department of Public Safety are
17 not entitled to appeal intra-agency transfer to the Oklahoma Merit
18 Protection Commission pursuant to the Oklahoma Personnel Act unless
19 transfer is in violation of Section 840-2.5 or 840-2.9 of Title 74
20 of the Oklahoma Statutes.

21 4. The Department of Public Safety shall follow the uniform
22 grievance procedure established and adopted by the Office of
23 Personnel Management for permanent classified employees, except for
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1 those employees who are commissioned officers of the Department.
2 The Department of Public Safety shall establish and adopt a
3 proprietary grievance procedure for commissioned officers of the
4 Department which is otherwise in compliance with the provisions of
5 Section 840-6.2 of Title 74 of the Oklahoma Statutes.

6 E. 1. The Commissioner is hereby authorized to purchase and
7 issue uniforms and necessary equipment for all commissioned officers
8 of the Highway Patrol Division of the Department. All uniforms and
9 equipment shall be used only in the performance of the official
10 duties of such officers and shall remain the property of the
11 Department, except as provided in Section 2-150 of this title.

12 2. Each commissioned officer of the Highway Patrol Division of
13 the Department of Public Safety shall be entitled to reimbursement
14 of expenses pursuant to the State Travel Reimbursement Act while
15 away from the assigned area of the officer as designated by the
16 Chief of the Oklahoma Highway Patrol Division, when such expense is
17 incurred in the service of the state.

18 F. 1. The positions with the rank of Colonel and Lieutenant
19 Colonel of the Oklahoma Highway Patrol Division shall be filled from
20 the body of commissioned officers of the Oklahoma Highway Patrol
21 Division and appointment to said position shall be based on
22 qualifications, previous record as a commissioned officer of the
23 Oklahoma Highway Patrol Division, length of service, years of

1 experience within the Oklahoma Highway Patrol Division or other
2 service as prescribed in this subsection, and efficiency of service
3 performed.

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

- 7 a. one (1) year of experience in any combination:
 - 8 (1) as Commissioner of Public Safety,
 - 9 (2) as Assistant Commissioner of Public Safety, or
 - 10 (3) as Assistant Chief,
- 11 b. two (2) years of experience in any combination:
 - 12 (1) as Deputy Chief or higher rank, or
 - 13 (2) if the experience was prior to the effective date
 - 14 of this act, as Major or higher rank,
- 15 c. four (4) years of experience in any combination:
 - 16 (1) as Major or higher rank, or
 - 17 (2) if the experience was prior to the effective date
 - 18 of this act, as Captain or higher rank, or
- 19 d. six (6) years of experience in any combination:
 - 20 (1) as Captain or higher rank, or
 - 21 (2) if the experience was prior to the effective date
 - 22 of this act, as First Lieutenant or higher rank.

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

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

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

5 (1) as Commissioner of Public Safety,

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

7 (3) as Colonel,

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

9 (1) as Major or higher rank, or

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

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

13 (1) as Captain or higher rank, or

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

17 G. The Commissioner of Public Safety is hereby authorized to
18 send employees of the Department of Public Safety to schools such as
19 Northwestern University Center for Public Safety, Southern Police
20 Institute, the FBI National Academy, the Institute of Police
21 Technology and Management, or to any other schools of similar
22 training which would be conducive to improving the efficiency of the
23 Oklahoma Highway Patrol Division and the Department of Public

1 Safety. While an employee is attending a school, the Commissioner
2 is authorized to permit the employee to use a state-owned vehicle
3 and to use a fuel-purchasing card for any expenses related to the
4 operation of the vehicle. In addition, while an employee is
5 attending the FBI National Academy, a one-time expense allowance of
6 Two Thousand Dollars (\$2,000.00) for uniforms, fees, travel, room
7 and board, and other related expenses shall be paid to the employee
8 by the Department; provided, the employee shall not be further
9 compensated through the State Travel Reimbursement Act, and, if any
10 other agency reimburses the employee for any expenses, the
11 reimbursement shall be given to the Department. All purchases made
12 by the employee with the expense allowance shall be considered
13 property of the employee.

14 H. 1. Any former commissioned officer of the Department whose
15 separation from the Department was at such officer's own request and
16 not a result of such officer's own actions contrary to the policy of
17 the Department or was not as a result of the retirement of that
18 officer from the Department may make application for reinstatement
19 as a commissioned officer of the division or section of the
20 Department in which such officer was previously employed, provided
21 such reinstated officer will be able to complete twenty (20) years
22 of credited service by the time the reinstated officer reaches
23 sixty-two (62) years of age. The Commissioner may waive the

1 requirements of possessing the number of semester hours or degree as
2 required in subsection B of this section for any former commissioned
3 officer making application for reinstatement as a commissioned
4 officer of the Department. The Commissioner may require the
5 applicant for reinstatement to attend selected courses of
6 instruction, as prescribed by the Commissioner.

