

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1117

By: Sykes

4
5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 7-606, as amended by Section 6, Chapter
9 322, O.S.L. 2006 (47 O.S. Supp. 2008, Section 7-606),
10 which relates to failure to maintain insurance;
11 limiting recovery of damages in certain action; and
12 providing an effective date.

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

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

17 Section 7-606. A. 1. An owner or operator who fails to comply
18 with the Compulsory Insurance Law of this state, or who fails to
19 produce for inspection a valid and current security verification
20 form or equivalent form which has been issued by the Department of
21 Public Safety upon request of any peace officer, representative of
22 the Department of Public Safety or other authorized person, shall be
23 guilty of a misdemeanor and upon conviction shall be subject to a
24 fine of not more than Two Hundred Fifty Dollars (\$250.00), or

1 imprisonment for not more than thirty (30) days, or by both such
2 fine and imprisonment, and in addition thereto, shall be subject to
3 suspension of license and registration in accordance with Section
4 7-605 of this title.

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

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

19 C. Any person producing proof in court that a current security
20 verification form or equivalent form which has been issued by the
21 Department reflecting liability coverage for such person was in
22 force at the time of the alleged offense shall be entitled to
23 dismissal of such charge upon payment of court costs; however, if
24 proof of security verification is presented to the court by the

1 assigned court appearance date, the charge shall be dismissed
2 without payment of court costs.

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

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

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

14

15 52-1-1564 TEK 3/6/2009 1:45:34 AM

16

17

18

19

20

21

22

23

24