

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

IN RE: INQUIRY OF THE OKLAHOMA
CORPORATION COMMISSION TO EXAMINE
MOTOR CARRIER ENFORCEMENT
PRACTICES AND EFFICIENCIES UNDER THE
COMMISSION'S JURISDICTION

CASE NO. GD2025-000003

NOTICE OF INQUIRY

BY THE COMMISSION:

On the recommendation of the Transportation Division (“the Division”), the Oklahoma Corporation Commission (“Commission” or “OCC”) opens this Notice of Inquiry (“NOI”) to identify and examine issues relating to the adequacy of Commission jurisdiction, partner agency practices, and industry recommendations related to commercial motor carrier enforcement by the Commission’s field enforcement officers.

I. AREAS OF INQUIRY

The Commission recognizes the scope of this inquiry may be significant and that some parties may not respond to all questions or topics. The following are some, but not necessarily all, of the areas and associated questions to be considered and for which the Commission requests comment.

A. Examination of Issues Related to Commission Jurisdiction and Enforcement

To the extent a party would propose solutions for, support of, or opposition to the present status of Commission jurisdiction and motor carrier enforcement in the State of Oklahoma, please describe your position and possible solutions in detail on any or all of the following areas of inquiry:

1. Describe any motor carrier industry concerns with the Commission’s current enforcement of its regulatory duties. For specific incidents, please describe each in detail with examples that include date, location, or motor carrier citation number.
2. Describe possible solutions to any issues identified relating to industry concerns, including implementation processes, any training necessary for implementation, impact on industry, and any other considerations.
3. What is the role of the OCC in contrast to the role of the Department of Public Safety (“DPS”) at Ports of Entry (“POE”) and weigh stations?
4. Are the POEs and weigh stations properly funded, staffed, and maintained to adequately regulate commercial motor vehicles in Oklahoma?
 - a. Should legislative changes be made to Title 47 O.S. § 1167(E) regarding

the Weigh Station Improvement Revolving Fund?

- b. What is the status of ODOT's plans for POE/weigh station construction and renovation?

5. Oklahoma's administration of the Motor Carrier Safety Assistance Program ("MCSAP"), 49 U.S.C §§ 31102, does not include any partner agencies, which differs from a majority of other United States jurisdictions.
 - a. Why does Oklahoma's administration of the MCSAP not include any partner agencies?
 - b. Did Oklahoma previously include any partner agencies in its administration of the MCSAP? If so, identify such partner agencies and identify when this occurred?
 - c. What are the requirements, if any, to include partner agencies in Oklahoma's administration of MCSAP?
 - d. If partner agencies are included, which agencies should be considered?
 - e. In each of the states surrounding Oklahoma, how many partner agencies do those states have to assist with their MCSAP programs?
 - f. In other states that include partner agencies, which types of agencies are included?
 - g. In other states that include partner agencies, what responsibilities, expenses, fiscal impact, and liabilities do those partner agencies and/or the primary agency assume?
 - h. What benefits could the State of Oklahoma experience if partner agencies are included in Oklahoma's administration of MCSAP?
 - i. In light of the decision by DPS to no longer patrol the Oklahoma City and Tulsa metro areas, does DPS intend to perform any commercial motor vehicle inspections or have MCSAP partner agencies in those areas after November 1, 2025?

6. During the 60th Legislative Session (2025), House Bill ("HB") 2603 was introduced, which proposed to transfer commercial motor vehicle enforcement by the OCC to DPS. Similar legislation has been introduced in prior legislative sessions. If HB 2603 or similar legislation is passed, what would be the impact to the following areas:
 - a. Under HB 2603, the previously handled administrative cases at the OCC would now be considered criminal actions in local district courts.
 1. What is the potential loss of revenue to the state?
 2. How would the program be funded without this revenue?
 3. What impact will HB 2603 have on appropriations?
 - b. How does this legislation impact the state's ability to comply with its interstate compact obligations, particularly International Fuel Tax Agreement ("IFTA") and International Registration Plan ("IRP") administration?
 - c. If there is a violation of the IFTA or IRP obligations, what potential penalties could occur?

- d. What is the potential loss of federal funding to the state if a violation of IFTA or IRP obligations occur?
- e. What specific goals do the proponents of proposed transfer legislation expect to accomplish by moving OCC personnel to DPS or another agency?
- f. What impact do these proposals have on OCC program administration and employee morale and recruiting efforts, even when not passed?

7. A State Task Force on Motor Carrier Regulation and Enforcement (“Task Force”) convened during 2023 and issued a final report on December 1, 2023. Concerns around OCC motor carrier enforcement were presented during the Task Force’s meetings.

- a. Has the OCC addressed the presented concerns? Please provide information about changes or developments at the OCC that have resolved concerns presented during the Task Force.
- b. What concerns has the OCC not addressed since the Task Force’s meetings in 2023? Please provide specific examples.

