

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2811

By: Key

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5
6 AS INTRODUCED

7 An Act relating to driver licenses; creating the
8 Driver License Security Act; amending 47 O.S. 2001,
9 Section 6-201, as last amended by Section 5, Chapter
10 149, O.S.L. 2004 (47 O.S. Supp. 2009, Section 6-201),
11 which relates to the cancellation or denial of
12 driving privileges; modifying revocation periods;
13 providing for noncodification; and declaring an
14 emergency.

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

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

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

20 SECTION 2. AMENDATORY 47 O.S. 2001, Section 6-201, as
21 last amended by Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp.
22 2009, Section 6-201), is amended to read as follows:

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

1 1. Is not entitled to a driver license or identification card
2 issued to the person; or

3 2. Failed to give the required or correct information in the
4 application.

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

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

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

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

18 3. Committed or aided another person in the commission of any
19 act provided in subparagraph a, b, c, d, e, or f of paragraph 2 of
20 Section 6-301 of this title, the Department shall revoke the
21 ~~person's~~ driving privilege of the person for a period of ~~sixty (60)~~
22 ninety (90) days for a first determination. For a second or
23 subsequent determination by the Department under paragraph 1, 2 or 3
24 of this subsection, the ~~person's~~ driving privilege of the person

1 shall be revoked for a period of ~~six (6)~~ nine (9) months. Such
2 periods shall not be subject to modification. Upon such revocation,
3 the person to whom the license or card was issued shall surrender
4 the license or card to the Department. The person may apply for a
5 valid identification card, if the person is otherwise eligible.

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

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

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

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

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

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

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4 52-2-8887 GRS 12/30/09

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