

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 463, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Hall

Hall-QD-FS-Req#1927  
3/9/2021 2:52 PM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE  
FOR

SENATE BILL NO. 463

By: Hall of the Senate

and

Kannady of the House

FLOOR SUBSTITUTE

An Act relating to motor license agents; amending 47 O.S. 2011, Sections 1140, as last amended by Section 2, Chapter 195, O.S.L. 2019, 1142 and 1142.1, as amended by Section 4, Chapter 195, O.S.L. 2019 (47 O.S. Supp. 2020, Sections 1140 and 1142.1), which relate to motor license agents; modifying basis for removal of motor license agents; providing that motor license agents are subject to removal for cause by the Oklahoma Tax Commission; providing definition; providing procedure for removal; deleting requirement for Tax Commission to remove motor license agent for noncompliance and violation; amending 75 O.S. 2011, Section 250.4, as last amended by Section 214, Chapter 408, O.S.L. 2019 (75 O.S. Supp. 2020, Section 250.4), which relates to the Administrative Procedures Act; providing exception for certain compliance exemption; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1140, as last amended by Section 2, Chapter 195, O.S.L. 2019 (47 O.S. Supp. 2020, Section 1140), is amended to read as follows:

1       Section 1140. A. The Oklahoma Tax Commission shall adopt rules  
2       prescribing minimum qualifications and requirements for locating  
3       motor license agencies and for persons applying for appointment as a  
4       motor license agent. Such qualifications and requirements shall  
5       include, but not be limited to, the following:

6       1. Necessary job skills and experience;

7       2. Minimum office hours;

8       3. Provision for sufficient staffing, equipment, office space  
9       and parking to provide maximum efficiency and maximum convenience to  
10      the public;

11      4. Obtainment of a faithful performance surety bond as provided  
12      for by law;

13      5. In counties with a population in excess of thirty thousand  
14      (30,000) persons according to the latest Federal Decennial Census, a  
15      requirement that operation of a motor license agency be the primary  
16      source of income for the agent;

17      6. That the applicant has not been convicted of a felony and  
18      that no felony charges are pending against the applicant;

19      7. That a complete financial statement be submitted by the  
20      applicant on forms provided by the Tax Commission;

21      8. That a report of the applicant's credit history be obtained  
22      through the appropriate credit bureau; and

23      9. That the location specified in the application for  
24      appointment as a motor license agent not be owned by a member of the

1 Oklahoma Tax Commission or an employee of the Oklahoma Tax  
2 Commission or any person related to a member of the Oklahoma Tax  
3 Commission or an employee of the Tax Commission within the third  
4 degree by consanguinity or affinity and that the location not be  
5 within a three-mile radius of an existing motor license agency  
6 unless the applicant is assuming the location of an operating  
7 agency. If the applicant is assuming the location of an existing or  
8 operating agency, the current agent may submit a letter of  
9 resignation contingent upon the appointment of the applicant  
10 regardless of the population of the municipality in which the agency  
11 is located. The Tax Commission may, at its discretion, approve the  
12 relocation of an existing agency within a three-mile radius of  
13 another existing agency only if a naturally intervening geographic  
14 barrier within that radius causes the locations to be separated by  
15 not less than three (3) miles of roadway by the most direct route.

16 B. After the necessary information has been forwarded to the  
17 Tax Commission, the Tax Commission or its designees may select  
18 applicants to be interviewed and each item of information shall be  
19 reviewed.

20 Any person making application to the Tax Commission for the  
21 purpose of becoming a motor license agent shall pay when submitting  
22 the application, a nonrefundable application fee of One Hundred  
23 Dollars (\$100.00). All such application fees shall be deposited in  
24 the Oklahoma Tax Commission Revolving Fund.

1 C. Upon application by a person to serve as a motor license  
2 agent, in such counties, the Tax Commission is authorized to make a  
3 determination whether such person and such location meets the  
4 qualifications and requirements prescribed herein and, if such be  
5 the case, may appoint such person to serve as a motor license agent.

6 D. A motor license agent, appointed pursuant to this  
7 subsection, shall be permitted to operate a motor license agency at  
8 a single location and shall be prohibited from operating subagencies  
9 or branch agencies.

