

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 767

By: Bass

AS INTRODUCED

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

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

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

A. Notwithstanding any other law or regulation by this state or
by the Federal Motor Carrier Safety Administration (FMCSA), all
employers authorized to do business in this state that employ
drivers of commercial trucks with a gross combination weight of
twenty-six thousand and one (26,001) pounds or more, whether by
using an in-house driver or a hired driver, shall disclose to the
prospective driver the contracted price for paid mileage between the
employer and the destination entity prior to the delivery of a
product. Any document deemed as the contract between the employer

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

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

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