

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 374

By: Brown

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5
6 AS INTRODUCED

7 An Act relating to state parks; establishing
8 requirements for certain boat rental businesses
9 operating in state parks; requiring payment of
10 commission; providing for punishment for certain
11 violations; defining term; providing for
12 codification; and providing an effective date.

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

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

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

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

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

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

24 4. Shall have a visible, commercially accessible public
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.

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

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