

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 2876

By: Bastin

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 7-605, as last amended by Section 9, Chapter 218, O.S.L. 1994 (47 O.S. Supp. 1995, Section 7-605), which relates to the Compulsory Insurance Law; providing time periods for persons with no prior violation of the Compulsory Insurance Law to obtain security without suspension or payment of certain fees; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 7-605, as last amended by Section 9, Chapter 218, O.S.L. 1994 (47 O.S. Supp. 1995, Section 7-605), is amended to read as follows:

Section 7-605. A. Every owner or operator of a motor vehicle who operates the vehicle or permits it to be operated in this state when no security exists as required by this title, or any person who receives a deferred sentence, forfeits a bond or is convicted in any state or municipal court for failure to carry a security verification form, shall be subject to suspension of his driving privilege and registrations of any motor vehicle not covered by

security. Such suspension shall remain in effect until payment of the fees provided for in Section 6-212 of this title, and proof of security is furnished to the Department which complies with the requirements of Section 7-601 of this title. Suspension under this section shall be effective upon the Department giving notice pursuant to Section 2-116 of this title that the owner or operator is without security, if the driving privilege of the person previously has been suspended pursuant to this section. Suspension shall occur sixty-one (61) days after the giving of notice by the Department, if the person has no prior suspension pursuant to this section. Any suspended person failing to voluntarily relinquish his driver license or registration to the Department within sixty (60) days of receipt of said notice shall pay a fee of Fifty Dollars (\$50.00) in addition to the fees provided for in Section 6-212 of this title. If a person furnishes proof to the satisfaction of the Department that security was in effect at the time of the alleged offense, or if a person who has no prior suspension for a violation of the Compulsory Insurance Law furnishes proof of obtaining security within sixty (60) days of receipt of notification from the Department, the Department shall vacate the suspension order and shall not require the filing of a certificate of insurance nor either of the above fees.

B. The Department may rely upon an abstract which indicates a charge and the imposition of a deferred sentence pending compliance with the Compulsory Insurance Law, Section 7-600 et seq. of this title, or an abstract of conviction or a notice of bond forfeiture from any court of competent jurisdiction, which indicates that the person was either convicted, or failed to appear upon a charge of failure to carry a security verification form or the lack of security, indicated by "No Security Form", "No Insurance" or other such term indicating lack of security. The Department may continue to rely on such abstract or notice unless proof is submitted from

the issuing court clerk which indicates that the abstract or notice was issued in error, or was not related to a violation of the Compulsory Insurance Law or a security verification form as required by Chapter 7 of this title or by municipal ordinance.

C. If a nonresident's driving privilege or registration is suspended pursuant to subsection A of this section, the Department shall transmit a certified copy of the record of such action to the official or officials in charge of the issuance of licenses and registration certificates in the state in which such nonresident resides.

SECTION 2. This act shall become effective November 1, 1996.

45-2-8261 SD