

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2243

By: Pope, Tim

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 6-205.1, as last amended by Section 6, Chapter 309, O.S.L. 1996 (47 O.S. Supp. 1997, Section 6-205.1), which relates to periods of revocation of driver licenses; providing for restriction codes on certain licenses; providing time period for restriction code; authorizing use of existing driver license supplies; establishing conviction code for driver license of persons convicted of a certain crime; providing time period for conviction code; authorizing use of existing driver license supplies; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 6-205.1, as last amended by Section 6, Chapter 309, O.S.L. 1996 (47 O.S. Supp. 1997, Section 6-205.1), is amended to read as follows:

Section 6-205.1 A. The driver license or driving privilege of a person who is convicted of any offense as provided in paragraph 2 or 6 of subsection A of Section 6-205 of this title, or a person who

has refused to submit to a test or tests as provided in Section 753 of this title, or a person whose alcohol concentration is subject to the provisions of Section 754 of this title, shall be revoked or denied by the Department of Public Safety for the following period, as applicable:

1. The first license revocation pursuant to Section 753 of this title shall be for one hundred eighty (180) days, which may be modified. In addition, a restriction code indicating revocation occurred shall be added to the driver license of that person upon reissuance or reinstatement. Such restriction code shall remain on the license for a period of four (4) years. The license restriction code period shall not be modified;

2. The first license revocation pursuant to paragraph 2 of subsection A of Section 6-205 of this title or pursuant to Section 754 of this title shall be for one hundred eighty (180) days, which may be modified. In addition, a restriction code indicating prior revocation occurred shall be added to the driver license of that person upon reissuance or reinstatement. Such restriction code shall remain on the license for a period of four (4) years. The license restriction code period shall not be modified;

3. The first license revocation pursuant to paragraph 6 of subsection A of Section 6-205 of this title shall be for one hundred eighty (180) days, which may be modified; provided, for license revocations for a misdemeanor charge of possessing a controlled dangerous substance, the provisions of this paragraph shall apply to any such revocations by the Department on or after January 1, 1993. In addition, a restriction code indicating prior revocation occurred shall be added to the driver license of that person upon reissuance or reinstatement. Such restriction code shall remain on the license for a period of four (4) years. The license restriction code period shall not be modified;

4. A revocation pursuant to paragraph 2 or 6 of subsection A of Section 6-205, 753 or 754 of this title shall be for a period of one (1) year if within five (5) years preceding the date of arrest relating thereto, a prior revocation commenced pursuant to paragraph 2 or 6 of subsection A of Section 6-205, 753 or 754 of this title as shown by the Department's records. Such period may be modified. In addition, a restriction code indicating prior revocation occurred shall be added to the driver license of that person upon reissuance or reinstatement. Such restriction code shall remain on the license for a period of four (4) years. The license restriction code period shall not be modified; or

5. A revocation pursuant to paragraph 2 or 6 of subsection A of Section 6-205, 753 or 754 of this title shall be for a period of three (3) years if within five (5) years preceding the date of arrest relating thereto, two or more prior revocations commenced pursuant to paragraph 2 or 6 of subsection A of Section 6-205, 753 or 754 of this title as shown by the Department's records. Such period may be modified. In addition, a restriction code indicating prior revocation occurred shall be added to the driver license of that person upon reissuance or reinstatement. Such restriction code shall remain on the license for a period of four (4) years. The license restriction code period shall not be modified.

B. The term "revocation" as used in this section includes a denial by the Department to issue a ~~driver's~~ driver license.

C. Each period of license revocation not subject to modification shall be mandatory and neither the Department nor any court shall grant a license or permit to drive a motor vehicle based upon hardship or otherwise for the duration of that period. The revocation periods provided for in this section may be modified as provided for in Section 754.1 or 755 of this title.

D. Any appeal of a revocation or denial of a driver license shall be governed by Section 6-211 of this title.

E. Nothing in this section shall require the Department of Public Safety to destroy existing supplies of driver licenses. The Department may issue licenses from existing supplies. The restriction code for any such license that is issued to a person who is subject to this section may be attached by means of affixing a sticker designating the restriction to the back of the driver license.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-117A of Title 47, unless there is created a duplication in numbering, reads as follows:

A. A conviction code designation of "BC" shall be added to the driver license of any person convicted of Bogus Check. The conviction code shall be added to the driver license of the person upon reissuance or reinstatement and shall remain on the driver license for a period of four (4) years.

B. Nothing in this section shall require the Department of Public Safety to destroy existing supplies of driver licenses. The Department may issue licenses from existing supplies. The restriction code for any such license that is issued to a person who is subject to this section may be attached by means of affixing a sticker designating the restriction to the back of the driver license.

SECTION 3. This act shall become effective November 1, 1998.

46-2-7955 LAC