

THE HOUSE OF REPRESENTATIVES  
Wednesday, February, 24, 2010

Committee Substitute for  
House Bill No. 2746

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2746 - By: DENNEY of the House and HALLIGAN of the Senate.

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

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

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

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

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

10 2. Driving or being in actual physical control of a motor vehicle while under the  
11 influence of alcohol, any other intoxicating substance, or the combined influence of

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4 person pursuant to this subsection if the person's driving privilege has been revoked  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

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

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

11 5. Perjury or the making of a false affidavit or statement under oath to the  
12 Department under the Uniform Vehicle Code or under any other law relating to the  
13 ownership or operation of motor vehicles;

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

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

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

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

4 C. A license revocation under any provision of this section, except for paragraph 2,  
5 6, or 7 of subsection A of this section, shall be for a period of three (3) years if a prior  
6 revocation under this section, except under paragraph 2 of subsection A of this section,  
7 commenced within the preceding five-year period as shown by the Department's record.  
8 Such period shall not be modified.

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

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
17 dated 02-23-10 - DO PASS, As Amended and Coauthored.