

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1571, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Allen

Allen-JD-FS-Req#3497
3/4/2014 5:34 PM

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1571

By: Allen of the Senate

and

Cockroft of the House

7
8
9 FLOOR SUBSTITUTE

10 [motor vehicles - port-of-entry officer division -
11 codification - effective date -
12 emergency]

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1204 of Title 47, unless there
17 is created a duplication in numbering, reads as follows:

18 A. There is hereby created within the transportation division
19 of the Corporation Commission the Port-of-Entry Officer Unit which
20 shall consist of such employees the Commission deems necessary to
21 carry out the provisions of this act.

22 B. The officers of the unit shall be stationed at various point
23 along the U.S. highway system within the state and at all port-of-
24 entry weigh stations as defined by Section 1201 of Title 47 of the

1 Oklahoma Statutes and have the following authority,
2 responsibilities, powers and duties:

3 1. To enforce the provisions of Title 47 of the Oklahoma
4 Statutes, US 49 CFR, and any other law regulating the operation of
5 commercial motor vehicles or the use of the highways, including, but
6 not limited to, the Motor Carriers Act of this state, and the Weigh
7 Station Act of this state;

8 2. To arrest without writ, rule, order or process any person
9 detected by them in the act of violating any law of this state;

10 3. To enforce and prevent the violation of the laws relating to
11 the size, weight of commercial motor vehicles and all laws designed
12 for the protection of the highway pavements and structures on such
13 highways;

14 4. To assist at the request of another state agency to direct
15 all traffic in conformance with law and, in the event of an
16 emergency, or to expedite traffic, or to insure safety, to direct
17 traffic as conditions may require, notwithstanding the provisions of
18 law;

19 5. To serve all warrants relating to the enforcement of the
20 laws regulating the operation of vehicles or the use of the highways
21 and bench warrants issued for nonpayment of fines and costs for
22 moving traffic violations;

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1 C. All port-of-entry officers shall be certified with the
2 Council on Law Enforcement Education and Training and other
3 applicable agencies.

4 D. The Department of Public Safety shall provide the training
5 for all port-of-entry officers for the enforcement of size, weights
6 and inspections related to the provisions of this act. All port-of-
7 entry officers shall receive the same training as a Highway Patrol
8 officer in the enforcement of size, weights and inspections.

9 E. The Department of Public Safety and other applicable
10 agencies shall offer a forty-hour continuing education course on
11 criminal law and alcohol and drug detection to all port-of-entry
12 officers annually.

13 F. All port-of-entry officers shall at all times while on duty
14 be required to be dressed in a distinctive uniform and display a
15 badge of office, both of which shall be completely different and
16 distinguishable from those of the Oklahoma Highway Patrol and other
17 transportation officers within the Corporation Commission. All such
18 badges shall be furnished by the Commission and each badge shall
19 display a distinctive serial number. The type and detail of the
20 uniforms shall be designated by the Commission and the Commission
21 shall furnish the uniforms and replace them when necessary.

22 G. Any safety citations issued by officers pursuant to US 49
23 CFR and this act shall be apportioned to the following:
24

1 1. Seventy-five percent (75%) shall be apportioned to the
2 Department of Public Safety Revolving Fund;

3 2. Twenty percent (20%) shall be apportioned to the Corporation
4 Commission Revolving Fund for uniforms, training and equipment
5 related to this act; and

6 3. Five percent (5%) shall be apportioned to the various
7 counties in equal amounts and deposited into the county highway fund
8 of the respective counties.

9 H. The Corporation Commission is authorized to purchase and
10 maintain necessary equipment and supplies and shall provide proper
11 training necessary for the enforcement of the provisions of this
12 section. The commission is also authorized to promulgate rules to
13 carry out the provisions of this act.

14 SECTION 2. This act shall become effective July 1, 2014.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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20 54-2-3497 JD 3/4/2014 5:34:51 PM

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