

1 ENGROSSED SENATE
2 BILL NO. 767

By: Bass of the Senate

3 and

4 Park of the House

5
6 [commercial truck drivers - disclose paid mileage to
7 drivers - written document - codification]
8

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

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

13 A. Notwithstanding any other law or regulation by this state or
14 by the Federal Motor Carrier Safety Administration (FMCSA), all
15 employers authorized to do business in this state that employ
16 transport drivers of commercial trucks with a gross combination
17 weight of twenty-six thousand and one (26,001) pounds or more shall
18 disclose to the prospective transport driver the total contracted
19 price for paid total mileage between the employer and the
20 destination entity prior to the delivery of a product. The
21 disclosure of the total mileage and the amount to be paid for the
22 total mileage shall be in writing and a copy retained by each party.
23 Any document deemed as the contract between the employer and the
24 driver shall reflect that stated amount and that amount shall be

1 paid to the driver upon completion and shall be signed by both
2 parties. Nothing herein shall prevent an employer and a driver from
3 negotiating different terms for payment of mileage so long as the
4 original amount and the agreed amount are reflected.

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

12 Passed the Senate the 22nd day of March, 2017.

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14 _____
15 Presiding Officer of the Senate

16 Passed the House of Representatives the ____ day of _____,
17 2017.

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20 Presiding Officer of the House
21 of Representatives
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