

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1499

By: Harrison

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 11-904, as amended by Section 13,
9 Chapter 275, O.S.L. 2004 (47 O.S. Supp. 2008, Section
10 11-904), which relates to personal injury accident
11 while under the influence of alcohol or other
12 intoxicating substance; making certain acts unlawful;
13 providing penalties; and providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-904, as
16 amended by Section 13, Chapter 275, O.S.L. 2004 (47 O.S. Supp. 2008,
17 Section 11-904), is amended to read as follows:

18 Section 11-904. A. Any person who is involved in a personal
19 injury accident while driving or operating a motor vehicle within
20 this state and who is in violation of the provisions of subsection A
21 of Section 11-902 of this title may be charged with a violation of
22 the provisions of this subsection as follows:

23 1. Any person who is convicted of a violation of the provisions
24 of this subsection shall be deemed guilty of a misdemeanor for the
first offense and shall be punished by imprisonment in the county

1 jail for not less than ninety (90) days nor more than one (1) year,
2 and a fine of not more than Two Thousand Five Hundred Dollars
3 (\$2,500.00); and

4 2. Any person who is convicted of a violation of the provisions
5 of this subsection after having been previously convicted of a
6 violation of this subsection or of Section 11-902 of this title
7 shall be deemed guilty of a felony and shall be punished by
8 imprisonment in ~~a state correctional institution~~ the custody of the
9 Department of Corrections for not less than one (1) year and not
10 more than five (5) years, and a fine of not more than Five Thousand
11 Dollars (\$5,000.00).

12 B. 1. Any person who causes an accident resulting in great
13 bodily injury to any other person ~~other than himself~~ while driving
14 or operating a motor vehicle within this state and who is in
15 violation of the provisions of subsection A of Section 11-902 of
16 this title may be charged with a violation of the provisions of this
17 subsection. Any person who is convicted of a violation of the
18 provisions of this subsection shall be deemed guilty of a felony
19 punishable by imprisonment in ~~a state correctional institution~~ the
20 custody of the Department of Corrections for not less than one (1)
21 year and not more than five (5) years, and a fine of not more than
22 Five Thousand Dollars (\$5,000.00).

23 2. As used in this subsection, "great bodily injury" means
24 bodily injury which creates a substantial risk of death or which

1 causes serious, permanent disfigurement or protracted loss or
2 impairment of the function of any bodily member or organ.

3 C. Any person who causes an accident resulting in great bodily
4 injury to any other person while driving or operating a motor
5 vehicle within this state and who has any measurable amount of
6 methamphetamine in the blood of the person may be charged with a
7 violation of the provisions of this subsection. Any person who is
8 convicted of a violation of the provisions of this subsection shall
9 be deemed guilty of a felony punishable by imprisonment in the
10 custody of the Department of Corrections for a term of not less than
11 twenty (20) years nor more than life.

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

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14 52-1-6171 GRS 01/12/09
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