An Act

ENROLLED HOUSE
BILL NO. 2186

By: Joyner and Hoskin of the House

and

Stanislawski of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1167, as amended by Section 204, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2012, Section 1167), which relates to the Trucking One-Stop Shop Act; modifying apportionment of fees for certain fiscal year; and directing specified amount of fee be remitted to the Department of Public Safety for certain purpose.

SUBJECT: Trucking One-Stop Shop Act

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1167, as amended by Section 204, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2012, Section 1167), is amended to read as follows:

Section 1167. A. The Corporation Commission is hereby authorized to promulgate rules pursuant to the Administrative Procedures Act to establish the amounts of fees, fines and penalties as set forth in this act. The Corporation Commission shall notify all interested parties of any proposed rules to be promulgated as provided herein and shall provide such parties an opportunity to be heard prior to promulgation.

B. The Corporation Commission shall adjudicate enforcement actions initiated by Corporation Commission personnel.

C. Revenue derived from all fines and penalties collected or received by the Corporation Commission pursuant to the provisions of this act shall be apportioned as follows:

1. ~~The~~ For the period beginning with the effective date of this act, the first ~~Eight Hundred Fifty Thousand Dollars ($850,000.00)~~ Three Hundred Thousand Dollars ($300,000.00) collected or received each fiscal year shall be remitted to the Department of Public Safety for the purpose of staffing the port of entry weigh stations to conduct safety inspections. The next Five Hundred Fifty Thousand Dollars ($550,000.00) shall be remitted to the Oklahoma Tax Commission and apportioned as provided in Section 1104 of this title;

2. One-half (1/2) of the remaining amount shall be deposited to the Trucking One-Stop Shop Fund created in subsection D of this section; and

3. One-half (1/2) of the remaining amount shall be deposited to the Weigh Station Improvement Revolving Fund created in subsection E of this section.

D. There is hereby created in the State Treasury a revolving fund for the Corporation Commission to be known and designated as the "Trucking One-Stop Shop Fund". The Trucking One-Stop Shop Fund shall consist of:

1. All funds apportioned thereto in subsection C of this section;

2. Fees collected by the Commission to be retained as a motor license agent or other Corporation Commission registration or motor fuel fees as allowed by statute or rule; and

3. Any other monies to be utilized for the Trucking One-Stop Shop Act.

The fund shall be a continuing fund, not subject to fiscal year limitations, and shall not be subject to legislative appropriation. Monies in the Trucking One-Stop Shop Fund shall only be expended for direct expenses relating to the Trucking One-Stop Shop Act. Expenditures from the revolving fund shall be made pursuant to the laws of this state. In addition, expenditures from the revolving fund may be made pursuant to The Oklahoma Central Purchasing Act for the purpose of immediately responding to emergency situations,

within the Commission's jurisdiction, having potentially critical environmental or public safety impact. Warrants for expenditures from the fund shall be drawn by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

E. There is hereby created in the State Treasury a revolving fund for the Department of Transportation to be designated the "Weigh Station Improvement Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of constructing, equipping and maintaining facilities to determine the weight of vehicles traveling on the roads and highways of this state. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

Passed the House of Representatives the 21st day of May, 2013.

Presiding Officer of the House
of Representatives

Passed the Senate the 22nd day of May, 2013.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 22nd

day of May, 20 13, at 5:32 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 24th

day of May, 20 13, at 1:21 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 24th

day of May, 20 13, at 1:55 o'clock P. M.

By: Chris Morris