STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1419 By: Shortey

AS INTRODUCED

An Act relating to professional medical licensing boards; defining term; providing for authority of professional medical licensing boards; amending 74 O.S. 2011, Section 78, which relates to the Fleet Management Division of the Department of Central Services; providing for certain exception for professional medical licensing boards; providing for codification; and providing an effective date.

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

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

A. "Professional medical licensing board" means:

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

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

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

4. A board requiring licensees, upon successful application and issuance of a license from the board, to be eligible to apply for a state and federal drug license issued by the Oklahoma Bureau of Narcotics and Dangerous Drugs Control and the federal Drug Enforcement Administration; and

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

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

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

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

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

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

Section 78. A. There is hereby created and established within the Department of Central Services, the Fleet Management Division. The Division shall provide oversight of and advice to state agencies that own, operate and utilize motor vehicles, except for the

Department of Public Safety, the Department of Transportation, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, ~~and~~ The Oklahoma State System of Higher Education, and the professional medical licensing boards as defined in Section 1 of this act.

B. The Director of Central Services shall:

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

2. Hire personnel as necessary to provide fleet services;

3. Acquire facilities to maintain vehicles;

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

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

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

C. The rules shall include provisions to:

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

2. Establish standards for routine vehicle inspection and maintenance;

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

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

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

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

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

8. Require agencies to produce and maintain written justification for any vehicle that travels fewer than twelve thousand (12,000) miles annually and report to the Fleet Manager such information by October 1 of each year; and

9. Address any other matter or practice which relates to the responsibilities of the Director of Central Services.

D. The Fleet Manager shall:

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

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

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

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

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

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

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

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

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

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

G. The Department may offer public access to alternative fueling infrastructure owned and operated by the Department in areas of the state in which access to an alternative fueling infrastructure is not readily available to the public. The Department shall cease allowing public access to an alternative fueling infrastructure operated by the Department if a privately

owned alternative fueling infrastructure locates within a five-mile radius of the infrastructure operated by the Department.

H. When used in relation to the Fleet Management Division:

1. "Alternative fueling infrastructure" shall mean a fill station or charge station used to deliver or provide alternative fuels as defined in Section 130.2 of this title; and

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

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

53-2-3071 JM 1/19/2012 2:13:02 PM