

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1842

By: Osborn (Leslie)

6 AS INTRODUCED

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.

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

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

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

22 B. Each wrecker or towing service shall pay the assessment,  
23 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.

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