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March 29, 2021

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2338

By: Kendrix and Steagall of the
House

and

Pugh of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 156.1, as amended by Section 3, Chapter 316, O.S.L. 2012 (47 O.S. Supp. 2020, Section 156.1), which relates to use of state-owned motor vehicles; modifying inclusions; permitting employees of the Oklahoma Department of Corrections to use state-owned or state-leased vehicles under certain circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 156.1, as amended by Section 3, Chapter 316, O.S.L. 2012 (47 O.S. Supp. 2020, Section 156.1), is amended to read as follows:

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

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

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

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

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

1 enforcement officer, may be permitted to use a state-owned or -
2 ~~leased~~ 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 ~~leased~~ state-leased vehicle to provide transportation between
13 the residence of the employee and the assigned place of employment
14 and between the residence and any location other than the assigned
15 place of employment to which the employee travels in the performance
16 of 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 ~~leased~~ state-leased vehicle to provide transportation
21 between the residence of the employee and the assigned place of
22 employment and between the residence and any location other than the
23 assigned place of employment to which the employee travels in the
24 performance of 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, 2021.

18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
19 March 29, 2021 - DO PASS AS AMENDED
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