

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2253

By: Burns

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to motor vehicles; amending 47 O.S.
10 2021, Section 151, which relates to marking of
11 automobiles owned or leased by the state; making
12 exception for certain agency vehicles; amending 47
13 O.S. 2021, Section 156, which relates to the
14 prohibition against purchase of automobiles or buses
15 with public funds; allowing the Office of the
16 Attorney General to purchase certain vehicles;
17 amending 47 O.S. 2021, Section 156.1, which relates
18 to the use of state-owned motor vehicles for private
19 use; authorizing certain use of state-owned vehicles
20 for the Office of the Attorney General; listing
21 employees that may use state-owned vehicles for
22 certain purpose; and providing an effective date.

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

24 SECTION 1. AMENDATORY 47 O.S. 2021, Section 151, is
amended to read as follows:

 Section 151. A. A state agency that owns or leases vehicles
shall affix the words "State of Oklahoma" and the name of the

1 department or institution that owns or leases the vehicle in
2 conspicuous letters.

3 B. 1. In lieu of the provisions of subsection A of this
4 section, Department of Public Safety vehicles used regularly as
5 patrol units shall be distinctively painted black or white and shall
6 bear the wording "Oklahoma Highway Patrol" on each side of the
7 vehicle in letters of such size as to be easily distinguishable, it
8 being the purpose and intention of the Legislature that said patrol
9 units shall be marked in the future in the same manner as those now
10 in use.

11 2. The Commissioner of Public Safety may designate colors and
12 markings, in lieu of those authorized by the provisions of this
13 section, for patrol units used for patrol purposes and for selective
14 traffic law enforcement.

15 C. Oklahoma State Bureau of Narcotics and Dangerous Drugs
16 Control vehicles for use in undercover investigations and Oklahoma
17 State Bureau of Investigation vehicles shall not be subject to the
18 provisions of this section.

19 D. Department of Corrections vehicles designated for use by
20 probation and parole operations and other administrative operations,
21 as approved by the Director of the Department of Corrections, shall
22 not be subject to the provisions of this section.

23 E. Vehicles utilized by CLEET-certified officers or state
24 employees primarily employed in investigative activities may be

1 exempt from the provisions of this section subject to the approval
2 of the State Fleet Manager.

3 F. Oklahoma Military Department vehicles designated for use by
4 the Adjutant General or Assistant Adjutant General in performance of
5 his or her duties and Oklahoma Military Department vehicles
6 designated for use in the State Transition and Reintegration System
7 (STARS) program for tracking youth, as approved by the Adjutant
8 General, shall not be subject to the provisions of this section.

9 G. Office of Juvenile Affairs vehicles designated for use of
10 the Office by the Executive Director of the Office of Juvenile
11 Affairs shall not be subject to the provisions of this section.

12 H. Office of the Attorney General vehicles designated for use
13 by agents and other employees, as approved by the Attorney General,
14 shall not be subject to the provisions of this section.

15 SECTION 2. AMENDATORY 47 O.S. 2021, Section 156, is
16 amended to read as follows:

17 Section 156. A. Unless otherwise provided for by law, no state
18 board, commission, department, institution, official, or employee,
19 except the following, shall purchase any passenger automobile or bus
20 with public funds:

- 21 1. The Department of Public Safety;
- 22 2. The Department of Human Services;
- 23 3. The State Department of Rehabilitation Services;
- 24 4. The Department of Wildlife Conservation;

- 1 5. The Department of Corrections;
- 2 6. The State Department of Education;
- 3 7. The Oklahoma School of Science and Mathematics;
- 4 8. The Oklahoma State Bureau of Narcotics and Dangerous Drugs
- 5 Control;
- 6 9. The Oklahoma State Bureau of Investigation;
- 7 10. The Transportation Commission;
- 8 11. The Oklahoma Department of Agriculture, Food, and Forestry;
- 9 12. The State Department of Health;
- 10 13. The Department of Mental Health and Substance Abuse
- 11 Services;
- 12 14. The J.D. McCarty Center for Children with Developmental
- 13 Disabilities;
- 14 15. The Military Department of the State of Oklahoma;
- 15 16. The Oklahoma Tourism and Recreation Department;
- 16 17. The Oklahoma Conservation Commission;
- 17 18. The Oklahoma Water Resources Board;
- 18 19. The Department of Mines;
- 19 20. The Office of Juvenile Affairs;
- 20 21. The Oklahoma Department of ~~Veteran~~ Veterans Affairs;
- 21 22. The Oklahoma Supreme Court;
- 22 23. The District Attorneys Council and Oklahoma district
- 23 attorneys, provided adequate funding exists;
- 24 24. The Oklahoma Boll Weevil Eradication Organization; ~~and~~

1 25. The Oklahoma Horse Racing Commission; and

2 26. The Office of the Attorney General.

3 B. 1. The Oklahoma School for the Deaf at Sulphur, the
4 Oklahoma School for the Blind at Muskogee, and any state institution
5 of higher education may purchase, own, or keep if now owned, or
6 acquire by lease or gift, and use and maintain such station wagons,
7 automobiles, trucks, or buses as are reasonably necessary for the
8 implementation of the educational programs of said institutions.

