

THE HOUSE OF REPRESENTATIVES
Monday, March 1, 2010

House Bill No. 2811

HOUSE BILL NO. 2811 - By: KEY of the House.

An Act relating to driver licenses; creating the Driver License Security Act; amending 47 O.S. 2001, Section 6-201, as last amended by Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp. 2009, Section 6-201), which relates to the cancellation or denial of driving privileges; modifying revocation periods; providing for noncodification; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law not to be codified in the
2 Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Driver License Security Act".

4 SECTION 2. AMENDATORY 47 O.S. 2001, Section 6-201, as last amended by
5 Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp. 2009, Section 6-201), is amended to
6 read as follows:

7 Section 6-201. A. The Department of Public Safety is hereby authorized to cancel
8 or deny ~~any person's~~ the driving privilege of any person upon determining that the
9 person:

- 10 1. Is not entitled to a driver license or identification card issued to the person; or
- 11 2. Failed to give the required or correct information in the application.

1 Upon such cancellation or denial, the person to whom the license or card was issued shall
2 surrender the license or card so canceled to the Department. The person may apply for a
3 valid driver license or identification card, if the person is otherwise eligible. Any person
4 whose driving privilege is canceled or denied under the provisions of this subsection shall
5 have the right to an appeal as provided in Section 6-211 of this title.

6 B. Upon determination by the Department that any person:

7 1. Used fraudulent information to apply for or obtain a driver license or
8 identification card;

9 2. Committed or aided another person in the commission of any act provided in
10 subparagraph b, c, e, g, or h of paragraph 1 of Section 6-301 of this title; or

11 3. Committed or aided another person in the commission of any act provided in
12 subparagraph a, b, c, d, e, or f of paragraph 2 of Section 6-301 of this title, the
13 Department shall revoke the ~~person's~~ driving privilege of the person for a period of ~~sixty~~
14 ~~(60)~~ ninety (90) days for a first determination. For a second or subsequent determination
15 by the Department under paragraph 1, 2 or 3 of this subsection, the ~~person's~~ driving
16 privilege of the person shall be revoked for a period of ~~six (6)~~ nine (9) months. Such
17 periods shall not be subject to modification. Upon such revocation, the person to whom
18 the license or card was issued shall surrender the license or card to the Department. The
19 person may apply for a valid identification card, if the person is otherwise eligible.

20 C. A determination, as provided for in subsection B of this section, shall include:

21 1. A conviction in any court, when the conviction becomes final; or

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 2. The findings of an investigation by the Driver License Fraud Unit of the
2 Oklahoma Highway Patrol Division of the Department of Public Safety.

3 D. Any person whose driving privilege is revoked under the provisions of subsection
4 B of this section may be required to obtain a release from the Driver License Fraud Unit
5 of the Department before being considered for reinstatement of driving privileges.

6 E. Any person whose driving privilege is revoked under the provisions of subsection
7 B of this section shall have the right to an appeal as provided in Section 6-211 of this
8 title.

9 SECTION 3. It being immediately necessary for the preservation of the public
10 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
11 this act shall take effect and be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02-25-10 - DO
13 PASS.