

1 **SENATE FLOOR VERSION**

2 February 12, 2013

3 **AS AMENDED**

4 SENATE BILL NO. 374

By: Brown of the Senate

and

Brumbaugh of the House

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8 **[ state parks - establishing requirements for boat**  
9 **rental businesses operating in state parks - -**  
10 **codification - effective date ]**

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 2217.1 of Title 74, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. Any boat rental business operating in a state park:

17 1. Shall have a current valid written contract with the  
18 Oklahoma Tourism and Recreation Department or the agency which owns  
19 the lake;

20 2. Shall be required to obtain a marine license from the state;

21 3. Is prohibited from operating within a thirty-mile radius of  
22 an existing authorized Department boat rental operation;

23 4. Shall have a visible, commercially accessible public  
24 location;

1       5. Shall be properly licensed with a tax permit and any other  
2 required local permits;

3       6. Shall carry a valid commercial liability insurance policy  
4 with a minimum limit of One Million Dollars (\$1,000,000.00) which  
5 provides bodily injury and property damage coverage for customers or  
6 other individuals, naming the Department as an additional insured  
7 with a waiver of subrogation in favor of the Department;

8       7. Must have a valid commercial automobile policy with minimum  
9 limits of One Million Dollars (\$1,000,000.00) combined single limit,  
10 naming the Department as an additional insured with a waiver of  
11 subrogation in favor of the Department;

12       8. Shall be subject to a minimum of ten percent (10%)  
13 commission payable to the Department;

14       9. Shall be subject to annual audits with fine, suspension, or  
15 termination for violating or not properly reporting and paying  
16 established commissions; and

17       10. Any person found guilty of violating the provisions of this  
18 section shall be guilty of a misdemeanor punishable by a fine not to  
19 exceed Five Hundred Dollars (\$500.00) or by imprisonment in the  
20 county jail for a term not exceeding thirty (30) days or by both  
21 such fine and imprisonment.

22       B. As used in this section, "boat rental business" means a  
23 short term lease or rental of any boat, including the completion of  
24 paperwork or documents, and the loading and delivery of the boat.

SECTION 2. This act shall become effective November 1, 2013.

COMMITTEE REPORT BY: COMMITTEE ON TOURISM AND WILDLIFE  
February 12, 2013 - DO PASS AS AMENDED

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