10 Motor license agents appointed pursuant to this section shall be  
11 subject to all laws relating to motor license agents and shall be  
12 subject to removal ~~at the will of~~ for cause by the Tax Commission.  
13 Any action taken by the Tax Commission to remove a motor license  
14 agent from his or her position shall be pursuant to and in  
15 accordance with the provisions of the Administrative Procedures Act.  
16 For the purposes of this section, "for cause" shall be defined as  
17 follows:

18 1. Repeated violations of written rules, regulations and  
19 statutes pertaining to motor license agents after written warning by  
20 the Tax Commission and an opportunity to correct such violations;

21 2. Failure of the motor license agent to promptly remit funds  
22 owed to the Tax Commission upon written demand;

23 3. Being charged with a felony crime involving dishonesty or  
24 moral turpitude;

1        4. Failure to timely file state and federal income tax returns;

2        or

3        5. Any act of official misconduct as set forth in Section 93 of  
4        Title 51 of the Oklahoma Statutes.

5        The Tax Commission shall appoint as many motor license agents as  
6        it deems necessary to carry out the provisions of the Motor Vehicle  
7        License and Registration Act. Provided, that in counties with a  
8        population in excess of twenty-five thousand (25,000) persons,  
9        according to the latest Federal Decennial Census, having only one  
10       motor license agent serving the county, the Tax Commission shall  
11       establish at least one additional agency to serve the county.

12       E. All motor license agents shall be self-employed independent  
13       contractors and shall be under the supervision of the Tax  
14       Commission; provided, any agent authorized to issue registrations  
15       pursuant to the International Registration Plan shall also be under  
16       the supervision of the Corporation Commission, subject to rules  
17       promulgated by the Corporation Commission pursuant to the provisions  
18       of subsection E of Section 1166 of this title. Any such agent, upon  
19       being appointed, shall furnish and file with the Tax Commission a  
20       bond in such amount as may be fixed by the Tax Commission. Such  
21       agent shall be removable at the will of the Tax Commission. Such  
22       agent shall perform all duties and do such things in the  
23       administration of the laws of this state as shall be enjoined upon  
24       and required by the Tax Commission or the Corporation Commission.

1 Provided, the Tax Commission may operate a motor license agency in  
2 any county where a vacancy occurs.

3 F. In the event of a vacancy existing by reason of resignation,  
4 removal, death or otherwise, in the position of any motor license  
5 agent, the Tax Commission is hereby empowered and authorized to take  
6 any and all actions it deems appropriate in order to provide for the  
7 orderly transition and for the maintenance of operations of the  
8 motor license agency including but not limited to the designation of  
9 one of its regular employees to serve as "acting agent" without  
10 bond, and to receive and expend all fees or charges authorized or  
11 provided by law and exercise the same powers and authority as a  
12 regularly appointed motor license agent. An acting agent may be  
13 authorized by the Tax Commission equally as the preceding agent to  
14 make disbursements from any balances in the preceding motor license  
15 agent's operating account and the agent's operating funds for the  
16 payment of expenses of operations and salaries and other overhead.  
17 If such funds are insufficient, the Tax Commission is authorized to  
18 expend from funds appropriated for the operation of the Tax  
19 Commission such amounts as are necessary to maintain and continue  
20 the operation of any such motor license agency until a successor  
21 agent is appointed and qualified. The Tax Commission may require a  
22 blanket fiduciary bond of the agency employees.

23 G. ~~Any motor license agency operated by a motor license agent~~  
24 ~~who has been charged with a felony shall be closed immediately. The~~

~~Tax Commission shall determine whether the motor license agency shall be reopened and operated by the motor license agent. The determination shall be effected as soon as possible to prevent additional inconvenience to the public.~~

H. When an application for registration is made with the Tax Commission, Corporation Commission or a motor license agent, a registration fee of One Dollar and seventy-five cents (\$1.75) shall be collected for each license plate or decal issued. Such fees shall be in addition to the registration fees on motor vehicles and when an application for registration is made to the motor license agent such motor license agent shall retain a fee as provided in Section 1141.1 of this title. When the fee is paid by a person making application directly with the Tax Commission or Corporation Commission, as applicable, the registration fees shall be in the same amount as provided for motor license agents and the fee provided by Section 1141.1 of this title shall be deposited in the Oklahoma Tax Commission Revolving Fund or as provided in Section 1167 of this title, as applicable. The Tax Commission shall prepare schedules of registration fees and charges for titles which shall include the fees for such agents and all fees and charges paid by a person shall be listed separately on the application and registration and totaled on the application and registration. The motor license agents shall charge only such fees as are specifically provided for by law, and all such authorized fees shall be posted in

1 such a manner that any person shall have notice of all fees that are  
2 imposed by law.