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

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

19 Section 2-105.6 A. There is hereby created within the Oklahoma
20 Highway Patrol Division of the Department of Public Safety a ~~Lake~~
21 ~~Patrol~~ Marine Enforcement Section which shall consist of such
22 employees as may be necessary to enforce the provisions of Section
23 4001 et seq., Section 4101 et seq., and Section 4200 et seq. of

1 Title 63 of the Oklahoma Statutes. All commissioned officers of the
2 ~~Lake Patrol~~ Marine Enforcement Section as designated by the
3 Commissioner shall have the authority to stop and board any vessel
4 subject to Section 4001 et seq. of Title 63 of the Oklahoma Statutes
5 and make any necessary arrest for violations of Section 4001 et seq.
6 of Title 63 of the Oklahoma Statutes or the rules promulgated by the
7 Department of Public Safety or the Department of Wildlife
8 Conservation or take any other action within their lawful authority.
9 Any statutory references to the Oklahoma Lake Patrol Division or the
10 Lake Patrol Section of the Oklahoma Highway Patrol Division shall
11 mean the ~~Lake Patrol~~ Marine Enforcement Section of the Oklahoma
12 Highway Patrol Division of the Department of Public Safety.

13 B. ~~Any officer of the Lake Patrol Section of the Oklahoma~~
14 ~~Highway Patrol Division of the Department of Public Safety may~~
15 ~~request reclassification to the equivalent lateral position, rank~~
16 ~~and salary within the Oklahoma Highway Patrol Division and shall be~~
17 ~~reclassified to such position if the officer:~~

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

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

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

7 ~~(1) has achieved a satisfactory Performance Rating~~
8 ~~Score,~~

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

13 ~~(3) has not received any disciplinary action which~~
14 ~~has resulted in demotion.~~

15 ~~If the number of completed years of service on the anniversary date~~
16 ~~of the Patrolman is or exceeds seven (7) years, the Patrolman shall~~
17 ~~be assigned to, and the salary of the Patrolman adjusted to, Step 7~~
18 ~~of the salary schedule.~~

19 ~~2. Effective January 1, 2007, the C. The annual salaries for~~
20 ~~the commissioned officers within the ~~Lake Patrol~~ Marine Enforcement~~
21 ~~Section of the Oklahoma Highway Patrol Division of the Department of~~
22 ~~Public Safety shall be in accordance and conformity with the~~
23 ~~following salary schedule, exclusive of longevity pay, as authorized~~

1 by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense
2 allowance, as authorized by Section 2-130 of this title, and
3 irregular shift pay, as authorized by Section 2-130.1 of this title:

4	Patrol Captain	\$69,004.00
5	Patrol Lieutenant	\$62,731.00
6	Patrolman	\$57,028.00

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

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

14 Section 2-150. A. A commissioned officer of the Oklahoma
15 Highway Patrol Division of the Department of Public Safety shall be
16 entitled to receive upon retirement, ~~by reason of length of service,~~
17 the continued custody and possession of the sidearm and badge
18 carried by the retired officer immediately prior to retirement. In
19 addition to the sidearm carried by the retired officer immediately
20 prior to retirement, the retired officer may purchase the rifle or
21 shotgun, or both, issued to the retired officer immediately prior to
22 retirement. The cost of purchasing the weapon or weapons shall be
23 the replacement ~~value~~ cost for a new weapon or weapons and upon

1 payment of that price, the retired officer shall be entitled to
2 ownership of the weapon or weapons. Any records regarding the
3 ownership of ~~the~~ each weapon transferred shall be modified to
4 reflect the transfer to the retired officer. Proceeds from the
5 purchase of the weapon or weapons shall be deposited in the
6 Department of Public Safety Revolving Fund.

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

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

22 D. C. Custody and possession of the sidearm, one complete
23 uniform, badge and official license plate of a commissioned officer

1 of the Oklahoma Highway Patrol Division of the Department of Public
2 Safety who dies during his or her appointment may be awarded by the
3 Commissioner to the spouse or next-of-kin of the deceased officer,
4 provided the license plate shall not be placed on any motor vehicle.

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

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

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

13 2. Failed to give the required or correct information in the
14 application.

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

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

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
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1 administering entity, and said written permit shall be available for
2 inspection at all times during the event.

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

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

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

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20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02-24-2011 -
21 DO PASS.

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