8. What is the effect of the enforcement radius mandates in 47 O.S. § 1202(E) on OCC effectiveness?

- a. What are the impacts of the enforcement radius mandates on surrounding communities’ infrastructure?
- b. Would these mandates be more effective if the OCC has the ability to assist at the request of local law enforcement and/or county commissioners to establish special emphasis areas of enforcement?

9. For several years, Oklahoma has ranked among the highest states for fatalities from commercial motor vehicle collisions.¹

- a. Under the current law, what can the OCC do to improve Oklahoma’s ranking?
- b. What legislative changes would be necessary to allow the OCC to take action to improve Oklahoma’s ranking?
- c. Could the addition of partner agencies to Oklahoma’s MCSAP administration contribute to improving Oklahoma’s ranking?
- d. What are states ranked less dangerous doing differently that Oklahoma should consider implementing?

¹ “Oklahoma ranked 5th highest nationally for large truck fatalities,” OK Energy Today, December 27, 2023, <https://www.okenergytoday.com/2023/12/oklahoma-ranked-5th-highest-nationally-for-large-truck-fatalities/>.

“National report ranks Sooner State high for truck fatalities,” Southwest Ledger, March 26, 2024, <https://www.southwestledger.news/news/national-report-ranks-sooner-state-high-truck-fatalities>.

“Fatality Facts 2023 State by State,” Insurance Institute for Highway Safety, posted July 2025, <https://www.iihs.org/research-areas/fatality-statistics/detail/state-by-state>.”

II. LEGAL AUTHORITY

The Commission has jurisdiction over the above-entitled NOI pursuant to Article IX, Section 18, of the Oklahoma Constitution and 47 O.S. §§ 230.21 *et seq.*

III. COMMENTS, TECHNICAL CONFERENCE(S), AND PUBLIC MEETING

Interested persons are invited to submit written comments and to attend technical conferences and the public meeting(s). The purpose of the technical conferences and public meeting(s) will be to receive pertinent information and to discuss issues and comments received by the Commission in response to this NOI. Commissioners may attend and participate in the technical conferences and public meeting(s).

Comments: Due September 8, 2025

Interested persons are invited to submit written comments. Comments should be filed using the Commission's Electronic Case Filing ("ECF") System. However, should the filer not be registered to use the ECF System, send the comments by e-mail to okcfilings@occ.ok.gov, referring to Case No. GD2025-000003. Further, comments may be submitted by regular mail to the following address: Oklahoma Corporation Commission Court Clerk, Will Rogers Memorial Office Building, 2401 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. A file-stamped copy of the comments should be sent via e-mail to Mark Willingham at Mark.Willingham@occ.ok.gov. If necessary, additional comments may be requested outside of the comment deadline.

Technical Conferences: September 9, 2025, at 1:30 p.m. and September 18, 2025, at 1:30 p.m.

Technical Conferences will be held in the Concourse Theater, Suite C50, Will Rogers Memorial Building at 2401 North Lincoln Boulevard, in the Capital Complex, Oklahoma City, Oklahoma 73105. The Concourse Theater is in the tunnel between the Will Rogers Memorial Office Building and the Sequoyah Memorial Office Building. The Division may schedule additional technical conferences and/or convene smaller working groups of participants to encourage additional discussion and stakeholder engagement.

If you do not intend to submit comments but wish to take part in the technical conferences and public meeting(s), please send your email information to Mark Willingham at the email address listed above. It should also be noted that each technical conference will be issue-driven and may not necessarily have discussion on each topic raised in the NOI. All notices will be sent via GovDelivery. Those interested in following the docket may subscribe to this filing within the Commission's ECF system.

Public Meeting Date: October 1, 2025, at 1:30 p.m.

The Commission shall consider the issues presented and the comments received in this NOI at a public meeting on October 1, 2025, at 1:30 p.m., in the Concourse Theater, Suite C50, Will Rogers Memorial Building at 2401 North Lincoln Boulevard, in the Capital Complex,

Oklahoma City, Oklahoma 73105. The Concourse Theater is in the tunnel between the Will Rogers Memorial Office Building and the Sequoyah Memorial Office Building. In the event further discussion is necessary, the Division may request a continuance of the public meeting date to ensure all stakeholder input is considered. If a continuance is requested beyond January 1, 2026, the public meeting may be held at the Jim Thorpe Office Building at 2101 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105. All notices will be sent via GovDelivery. Those interested in following the docket may subscribe to this filing within the Commission's Electronic Case Filing system.

For further information and inquiries regarding this NOI, please contact either Mark Willingham by telephone at (405) 522-5282 or email at Mark.Willingham@occ.ok.gov or Darren Ferguson, by telephone at (405) 522-5491 or email at Darren.Ferguson@occ.ok.gov.

CORPORATION COMMISSION OF OKLAHOMA

KIM DAVID, Chairman

J. TODD HIETT, Commissioner

BRIAN BINGMAN, Commissioner

DONE and PERFORMED this 7th day of August 2025.

BY ORDER OF THE COMMISSION:

GAREY WORTHAM, Commission Secretary