

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3413

By: Pae of the House

5 and

6 **Leewright** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to motor vehicles; amending 47 O.S.
11 2021, Section 156.1, which relates to the use of
12 state-owned or state-leased vehicles for private use;
13 making exception Oklahoma Tourism and Recreation
14 Department employees; allowing certain vehicle use;
15 and providing an effective date.

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

17 SECTION 1. AMENDATORY 47 O.S. 2021, Section 156.1, is
18 amended to read as follows:

19 Section 156.1 A. It shall be unlawful for any state official,
20 officer or employee, except any essential employees approved by the
21 Governor and those officers or employees authorized in subsection B
22 of this section, to ride to or from the place of residence of the
23 employee in a state-owned or state-leased automobile, truck or
24 pickup, except in the performance of the official duty of the
 employee, or to use or permit the use of any such automobile, truck,

1 ambulance or pickup for other personal or private purposes. Any
2 person convicted of violating the provisions of this section shall
3 be guilty of a misdemeanor and shall be punished by a fine of not
4 more than One Hundred Dollars (\$100.00) or by imprisonment in the
5 county jail for a period to not exceed thirty (30) days, or by both
6 said fine and imprisonment, and in addition thereto, shall be
7 discharged from state employment.

8 B. 1. Any state employee, other than the individuals provided
9 for in paragraph 2 of this subsection and any employee of the
10 Department of Public Safety who is an employee in the Driver License
11 Examining Division or the Driver Compliance Division or a wrecker
12 inspector or auditor of the Wrecker Services Division as provided
13 for in paragraph 3 of this subsection, who receives emergency
14 telephone calls regularly at the residence of the employee when the
15 employee is not on duty and is regularly called upon to use a
16 vehicle after normal work hours in response to such emergency calls,
17 may be permitted to use a vehicle belonging to the state to provide
18 transportation between the residence of the employee and the
19 assigned place of employment, provided such distance does not exceed
20 seventy-five (75) miles in any round trip or is within the county
21 where the assigned place of employment is located. Provided
22 further, an employee may be permitted to use a state-owned or state-
23 leased vehicle to provide temporary transportation between a
24 specific work location other than the assigned place of employment

1 and the residence of the employee, if such use shall result in a
2 monetary saving to the agency, and such authorization shall not be
3 subject to the distance or area restrictions provided for in this
4 paragraph. Authorization for temporary use of a state-owned or
5 state-leased vehicle for a specific project shall be in writing
6 stating the justification for this use and the saving expected to
7 result. Such authorization shall be valid for not to exceed sixty
8 (60) days. Any state entity other than law enforcement that avails
9 itself of this provision shall keep a monthly record of all
10 participating employees, the number of emergency calls received and
11 the number of times that a state vehicle was used in the performance
12 of such emergency calls.

13 2. Any employee of the Department of Public Safety, Oklahoma
14 Department of Corrections, Oklahoma State Bureau of Narcotics and
15 Dangerous Drugs Control, Oklahoma State Bureau of Investigation,
16 Alcoholic Beverage Laws Enforcement Commission, Oklahoma Horse
17 Racing Commission, Oklahoma Department of Agriculture, Food, and
18 Forestry, Office of the Inspector General within the Department of
19 Human Services or Office of the State Fire Marshal, who is a law
20 enforcement officer or criminalist, Public Information officer,
21 Special Investigator or Assistant Director of the Oklahoma State
22 Bureau of Investigation, CLEET-certified Investigator for a state
23 board, ~~or~~ any employee of a district attorney who is a law
24 enforcement officer, or any CLEET-certified employee of the Oklahoma

1 Tourism and Recreation Department may be permitted to use a state-
2 owned or state-leased vehicle to provide transportation between the
3 residence of the employee and the assigned place of employment and
4 between the residence and any location other than the assigned place
5 of employment to which the employee travels in the performance of
6 the official duty of the employee.

7 3. Any employee of the Department of Public Safety who is an
8 employee in the Driver License Examining Division, an employee of
9 the Driver Compliance Division, a wrecker inspector or auditor of
10 the Wrecker Services Division, or a noncommissioned pilot may be
11 permitted, as determined by the Commissioner, to use a state-owned
12 or state-leased vehicle to provide transportation between the
13 residence of the employee and the assigned place of employment and
14 between the residence and any location other than the assigned place
15 of employment to which the employee travels in the performance of
16 the official duty of the employee.

17 4. The Director, department heads and other essential employees
18 of the Department of Wildlife Conservation, as authorized by the
19 Wildlife Conservation Commission, may be permitted to use a state-
20 owned or state-leased vehicle to provide transportation between the
21 residence of the employee and the assigned place of employment and
22 between the residence and any location other than the assigned place
23 of employment to which the employee travels in the performance of
24 the official duty of the employee.

1 5. The Director, department heads, emergency responders and
2 other essential employees of the Department of Corrections, as
3 authorized by the Director, may be permitted to use a state-owned or
4 state-leased vehicle to provide transportation between the residence
5 of the employee and the assigned place of employment and between the
6 residence and any location other than the assigned place of
7 employment to which the employee travels in the performance of the
8 official duty of the employee.

9 C. The principal administrator of the state agency with which
10 the employee is employed shall so designate the status of the
11 employee in writing or provide a copy of the temporary authorization
12 to the Governor, the President Pro Tempore of the Senate and the
13 Speaker of the House of Representatives. Such employee status
14 report shall also be provided to the State Fleet Manager of the
15 Division of Fleet Management if the motor vehicle for emergency use
16 is provided by said Division.

17 SECTION 2. This act shall become effective November 1, 2022.

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19 COMMITTEE REPORT BY: COMMITTEE ON TOURISM, dated 02/17/2022 - DO
20 PASS, As Coauthored.
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