

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 1941

By: Vaughn (Ray)

AS INTRODUCED

An Act relating to motor vehicles; prohibiting drag racing on public roadway; providing for misdemeanor conviction for first offense; providing for felony conviction for second and subsequent offense; providing certain punishment; defining certain terms; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-903.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. 1. Any person who drives any vehicle on any public roadway in any race, drag race, speed competition or contest involving an exhibition of speed, except as provided in Section 1148 of Title 47 of the Oklahoma Statutes, may be charged with a violation of this subsection as follows:

a. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a misdemeanor for the first offense and shall be punished by imprisonment in the county jail up to ninety (90) days, and a fine of not more than Five Hundred Dollars (\$500.00), and

b. Any person who is convicted of a second or subsequent violation of the provisions of this subsection shall be deemed guilty of a felony and shall be punished by imprisonment in the State Penitentiary for up to two (2) years, and a fine of not more than One Thousand Dollars (\$1,000).

2. As used in this subsection, "racing" or "drag racing" means the operation of two or more vehicles from a certain point, side by side at accelerating speeds in a competitive attempt to out-distance each other, or the operation of two or more vehicles at different times over a selected course for the purpose of comparing the speed, endurance or acceleration of such vehicles.

B. 1. Any person who causes an accident resulting in death or great bodily injury to any person other than himself while driving or operating a motor vehicle in this state and who is in violation of the provisions of subsection A of this section may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a felony punishable by imprisonment in the State Penitentiary for not less than two (2) years and not more than five (5) years, and a fine of not more than Five Thousand Dollars (\$5,000.00).

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8129

AJW