

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2649

By: Bryant

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 11-904, as amended by Section 482, Chapter 133, O.S.L. 1997 (47 O.S. Supp. 1997, Section 11-904), which relates to involvement in an accident while driving under the influence; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 11-904, as amended by Section 482, Chapter 133, O.S.L. 1997 (47 O.S. Supp. 1997, Section 11-904), is amended to read as follows:

Section 11-90 A. Any person who is involved in a personal injury accident while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of Section 11-902 of this title may be charged with a violation of the provisions of this subsection as follows:

1. 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~~ punishable by imprisonment in the county jail for not less than ninety (90) days nor more than one

(1) year, and a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00); and

2. Any person who is convicted of a second or subsequent violation of the provisions of this subsection shall be deemed guilty of a felony. The fine for a violation of this subsection shall be not more than Five Thousand Dollars (\$5,000.00). Such fine shall be in addition to other punishment provided for by law and shall not be imposed in lieu of such other punishment.

B. 1. Any person who causes an accident resulting in great bodily injury to any person other than himself while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of Section 11-902 of this title 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. The fine for a violation of this subsection shall be for not more than Five Thousand Dollars (\$5,000.00). Such fine shall be in addition to other punishment provided for by law and shall not be imposed in lieu of such other punishment.

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 November 1, 1998.

46-2-8851

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