

SUBCOMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2746 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Lee Denney

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 PROPOSED SUBCOMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2746

By: Denney

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8 PROPOSED SUBCOMMITTEE SUBSTITUTE

9 An Act relating to public safety; amending 47 O.S.
10 2001, Section 6-205, as last amended by Section 17,
11 Chapter 311, O.S.L. 2006 (47 O.S. Supp. 2009, Section
12 6-205), which relates to the mandatory revocation of
13 driving privilege due to conviction of certain
14 offenses; modifying certain offense from mandatory
15 revocation of driving privileges; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-205, as
19 last amended by Section 17, Chapter 311, O.S.L. 2006 (47 O.S. Supp.
20 2009, Section 6-205), is amended to read as follows:

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

- 1 1. Manslaughter or negligent homicide resulting from the
2 operation of a motor vehicle;
- 3 2. Driving or being in actual physical control of a motor
4 vehicle while under the influence of alcohol, any other intoxicating
5 substance, or the combined influence of alcohol and any other
6 intoxicating substance, any violation of paragraph 1, 2, 3 or 4 of
7 subsection A of Section 11-902 of this title or any violation of
8 Section 11-906.4 of this title. However, the Department shall not
9 additionally revoke the driving privileges of the person pursuant to
10 this subsection if the person's driving privilege has been revoked
11 because of a test result or test refusal pursuant to Section 753 or
12 754 of this title arising from the same circumstances which resulted
13 in the conviction unless the revocation because of a test result or
14 test refusal is set aside;
- 15 3. Any felony during the commission of which a motor vehicle is
16 used;
- 17 4. Failure to stop and render aid as required under the laws of
18 this state in the event of a motor vehicle accident resulting in the
19 death or personal injury of another;
- 20 5. Perjury or the making of a false affidavit or statement
21 under oath to the Department under the Uniform Vehicle Code or under
22 any other law relating to the ownership or operation of motor
23 vehicles;

24

1 6. A ~~misdemeanor or~~ felony conviction for ~~unlawfully~~
2 ~~possessing, distributing, dispensing, manufacturing, trafficking,~~
3 ~~cultivating, selling, transferring, attempting or conspiring to~~
4 ~~possess, distribute, dispense, manufacture, traffic, sell, or~~
5 ~~transfer~~ unlawful delivery of a controlled dangerous substance as
6 defined in the Uniform Controlled Dangerous Substances Act, using a
7 motor vehicle;

8 7. Failure to pay for gasoline pumped into a vehicle pursuant
9 to Section 1740 of Title 21 of the Oklahoma Statutes; or

10 8. A misdemeanor conviction for a violation of Section 1465 of
11 Title 21 of the Oklahoma Statutes.

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

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

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

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

6 SECTION 2. This act shall become effective November 1, 2010.

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