

ENROLLED HOUSE
BILL NO. 1567

By: Cox, Hilliard, Reese,
Kirby, Satterfield,
Roberts, Greenwood,
Coleman, Perry,
Ostrander and Easley of
the House

and

Littlefield and Campbell
of the Senate

An Act relating to crimes and punishments; creating the Pump Pirates Act; providing failure to pay for gasoline pumped into a vehicle shall constitute a misdemeanor; providing penalty; amending 47 O.S. 1991, Section 6-205, as last amended by Section 5, Chapter 309, O.S.L. 1996 (47 O.S. Supp. 1996, Section 6-205), which relates to mandatory driver license revocation; providing that conviction of failure to pay for gasoline pumped into vehicle shall result in revocation of driver license; specifying periods of time for revocations; providing for codification; providing for noncodification; and providing an effective date.

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

SECTION 1. Section 2 of this act shall be known and may be cited as the "Pump Pirates Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1740 of Title 21, unless there is created a duplication in numbering, reads as follows:

Any person who pumps gasoline into the gasoline tank of a vehicle and leaves the premises where the gasoline was pumped without making payment for the gasoline shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than One Hundred Dollars (\$100.00), or confinement in the county jail for a period of not more than sixty (60) days, or by both such fine and imprisonment.

SECTION 3. AMENDATORY 47 O.S. 1991, Section 6-205, as last amended by Section 5, Chapter 309, O.S.L. 1996 (47 O.S. Supp. 1996, Section 6-205), is amended to read as follows:

Section 6-205. A. The Department of Public Safety shall immediately revoke the driver license or driving privilege of any person, whether adult or juvenile, upon receiving a record of conviction in any municipal, state or federal court within the United States of any of the following offenses, when such conviction has become final:

1. Manslaughter or negligent homicide resulting from the operation of a motor vehicle;
2. Driving or being in actual physical control of a motor vehicle while under the influence of alcohol, any other intoxicating

substance, or the combined influence of alcohol and any other intoxicating substance, or any violation of Section ~~4~~ 6-106.4 of this ~~act~~ title; provided, however, the Department shall not additionally revoke a license pursuant to this subsection if the person's driving privilege has been revoked because of a test result or test refusal pursuant to Section 753 or 754 of this title arising from the same circumstances which resulted in the conviction;

3. Any felony during the commission of which a motor vehicle is used;

4. Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

5. Perjury or the making of a false affidavit or statement under oath to the Department under the Uniform Vehicle Code, Section 1-101 et seq. of this title, or under any other law relating to the ownership or operation of motor vehicles; ~~or~~

6. A misdemeanor or felony conviction for unlawfully possessing, distributing, dispensing, manufacturing or trafficking in a controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes; or

7. Failure to pay for gasoline pumped into a vehicle pursuant to Section 2 of this act.

B. The first license revocation under any provision of this section, except for paragraph 2 ~~or~~, 6 or 7 of subsection A of this section, shall be for a period of one (1) year. Such period shall not be modified.

C. A license revocation under any provision of this section, except for paragraph 2 ~~or~~, 6 or 7 of subsection A of this section, shall be for a period of three (3) years if a prior revocation under this section, except under paragraph 2 of subsection A of this section, commenced within the preceding five-year period as shown by the Department's record. Such period shall not be modified.

D. The period of license revocation under paragraph 2 or 6 of subsection A of this section shall be governed by the provisions of Section 6-205.1 of this title.

E. The first license revocation under paragraph 7 of subsection A of this section shall be for a period of six (6) months. A second or subsequent license revocation under paragraph 7 of subsection A of this section shall be for a period of one (1) year. Such periods shall not be modified.

SECTION 4. NONCODIFICATION The provisions of Section 1 of this act shall not be codified in the Oklahoma Statutes.

SECTION 5. This act shall become effective November 1, 1997.

Passed the House of Representatives the 21st day of April, 1997.

Speaker of the House of Representatives

Passed the Senate the 8th day of April, 1997.

President

of the Senate