

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1571

By: Allen of the Senate

and

6 Cockroft of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; creating the port-
11 of-entry officer division within the Oklahoma
12 Corporation Commission; providing certain authority
13 and duties; requiring certain training; providing
14 uniform requirements; specifying apportionment of
15 certain funds; authorizing certain purchase
16 authority; authorizing the promulgation of rules;
17 providing for codification; providing an effective
18 date; and declaring an emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1204 of Title 47, unless there
22 is created a duplication in numbering, reads as follows:

23 A. There is hereby created within the Corporation Commission
24 the Port-of-Entry Officer Division which shall consist of such
employees the Commission deems necessary to carry out the provisions
of this act.

1 B. The officers of the division shall be stationed at various
2 point along the U.S. highway system within the state and at all
3 port-of-entry weigh stations as defined by Section 1201 of this
4 title and have the following authority, responsibilities, powers and
5 duties:

6 1. To enforce the provisions of this title, US 49 CFR, and any
7 other law regulating the operation of commercial motor vehicles or
8 the use of the highways, including, but not limited to, the Motor
9 Carriers Act of this state, and the Weigh Station Act of this state;

10 2. To arrest without writ, rule, order or process any person
11 detected by them in the act of violating any law of this state;

12 3. To enforce and prevent the violation of the laws relating to
13 the size, weight of commercial motor vehicles and all laws designed
14 for the protection of the highway pavements and structures on such
15 highways;

16 4. To assist at the request of another state agency to direct
17 all traffic in conformance with law and, in the event of an
18 emergency, or to expedite traffic, or to insure safety, to direct
19 traffic as conditions may require, notwithstanding the provisions of
20 law;

21 5. To serve all warrants relating to the enforcement of the
22 laws regulating the operation of vehicles or the use of the highways
23 and bench warrants issued for nonpayment of fines and costs for
24 moving traffic violations;

1 C. All port-of-entry officers shall be certified with the
2 Council on Law Enforcement Education and Training.

3 D. The Department of Public Safety shall provide the training
4 for all port-of-entry officers for the enforcement of size, weights
5 and inspections related to the provisions of this act. All port-of-
6 entry officers shall receive the same training as a Highway Patrol
7 officer in the enforcement of size, weights and inspections.

8 E. The Department of Public Safety shall offer a forty-hour
9 continuing education course on criminal law and alcohol and drug
10 detection to all port-of-entry officers annually.

11 F. All port-of-entry officers shall at all times while on duty
12 be required to be dressed in a distinctive uniform and display a
13 badge of office, both of which shall be completely different and
14 distinguishable from those of the Oklahoma Highway Patrol and other
15 transportation officer within the Corporation Commission. All such
16 badges shall be furnished by the Commission and each badge shall
17 display a distinctive serial number. The type and detail of the
18 uniforms shall be designated by the Commission and the Commission
19 shall furnish the uniforms and replace them when necessary.

20 G. Any citations issued by officers pursuant to US 49 CFR and
21 this act shall be apportioned to the following:

22 1. Seventy-five percent (75%) shall be apportioned to the
23 Department of Public Safety Revolving Fund;
24

1 2. Twenty percent (20%) shall be apportioned to the Corporation
2 Commission Revolving Fund for uniforms, training and equipment
3 related to this act; and

4 3. Five percent (5%) shall be apportioned to the various
5 counties in equal amounts and deposited into the county highway fund
6 of the respective counties.

7 H. The Corporation Commission is authorized to purchase and
8 maintain necessary equipment and supplies and shall provide proper
9 training necessary for the enforcement of the provisions of this
10 section. The commission is also authorized to promulgate rules to
11 carry out the provisions of this act.

12 SECTION 2. This act shall become effective July 1, 2014.

13 SECTION 3. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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