

1 STATE OF OKLAHOMA

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

3 SENATE BILL 592

By: Allen

6 AS INTRODUCED

7 An Act relating to motor vehicles; 47 O.S. 2011,  
8 Section 1166, which relates to the motor vehicle  
9 enforcement section; transferring certain divisions  
10 and sections of Corporation Commission to the  
11 Department of Public Safety; transferring associated  
12 powers, duties, responsibilities, documents,  
13 employees, property, pending matters, funds and  
14 authority; providing for allocation of certain funds;  
15 providing that certain funds not be subject to  
16 budgetary limitations; providing for certain  
17 transitional period and requirements related thereto;  
18 requiring Department of Public Safety and Corporation  
19 Commission to enter into certain contract and  
20 specifying certain requirements related thereto;  
21 providing procedures and requirements for transfer of  
22 certain employees; providing that certain rules be  
23 deemed promulgated by Department of Public Safety;  
24 providing an effective date; and declaring an  
emergency.

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

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1166, is  
21 amended to read as follows:

22 Section 1166. A. Effective July 1, ~~2004~~ 2017, all powers,  
23 duties and responsibilities exercised by the Motor Vehicle  
24 Enforcement Section shall be transferred from the Oklahoma Tax

Commission to the Corporation Commission. Beginning July 1, ~~2004~~  
2017, and effective July 1, ~~2005~~ 2018, all powers, duties and  
responsibilities exercised by the International Registration Plan  
Section and the International Fuel Tax Agreement Section shall be  
transferred from the ~~Tax Commission to the~~ Corporation Commission to  
the Department of Public Safety. All records, property and matters  
pending of the sections shall be transferred to the ~~Corporation~~  
~~Commission~~ Department of Public Safety. Funds sufficient to  
administer the powers, duties and responsibilities exercised by  
these sections shall be appropriated or allocated to the ~~Corporation~~  
~~Commission~~ Department of Public Safety for fiscal year ~~2005~~ 2018 as  
provided herein. Such funds appropriated or allocated to the  
~~Corporation Commission~~ Department of Public Safety shall not be  
subject to budgetary limitations. ~~The Director of State Finance is~~  
~~hereby authorized to transfer such funds as may be necessary to~~  
~~effect such allocations.~~

B. The period of July 1, ~~2004~~ 2017, through June 30, ~~2005~~ 2018,  
shall be a transitional period in which the ~~Corporation Commission~~  
Department of Public Safety shall gradually assume complete  
administration and management over the powers, duties,  
responsibilities and staff currently carrying out the administration  
of the International Registration Plan Section and the International  
Fuel Tax Agreement Section. ~~During this transition period, the~~  
~~employees assigned to the International Registration Plan Section~~

1 ~~and the International Fuel Tax Agreement Section shall continue to~~  
2 ~~be employees of the Tax Commission unless otherwise agreed to by the~~  
3 ~~Tax Commission and the Corporation Commission.~~ Effective July 1,  
4 ~~2005~~ 2018, the International Registration Plan Section and the  
5 International Fuel Tax Agreement Section shall be administered  
6 solely by the ~~Corporation Commission~~ Department of Public Safety.  
7 ~~For the period of July 1, 2004, through June 30, 2005, the~~  
8 ~~Corporation Commission and the Tax Commission shall enter into a~~  
9 ~~contract whereby funds shall be paid to the Tax Commission by the~~  
10 ~~Corporation Commission in exchange for the Tax Commission's~~  
11 ~~agreement to continue to operate the International Registration Plan~~  
12 ~~Section and the International Fuel Tax Agreement Section.~~

13 C. The powers, duties and responsibilities exercised by the  
14 Motor Vehicle Enforcement Section of the ~~Tax Commission~~ Corporation  
15 Commission shall be fully transferred to the ~~Corporation Commission~~  
16 Department of Public Safety on July 1, ~~2004~~ 2018.

17 D. All employees of the ~~Tax Commission~~ Corporation Commission  
18 whose duties are transferred under this ~~act~~ section shall be  
19 transferred to the ~~Corporation Commission~~ Department of Public  
20 Safety. Personnel transferred pursuant to the provisions of this  
21 section shall not be required to accept a lesser salary than  
22 presently received; provided, the provisions of this section shall  
23 not operate to prohibit the ~~Corporation Commission~~ Department of  
24 Public Safety or the ~~Tax Commission~~ Corporation Commission from

1 imposing furloughs or reductions-in-force with respect to such  
2 personnel as allowed by law. Personnel transferred shall be placed  
3 within the classification level in which they meet qualifications  
4 without an entrance exam. All such persons shall retain seniority,  
5 leave, sick and annual time earned and any retirement benefits which  
6 have accrued during their tenure with the ~~Tax-Commission~~ Corporation  
7 Commission. The transfer of personnel among the agencies shall be  
8 coordinated with the ~~Office of Personnel Management~~ Office of  
9 Management and Enterprise Services.

10 E. Effective July 1, 2004, any administrative rules promulgated  
11 by the ~~Tax-Commission~~ Corporation Commission related to the  
12 administration of the International Registration Plan authorized by  
13 Section 1120 of Title 47 of the Oklahoma Statutes, the International  
14 Fuel Tax Agreement authorized by Section 607 of Title 68 of the  
15 Oklahoma Statutes, or the enforcement of Section 1115.1 of Title 47  
16 of the Oklahoma Statutes shall be transferred to and become a part  
17 of the administrative rules of the ~~Corporation-Commission~~ Department  
18 of Public Safety. The Office of Administrative Rules in the  
19 Secretary of State's office shall provide adequate notice in the  
20 Oklahoma Register of the transfer of rules, and shall place the  
21 transferred rules under the Administrative Code section of the  
22 ~~Corporation-Commission~~ Department of Public Safety. From and after  
23 July 1, 2004, any amendment, repeal or addition to the transferred  
24 rules shall be under the jurisdiction of the ~~Corporation-Commission~~

1 Department of Public Safety. All documents issued by the sections  
2 transferred to the ~~Corporation Commission~~ Department of Public  
3 Safety, including, but not limited to, vehicle registrations and  
4 permits, shall be deemed to have been issued by the ~~Corporation~~  
5 ~~Commission~~ Department of Public Safety.

6 F. The ~~Corporation Commission~~ Department of Public Safety may  
7 promulgate rules necessary for the utilization of motor license  
8 agents in the registration of vehicles pursuant to Section 1120 of  
9 Title 47 of the Oklahoma Statutes.

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

11 SECTION 3. It being immediately necessary for the preservation  
12 of the public peace, health or safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

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