I move to amend HB2253 Of the printed Bill
Page __________ Section __________ Lines ________ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____________________________ Amendment submitted by: Ty Burns

____________________________________

Reading Clerk
STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

PROPOSED COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2253          By: Burns

PROPOSED COMMITTEE SUBSTITUTE

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

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

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

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

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

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

E. Vehicles utilized by CLEET-certified officers or state employees primarily employed in investigative activities may be exempt from the provisions of this section subject to the approval of the State Fleet Manager.
F. Oklahoma Military Department vehicles designated for use by the Adjutant General or Assistant Adjutant General in performance of his or her duties and Oklahoma Military Department vehicles designated for use in the State Transition and Reintegration System (STARS) program for tracking youth, as approved by the Adjutant General, shall not be subject to the provisions of this section.

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

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

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

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

1. The Department of Public Safety;
2. The Department of Human Services;
3. The State Department of Rehabilitation Services;
4. The Department of Wildlife Conservation;
5. The Department of Corrections;
6. The State Department of Education;
7. The Oklahoma School of Science and Mathematics;
8. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;
9. The Oklahoma State Bureau of Investigation;
10. The Transportation Commission;
11. The Oklahoma Department of Agriculture, Food, and Forestry;
12. The State Department of Health;
13. The Department of Mental Health and Substance Abuse Services;
14. The J.D. McCarty Center for Children with Developmental Disabilities;
15. The Military Department of the State of Oklahoma;
16. The Oklahoma Tourism and Recreation Department;
17. The Oklahoma Conservation Commission;
18. The Oklahoma Water Resources Board;
19. The Department of Mines;
20. The Office of Juvenile Affairs;
21. The Oklahoma Department of Veterans Affairs;
22. The Oklahoma Supreme Court;
23. The District Attorneys Council and Oklahoma district attorneys, provided adequate funding exists;
24. The Oklahoma Boll Weevil Eradication Organization; and
25. The Oklahoma Horse Racing Commission; and
B. 1. The Oklahoma School for the Deaf at Sulphur, the
Oklahoma School for the Blind at Muskogee, and any state institution
of higher education may purchase, own, or keep if now owned, or
acquire by lease or gift, and use and maintain such station wagons,
automobiles, trucks, or buses as are reasonably necessary for the
implementation of the educational programs of said institutions.

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

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

   b. the Oklahoma School for the Blind or the Oklahoma
School for the Deaf from entering into agreements with
local public school districts pursuant to the
Interlocal Cooperation Act for the mutual use of the
schools' and the districts' vehicles. Such use may
include, but is not limited to, the transportation of
students from local school districts with students
from the Oklahoma School for the Blind or the Oklahoma
School for the Deaf in vehicles owned by the Oklahoma
School for the Blind or the Oklahoma School for the
Deaf when traveling to school-related activities.

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

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

E. Any person convicted of violating the provisions of this
section shall be guilty of a misdemeanor and shall be punished by
fine or imprisonment, or both, as provided for in Section 156.1 of
this title.
F. For the purpose of this section and Section 156.3 of this title, a station wagon is classified as a passenger automobile and may not be purchased solely for the use of transporting property. Such vehicles shall include, but not be limited to, all vehicles which have no separate luggage compartment or trunk but which do not have open beds, whether the same are called station wagons, vans, suburbs, town and country, blazers, or any other names. All state boards, commissions, departments, and institutions may own and maintain station wagons purchased solely for the purpose of transporting property if acquired prior to July 1, 1985.

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

SECTION 3. AMENDATORY 47 O.S. 2021, 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 state-leased automobile, truck or pickup, except in the performance of the official duty of the employee, or to use or permit the use of any such automobile, truck, ambulance or pickup for other personal or private purposes. Any person convicted of violating the provisions of this section shall
be guilty of a misdemeanor and shall be punished by a fine of not
more than One Hundred Dollars ($100.00) or by imprisonment in the
county jail for a period to not exceed thirty (30) days, or by both
said fine and imprisonment, and in addition thereto, shall be
discharged from state employment.

B. 1. Any state employee, other than the individuals provided
for in paragraph 2 of this subsection and any employee of the
Department of Public Safety who is an employee in the Driver License
Examining Division or the Driver Compliance Division or a wrecker
inspector or auditor of the Wrecker Services Division as provided
for in paragraph 3 of this subsection, who receives emergency
telephone calls regularly at the residence of the employee when the
employee is not on duty and is regularly called upon to use a
vehicle after normal work hours in response to such emergency calls,
may be permitted to use a vehicle belonging to the state to provide
transportation between the residence of the employee and the
assigned place of employment, provided such distance does not exceed
seventy-five (75) miles in any round trip or is within the county
where the assigned place of employment is located. Provided
further, an employee may be permitted to use a state-owned or state-
leased vehicle to provide temporary transportation between a
specific work location other than the assigned place of employment
and the residence of the employee, if such use shall result in a
monetary saving to the agency, and such authorization shall not be
subject to the distance or area restrictions provided for in this paragraph. Authorization for temporary use of a state-owned or state-leased vehicle for a specific project shall be in writing stating the justification for this use and the saving expected to result. Such authorization shall be valid for not to exceed sixty (60) days. Any state entity other than law enforcement that avails itself of this provision shall keep a monthly record of all participating employees, the number of emergency calls received and the number of times that a state vehicle was used in the performance of such emergency calls.

2. Any employee of the Department of Public Safety, Oklahoma Department of Corrections, Office of the Attorney General, Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma State Bureau of Investigation, Alcoholic Beverage Laws Enforcement Commission, Oklahoma Horse Racing Commission, Oklahoma Department of Agriculture, Food, and Forestry, Office of the Inspector General within the Department of Human Services or Office of the State Fire Marshal, who is a law enforcement officer or criminalist, Public Information officer, Special Investigator or Assistant Director of the Oklahoma State Bureau of Investigation, CLEET-certified Investigator for a state board or any employee of a district attorney who is a law enforcement officer, may be permitted to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of
employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

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

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

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

6. The Attorney General, division heads, emergency responders, agents, assistant attorneys general, and other essential employees of the Office of the Attorney General, as authorized by the Attorney General, may be permitted to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

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

59-1-7287   JBH   02/07/23