

1 ENGROSSED HOUSE
2 BILL NO. 1842

By: Osborn (Leslie) of the
House

3 and

4 Fields of the Senate
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7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 967, which relates to the Nonconsensual
9 Towing Act of 2011; creating penalty for failure to
10 pay certain fee; establishing penalty amount;
11 allowing for penalty to be waived under certain
12 condition; modifying time period for payment of fee
13 prior to revocation of license; providing that
14 certain budgetary limits remain in effect until
15 certain action; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 967, is
19 amended to read as follows:

20 Section 967. A. The Corporation Commission is hereby
21 authorized to assess a fee upon each wrecker or towing service
22 licensed by the Department of Public Safety and placed upon an
23 official rotation log, as specified in Section 952 of Title 47 of
24 the Oklahoma Statutes, to perform nonconsensual tows.

B. Each wrecker or towing service shall pay the assessment,
levied pursuant to this section, on an annual basis.

1 C. The assessment shall be predicated upon the number of
2 wrecker or towing vehicles utilized by the wrecker or towing service
3 to conduct its Department-licensed operations.

4 D. Commencing with assessments made after June 30, 2017,
5 failing to pay the wrecker or towing services assessment by the due
6 date established by the Corporation Commission shall result in an
7 additional penalty of twenty-five percent (25%) per vehicle. The
8 Transportation Division Director, or designee, may waive the penalty
9 for good cause shown. Failure to pay the assessment ~~in a timely~~
10 ~~manner~~ and penalty within thirty (30) days of the notice of penalty
11 issued by the Corporation Commission shall result in revocation of
12 the wrecker or towing license issued by the Department.

13 E. Beginning fiscal year 2013, the Legislature shall establish
14 budgetary limits for the Commission to fulfill the duties of the
15 Nonconsensual Towing Act of 2011. The total assessments levied
16 pursuant to this section shall not exceed the amount of the
17 budgetary limits and indirect costs for related support functions
18 established by the Legislature for any fiscal year. ~~For fiscal year~~
19 ~~2012, the total assessments shall not exceed One Hundred Thousand~~
20 ~~Dollars (\$100,000.00)~~ Annual budgetary limits shall stay in effect
21 unless superseded by action of the Legislature.

22 SECTION 2. This act shall become effective July 1, 2017.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 Passed the House of Representatives the 6th day of March, 2017.

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5 _____
6 Presiding Officer of the House
7 of Representatives

8 Passed the Senate the ____ day of _____, 2017.

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11 Presiding Officer of the Senate
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