

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL HB2389

By: Frame

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 754.1, as last amended by Section 9, Chapter 106, O.S.L. 1999 (47 O.S. Supp. 1999, Section 754.1), which relates to modification of revocation of driver licenses; stating that ignition interlock devices shall not be installed on church vehicles; defining term; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 754.1, as last amended by Section 9, Chapter 106, O.S.L. 1999 (47 O.S. Supp. 1999, Section 754.1), is amended to read as follows:

Section 754.1 A. The Department of Public Safety, prior to an administrative hearing for a revocation or denial arising under the provisions of Sections 751 through 754 of this title or under the provisions of Section 6-205.1 of this title, may modify the revocation or denial when it is determined by the Department that no other adequate means of transportation exists for the person whose driving privilege has been revoked or denied.

B. As a prerequisite and condition of any modification, the person shall be required to have installed an ignition interlock device approved by the Department, at the person's own expense, upon every motor vehicle operated by such person, provided, the Department shall not require as a condition of modification the device to be installed upon any vehicle owned or leased by an employer of the person, except when the person is self-employed or employed by relatives within the first degree of consanguinity or who resides in the same household, without the employer's written

permission to install the ignition interlock device on any vehicle to be operated by the person during the course of employment. The permission to install the ignition interlock device shall be in writing on the official letterhead of the employer. The person shall comply with all provisions of law regarding ignition interlock devices. The Department shall not require as a condition of modification the device be installed upon any vehicle owned by a church. For purposes of this section, "church" shall mean a nonprofit religious organization.

C. Upon the issuance of a modification order pursuant to this section or Section 755 of this title, the person shall pay a modification fee of One Hundred Fifty Dollars (\$150.00) to the Department. For each modification fee collected pursuant to the provisions of this section, One Hundred Dollars (\$100.00) shall be remitted to the State Treasurer to be credited to the General Revenue Fund in the State Treasury and Fifty Dollars (\$50.00) shall be remitted to the State Treasurer to be credited to the Department of Public Safety Revolving Fund. All monies accruing to the credit of the Department of Public Safety Revolving Fund from modification fees shall be budgeted and expended solely for the purpose of administering the provisions of this section and Section 755 of this title.

SECTION 2. This act shall become effective November 1, 2000.

47-2-8113 LAC 6/12/15