

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 320

By: Allen

4
5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 1167, as last amended by Section 1,
9 Chapter 324, O.S.L. 2013 (47 O.S. Supp. 2014, Section
10 1167), which relates to apportionment of fines and
fees; modifying apportionment of certain fines;
11 deleting the Weigh Station Improvement Revolving
12 Fund; and providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1167, as
15 last amended by Section 1, Chapter 324, O.S.L. 2013 (47 O.S. Supp.
16 2014, Section 1167), is amended to read as follows:

17 Section 1167. A. The Corporation Commission is hereby
18 authorized to promulgate rules pursuant to the Administrative
19 Procedures Act to establish the amounts of fees, fines and penalties
20 as set forth in this act. The Corporation Commission shall notify
21 all interested parties of any proposed rules to be promulgated as
22 provided herein and shall provide such parties an opportunity to be
23 heard prior to promulgation.
24

1 B. The Corporation Commission shall adjudicate enforcement
2 actions initiated by Corporation Commission personnel.

3 C. Revenue derived from all fines and penalties collected or
4 received by the Corporation Commission pursuant to the provisions of
5 this act shall be apportioned as follows:

6 1. For the period beginning with the effective date of this
7 act, the first Three Hundred Thousand Dollars (\$300,000.00)
8 collected or received each fiscal year shall be remitted to the
9 Department of Public Safety for the purpose of staffing the port of
10 entry weigh stations to conduct safety inspections. The next Five
11 Hundred Fifty Thousand Dollars (\$550,000.00) shall be remitted to
12 the Oklahoma Tax Commission and apportioned as provided in Section
13 1104 of this title; and

14 2. ~~One-half (1/2) of the remaining amount shall be deposited to~~
15 ~~the Trucking One-Stop Shop Fund created in subsection D of this~~
16 ~~section; and~~

17 3. ~~One-half (1/2) of the remaining amount shall be deposited to~~
18 ~~the Weigh Station Improvement Revolving Fund created in subsection E~~
19 ~~of this section. The remaining amount shall be deposited to the~~
20 ~~Building and Facility Revolving Fund created in Section 63.1 of~~
21 ~~Title 74 of the Oklahoma Statutes for the purpose of maintenance and~~
22 ~~repair of the Oklahoma State Capitol.~~

23 D. There is hereby created in the State Treasury a revolving
24 fund for the Corporation Commission to be known and designated as

1 the "Trucking One-Stop Shop Fund". The Trucking One-Stop Shop Fund
2 shall consist of:

3 1. ~~All funds apportioned thereto in subsection C of this~~
4 ~~section;~~

5 ~~2.~~ Fees collected by the Commission to be retained as a motor
6 license agent or other Corporation Commission registration or motor
7 fuel fees as allowed by statute or rule; and

8 ~~3.~~ 2. Any other monies to be utilized for the Trucking One-Stop
9 Shop Act.

10 The fund shall be a continuing fund, not subject to fiscal year
11 limitations, and shall not be subject to legislative appropriation.
12 Monies in the Trucking One-Stop Shop Fund shall only be expended for
13 direct expenses relating to the Trucking One-Stop Shop Act.

14 Expenditures from the revolving fund shall be made pursuant to the
15 laws of this state. In addition, expenditures from the revolving
16 fund may be made pursuant to The Oklahoma Central Purchasing Act for
17 the purpose of immediately responding to emergency situations,
18 within the Commission's jurisdiction, having potentially critical
19 environmental or public safety impact. Warrants for expenditures
20 from the fund shall be drawn by the State Treasurer against claims
21 filed as prescribed by law with the Director of the Office of
22 Management and Enterprise Services for approval and payment.

23 ~~E. There is hereby created in the State Treasury a revolving~~
24 ~~fund for the Department of Transportation to be designated the~~

1 ~~"Weigh Station Improvement Revolving Fund". The fund shall be a~~
2 ~~continuing fund, not subject to fiscal year limitations, and shall~~
3 ~~consist of all monies deposited thereto. All monies accruing to the~~
4 ~~credit of the fund are hereby appropriated and may be budgeted and~~
5 ~~expended by the Department for the purpose of constructing,~~
6 ~~equipping and maintaining facilities to determine the weight of~~
7 ~~vehicles traveling on the roads and highways of this state.~~
8 ~~Expenditures from the fund shall be made upon warrants issued by the~~
9 ~~State Treasurer against claims filed as prescribed by law with the~~
10 ~~Director of the Office of Management and Enterprise Services for~~
11 ~~approval and payment.~~

12 SECTION 2. This act shall become effective November 1, 2015.

13
14 55-1-315 JD 2/18/2016 7:04:49 PM
15
16
17
18
19
20
21
22
23
24