

SB 1117

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THE STATE SENATE  
Monday, February 23, 2009

Senate Bill No. 1117  
As Amended

SENATE BILL NO. 1117 - By: Sykes of the Senate and McCullough of the House.

[ motor vehicles - failure to maintain insurance - effective date ]

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 7-606, as amended by Section 6, Chapter 322, O.S.L. 2006 (47 O.S. Supp. 2008, Section 7-606), is amended to read as follows:

Section 7-606. A. 1. An owner or operator who fails to comply with the Compulsory Insurance Law of this state, or who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the Department of Public Safety upon request of any peace officer, representative of the Department of Public Safety or other authorized person, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00), or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto, shall be subject to suspension of license and registration in accordance with Section 7-605 of this title.

1           2. An owner other than an owner of an antique or a classic  
2 automobile as defined by the Oklahoma Tax Commission who files an  
3 affidavit that a vehicle shall not be driven upon the public  
4 highways or public streets, pursuant to Section 7-607 of this title,  
5 who drives or permits the driving of the vehicle upon the public  
6 highways or public streets, shall be guilty of a misdemeanor and  
7 upon conviction thereof shall be subject to a fine of not more than  
8 Five Hundred Dollars (\$500.00), or imprisonment for not more than  
9 thirty (30) days, or by both such fine and imprisonment, and in  
10 addition thereto, shall be subject to suspension of license and  
11 registration in accordance with Section 7-605 of this title.

12           B. A sentence imposed for any violation of Section 7-600 et  
13 seq. of this title may be suspended or deferred in whole or in part  
14 by the court.

15           C. Any person producing proof in court that a current security  
16 verification form or equivalent form which has been issued by the  
17 Department reflecting liability coverage for such person was in  
18 force at the time of the alleged offense shall be entitled to  
19 dismissal of such charge upon payment of court costs; however, if  
20 proof of security verification is presented to the court by the  
21 assigned court appearance date, the charge shall be dismissed  
22 without payment of court costs.

1 D. Upon conviction, bond forfeiture or deferral of sentence,  
2 the court clerk shall forward an abstract to the Department of  
3 Public Safety within ten (10) days reflecting the action taken by  
4 the court.

5 E. In addition to penalties imposed pursuant to this section,  
6 an owner or operator of a vehicle who fails to comply with the  
7 Compulsory Insurance Law of this state may only recover against the  
8 defendant actual damages in an amount not to exceed the required  
9 minimum liability coverage in an action to recover damages sustained  
10 by such owner or operator in a motor vehicle accident.

11 SECTION 2. This act shall become effective November 1, 2009.

12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-17-09 - DO  
13 PASS, As Amended and Coauthored.