

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 67

By: Howard

AS INTRODUCED

An Act relating to the Office of Management and Enterprise Services; amending 74 O.S. 2021, Section 78, which relates to fleet management; requiring all state agencies to submit certain fleet data; amending 74 O.S. 2021, Section 78d, which relates to certain reports to the Governor; expanding recipients of certain reports; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 78, is amended to read as follows:

Section 78. A. There is hereby created and established within the Office of Management and Enterprise Services, the Fleet Management Division. The Division shall provide oversight of and advice to state agencies that own, operate and utilize motor vehicles. ~~7~~ except for the All agencies shall be subject to Fleet Management Division reporting requirements. The following agencies are exempt from Fleet Management Division oversight and advice, but are still subject to required reporting from Fleet Management Division to provide full transparency of the statewide fleet:

Department of Public Safety, the Department of Transportation, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the

1 Military Department of the State of Oklahoma, the Oklahoma State
2 Bureau of Investigation, the Commissioners of the Land Office and
3 The Oklahoma State System of Higher Education.

4 B. The Director of the Office of Management and Enterprise
5 Services shall:

6 1. Appoint and fix duties and compensation for a Fleet Manager
7 who shall serve as the administrative head of the division;

8 2. Hire personnel as necessary to provide fleet services;

9 3. Acquire facilities to maintain vehicles;

10 4. Promulgate rules for efficient and economical operations to
11 provide fleet services; and

12 5. Report to the Governor, Speaker of the House of
13 Representatives, and President Pro Tempore of the Senate those
14 agencies that fail to comply with the provisions of law and the
15 rules of the Fleet Management Division regarding submission of
16 reports, vehicle use, and vehicle maintenance.

17 C. The rules shall include provisions to:

18 1. Establish uniform written vehicle acquisition, leasing,
19 maintenance, repairs, and disposal standards for use by all state
20 agencies to justify actual need for vehicles;

21 2. Establish standards for routine vehicle inspection and
22 maintenance;

23 3. Provide standards and forms for recordkeeping of fleet
24 operation, maintenance, and repair costs for mandatory use by all

1 state agencies to report the data to the Fleet Management Division
2 on a monthly basis;

3 4. Provide standards and utilize methods for disposal of
4 vehicles pursuant to the Oklahoma Surplus Property Act and any other
5 applicable state laws;

6 5. Establish mandatory maintenance contracts throughout the
7 state for all agencies to access for vehicle repairs and service at
8 discounted rates and parts;

9 6. Require all agencies with in-house repair and service
10 facilities to assign a value to the preventive maintenance services,
11 track those services with a dollar value, and report costs to the
12 Fleet Manager for the prior month no later than the twentieth day
13 following the close of each month;

14 7. Promulgate rules requiring all state-owned motor vehicles to
15 be marked in a uniform, highly visible manner, except for certain
16 vehicles driven by law enforcement agencies or other agencies
17 requiring confidentiality;

18 8. Require agencies to produce and maintain written
19 justification for any vehicle that travels fewer than twelve
20 thousand (12,000) miles annually and report to the Fleet Manager
21 such information by October 1 of each year; and

22 9. Address any other matter or practice which relates to the
23 responsibilities of the Director of the Office of Management and
24 Enterprise Services.

1 D. The Fleet Manager shall:

2 1. Develop specifications for contracts for vehicle maintenance
3 for state vehicles not serviced or maintained by state agencies;

4 2. Conduct on-site inspections to verify state agency or
5 supplier compliance with Division standards for inspections,
6 maintenance and recordkeeping;

7 3. Assess state agency needs for vehicles and types of
8 vehicles;

9 4. Assign, transfer or lease vehicles to a state agency to meet
10 the needs of the state agency;

11 5. Unless otherwise provided by law, determine whether a state
12 agency may use or operate a vehicle without state identifying
13 markings, bearing a license plate used by a privately owned vehicle
14 to perform the duties of the state agency without hindrance;

15 6. Report to the Director of the Office of Management and
16 Enterprise Services occurrences of agencies failing to comply with
17 the provisions of law and the rules of the Fleet Management Division
18 regarding submission of reports, vehicle use, and vehicle
19 maintenance;

20 7. Offer guidelines to agencies to assist in determining the
21 most cost-effective and reasonable modes of travel for single trips
22 from the following options: state vehicle, private rental, or
23 mileage reimbursement; and
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1 8. Provide, upon the request of the Governor, the President Pro
2 Tempore of the Senate or the Speaker of the House of
3 Representatives, reports from data the Fleet Manager collects.

4 E. The Director of the Office of Management and Enterprise
5 Services may enter into agreements with any political subdivision of
6 this state for the purpose of providing fleet services established
7 by the Fleet Management Division pursuant to this section and rules
8 promulgated pursuant to this section.

9 F. The Director of the Office of Management and Enterprise
10 Services, through the Fleet Management Division, may enter into
11 partnership agreements with political subdivisions and private
12 entities for the purposes of applying for, participating in, and
13 administering federal grant funds. The partnership agreements and
14 activities authorized in this subsection are hereby declared to be a
15 public purpose.

16 G. The Office may offer public access to alternative fueling
17 infrastructure owned and operated by the Office in areas of the
18 state in which access to an alternative fueling infrastructure is
19 not readily available to the public. The Office shall cease
20 allowing public access to an alternative fueling infrastructure
21 operated by the Office if a privately owned alternative fueling
22 infrastructure locates within a five-mile radius of the
23 infrastructure operated by the Department.

24 H. When used in relation to the Fleet Management Division:
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1 1. "Alternative fueling infrastructure" shall mean a fill
2 station or charge station used to deliver or provide alternative
3 fuels as defined in Section 130.2 of this title; and

4 2. "Alternative fuel vehicle" shall mean a motor vehicle
5 originally designed by the manufacturer to operate lawfully and
6 principally on streets and highways which is propelled by an
7 alternative fuel as defined in Section 130.2 of this title.

8 SECTION 2. AMENDATORY 74 O.S. 2021, Section 78d, is
9 amended to read as follows:

10 Section 78d. The Fleet Management Division shall furnish to the
11 Governor, President Pro Tempore of the Senate, and the Speaker of
12 the House of Representatives, at the close of each fiscal year a
13 statement showing the financial condition of the Division, an
14 inventory of all motor vehicles ~~under its control~~ regardless of
15 exemption or oversight status, and such other information regarding
16 the state motor vehicle transportation system as is necessary for a
17 proper understanding of the operation of such system and of the
18 financial condition of the motor pool operations.

19 SECTION 3. This act shall become effective November 1, 2023.
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