

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1934

By: Sterling

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; creating the Jamie  
8 Lea Pearl Act; requiring medical needs motor carriers  
9 to have certain tax exempt status; requiring  
10 transport of certain passengers at certain cost;  
11 allowing the use of certain vehicles and drivers;  
12 providing nondiscrimination policy; setting minimum  
13 insurance requirements; stating certain insurance  
14 policy not required; requiring certain vehicle  
15 inspections; limiting working hours; requiring drug  
16 testing and certain background and motor vehicle  
17 record checks; requiring retention of certain records  
18 and files; authorizing transportation of persons for  
19 non-medical needs; authorizing the promulgation of  
20 certain emergency and permanent rules; amending 47  
21 O.S. 2021, Section 230.23, which relates to  
22 definitions; defining term; amending 47 O.S. 2021,  
23 Section 230.29, which relates to operation of  
24 vehicles not owned by a motor carrier; modifying  
definitions; providing for noncodification; providing  
for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be  
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Jamie Lea Pearl  
Act".

1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 230.33a of Title 47, unless  
3 there is created a duplication in numbering, reads as follows:

4 A. A medical needs motor carrier shall:

5 1. Be formed under 26 U.S.C., Section 501 (c) (3);

6 2. Be engaged in the transportation of passengers and their  
7 baggage at little or no cost for medical needs, including, but not  
8 limited to, dialysis, cancer treatments, prosthetics, pain  
9 management, and physical rehabilitation;

10 3. The medical needs motor carrier engaged in the  
11 transportation of passengers and their baggage may be accomplished  
12 by use of vehicles owned or leased by the company or vehicles owned  
13 or leased by drivers of the company.

14 4. Not deny transportation for medical needs based on  
15 ethnicity, age, sex, or disability;

16 5. Require every driver and vehicle used in its medical needs  
17 motor carrier operations to carry a primary liability insurance in  
18 the amount of at least One Hundred Thousand Dollars (\$100,000.00)  
19 for death and bodily injury per person, Three Hundred Thousand  
20 Dollars (\$300,000.00) for death and bodily injury per incident, and  
21 One Hundred Thousand Dollars (\$100,000.00) for property damage, but  
22 shall not be required to carry a general liability policy;

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1       6. Have all drivers' vehicles inspected on a quarterly basis to  
2 confirm that all vehicles meet all state and federal guidelines for  
3 safety;

4       7. Not allow its drivers to operate a motor vehicle more than  
5 ten (10) hours in each 24-hour period; and

6       8. Retain in their files records showing that all drivers have  
7 five-year clean motor vehicle records, federal and state background  
8 checks, ten (10) panel drug testing results, and fingerprint cards.  
9 Records must be retained by the company for a period of at least two  
10 (2) years after the driver is no longer driving for the company.

11       B. A medical needs motor carrier may engage in the  
12 transportation of passengers and their baggage, by use of vehicles  
13 as described in paragraph 3 of subsection A of this section, for  
14 hire as necessary for the company to generate sufficient revenue to  
15 cover their cost of operations, including, but not limited to, fuel,  
16 insurance, uniforms, a reasonable compensation for the owners of the  
17 company, drug testing, fingerprinting, tag or badges, vehicle  
18 inspection, vehicle maintenance, and repair.

19       C. Within sixty (60) days of the passage and approval of this  
20 act, the Oklahoma Corporation Commission shall promulgate emergency  
21 rules and regulations necessary to carry out the provisions of this  
22 bill, and thereafter promulgate permanent rules as necessary.

23       SECTION 3.        AMENDATORY        47 O.S. 2021, Section 230.23, is  
24 amended to read as follows:

1 Section 230.23. As used in the Motor Carrier Act of 1995:

2 1. "Person" means any individual, firm, copartnership, limited  
3 partnership, corporation, limited liability corporation, company,  
4 association, or joint-stock association and includes any trustee,  
5 receiver, assignee, or personal representative thereof;

6 2. "Commission" means the Oklahoma Corporation Commission;

7 3. "License" means the license issued under authority of the  
8 laws of the State of Oklahoma to motor carriers and private  
9 carriers;

10 4. "Interstate Registration Certificate" (IRC) means a document  
11 issued by the Commission granting permission to operate upon the  
12 highways of the State of Oklahoma in interstate commerce exempt from  
13 federal motor carrier regulation;

14 5. "Motor vehicle" means any automobile, truck, truck-tractor,  
15 trailer or semitrailer or any motor bus or any self-propelled  
16 vehicle not operated or driven upon fixed rails or tracks;

17 6. "Motor carrier of persons or property" means any person,  
18 except a carrier of household goods or used emigrant movables,  
19 operating upon any public highway for the transportation of  
20 passengers or property for compensation or for hire or for  
21 commercial purposes, and not operating exclusively within the limits  
22 of an incorporated city or town within this state. Provided, the  
23 provisions of the Motor Carrier Act of 1995 shall not apply to the  
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1 following vehicles and equipment when such vehicles and equipment  
2 are being used for the following:

