

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2608

By: Echols

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5
6 AS INTRODUCED

7 An Act relating to disabilities; amending 47 O.S.
8 2011, Section 1112, as amended by Section 1, Chapter
9 208, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1112),
10 which relates to vehicle registration; permitting the
11 inclusion of information relating to disabilities in
12 the vehicle registration system; requiring the
13 sharing of information relating to disability with
14 law enforcement; amending 70 O.S. 2011, Section
15 3311.5, as last amended by Section 1, Chapter 162,
16 O.S.L. 2017 (70 O.S. Supp. 2018, Section 3311.5),
17 which relates to law enforcement certification;
18 modifying certification requirements; and providing
19 an effective date.

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

21 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1112, as
22 amended by Section 1, Chapter 208, O.S.L. 2018 (47 O.S. Supp. 2018,
23 Section 1112), is amended to read as follows:

24 Section 1112. A. Every owner of a vehicle possessing a
certificate of title shall, before using the same in this state,
make an application for the registration of such vehicle with a
motor license agent. The application shall contain such information
as shall be required by the Oklahoma Tax Commission. Every owner,

1 when making application for registration, shall furnish the
2 following information:

3 1. A full description of the vehicle including the make, model,
4 color, manufacturer's serial or other identification number, any
5 security interest upon the vehicle, an odometer reading of the
6 vehicle when applicable, and the insurance security verification to
7 the vehicle;

8 2. The correct name and address, the name of the city, county
9 and state in which the person in whose name the vehicle is to be
10 registered resides, the driver license number of the owner if the
11 owner has a driver license or the Federal Employers Identification
12 Number of the owner if such owner is not an individual, and such
13 other information as may be prescribed by the Commission; and

14 3. a. The name of the carrier of the owner's insurance
15 policy for such vehicle,

16 b. The policy number of the owner's policy for such
17 vehicle, if available, or the name of the agent or
18 office where the existence of security may be
19 verified, if other than the carrier,

20 c. The effective dates of the owner's policy for such
21 vehicle, and

22 d. A statement of the existence of a nonuse affidavit if
23 filed by the vehicle owner pursuant to the provisions
24 of Section 7-607 of this title.

1 B. By January 1, 2021, any owner or lessee of a noncommercial
2 vehicle possessing a certificate of title may, at the time of
3 initial application for registration or application for renewal,
4 inform the Tax Commission that the owner, lessee or someone who may
5 be operating the vehicle has a disability that may make
6 communication difficult and for which additional assistance may be
7 necessary. That information, if provided, shall be available to law
8 enforcement through the Tax Commission's vehicle registration system
9 to assist law enforcement in identifying the operator of the vehicle
10 as possibly being in need of additional assistance related to his or
11 her disabilities. Law enforcement shall be certified on the
12 provision of additional assistance to persons with disabilities.

13 C. In every case where a vehicle has been registered upon an
14 application containing any false statement of a fact required in
15 this section to be shown in an application for the registration
16 thereof, the Commission shall give written notice of at least five
17 (5) days to the owner of the vehicle, and shall require the owner to
18 appear before it for the purpose of showing cause why the
19 registration should not be canceled. Unless satisfactory
20 explanation is given by the owner concerning such false statement,
21 the Commission shall cancel the registration. The owner of the
22 vehicle shall then be required to immediately reregister the vehicle
23 and pay the required fees. The owner shall not be entitled to
24 refund or credit for the fees paid for registration of the motor

1 vehicle made under the application which contained any false
2 statement of fact.

3 D. The Commission shall insert in the application forms
4 appropriate notice to the applicant that any false statement of a
5 fact required to be shown in such application for registration
6 subjects the applicant to prosecution.

7 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3311.5, as
8 last amended by Section 1, Chapter 162, O.S.L. 2017 (70 O.S. Supp.
9 2018, Section 3311.5), is amended to read as follows:

10 Section 3311.5 A. On and after November 1, 2007, the Council
11 on Law Enforcement Education and Training (CLEET), pursuant to its
12 authority granted by Section 3311 of this title, shall include in
13 its required basic training courses for law enforcement
14 certification a minimum of four (4) hours of education and training
15 relating to recognizing and managing a person appearing to require
16 mental health treatment or services. The Council shall further
17 offer a minimum of four (4) hours of education and training on
18 specific mental health issues pursuant to Section 3311.4 of this
19 title to meet the annual requirement for continuing education in the
20 areas of mental health issues.

21 B. By January 1, 2008, CLEET, pursuant to its authority granted
22 by Sections 3311 and 3311.4 of this title, shall include in its
23 required courses of study for law enforcement certification a
24 minimum of six (6) hours of evidence-based sexual assault and sexual

1 violence training. A portion of the sexual assault and sexual
2 violence training shall include instruction presented by a certified
3 sexual assault service provider.

4 C. By January 1, 2012, every active full-time peace officer,
5 previously certified by CLEET pursuant to Section 3311 of this
6 title, shall be required to attend and complete the evidence-based
7 sexual assault and sexual violence training provided in subsection B
8 of this section.

