STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2335 By: Biggs

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 156.1, as amended by Section 3, Chapter 316, O.S.L. 2012 (47 O.S. Supp. 2013, Section 156.1), which relates to use of state-owned motor vehicles; modifying list of persons authorized to use state-owned motor vehicles; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 156.1, as amended by Section 3, Chapter 316, O.S.L. 2012 (47 O.S. Supp. 2013, Section 156.1), is amended to read as follows:

Section 156.1 A. It shall be unlawful for any state official, officer, or employee, except any essential employees approved by the Governor and those officers or employees authorized in subsection B of this section, to ride to or from the place of residence of the employee in a state-owned or -leased automobile, truck, or pickup, except in the performance of the official duty of the employee, or to use or permit the use of any such automobile, truck, ambulance, or pickup for other personal or private purposes. Any person

convicted of violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Hundred Dollars ($100.00) or by imprisonment in the county jail for a period to not exceed thirty (30) days, or by both said fine and imprisonment, and in addition thereto, shall be discharged from state employment.

B. 1. Any state employee, other than the individuals provided for in paragraph 2 of this subsection and any employee of the Department of Public Safety who is an employee in the Driver License Examining Division or the Driver Compliance Division or a wrecker inspector or auditor of the Wrecker Services Division as provided for in paragraph 3 of this subsection, who receives emergency telephone calls regularly at the residence of the employee when the employee is not on duty and is regularly called upon to use a vehicle after normal work hours in response to such emergency calls, may be permitted to use a vehicle belonging to the State of Oklahoma to provide transportation between the residence of the employee and the assigned place of employment, provided such distance does not exceed seventy-five (75) miles in any round trip or is within the county where the assigned place of employment is located. Provided further, an employee may be permitted to use a state-owned or -leased vehicle to provide temporary transportation between a specific work location other than the assigned place of employment and the residence of the employee, if such use shall result in a

monetary saving to the agency, and such authorization shall not be subject to the distance or area restrictions provided for in this paragraph. Authorization for temporary use of a state-owned or -leased vehicle for a specific project shall be in writing stating the justification for this use and the saving expected to result. Such authorization shall be valid for not to exceed sixty (60) days. Any state entity other than law enforcement that avails itself of this provision shall keep a monthly record of all participating employees, the number of emergency calls received, and the number of times that a state vehicle was used in the performance of such emergency calls.

2. Any employee of the Department of Public Safety, Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma State Bureau of Investigation, Alcoholic Beverage Laws Enforcement Commission, Oklahoma Horse Racing Commission, Oklahoma Department of Agriculture, Food, and Forestry, Office of the Inspector General within the Department of Human Services or Office of the State Fire Marshal, who is a law enforcement officer or criminalist, Public Information officer, <u>attorney,</u> Special Investigator or Assistant Director of the Oklahoma State Bureau of Investigation, CLEET-certified Investigator for a state board or any employee of a district attorney who is a law enforcement officer, may be permitted to use a state-owned or -leased vehicle to provide transportation between the residence of the employee and the assigned place of

employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

3. Any employee of the Department of Public Safety who is an employee in the Driver License Examining Division, an employee of the Driver Compliance Division, a wrecker inspector or auditor of the Wrecker Services Division, or a noncommissioned pilot may be permitted, as determined by the Commissioner, to use a state-owned or -leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

4. The Director, department heads and other essential employees of the Department of Wildlife Conservation, as authorized by the Wildlife Conservation Commission, may be permitted to use a state-owned or -leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

C. The principal administrator of the state agency with which the employee is employed shall so designate the status of the employee in writing or provide a copy of the temporary authorization

to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. Such employee status report shall also be provided to the State Fleet Manager of the Division of Fleet Management if the motor vehicle for emergency use is provided by said Division.

SECTION 2. This act shall become effective November 1, 2014.

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