

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1386

By: Osborn

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; requiring  
8 installation and display of fluorescent yellow  
9 license plates for person convicted of certain crime;  
10 providing an exception; making installation of  
11 license plates a prerequisite and condition for  
12 reinstatement of driving privileges; requiring  
13 indication of restriction be placed on driving  
14 record; providing set time period for installation of  
15 license plate; providing for revocation or suspension  
16 of driving privileges for noncompliance; authorizing  
17 the promulgation of rules; directing Oklahoma Tax  
18 Commission to create and issue fluorescent yellow  
19 license plates for certain persons; providing fee  
20 amount; directing fee be deposited into certain fund;  
21 authorizing the promulgation of rules; providing for  
22 codification; and providing an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 6-215 of Title 47, unless there  
is created a duplication in numbering, reads as follows:

A. Whenever the records of the Department of Public Safety  
reflect a second or subsequent conviction of a person for driving  
under the influence of alcohol or the combination of alcohol and any  
other intoxicating substance within five (5) years of a previous

1 conviction for the same offense the Department shall, as a condition  
2 of reinstatement of driving privileges and at the expense of the  
3 person, require the installation of a fluorescent yellow license  
4 plate at the front and rear of any motor vehicle owned or leased by  
5 the person, as reflected on the vehicle registration. The display  
6 of fluorescent yellow license plates shall not be required on  
7 vehicles owned by the employer of the person and driven as a  
8 requirement of employment during working hours.

9 B. The requirements of subsection A of this section shall be a  
10 prerequisite and condition for reinstatement of driving privileges,  
11 in addition to other conditions for driving privilege reinstatement  
12 provided by law or by rule of the Department.

13 C. The driving record of the person shall indicate by an  
14 appropriate restriction that the person is only authorized to  
15 operate a motor vehicle equipped with fluorescent yellow license  
16 plates. The restriction shall further indicate that the person is  
17 not required to display the fluorescent vehicle license plates on  
18 any vehicle owned by the employer of the person and driven as a  
19 requirement of employment.

20 D. Installation of fluorescent yellow license plates pursuant  
21 to subsection A of this section shall be for a period of one (1)  
22 year.

23 E. Pursuant to Section 6-113 of Title 47 of the Oklahoma  
24 Statutes, the Department may revoke or suspend the driving

1 privileges of the person if, based upon notification from a law  
2 enforcement agency or otherwise, that the fluorescent yellow license  
3 plates as provided in this section are not being displayed as  
4 required.

5 F. The Department shall have the authority to promulgate any  
6 rules necessary to implement and administer this section.

7 SECTION 2. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 1113.4 of Title 47, unless there  
9 is created a duplication in numbering, reads as follows:

10 A. Within the limits prescribed by the Oklahoma Vehicle License  
11 and Registration Act and pursuant to the provisions of Section 1 of  
12 this act, the Oklahoma Tax Commission shall create and issue a  
13 fluorescent yellow vehicle license plate, for display at the front  
14 and rear of a motor vehicle, for any person who has been convicted  
15 of a second or subsequent conviction of driving under the influence  
16 of alcohol or the combination of alcohol and any other intoxicating  
17 substance within five (5) years of a previous conviction for the  
18 same offense and whose driving privilege has been suspended, denied  
19 or revoked as a result of such conviction. Both the front and rear  
20 license plate shall be fluorescent yellow but otherwise conform to  
21 the standards prescribed in the Oklahoma Vehicle License and  
22 Registration Act.

23 B. A ten-dollar fee shall be charged for the issuance of any  
24 fluorescent yellow license plate. The fee shall be deposited in the

1 Oklahoma Tax Commission Reimbursement Fund to be used for the  
2 administration of the Oklahoma Vehicle License and Registration Act.

3 C. The Oklahoma Tax Commission shall have the authority to  
4 promulgate any rules necessary to implement and administer this  
5 section.

6 SECTION 3. This act shall become effective November 1, 2009.

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