3 ~~H.~~ H. No person shall be appointed as a motor license agent  
4 unless the person has attested under oath that the person is not  
5 related by affinity or consanguinity within the third degree to:

6 1. Any member of the Oklahoma Tax Commission; or

7 2. Any employee of the Tax Commission.

8 ~~I.~~ I. Any motor license agent appointed under the provisions of  
9 this title shall be responsible for all costs incurred by the Tax  
10 Commission when relocating an existing motor license agency. The  
11 Tax Commission may waive payment of such costs in case of unforeseen  
12 business or emergency conditions beyond the control of the agent.

13 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1142, is  
14 amended to read as follows:

15 Section 1142. A. There is hereby created as an official  
16 depository of the Oklahoma Tax Commission a special agency account.  
17 The Tax Commission is hereby authorized and directed to assign an  
18 appropriate and distinctive number or designation for the account  
19 herein created which shall be designated the Oklahoma Tax Commission  
20 Motor License Agent Account. The Tax Commission shall assign an  
21 appropriate and distinctive subaccount number or designation for  
22 each motor license agent. Every motor license agent appointed under  
23 the provisions of the Oklahoma Vehicle License and Registration Act  
24 shall safeguard and preserve, in the manner herein required, all

1 monies paid to such agent which the agent is bound to account for  
2 and pay over to the Tax Commission.

3       B. Each motor license agent shall establish, in a bank or banks  
4 authorized to do a banking business in the state, such special  
5 agency account and at any time that the motor license agent  
6 accumulates a total amount of receipts of One Hundred Dollars  
7 (\$100.00) or more then such motor license agent shall deposit within  
8 a period of one (1) banking business day after the close of  
9 business, all receipts which the agent is obligated to account for  
10 and remit to the Tax Commission in the designated Oklahoma Tax  
11 Commission Motor License Agent Account and no such monies shall be  
12 deposited in any other banks or other depositories unless the said  
13 bank accounts are maintained by the Tax Commission. Provided that,  
14 where a motor license agent is doing business in a municipality  
15 where there is no bank located, such motor license agent shall have  
16 a period of three (3) banking business days after the close of  
17 business to make such deposits. Advice of deposit receipts or  
18 duplicate deposit receipts, in a form and in an amount prescribed by  
19 the Tax Commission, shall be obtained and preserved as directed by  
20 the Tax Commission. One shall be retained by the agent, and one  
21 shall be immediately forwarded to the Tax Commission. Withdrawals  
22 or transfers from such Oklahoma Tax Commission Motor License Agent  
23 Account shall be made only by the duly authorized agent of the Tax  
24 Commission. That part of the agent's fees to be retained by the

1 agent as the agent's personal compensation shall not be deposited in  
2 said Oklahoma Tax Commission Motor License Agent Account.

3 Each motor license agent shall submit the appropriate reports  
4 designated by the Tax Commission to properly account for all funds,  
5 regardless of source, received by a motor license agent in the  
6 performance of the agent's duties. Reports shall cover a period  
7 from the first day of the month to the fifteenth day of the month  
8 and from the sixteenth day of the month to the last day of the  
9 month. It shall be the responsibility of the motor license agent to  
10 mail or deliver such reports and all documents of all transactions  
11 to the Tax Commission within a time period to be established by the  
12 Tax Commission.

13 C. Motor license agents shall deposit in such account all  
14 monies, taxes and fees collected and received by them as such  
15 agents, which they are obligated to account for and remit to the Tax  
16 Commission, and it is specifically required that checks or similar  
17 instruments accepted or received by such agents for taxes or fees  
18 must be deposited in such account, less any amount provided by this  
19 act that the agents are entitled to retain as fees.

20 No motor license agent shall withdraw any funds from the agent's  
21 motor license agent account. All checks, drafts, orders and  
22 vouchers so deposited shall bear an endorsement to the motor license  
23 agent account which endorsement shall include the assigned account  
24 number and the agent's subaccount number. Items deposited shall be

1 credited at par and should payment be refused on any such check,  
2 draft, order or voucher, or should the same prove otherwise  
3 worthless, the amount thereof shall not be charged by the Tax  
4 Commission against the individual subaccounts of the agent. The  
5 agent shall continue to attempt to require proper payment of all  
6 such worthless items, but shall not be personally liable to the Tax  
7 Commission for their payment. The Tax Commission or agent shall  
8 charge the person issuing the check a fee of Twenty-five Dollars  
9 (\$25.00) for each check to cover the costs of the processing of each  
10 returned check, and all necessary travel expenses of collection, as  
11 provided by the State Travel Reimbursement Act; provided, such  
12 charge shall not be made unless efforts have been made to present  
13 such check, draft, order or voucher for payment a second time. Any  
14 motor license agent who collects a dishonored check pursuant to the  
15 provisions of Section 1121 of this title shall also collect a fee of  
16 Twenty-five Dollars (\$25.00) and shall be entitled to retain such  
17 fee.