9 D. CLEET shall promulgate rules to enforce the provisions of
10 subsections B and C of this section and shall, with the assistance
11 of certified sexual assault service providers, establish a
12 comprehensive integrated curriculum for the teaching of evidence-
13 based sexual assault and sexual violence issues.

14 E. The Council is required to update that block of training or
15 course materials relating to legal issues, concepts, and state laws
16 annually, but not later than ninety (90) days following the
17 adjournment of any legislative session.

18 F. By January 1, 2009, CLEET, pursuant to its authority granted
19 by Sections 3311 and 3311.4 of this title, shall include in its
20 required courses of study for law enforcement certification a
21 minimum of four (4) hours of oil field equipment theft training.

22 G. By January 1, 2012, CLEET, pursuant to its authority granted
23 by Sections 3311 and 3311.4 of this title, shall establish and
24 include in its required courses of study for law enforcement

1 certification a minimum of eight (8) hours of evidence-based
2 domestic violence and stalking investigation training. The training
3 should include, at a minimum, the importance of reporting domestic
4 violence incidents, determining the predominant aggressor, evidence-
5 based investigation of domestic violence and stalking, lethality
6 assessment, and personal safety planning necessary at the pretrial
7 stages of a potential criminal case. A portion of the training
8 shall include instruction presented by an expert victim advocate
9 selected from recommendations provided by the Office of the Attorney
10 General or the Domestic Violence Fatality Review Board. The
11 training shall be developed in collaboration with the Domestic
12 Violence Fatality Review Board, and where applicable, shall replace
13 existing domestic violence and stalking courses currently required.

14 H. By January 1, 2012, the evidence-based domestic violence and
15 stalking investigation curriculum developed in collaboration with
16 the Domestic Violence Fatality Review Board shall be submitted to
17 the Council for approval.

18 I. CLEET shall establish the training provided in subsection G
19 of this section as a part of CLEET's peace officer continuing
20 education program and develop a plan to train full-time peace
21 officers previously certified by CLEET pursuant to Section 3311 of
22 this title where applicable. The Office of the Attorney General
23 shall provide a list of expert victim advocates that are available
24 to assist in the training.

1 J. The Council is authorized to pay for and send training staff
2 and employees to one or more training and education courses in
3 jurisdictions outside this state for the purpose of expanding
4 curriculum, training skill development, and general knowledge within
5 the field of law enforcement education and training.

6 K. On and after November 1, 2013, the Council on Law
7 Enforcement Education and Training (CLEET), pursuant to its
8 authority granted by Section 3311 of this title, shall include in
9 its required basic training courses for law enforcement
10 certification a minimum of two (2) hours of education and training
11 relating to recognizing and managing a person experiencing dementia
12 or Alzheimer's disease.

13 L. The Council shall promulgate rules to evaluate and approve
14 municipalities and counties that are deemed capable of conducting
15 separate basic law enforcement training academies in their
16 jurisdiction and to certify officers successfully completing such
17 academy training courses. Upon application to the Council, any
18 municipality with a population of sixty-five thousand (65,000) or
19 more or any county with a population of five hundred thousand
20 (500,000) or more shall be authorized to operate a basic law
21 enforcement academy. The Council shall approve an application when
22 the municipality or county making the application meets the criteria
23 for a separate training academy and demonstrates to the satisfaction
24 of the Council that the academy has sufficient resources to conduct

1 the training, the instructional staff is appropriately trained and
2 qualified to teach the course materials, the curriculum is composed
3 of comparable or higher quality course segments to the CLEET academy
4 curriculum, and the facilities where the academy will be conducted
5 are safe and sufficient for law enforcement training purposes. Any
6 municipality or county authorized to operate a basic law enforcement
7 academy after November 1, 2007, shall not be eligible to receive
8 funds pursuant to subsection E of Section 1313.2 of Title 20 of the
9 Oklahoma Statutes. The Council shall not provide any funding for
10 the operation of any separate training academy authorized by this
11 subsection.

12 M. Any municipality or county that, prior to November 1, 2007,
13 was authorized to conduct a basic law enforcement academy shall
14 continue to receive funding pursuant to subsection E of Section
15 1313.2 of Title 20 of the Oklahoma Statutes.

16 N. By January 1, 2021, CLEET, pursuant to its authority granted
17 by Sections 3311 and 3311.4 of this title, shall include in its
18 required courses of study for law enforcement certification a
19 minimum of six (6) hours of training related to communication with
20 disabled persons and de-escalation of situations involving disabled
21 persons, including autistic or hearing-impaired persons. By January
22 1, 2021, every active, full-time peace officer previously certified
23 by CLEET pursuant to Section 3311 of this title shall be required to
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1 attend and complete disabled-persons-related training as provided in
2 this subsection.

3 SECTION 3. This act shall become effective November 1, 2019.

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