

1 **SENATE FLOOR VERSION**

February 18, 2015

2 **AS AMENDED**

3 SENATE BILL NO. 47

By: Barrington of the Senate

4 and

5 Johnson of the House

6  
7  
8 **[ Oklahoma Department of Public Safety - Oklahoma  
Highway Patrol employees assigned to the Size and  
9 Weight Enforcement Section - Oklahoma Highway Patrol  
Marine Enforcement salaries - Oklahoma Highway Patrol  
10 Communication Section - promotions - driver license  
division - effective date ]**  
11

12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-105.4A, is  
15 amended to read as follows:

16 Section 2-105.4A. There is hereby created within the Oklahoma  
17 Highway Patrol Division the Size and Weight Enforcement Section.  
18 The Commissioner of Public Safety shall employ a minimum of twenty-  
19 five additional members of the Oklahoma Highway Patrol, one Captain,  
20 ~~one First Lieutenant and three Second Lieutenant Supervisors~~ eight  
21 Lieutenants and shall assign the twenty-five members of the Oklahoma  
22 Highway Patrol, one Captain, ~~one First Lieutenant and three Second~~  
23 ~~Lieutenant Supervisors~~ eight Lieutenants to the Size and Weight  
24 Enforcement Section. The Size and Weight Enforcement Section shall

1 have the primary duty of the enforcement of the provisions of  
2 Section 14-101 et seq. of this title.

3 Said Commissioner shall purchase and maintain the necessary  
4 motor vehicle equipment, portable scales and other items of  
5 equipment and supplies and shall provide proper training necessary  
6 for the enforcement of the provisions of Section 14-101 et seq. of  
7 this title.

8 SECTION 2. AMENDATORY 47 O.S. 2011, Section 2-105.6, is  
9 amended to read as follows:

10 Section 2-105.6. A. There is hereby created within the  
11 Oklahoma Highway Patrol Division of the Department of Public Safety  
12 a Marine Enforcement Section which shall consist of such employees  
13 as may be necessary to enforce the provisions of Section 4001 et  
14 seq., Section 4101 et seq., and Section 4200 et seq. of Title 63 of  
15 the Oklahoma Statutes. All commissioned officers of the Marine  
16 Enforcement Section as designated by the Commissioner shall have the  
17 authority to stop and board any vessel subject to Section 4001 et  
18 seq. of Title 63 of the Oklahoma Statutes and make any necessary  
19 arrest for violations of Section 4001 et seq. of Title 63 of the  
20 Oklahoma Statutes or the rules promulgated by the Department of  
21 Public Safety or the Department of Wildlife Conservation or take any  
22 other action within their lawful authority. Any statutory  
23 references to the Oklahoma Lake Patrol Division or the Lake Patrol  
24 Section of the Oklahoma Highway Patrol Division shall mean the

1 Marine Enforcement Section of the Oklahoma Highway Patrol Division  
2 of the Department of Public Safety.

3 B. All commissioned officers of the Marine Enforcement Section  
4 of the Oklahoma Highway Patrol Division of the Department of Public  
5 Safety shall have, in addition to their primary duty as prescribed  
6 in subsection A of this section, a secondary duty to enforce all  
7 state statutes, to make arrests for violations and to perform other  
8 duties as prescribed by the Commissioner.

9 C. The annual salaries for the commissioned officers within the  
10 Marine Enforcement Section of the Oklahoma Highway Patrol Division  
11 of the Department of Public Safety shall be in accordance and  
12 conformity with ~~the following salary schedule, exclusive of~~  
13 ~~longevity pay, as authorized by Section 840-2.18 of Title 74 of the~~  
14 ~~Oklahoma Statutes, expense allowance, as authorized by Section 2-130~~  
15 ~~of this title, and irregular shift pay, as authorized by Section 2-~~  
16 ~~130.1 of this title:~~

17 Patrol Captain \_\_\_\_\_ \$69,004.00

18 Patrol Lieutenant \_\_\_\_\_ \$62,731.00

19 Patrolman \_\_\_\_\_ \$57,028.00

20 Section 2-105.4 of this title.

21 D. The provisions of this section shall supersede all existing  
22 laws covering the salaries for the commissioned officers in the  
23 Marine Enforcement Section of the Oklahoma Highway Patrol Division  
24 of the Department of Public Safety.

1 SECTION 3. AMENDATORY 47 O.S. 2011, Section 2-105.8, as  
2 amended by Section 3, Chapter 135, O.S.L. 2014 (47 O.S. Supp. 2014,  
3 Section 2-105.8), is amended to read as follows:

4 Section 2-105.8. A. There is hereby created within the  
5 Oklahoma Highway Patrol Division of the Department of Public Safety,  
6 the Communications Section.

7 B. An employee ~~shall not~~ may be promoted to the position of  
8 Communications Coordinator.

9 C. The annual salaries of personnel comprising this section  
10 shall be in accordance and conformity with the findings for  
11 Department of Public Safety law enforcement personnel of the State  
12 of Oklahoma Total Remuneration Study of 2013.

13 D. The provisions of this section shall supersede all existing  
14 laws covering the salaries for the positions in the Communications  
15 Section of the Oklahoma Highway Patrol Division of the Department of  
16 Public Safety.

17 SECTION 4. AMENDATORY 47 O.S. 2011, Section 2-106, as  
18 amended by Section 4, Chapter 135, O.S.L. 2014 (47 O.S. Supp. 2014,  
19 Section 2-106), is amended to read as follows:

20 Section 2-106. A. There is hereby established in the  
21 Department of Public Safety the Driver License ~~Examining~~ Services  
22 Division and the Driver Compliance Division and such other divisions  
23 as the Commissioner of Public Safety may direct.  
24

1 B. The Driver License ~~Examining~~ Services Division shall consist  
2 of noncommissioned classified employees of the Department who may  
3 administer tests for the purpose of issuing driver licenses pursuant  
4 to Section 6-101 et seq. of this title.

5 C. Any employee appointed to the position of Driver License  
6 Examiner shall be not less than twenty-one (21) nor more than sixty-  
7 five (65) years of age and any person appointed to the position of  
8 Senior Driver License Examiner shall have held the position of  
9 Driver License Examiner with the Department for not less than three  
10 (3) years immediately preceding such appointment.

11 D. 1. Any person appointed to any position created pursuant to  
12 this section shall:

- 13 a. be a citizen of the State of Oklahoma,
- 14 b. be of good moral character,
- 15 c. possess a high school diploma or General Educational  
16 Development equivalency certificate, and
- 17 d. meet physical and mental standards as the Commissioner  
18 may prescribe. The scope of the physical and mental  
19 examinations for persons appointed as a Driver License  
20 Examiner or Senior Driver License Examiner shall be as  
21 prescribed by the Commissioner.

22 2. Any person appointed to the position of Driver License  
23 Examiner shall be required to complete satisfactorily a course of  
24 training as prescribed by the Commissioner.

1 E. Drunkenness, being under the influence of an intoxicating  
2 substance or any conduct not becoming an officer or public employee  
3 shall be sufficient grounds for the removal of any employee  
4 appointed pursuant to this section.

5 F. The annual salaries of personnel comprising this section  
6 shall be in accordance and conformity with the findings for  
7 Department of Public Safety law enforcement personnel of the State  
8 of Oklahoma Total Remuneration Study of 2013.

9 SECTION 5. This act shall become effective November 1, 2015.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
February 18, 2015 - DO PASS AS AMENDED