

1 **SENATE FLOOR VERSION**

2 March 1, 2012

3 As Amended

4 SENATE BILL NO. 1419

5 By: Shortey of the Senate

6 and

7 Enns of the House

8 **[professional medical licensing boards - Fleet**
9 **Management Division - codification - effective date]**

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 738.1a of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 A. "Professional medical licensing board" means:

16 1. A board that issues licenses that require an applicant for a
17 license to have a postgraduate degree;

18 2. A board requiring licensees to take and pass a national
19 licensing examination;

20 3. A board requiring licensees to take and pass a state
21 licensing examination;

22 4. A board requiring licensees, upon successful application and
23 issuance of a license from the board, to be eligible to apply for a
24 state and federal drug license issued by the Oklahoma Bureau of

1 Narcotics and Dangerous Drugs Control and the federal Drug
2 Enforcement Administration; and

3 5. A board employing full-time CLEET-certified peace officers
4 as investigators.

5 The term professional medical licensing board shall include the
6 State Board of Medical Licensure and Supervision, the State Board of
7 Osteopathic Examiners, the Board of Dentistry, the State Board of
8 Pharmacy, and the State Board of Veterinary Medical Examiners.

9 B. The professional medical licensing board shall have the
10 authority to:

11 1. Share, split or enter into mutual contracts for the purposes
12 of discounts on specialized medical-related services, law
13 enforcement equipment and office equipment; and

14 2. Purchase and own vehicles used for undercover work by CLEET-
15 certified peace officer investigations.

16 SECTION 2. AMENDATORY 74 O.S. 2011, Section 78, is
17 amended to read as follows:

18 Section 78. A. There is hereby created and established within
19 the Department of Central Services, the Fleet Management Division.
20 The Division shall provide oversight of and advice to state agencies
21 that own, operate and utilize motor vehicles, except for the
22 Department of Public Safety, the Department of Transportation, the
23 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the
24 Oklahoma State Bureau of Investigation, ~~and~~ The Oklahoma State

1 System of Higher Education, and the professional medical licensing
2 boards as defined in Section 1 of this act.

3 B. The Director of Central Services shall:

4 1. Appoint and fix duties and compensation for a Fleet Manager
5 who shall serve as the administrative head of the division;

6 2. Hire personnel as necessary to provide fleet services;

7 3. Acquire facilities to maintain vehicles;

8 4. Construct, install, acquire, operate and provide alternative
9 fueling infrastructure for use by state agencies and political
10 subdivisions of the state or for leasing and transferring to
11 political subdivisions;

12 5. Promulgate rules for efficient and economical operations to
13 provide fleet services; and

14 6. Report to the Governor, Speaker of the House of
15 Representatives, and President Pro Tempore of the Senate those
16 agencies that fail to comply with the provisions of law and the
17 rules of the Fleet Management Division regarding submission of
18 reports, vehicle use, and vehicle maintenance.

19 C. The rules shall include provisions to:

20 1. Establish uniform written vehicle acquisition, leasing,
21 maintenance, repairs, and disposal standards for use by all state
22 agencies to justify actual need for vehicles;

23 2. Establish standards for routine vehicle inspection and
24 maintenance;

1 3. Provide standards and forms for recordkeeping of fleet
2 operation, maintenance, and repair costs for mandatory use by all
3 state agencies to report the data to the Fleet Management Division
4 on a monthly basis;

5 4. Provide standards and utilize methods for disposal of
6 vehicles pursuant to the Oklahoma Surplus Property Act and any other
7 applicable state laws;

8 5. Establish mandatory maintenance contracts throughout the
9 state for all agencies to access for vehicle repairs and service at
10 discounted rates and parts;

11 6. Require all agencies with in-house repair and service
12 facilities to assign a value to the preventive maintenance services,
13 track those services with a dollar value, and report costs to the
14 Fleet Manager for the prior month no later than the twentieth day
15 following the close of each month;

16 7. Promulgate rules requiring all state-owned motor vehicles to
17 be marked in a uniform, highly visible manner, except for certain
18 vehicles driven by law enforcement agencies or other agencies
19 requiring confidentiality;

20 8. Require agencies to produce and maintain written
21 justification for any vehicle that travels fewer than twelve
22 thousand (12,000) miles annually and report to the Fleet Manager
23 such information by October 1 of each year; and
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1 9. Address any other matter or practice which relates to the
2 responsibilities of the Director of Central Services.

3 D. The Fleet Manager shall:

4 1. Develop specifications for contracts for vehicle maintenance
5 for state vehicles not serviced or maintained by state agencies;

6 2. Conduct on-site inspections to verify state agency or
7 supplier compliance with Division standards for inspections,
8 maintenance and recordkeeping;

9 3. Assess state agency needs for vehicles and types of
10 vehicles;

11 4. Assign, transfer or lease vehicles to a state agency to meet
12 the needs of the state agency;

13 5. Unless otherwise provided by law, determine whether a state
14 agency may use or operate a vehicle without state identifying
15 markings, bearing a license plate used by a privately owned vehicle
16 to perform the duties of the state agency without hindrance;

17 6. Report to the Director of Central Services occurrences of
18 agencies failing to comply with the provisions of law and the rules
19 of the Fleet Management Division regarding submission of reports,
20 vehicle use, and vehicle maintenance;

21 7. Offer guidelines to agencies to assist in determining the
22 most cost-effective and reasonable modes of travel for single trips
23 from the following options: state vehicle, private rental, or
24 mileage reimbursement; and

1 8. Provide, upon the request of the Governor, the President Pro
2 Tempore of the Senate or the Speaker of the House of
3 Representatives, reports from data the Fleet Manager collects.

4 E. The Director of Central Services may enter into agreements
5 with any political subdivision of this state for the purpose of
6 providing fleet services established by the Fleet Management
7 Division pursuant to this section and rules promulgated pursuant to
8 this section.

9 F. The Director of Central Services, through the Fleet
10 Management Division, may enter into partnership agreements with
11 political subdivisions and private entities for the purposes of
12 applying for, participating in, and administering federal grant
13 funds. The partnership agreements and activities authorized in this
14 subsection are hereby declared to be a public purpose.

15 G. The Department may offer public access to alternative
16 fueling infrastructure owned and operated by the Department in areas
17 of the state in which access to an alternative fueling
18 infrastructure is not readily available to the public. The
19 Department shall cease allowing public access to an alternative
20 fueling infrastructure operated by the Department if a privately
21 owned alternative fueling infrastructure locates within a five-mile
22 radius of the infrastructure operated by the Department.

23 H. When used in relation to the Fleet Management Division:
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1 1. "Alternative fueling infrastructure" shall mean a fill
2 station or charge station used to deliver or provide alternative
3 fuels as defined in Section 130.2 of this title; and

4 2. "Alternative fuel vehicle" shall mean a motor vehicle
5 originally designed by the manufacturer to operate lawfully and
6 principally on streets and highways which is propelled by an
7 alternative fuel as defined in Section 130.2 of this title.

8 SECTION 3. This act shall become effective November 1, 2012.

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-29-12 - DO
10 PASS, As Amended and Coauthored.

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