

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 767

By: Bass

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7 COMMITTEE SUBSTITUTE

8 An Act relating to commercial truck drivers;
9 requiring certain employers of commercial truck
10 drivers to disclose paid mileage to drivers;
11 requiring written document; allowing for negotiated
12 terms; allowing civil remedies, costs and attorney
13 fees; and providing for codification.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 196 of Title 40, unless there is
17 created a duplication in numbering, reads as follows:

18 A. Notwithstanding any other law or regulation by this state or
19 by the Federal Motor Carrier Safety Administration (FMCSA), all
20 employers authorized to do business in this state that employ
21 transport drivers of commercial trucks with a gross combination
22 weight of twenty-six thousand and one (26,001) pounds or more shall
23 disclose to the prospective transport driver the total contracted
24 price for paid total mileage between the employer and the
destination entity prior to the delivery of a product. The

1 disclosure of the total mileage and the amount to be paid for the
2 total mileage shall be in writing and a copy retained by each party.
3 Any document deemed as the contract between the employer and the
4 driver shall reflect that stated amount and that amount shall be
5 paid to the driver upon completion and shall be signed by both
6 parties. Nothing herein shall prevent an employer and a driver from
7 negotiating different terms for payment of mileage so long as the
8 original amount and the agreed amount are reflected.

9 B. Any employer not in compliance with the provisions of this
10 section is subject to any civil remedy available to a petitioner,
11 including the difference in any discrepancy between the amount paid
12 to a driver to perform a job and the exact amount paid to an
13 employer along with court costs and recovery of attorney fees. Any
14 judgment entered against an employer shall also be disclosed to all
15 licensing regulating bodies of the employer.

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