

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

IN THE MATTER OF A PERMANENT)
RULEMAKING OF THE)
OKLAHOMA CORPORATION)
COMMISSION, AMENDING)
OAC 165:30, MOTOR CARRIERS,)
PRIVATE CARRIERS AND)
TRANSPORTATION NETWORK)
COMPANIES)

CAUSE NO. RM 201600020

FILED
JAN 19 2017

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

RULE IMPACT STATEMENT

Pursuant to Title 75, Section 303(D) of the Oklahoma Administrative Procedures Act, the Transportation Division of the Oklahoma Corporation Commission ("Commission") submits the following Rule Impact Statement for its proposed rules regarding Title 165, Chapter 30 of the Oklahoma Administrative Code ("OAC").

I. Brief description of the purpose of the proposed rules:

The purpose of the proposed rules is to include new definitions related to commonly used acronyms and remove redundant terms; create a procedure for companies to request copies of filings; clarify deleterious substance transport permit requirements; provide for periodic updating of Transportation Network Company ("TNC") permit eligibility as well as ensure terms or service conforming to statute; update motor carrier addresses in conformity with the Federal Motor Carrier Safety Administration's records; clarify the use of independent contractors for residency requirements; update operation record types to document fleet mileage; clarify effective dates for advanced registration of fleet vehicles; clarify audit requirements; update the requirements for filing of quarterly and annual fuel tax returns; allow operational records to be the same for both the International Fuel Tax Agreement and the International Registration Plan; and extend the period in which non-compliance with nonconsensual towing rates may be considered a progressive violation.

II. Description of classes of persons most likely to be affected by the proposed rules, including classes that will bear costs of the proposed rules, and any information on cost impacts received by the agency from private or public entities:

Those most likely to be affected by the proposed rules are: TNCs, motor carriers who are audited or are registered with the Commission pursuant to the International Registration Plan, wrecker operators that perform nonconsensual tows, and motor carriers applying for deleterious substance transport permits. No costs are expected to be associated with the implementation of the proposed rules, and no information regarding any cost impact has been received from any private or public entity.

III. Classes of persons who will benefit from the proposed rules:

Those benefitting from the proposed rules are: members of the traveling public, motor carriers that hold a license under the International Fuel Tax Agreement or that register under the International Registration Plan, motor carriers that are audited by the Commission, and motor carriers that utilize advance fleet registration dates. The other proposed amendments will benefit the Commission directly and the regulated community indirectly by allowing the Commission to provide better services to its customers and allow for more efficient processing of Transportation-related licensure.

IV. Description of the probable economic impact of the proposed rules upon affected classes of persons or political subdivisions, including a listing of all fee changes and justification for each fee change:

The persons most likely to be economically affected by the rule changes will be wrecker services that perform nonconsensual tows who violate the nonconsensual towing rates multiple times during a thirty-six month period.

V. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rules, the source of revenue to be used for implementation and enforcement of the proposed rules, and any anticipated effect on state revenues:

The proposed rules are not expected to place any additional costs upon the Commission, as such rules will be implemented and enforced by the Commission through its existing resources and personnel.

VI. Determination of whether implementation of the proposed rules will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rules:

Implementation and enforcement of the proposed rules will not have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rules.

VII. Determination of whether implementation of the proposed rules may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

It is the Commission staff's opinion that the proposed rules will not have an adverse economic effect on small business. Motor carriers and other regulated entities under OAC 165:30 impacted by the rule amendments will benefit from the efficiencies derived from the amendments. In its Notice of Proposed Rulemaking, the Commission invited business entities to submit input regarding the potential impact of the proposed rules.

VIII. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules:

The proposed rules do not increase compliance costs, and there are no non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules.

IX. Determination of the effect of the proposed rules on the public health, safety and environment and, if the proposed rules are designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rules will reduce the risk:

It is anticipated that the proposed rules will not have an adverse effect on the public health, safety and the environment.

X. Determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:

A detrimental effect on motor carriers that utilize deleterious substance transport permits will occur by an inability to determine the requirements for obtaining and keeping those permits.

XI. Date of preparation of Rule Impact Statement:

This Rule Impact Statement was prepared on the 12th day of January, 2017.

Prepared by:



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