9 2. No bus operated, owned, or used by such educational
10 institutions shall be permitted to carry any person other than
11 students, faculty members, employees, or volunteers of such
12 institutions. The provisions of this section shall not be construed
13 to prohibit:

14 a. the operation of intracampus buses or buses routed
15 directly between portions of the campus of any
16 institution not adjacent to each other, nor to
17 prohibit the collection of fares from such students,
18 faculty members, or employees of such institutions,
19 sufficient in amount to cover the reasonable cost of
20 such transportation, or

21 b. the Oklahoma School for the Blind or the Oklahoma
22 School for the Deaf from entering into agreements with
23 local public school districts pursuant to the
24 Interlocal Cooperation Act for the mutual use of the

1 schools' and the districts' vehicles. Such use may
2 include, but is not limited to, the transportation of
3 students from local school districts with students
4 from the Oklahoma School for the Blind or the Oklahoma
5 School for the Deaf in vehicles owned by the Oklahoma
6 School for the Blind or the Oklahoma School for the
7 Deaf when traveling to school-related activities.

8 C. The J.D. McCarty Center for Children with Developmental
9 Disabilities, the Oklahoma Department of Libraries, the Oklahoma
10 Department of Veterans Affairs, and the Oklahoma Veterans Centers
11 may own and maintain such passenger vehicles as those institutions
12 have acquired prior to May 1, 1981.

13 D. The use of station wagons, automobiles, and buses, other
14 than as provided for in this section, shall be permitted only upon
15 written request for such use by heads of departments of the
16 institution, approved in writing by the president of said
17 institution or by some administrative official of said institution
18 authorized by the president to grant said approval. Such use shall
19 be permitted only for official institutional business or activities
20 connected therewith. Such use shall be subject to the provisions of
21 Section 156.1 of this title forbidding personal use of such
22 vehicles, and to the penalties therein declared.

23 E. Any person convicted of violating the provisions of this
24 section shall be guilty of a misdemeanor and shall be punished by

1 fine or imprisonment, or both, as provided for in Section 156.1 of
2 this title.

3 F. For the purpose of this section and Section 156.3 of this
4 title, a station wagon is classified as a passenger automobile and
5 may not be purchased solely for the use of transporting property.
6 Such vehicles shall include, but not be limited to, all vehicles
7 which have no separate luggage compartment or trunk but which do not
8 have open beds, whether the same are called station wagons, vans,
9 suburbans, town and country, blazers, or any other names. All state
10 boards, commissions, departments, and institutions may own and
11 maintain station wagons purchased solely for the purpose of
12 transporting property if acquired prior to July 1, 1985.

13 G. The provisions of this section and Section 156.1 of this
14 title shall not apply to public officials who are statewide elected
15 commissioners.

16 SECTION 3. AMENDATORY 47 O.S. 2021, Section 156.1, is
17 amended to read as follows:

18 Section 156.1 A. It shall be unlawful for any state official,
19 officer or employee, except any essential employees approved by the
20 Governor and those officers or employees authorized in subsection B
21 of this section, to ride to or from the place of residence of the
22 employee in a state-owned or state-leased automobile, truck or
23 pickup, except in the performance of the official duty of the
24 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, Office of the Attorney General, Oklahoma
15 State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma
16 State Bureau of Investigation, Alcoholic Beverage Laws Enforcement
17 Commission, Oklahoma Horse Racing Commission, Oklahoma Department of
18 Agriculture, Food, and Forestry, Office of the Inspector General
19 within the Department of Human Services or Office of the State Fire
20 Marshal, who is a law enforcement officer or criminalist, Public
21 Information officer, Special Investigator or Assistant Director of
22 the Oklahoma State Bureau of Investigation, CLEET-certified
23 Investigator for a state board or any employee of a district
24 attorney who is a law enforcement officer, may be permitted to use a

1 state-owned or state-leased vehicle to provide transportation
2 between the residence of the employee and the assigned place of
3 employment and between the residence and any location other than the
4 assigned place of employment to which the employee travels in the
5 performance of the official duty of the employee.

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

16 4. The Director, department heads and other essential employees
17 of the Department of Wildlife Conservation, as authorized by the
18 Wildlife Conservation Commission, may be permitted to use a state-
19 owned or state-leased vehicle to provide transportation between the
20 residence of the employee and the assigned place of employment and
21 between the residence and any location other than the assigned place
22 of employment to which the employee travels in the performance of
23 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 6. The Attorney General, division heads, emergency responders,
10 agents, assistant attorneys general, and other essential employees
11 of the Office of the Attorney General, as authorized by the Attorney
12 General, may be permitted to use a state-owned or state-leased
13 vehicle to provide transportation between the residence of the
14 employee and the assigned place of employment and between the
15 residence and any location other than the assigned place of
16 employment to which the employee travels in the performance of the
17 official duty of the employee.

18 C. The principal administrator of the state agency with which
19 the employee is employed shall so designate the status of the
20 employee in writing or provide a copy of the temporary authorization
21 to the Governor, the President Pro Tempore of the Senate and the
22 Speaker of the House of Representatives. Such employee status
23 report shall also be provided to the State Fleet Manager of the
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1 Division of Fleet Management if the motor vehicle for emergency use
2 is provided by said Division.
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1 SECTION 4. This act shall become effective November 1, 2023.

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3 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
4 03/01/2023 - DO PASS, As Amended.
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