18 D. Notwithstanding anything to the contrary, the Tax Commission  
19 shall continue to have the exclusive authority and standing to  
20 collect any taxes or other revenues owed to the State of Oklahoma or  
21 any political subdivision thereof pursuant to the provisions of the  
22 Motor Vehicle License and Registration Act.

23 E. It is specifically provided that nothing in this section  
24 shall be considered or construed as in any way affecting, relieving

1 or relinquishing the liability of such agent to the Tax Commission  
2 for any monies collected by the agent and due the state or the  
3 liability of such agent or any surety on or under the agent's bond  
4 made to the Tax Commission.

5 Unless provided otherwise, any motor license agent who fails to  
6 comply with any provision of this section shall pay a penalty to be  
7 imposed by the Tax Commission. Monies collected for payment of the  
8 penalty shall be deposited to the credit of the General Revenue Fund  
9 of the State Treasury. Any motor license agent who pays a penalty  
10 pursuant to this section shall not allocate his or her payment  
11 thereof as a part of his or her operating expenses, but shall use  
12 his or her personal funds for payment of the penalty. Such penalty  
13 shall be equal to one percent (1%) of the gross amount of the  
14 receipts received by the motor license agent for that particular day  
15 that the agent fails to deposit all such funds required by this  
16 section or one percent (1%) of the gross amount of the receipts  
17 received by the motor license agent for the report period that the  
18 agent fails to timely mail the required report or remit any excess  
19 agent funds as provided in subsection B of this section. Such  
20 penalty shall be increased to three percent (3%) of the gross amount  
21 of the receipts received for that particular day if the motor  
22 license agent fails to fulfill any of said requirements within a  
23 period of five (5) days. Provided that such penalty shall be three  
24 percent (3%) of the gross amount of the receipts received by the

1 motor license agent for the report period that the agent fails to  
2 timely mail the required report or remit any excess agent funds as  
3 provided in subsection B of this section if the motor license agent  
4 fails to fulfill these requirements within five (5) days.

5 The Tax Commission may waive the penalty for failing to timely  
6 file the accounting report required by this section if the Tax  
7 Commission finds that:

8 1. The funds to which the report applies have been properly  
9 deposited;

10 2. The failure to timely file the report was due to emergency  
11 conditions beyond the control of the agent; and

12 3. The report has been filed within a week of the date on which  
13 it was required to be filed.

14 ~~It shall be the duty of the Tax Commission to discharge~~  
15 ~~immediately any motor license agent who fails, neglects or refuses~~  
16 ~~to comply with the provisions of this section.~~

17 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1142.1, as  
18 amended by Section 4, Chapter 195, O.S.L. 2019 (47 O.S. Supp. 2020,  
19 Section 1142.1), is amended to read as follows:

20 Section 1142.1. A. It shall be unlawful for any motor license  
21 agent or any employee of such motor license agent to carry on a  
22 messenger service, courier service or pick up and delivery service  
23 for the recording of a security interest or for the registration of  
24 a motor vehicle or boat or a motor, or obtaining license plates and

1 decals, or for the issuance of a certificate of title for any motor  
2 vehicle or boat or motor. Provided, nothing in this subsection  
3 shall be construed to prevent a motor license agent or any employee  
4 of such motor license agent from performing such services for the  
5 motor license agent's depository bank, when the motor license agent  
6 or his employee goes to the agent's depository bank to deposit tax  
7 monies into the agent's designated Oklahoma Tax Commission Motor  
8 License Agent Account. After September 1, 1991, the Oklahoma Tax  
9 Commission shall not designate or assign a motor license agent more  
10 than one active Oklahoma Tax Commission Motor License Agent Account.  
11 Accounts designated prior to September 1, 1991, may remain active.