- 3 a. taxicabs and bus companies engaged in the  
4 transportation of passengers and their baggage, not  
5 operated between two or more cities and towns, when  
6 duly licensed by a municipal corporation in which they  
7 might be doing business,
- 8 b. any person or governmental authority furnishing  
9 transportation for school children to and from public  
10 schools or to and from public-school-related  
11 extracurricular activities under contract with, and  
12 sponsored by, a public school board; provided, that  
13 motor vehicles and equipment operated for the purposes  
14 shall qualify in all respects for the transportation  
15 of school children under the Oklahoma School Code and  
16 the rules of the State Board of Education adopted  
17 pursuant thereto.
- 18 c. transport trucks transporting liquefied petroleum  
19 gases intrastate which are owned or operated by a  
20 person subject to and licensed by the Oklahoma  
21 Liquefied Petroleum Gas Regulation Act, and
- 22 d. transportation of livestock and farm products in the  
23 raw state, when any of such commodities move from farm  
24 to market or from market to farm on a vehicle or on

1 vehicles owned and operated by a bona fide farmer not  
2 engaged in motor vehicle transportation on a  
3 commercial scale;

4 7. "Corporate family" means a group of corporations consisting  
5 of a parent corporation and all subsidiaries in which the parent  
6 corporation owns directly or indirectly one hundred percent (100%)  
7 interest;

8 8. "Intercorporate hauling" means the transportation of  
9 property, by motor vehicle, for compensation, by a carrier which is  
10 a member of a corporate family, as defined in the Motor Carrier Act  
11 of 1995, when the transportation for compensation is provided for  
12 other members of the corporate family;

13 9. "Private carrier" means any person engaged in transportation  
14 upon public highways, of persons or property, or both, but not as a  
15 motor carrier, and includes any person who transports property by  
16 motor vehicle where such transportation is incidental to or in  
17 furtherance of any commercial enterprise of such person, other than  
18 transportation;

19 10. "Market" means the point at which livestock and farm  
20 products in the raw state were first delivered by the producer of  
21 the livestock and farm products in the raw state, upon the sale  
22 thereof;

23 11. "Public highway" means every public street, road or  
24 highway, or thoroughfare in this state, used by the public, whether

1 actually dedicated to the public and accepted by the proper  
2 authorities or otherwise; ~~and~~

3 12. "Commercial enterprise" means all undertakings entered into  
4 for private gain or compensation, including all industrial pursuits,  
5 whether the undertakings involve the handling of or dealing in  
6 commodities for sale or otherwise; and

7 13. "Medical needs motor carrier of persons or property" means  
8 a company formed under 26 U.S.C., Section 501 (c) (3), engaged in the  
9 transportation of passengers and their baggage at little or no cost  
10 throughout the state of Oklahoma for medical needs, including, but  
11 not limited to, dialysis, cancer treatments, prosthetics, pain  
12 management, and physical rehabilitation.

13 SECTION 4. AMENDATORY 47 O.S. 2021, Section 230.29, is  
14 amended to read as follows:

15 Section 230.29. A. As used in this section:

16 1. "Authorized carrier" means a person or persons authorized to  
17 engage in the transportation of passengers or property as a licensed  
18 motor carrier;

19 2. "Equipment" means a motor vehicle, straight truck, tractor,  
20 semitrailer, full trailer, any combination of these and any other  
21 type of equipment used by authorized carriers in the transportation  
22 of passengers or property for hire or property for hire by a medical  
23 needs motor carrier;

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1       3. "Owner" means a person to whom title to equipment has been  
2 issued, or who, without title, has the right to exclusive use of  
3 equipment for a period longer than thirty (30) days;

4       4. "Lease" means a contract or arrangement in which the owner  
5 grants the use of equipment, with or without driver, for a specified  
6 period to an authorized carrier for use in the regulated  
7 transportation of passengers or property, in exchange for  
8 compensation;

9       5. "Lessor", in a lease, means the party granting the use of  
10 equipment, with or without driver, to another;

11       6. "Lessee", in a lease, means the party acquiring the use of  
12 equipment, with or without driver, from another;

13       7. "Addendum" means a supplement to an existing lease which is  
14 not effective until signed by the lessor and lessee; and

15       8. "Shipper" means a person who sends or receives passengers or  
16 property which is transported in intrastate commerce in this state.

17       B. An authorized carrier may perform authorized transportation  
18 in equipment it does not own only under the following conditions:

19       1. There shall be a written lease granting the use of the  
20 equipment and meeting the requirements as set forth in subsection C  
21 of this section;

22       2. The authorized carrier acquiring the use of equipment under  
23 this section shall identify the equipment in accordance with the  
24 requirements of the Commission; and



1           3. Upon termination of the lease, the authorized carrier shall  
2 remove all identification showing it as the operating carrier before  
3 giving up possession of the equipment.

