

1 ENGROSSED HOUSE
2 BILL NO. 2746

By: Denney, Roan, Kiesel,
Shelton and Tibbs of the
House

3
4 and

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

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

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

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

1. Manslaughter or negligent homicide resulting from the
operation of a motor vehicle;

1 2. Driving or being in actual physical control of a motor
2 vehicle while under the influence of alcohol, any other intoxicating
3 substance, or the combined influence of alcohol and any other
4 intoxicating substance, any violation of paragraph 1, 2, 3 or 4 of
5 subsection A of Section 11-902 of this title or any violation of
6 Section 11-906.4 of this title. However, the Department shall not
7 additionally revoke the driving privileges of the person pursuant to
8 this subsection if the person's driving privilege has been revoked
9 because of a test result or test refusal pursuant to Section 753 or
10 754 of this title arising from the same circumstances which resulted
11 in the conviction unless the revocation because of a test result or
12 test refusal is set aside;

13 3. Any felony during the commission of which a motor vehicle is
14 used;

15 4. Failure to stop and render aid as required under the laws of
16 this state in the event of a motor vehicle accident resulting in the
17 death or personal injury of another;

18 5. Perjury or the making of a false affidavit or statement
19 under oath to the Department under the Uniform Vehicle Code or under
20 any other law relating to the ownership or operation of motor
21 vehicles;

22 6. A misdemeanor or felony conviction for unlawfully
23 possessing, distributing, dispensing, manufacturing, trafficking,
24 cultivating, selling, transferring, attempting or conspiring to

1 possess, distribute, dispense, manufacture, traffic, sell, or
2 transfer unlawful delivery of a controlled dangerous substance as
3 defined in the Uniform Controlled Dangerous Substances Act, using a
4 motor vehicle;

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

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

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

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

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

22 E. The first license revocation under paragraph 7 of subsection
23 A of this section shall be for a period of six (6) months. A second
24 or subsequent license revocation under paragraph 7 of subsection A