12 B. It shall be unlawful for any motor license agent to  
13 compensate in any manner a messenger service, courier service or  
14 pick up and delivery service or any one attempting to provide  
15 messenger service, courier service or pick up and delivery service  
16 for recording a security interest or for the registration of a motor  
17 vehicle or boat or motor, or obtaining license plates and decals, or  
18 for the issuance of a certificate of title for any motor vehicle or  
19 boat or motor.

20 C. A motor license agent who violates the provisions of this  
21 section shall be subject to a fine of Two Thousand Dollars  
22 (\$2,000.00) per occurrence ~~and shall be removed immediately by the~~  
23 ~~Oklahoma Tax Commission.~~

24

1       SECTION 4.       AMENDATORY       75 O.S. 2011, Section 250.4, as  
2 last amended by Section 214, Chapter 408, O.S.L. 2019 (75 O.S. Supp.  
3 2020, Section 250.4), is amended to read as follows:

4       Section 250.4. A. 1. Except as is otherwise specifically  
5 provided in this subsection, each agency is required to comply with  
6 Article I of the Administrative Procedures Act.

7       2. The Corporation Commission shall be required to comply with  
8 the provisions of Article I of the Administrative Procedures Act  
9 except for subsections A, B, C and E of Section 303 of this title  
10 and Section 306 of this title. To the extent of any conflict or  
11 inconsistency with Article I of the Administrative Procedures Act,  
12 pursuant to Section 35 of Article IX of the Oklahoma Constitution,  
13 it is expressly declared that Article I of the Administrative  
14 Procedures Act is an amendment to and alteration of Sections 18  
15 through 34 of Article IX of the Oklahoma Constitution.

16       3. The Oklahoma Military Department shall be exempt from the  
17 provisions of Article I of the Administrative Procedures Act to the  
18 extent it exercises its responsibility for military affairs.  
19 Military publications, as defined in Section 801 of Title 44 of the  
20 Oklahoma Statutes, shall be exempt from the provisions of Article I  
21 and Article II of the Administrative Procedures Act, except as  
22 provided in Section 251 of this title.

23       4. The Oklahoma Ordnance Works Authority, the Northeast  
24 Oklahoma Public Facilities Authority, the Oklahoma Office of

1 Homeland Security and the Board of Trustees of the Oklahoma College  
2 Savings Plan shall be exempt from Article I of the Administrative  
3 Procedures Act.

4 5. The Transportation Commission and the Department of  
5 Transportation shall be exempt from Article I of the Administrative  
6 Procedures Act to the extent they exercise their authority in  
7 adopting standard specifications, special provisions, plans, design  
8 standards, testing procedures, federally imposed requirements and  
9 generally recognized standards, project planning and programming,  
10 and the operation and control of the State Highway System.

11 6. The Oklahoma State Regents for Higher Education shall be  
12 exempt from Article I of the Administrative Procedures Act with  
13 respect to:

- 14 a. prescribing standards of higher education,
- 15 b. prescribing functions and courses of study in each  
16 institution to conform to the standards,
- 17 c. granting of degrees and other forms of academic  
18 recognition for completion of the prescribed courses,
- 19 d. allocation of state-appropriated funds, and
- 20 e. fees within the limits prescribed by the Legislature.

21 7. Institutional governing boards within The Oklahoma State  
22 System of Higher Education shall be exempt from Article I of the  
23 Administrative Procedures Act.

- 1        8.    a.    The Commissioner of Public Safety shall be exempt from  
2                   Sections 303.1, 304, 307.1, 308 and 308.1 of this  
3                   title insofar as it is necessary to promulgate rules  
4                   pursuant to the Oklahoma Motor Carrier Safety and  
5                   Hazardous Materials Transportation Act, to maintain a  
6                   current incorporation of federal motor carrier safety  
7                   and hazardous material regulations, or pursuant to  
8                   Chapter 6 of Title 47 of the Oklahoma Statutes, to  
9                   maintain a current incorporation of federal commercial  
10                  driver license regulations, for which the Commissioner  
11                  has no discretion when the state is mandated to  
12                  promulgate rules identical to federal rules and  
13                  regulations.
- 14        b.    Such rules may be adopted by the Commissioner and  
15                   shall be deemed promulgated twenty (20) days after  
16                   notice of adoption is published in "The Oklahoma  
17                   Register". Such publication need not set forth the  
18                   full text of the rule but may incorporate the federal  
19                   rules and regulations by reference.
- 20        c.    Such copies of promulgated rules shall be filed with  
21                   the Secretary as required by Section 251 of this  
22                   title.
- 23        d.    For any rules for which the Commissioner has  
24                   discretion to allow variances, tolerances or

1                   modifications from the federal rules and regulations,  
2                   the Commissioner shall fully comply with Article I of  
3                   the Administrative Procedures Act.