4           C. The written lease required pursuant to subsection B of this  
5 section shall contain the following provisions. The required lease  
6 provisions shall be adhered to and performed by the authorized  
7 carrier as follows:

8           1. The lease shall be made between the authorized carrier and  
9 the owner of the equipment. The lease shall be signed by these  
10 parties or by their authorized representatives;

11           2. The lease shall specify the time and date or the  
12 circumstances on which the lease begins and ends and include a  
13 description of the equipment which shall be identified by vehicle  
14 serial number, make, year model and current license plate number;

15           3. The period for which the lease applies shall be for thirty  
16 (30) days or more when the equipment is to be operated for the  
17 authorized carrier by the owner or an employee of the owner;

18           4. The lease shall provide that the authorized carrier lessee  
19 shall have exclusive possession, control and use of the equipment  
20 for the duration of the lease. The lease shall further provide that  
21 the authorized carrier lessee shall assume complete responsibility  
22 for the operation of the equipment for the duration of the lease;

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1           5. The amount to be paid by the authorized carrier for  
2 equipment and driver's services shall be clearly stated on the face  
3 of the lease or in an addendum which is attached to the lease;

4           6. The lease shall clearly specify the responsibility of each  
5 party with respect to the cost of fuel, fuel taxes, empty mileage,  
6 permits of all types, tolls, detention and accessorial services,  
7 base plates and licenses, and any unused portions of such items.  
8 Except when the violation results from the acts or omissions of the  
9 lessor, the authorized carrier lessee shall assume the risks and  
10 costs of fines for overweight and oversize trailers when the  
11 trailers are preloaded, sealed, or the load is containerized, or  
12 when the trailer or lading is otherwise outside of the lessor's  
13 control, and for improperly permitted overdimension and overweight  
14 loads and shall reimburse the lessor for any fines paid by the  
15 lessor. If the authorized carrier is authorized to receive a refund  
16 or a credit for base plates purchased by the lessor from, and issued  
17 in the name of, the authorized carrier, or if the base plates are  
18 authorized to be sold by the authorized carrier to another lessor  
19 the authorized carrier shall refund to the initial lessor on whose  
20 behalf the base plate was first obtained a prorated share of the  
21 amount received;

22           7. The lease shall specify that payment to the lessor shall be  
23 made by the authorized carrier within fifteen (15) days after  
24 submission of the necessary delivery documents and other paperwork

1 concerning a trip in the service of the authorized carrier. The  
2 paperwork required before the lessor can receive payment is limited  
3 to those documents necessary for the authorized carrier to secure  
4 payment from the shipper. The authorized carrier may require the  
5 submission of additional documents by the lessor but not as a  
6 prerequisite to payment;

7 8. The lease shall clearly specify the right of the lessor,  
8 regardless of method of compensation, to examine copies of the  
9 documentation of the carrier upon which charges are assessed;

10 9. The lease shall clearly specify all items that may be  
11 initially paid for by the authorized carrier, but ultimately  
12 deducted from the compensation of the lessor at the time of payment  
13 or settlement together with a recitation as to how the amount of  
14 each item is to be computed. The lessor shall be afforded copies of  
15 those documents which are necessary to determine the validity of the  
16 charge;

17 10. The lease shall specify that the lessor is not required to  
18 purchase or rent any products, equipment, or services from the  
19 authorized carrier as a condition of entering into the lease  
20 arrangement;

21 11. As it relates to insurance:

22 a. the lease shall clearly specify the legal obligation  
23 of the authorized carrier to maintain insurance  
24 coverage for the protection of the public, and

1           b.    the lease shall clearly specify the conditions under  
2                    which deductions for cargo or property damage may be  
3                    made from the lessor's settlements.  The lease shall  
4                    further specify that the authorized carrier must  
5                    provide the lessor with a written explanation and  
6                    itemization of any deductions for cargo or property  
7                    damage made from any compensation of money owed to the  
8                    lessor.  The written explanation and itemization must  
9                    be delivered to the lessor before any deductions are  
10                  made; and

11           12.  An original and two copies of each lease shall be signed by  
12           the parties.  The authorized carrier shall keep the original and  
13           shall place a copy of the lease in the equipment during the period  
14           of the lease.  The owner of the equipment shall keep the other copy  
15           of the lease.

16           D.  The provisions of this section shall apply to the leasing of  
17           equipment with which to perform transportation regulated by the  
18           Corporation Commission by motor carriers holding a license from the  
19           Commission to transport passengers or property.

20           SECTION 5.  It being immediately necessary for the preservation  
21           of the public peace, health or safety, an emergency is hereby  
22           declared to exist, by reason whereof this act shall take effect  
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1 and be in full force from and after its passage and approval.

2 SECTION 6. This act shall become effective November 1, 2025.

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