

ENROLLED SENATE
BILL NO. 973

By: Morgan and Robinson of the
Senate

and

Mitchell and Bonny of the
House

An Act relating to fees; amending 47 O.S. 2001, Section 6-212, as last amended by Section 1 of Enrolled House Bill No. 2600 of the 2nd Session of the 49th Oklahoma Legislature, which relates to cancellation, suspension, or revocation of driver license; requiring payment of special assessment fee under certain circumstances; amending Section 12 of Enrolled House Bill No. 2600 of the 2nd Session of the 49th Oklahoma Legislature, which relates to effective date; modifying effective date; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-212, as last amended by Section 1 of Enrolled House Bill No. 2600 of the 2nd Session of the 49th Oklahoma Legislature, is amended to read as follows:

Section 6-212. A. The Department of Public Safety shall not assess and collect multiple reinstatement fees when reinstating the driving privilege of any person having more than one suspension or revocation affecting the person's driving privilege at the time of reinstatement.

B. The Department shall:

1. Suspend or revoke a person's driving privilege for each basis as delineated within the Oklahoma Statutes; and

2. Require any person having more than one suspension or revocation affecting the person's driving privilege to meet the statutory requirements for each action as a condition precedent to the reinstatement of any driving privilege. Provided, however, reinstatement fees shall not be cumulative, and a single reinstatement fee, as provided for in subsection C of this section, shall be paid for all suspensions or revocations as shown by the Department's records at the time of reinstatement.

C. Whenever a person's privilege to operate a motor vehicle is suspended or revoked pursuant to any provision as authorized by the Oklahoma Statutes, the license or privilege to operate a motor vehicle shall remain under suspension or revocation and shall not be reinstated until:

1. The expiration of each such revocation or suspension order;
2. The person has paid to the Department:
 - a. if such privilege is suspended or revoked pursuant to Section 1115.5 of Title 22 of the Oklahoma Statutes or pursuant to any provisions of this title, except as provided in subparagraph b of this paragraph, a processing fee of Twenty-five Dollars (\$25.00) for each such suspension or revocation as shown by the Department's records, or
 - b. if such privilege is suspended or revoked pursuant to the provisions of Section 6-205, 6-205.1, 7-608, 753, 754 or 761 of this title or pursuant to subsection A of Section 7-605 of this title for a conviction for failure to maintain the mandatory motor vehicle insurance required by law or pursuant to subsection B of Section 6-206 of this title for a suspension other than for points accumulation, a processing fee of Seventy-five Dollars (\$75.00) for each such suspension or revocation as shown by the Department's records, ~~or~~ and
 - ~~c. if such privilege is suspended or revoked pursuant to the provisions of Section 6-205, 6-205.1, 7-608, 753, 754 or 761 of this title or pursuant to subsection A of Section 7-605 of this title for a conviction for failure to maintain the mandatory motor vehicle insurance required by law, or pursuant to subsection B of Section 6-206 of this title for a suspension other than for points accumulation, a special assessment trauma-care fee of Two Hundred Dollars (\$200.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of Title 63 of the Oklahoma Statutes for each suspension or revocation as shown by the records of the Department; and~~
3. The person has paid to the Department a single reinstatement fee of Twenty-five Dollars (\$25.00).

D. Effective July 1, 2002, and for each fiscal year thereafter:

1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all monies collected each month pursuant to this section shall be apportioned as provided in Section 1104 of this title, except as otherwise provided in this section; and
2. All other monies collected in excess of Two Hundred Fifty Thousand Dollars (\$250,000.00) each month shall be deposited in the General Revenue Fund.

SECTION 2. AMENDATORY Section 12 of Enrolled House Bill No. 2600 of the 2nd Session of the 49th Oklahoma Legislature is amended to read as follows:

Section 12. This act shall become effective ~~November 1, 2004~~
September 1, 2004.

SECTION 3. This act shall become effective September 1, 2004.

Passed the Senate the 26th day of May, 2004.

Presiding Officer of the Senate

Passed the House of Representatives the 27th day of May, 2004.

Presiding Officer of the House
of Representatives