4           9.   The Council on Judicial Complaints shall be exempt from  
5   Section 306 of Article I of the Administrative Procedures Act, with  
6   respect to review of the validity or applicability of a rule by an  
7   action for declaratory judgment, or any other relief based upon the  
8   validity or applicability of a rule, in the district court or by an  
9   appellate court. A party aggrieved by the validity or applicability  
10  of a rule made by the Council on Judicial Complaints may petition  
11  the Court on the Judiciary to review the rules and issue opinions  
12  based upon them.

13          10. The Department of Corrections, State Board of Corrections,  
14  county sheriffs and managers of city jails shall be exempt from  
15  Article I of the Administrative Procedures Act with respect to:

- 16           a.   prescribing internal management procedures for the  
17                management of the state prisons, county jails and city  
18                jails and for the management, supervision and control  
19                of all incarcerated prisoners, and
- 20           b.   prescribing internal management procedures for the  
21                management of the probation and parole unit of the  
22                Department of Corrections and for the supervision of  
23                probationers and parolees.

1        11. The State Board of Education shall be exempt from Article I  
2 of the Administrative Procedures Act with respect to prescribing  
3 subject matter standards as provided for in Section 11-103.6a of  
4 Title 70 of the Oklahoma Statutes.

5        B. As specified, the following agencies or classes of agency  
6 activities are not required to comply with the provisions of Article  
7 II of the Administrative Procedures Act:

8        1. The Oklahoma Tax Commission, except as provided in  
9 subsection G of Section 1140 of Title 47 of the Oklahoma Statutes;

10        2. The Commission for Human Services;

11        3. The Oklahoma Ordnance Works Authority;

12        4. The Corporation Commission;

13        5. The Pardon and Parole Board;

14        6. The Midwestern Oklahoma Development Authority;

15        7. The Grand River Dam Authority;

16        8. The Northeast Oklahoma Public Facilities Authority;

17        9. The Council on Judicial Complaints;

18        10. The Board of Trustees of the Oklahoma College Savings Plan;

19        11. The supervisory or administrative agency of any penal,  
20 mental, medical or eleemosynary institution, only with respect to  
21 the institutional supervision, custody, control, care or treatment  
22 of inmates, prisoners or patients therein; provided, that the  
23 provisions of Article II shall apply to and govern all  
24

1 administrative actions of the Oklahoma Alcohol Prevention, Training,  
2 Treatment and Rehabilitation Authority;

3 12. The Board of Regents or employees of any university,  
4 college, or other institution of higher learning;

5 13. The Oklahoma Horse Racing Commission, its employees or  
6 agents only with respect to hearing and notice requirements on the  
7 following classes of violations which are an imminent peril to the  
8 public health, safety and welfare:

9 a. any rule regarding the running of a race,

10 b. any violation of medication laws and rules,

11 c. any suspension or revocation of an occupation license  
12 by any racing jurisdiction recognized by the  
13 Commission,

14 d. any assault or other destructive acts within  
15 Commission-licensed premises,

16 e. any violation of prohibited devices, laws and rules,  
17 or

18 f. any filing of false information;

19 14. The Commissioner of Public Safety only with respect to  
20 driver license hearings and hearings conducted pursuant to the  
21 provisions of Section 2-115 of Title 47 of the Oklahoma Statutes;

22 15. The Administrator of the Department of Securities only with  
23 respect to hearings conducted pursuant to provisions of the Oklahoma  
24 Take-over Disclosure Act of 1985;

1 16. Hearings conducted by a public agency pursuant to Section  
2 962 of Title 47 of the Oklahoma Statutes;

3 17. The Oklahoma Military Department;

4 18. The University Hospitals Authority, including all hospitals  
5 or other institutions operated by the University Hospitals  
6 Authority;

7 19. The Oklahoma Health Care Authority Board and the  
8 Administrator of the Oklahoma Health Care Authority; and

9 20. The Oklahoma Office of Homeland Security.

10 SECTION 5. This act shall become effective November 1, 2021.

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12 58-1-1927 QD 3/9/2021 2:52:03 PM  
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