

05/12/2011 04:30:26 PM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1507

By: Schwartz of the House and Johnson (Rob) of the Senate

Title: Motor vehicles; creating Aaron's Law; modifying penalties; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its Amendment No. 1; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HOUSE CONFEREES

Jordan Fred Jordan

Martin (Steve) Steve Martin

McCullough McCullough

Moore J. H. Moore

Morrisette _____

Roan _____

Roberts (Dustin) D. Roberts

Schwartz Al Schwartz

Sherrer Ben Sherrer

Sullivan Alan Sullivan

Tibbs Steve Tibbs

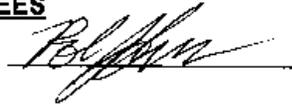
Wesselhoft Paul Wesselhoft

Williams Chris Williams

HB1507 CCR A

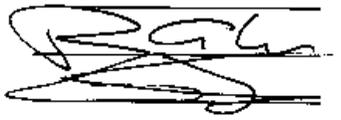
SENATE CONFEREES

Johnson (Rob)



Barrington

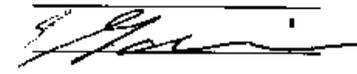
Crain



Nichols

Burrage

Garrison



House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1507

By: Schwartz and Ritze of the
House

7 And

8 Johnson (Rob) and Garrison
9 of the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicles; creating Aaron's
12 Law; amending 47 O.S. 2001, Section 6-205, as last
13 amended by Section 2, Chapter 333, O.S.L. 2010 (47
14 O.S. Supp. 2010, Section 6-205), which relates to
15 mandatory revocation of driving privileges; making
16 certain offenses subject to mandatory revocation;
17 defining term; amending 47 O.S. 2001, Section 11-903,
18 as amended by Section 1, Chapter 164, O.S.L. 2005 (47
19 O.S. Supp. 2010, Section 11-903), which relates to
20 negligent homicide; modifying penalties; providing
21 for noncodification; and providing an effective date.

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

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

This act shall be known and may be cited as "Aaron's Law".

1 SECTION 2. AMENDATORY 47 O.S. 2001, Section 6-205, as
2 last amended by Section 2, Chapter 333, O.S.L. 2010 (47 O.S. Supp.
3 2010, Section 6-205), is amended to read as follows:

4 Section 6-205. A. The Department of Public Safety shall
5 immediately revoke the driving privilege of any person, whether
6 adult or juvenile, upon receiving a record of conviction in any
7 municipal, state or federal court within the United States of any of
8 the following offenses, when such conviction has become final:

9 1. Manslaughter or negligent homicide resulting from the
10 operation of a motor vehicle;

11 2. Driving or being in actual physical control of a motor
12 vehicle while under the influence of alcohol, any other intoxicating
13 substance, or the combined influence of alcohol and any other
14 intoxicating substance, any violation of paragraph 1, 2, 3 or 4 of
15 subsection A of Section 11-902 of this title or any violation of
16 Section 11-906.4 of this title. However, the Department shall not
17 additionally revoke the driving privileges of the person pursuant to
18 this subsection if the ~~person's~~ driving privilege of the person has
19 been revoked because of a test result or test refusal pursuant to
20 Section 753 or 754 of this title arising from the same circumstances
21 which resulted in the conviction unless the revocation because of a
22 test result or test refusal is set aside;

23 3. Any felony during the commission of which a motor vehicle is
24 used;

1 4. Failure to stop and render aid as required under the laws of
2 this state in the event of a motor vehicle accident resulting in the
3 death or personal injury of another;

4 5. Perjury or the making of a false affidavit or statement
5 under oath to the Department under the Uniform Vehicle Code or under
6 any other law relating to the ownership or operation of motor
7 vehicles;

8 6. A misdemeanor or felony conviction for unlawfully
9 possessing, distributing, dispensing, manufacturing, trafficking,
10 cultivating, selling, transferring, attempting or conspiring to
11 possess, distribute, dispense, manufacture, traffic, sell, or
12 transfer of a controlled dangerous substance as defined in the
13 Uniform Controlled Dangerous Substances Act while using a motor
14 vehicle;

15 7. Failure to pay for gasoline pumped into a vehicle pursuant
16 to Section 1740 of Title 21 of the Oklahoma Statutes;

17 8. A misdemeanor conviction for a violation of Section 1465 of
18 Title 21 of the Oklahoma Statutes; ~~or~~

19 9. A misdemeanor conviction for a violation of Section ~~±~~ 609 of
20 ~~this act~~ Title 37 of the Oklahoma Statutes;

21 10. Reckless driving without regard for the safety of others
22 pursuant to Section 11-901 of this title;
23
24

1 11. Failure to obey a traffic control device as provided in
2 Section 11-202 of this title or a stop sign when such failure
3 results in great bodily injury to any other person; or

4 12. Failure to stop or to remain stopped for school bus loading
5 or unloading of children pursuant to Section 11-705 or 11-705.1 of
6 this title.

7 B. The first license revocation under any provision of this
8 section, except for paragraph 2, 6, or 7 of subsection A of this
9 section, shall be for a period of one (1) year. Such period shall
10 not be modified.

11 C. A license revocation under any provision of this section,
12 except for paragraph 2, 6, or 7 of subsection A of this section,
13 shall be for a period of three (3) years if a prior revocation under
14 this section, except under paragraph 2 of subsection A of this
15 section, commenced within the preceding five-year period as shown by
16 the ~~Department's record~~ records of the Department. Such period
17 shall not be modified.

18 D. The period of license revocation under paragraph 2 or 6 of
19 subsection A of this section shall be governed by the provisions of
20 Section 6-205.1 of this title.

21 E. The first license revocation under paragraph 7 of subsection
22 A of this section shall be for a period of six (6) months. A second
23 or subsequent license revocation under paragraph 7 of subsection A
24

1 of this section shall be for a period of one (1) year. Such periods
2 shall not be modified.

3 F. As used in this section, "great bodily injury" means bodily
4 injury which creates a substantial risk of death or which causes
5 serious, permanent disfigurement or protracted loss or impairment of
6 the function of any bodily member or organ.

7 SECTION 3. AMENDATORY 47 O.S. 2001, Section 11-903, as
8 amended by Section 1, Chapter 164, O.S.L. 2005 (47 O.S. Supp. 2010,
9 Section 11-903), is amended to read as follows:

10 Section 11-903. A. When the death of any person ensues within
11 one (1) year as a proximate result of injury received by the driving
12 of any vehicle by any person in reckless disregard of the safety of
13 others, the person so operating such vehicle shall be guilty of
14 negligent homicide.

15 B. Any person convicted of negligent homicide shall be ~~punished~~
16 guilty of a misdemeanor punishable by imprisonment in the county
17 jail for not more than one (1) year or by fine of not less than ~~One~~
18 ~~Hundred Dollars (\$100.00) nor more than~~ One Thousand Dollars
19 (\$1,000.00), or by both such fine and imprisonment.

20 In addition to the fine or penalty, the court shall order the
21 person to attend a driver improvement or defensive driving course,
22 as provided in Section 6-206.1 of this title. Furthermore, if the
23 records of the Department of Public Safety for the person reflect a
24 conviction for any traffic offense within the three (3) years

1 immediately preceding the conviction for negligent homicide, the
2 fine shall be enhanced to double the amount of the fine imposed
3 pursuant to this subsection.

4 C. The Commissioner of Public Safety shall revoke the license
5 or permit to drive and any nonresident operating privilege of any
6 person convicted of negligent homicide.

7 SECTION 4. This act shall become effective November 1, 2011.

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9 53-1-7724 GRS 05/03/11

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