

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3300

By: Hays

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2021, Section 230.30, which relates to requirement of  
9 insurance and issuance of license; requiring motor  
10 carriers only tow insured trailers; requiring motor  
11 carrier make certain verification of insurance;  
12 requiring documentation be retained for two years;  
13 providing for certain rebuttable presumption of  
14 negligence; providing evidence that may be shown;  
15 listing liabilities for negligence; making exception  
16 for liability if certain demonstration is made;  
17 allowing certain actions; and providing an effective  
18 date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 230.30, is  
amended to read as follows:

Section 230.30. A. No license shall be issued by the  
Commission to any carrier until after the carrier shall have filed  
with the Commission a liability insurance policy or bond covering  
public liability and property damage, issued by some insurance or  
bonding company or insurance carrier authorized pursuant to this  
section and which has complied with all of the requirements of the

1 Commission, which bond or policy shall be approved by the  
2 Commission, and shall be in a sum and amount as fixed by a proper  
3 order of the Commission; and the liability and property damage  
4 insurance policy or bond shall bind the obligor thereunder to make  
5 compensation for injuries to, or death of, persons, and loss or  
6 damage to property, resulting from the operation of any carrier for  
7 which the carrier is legally liable. A copy of the policy or bond  
8 shall be filed with the Commission, and, after judgment against the  
9 carrier for any damage, the injured party may maintain an action  
10 upon the policy or bond to recover the same, and shall be a proper  
11 party to maintain such action.

12 B. Every motor carrier shall file with the Commission a cargo  
13 insurance policy or bond covering any goods or property being  
14 transported, issued by some insurance or bonding company or  
15 insurance carrier authorized as set forth below, and which has  
16 complied with all of the requirements of the Commission, which bond  
17 or policy shall be approved by the Commission, and shall be in a sum  
18 and amount as fixed by a proper order of the Commission. The cargo  
19 insurance must be filed with the Commission prior to a license being  
20 issued by the Commission, unless the motor carrier has been exempted  
21 from this requirement.

22 Intrastate motor carriers of sand, rock, gravel, asphaltic  
23 mixtures or other similar road building materials shall not be  
24 required to file cargo insurance and shall be required to maintain

1 liability insurance limits of Three Hundred Fifty Thousand Dollars  
2 (\$350,000.00) combined single limit.

3 No carrier, whose principal place of business is in Oklahoma,  
4 shall conduct any operations in this state unless the operations are  
5 covered by a valid primary bond or insurance policy issued by a  
6 provider authorized or approved by the State Insurance Commissioner.

7 No carrier shall conduct any operations in this state unless the  
8 operations are covered by a valid bond or insurance policy issued by  
9 a provider authorized and approved by a National Association of  
10 Insurance Commissioners and certified by the State Insurance  
11 Commission.

12 C. Each carrier shall maintain on file, in full force, all  
13 insurance required by the laws of this state and the rules of the  
14 Commission during the operation of the carrier and that the failure  
15 for any cause to maintain the coverage in full force and effect  
16 shall immediately, without any notice from the Commission, suspend  
17 the rights of the carrier to operate until proper insurance is  
18 provided. Any carrier suspended for failure to maintain proper  
19 insurance shall have a reasonable time, not exceeding sixty (60)  
20 days, to have its license reactivated, and to provide proper  
21 insurance upon showing:

22 1. No operation during the period in which it did not have  
23 insurance; and

24 2. Furnishing of proper insurance coverage.

1       D. 1. A motor carrier shall not connect to, haul, tow, or  
2 otherwise place into service any trailer unless such trailer is  
3 insured under an active liability insurance policy meeting the  
4 minimum financial responsibility requirements of state or federal  
5 law. Prior to connecting a power unit to a trailer, the motor  
6 carrier shall verify the existence of such trailer insurance  
7 through:

8           a. a certificate of insurance supplied by the trailer  
9           owner or lessor,

10          b. an electronic insurance verification system or  
11          database, or

12          c. a written or electronic certification from the trailer  
13          owner, lessor, or operator confirming active insurance  
14          coverage.

15       The motor carrier shall maintain documentation of the  
16 verification required by this subsection for not less than two (2)  
17 years and shall make such documentation available to the Corporation  
18 Commission or the Department of Public Safety upon request.

19       2. If a motor carrier connects to, hauls, tows, or otherwise  
20 place into service a trailer that is not insured as required by  
21 paragraph 1 of this subsection and an accident, spill, detachment,  
22 or other incident occurs involving such trailer or its contents,  
23 there shall arise a rebuttable presumption that the motor carrier  
24 was negligent, unless the motor carrier qualifies for the safe

1 harbor provided in paragraph 3 of this subsection. The presumption  
2 of negligence may be rebutted only by clear and convincing evidence  
3 that the motor carrier exercised reasonable care to verify the  
4 existence of valid trailer insurance prior to connection to the  
5 trailer and the absence of insurance did not contribute to the cause  
6 or extent of the damages claimed. If the presumption of negligence  
7 is not rebutted, the motor carrier shall be liable for:

8 a. all cleanup, containment, removal, or environmental  
9 remediation costs,

10 b. property damage caused by the trailer or its contents,

11 c. personal injury or death resulting from the incident,  
12 and

13 d. any administrative penalties imposed by state or  
14 federal agencies.

15 3. A motor carrier shall not be subject to the presumption of  
16 negligence established in paragraph 2 of this subsection if the  
17 motor carrier demonstrates that, prior to connecting to the trailer,  
18 it relied in good faith upon a certificate of insurance, electronic  
19 database entry, or other verification source reasonably believed to  
20 be valid and it retained a copy or record of such verification in  
21 written or electronic form. The provisions of this paragraph shall  
22 apply even if the trailer is later determined to have been uninsured  
23 at the time of the incident, provided the motor carrier had no  
24 actual knowledge of the lack of insurance and did not act with gross

1 negligence. Nothing in this paragraph shall limit or preclude any  
2 civil or administrative action against the trailer owner, lessor, or  
3 insurer.

4 E. Any carrier who fails to reactivate its license within sixty  
5 (60) days after the suspension, as above provided, shall have the  
6 license canceled, by operation of law, without any notice from the  
7 Commission. No license so canceled shall be reinstated or otherwise  
8 made operative except that the Commission may reinstate the license  
9 of a carrier upon proper showing that the carrier was actually  
10 covered by proper insurance during the suspension or cancellation  
11 period, and that failure to file with the Commission was not due to  
12 the negligence of the carrier. Any carrier desiring to file for  
13 reinstatement of its license shall do so within ninety (90) days of  
14 its cancellation by law.

15 ~~E.~~ F. The Commission shall, in its discretion, permit the  
16 filing of certificates of insurance coverage or such form as may be  
17 prescribed by the Commission, in lieu of copies of insurance  
18 policies or bonds, with the proviso that if the certificates are  
19 authorized the insurance company or carrier so filing it, upon  
20 request of the Commission, will, at any time, furnish an  
21 authenticated copy of the policy which the certificate represents,  
22 and further provided that thirty (30) days prior to effective  
23 cancellation or termination of the policy of insurance for any  
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1 cause, the insurer shall so notify the Commission in writing of the  
2 facts or as deemed necessary by the Commission.

3 SECTION 2. This act shall become effective November 1, 2026.  
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