

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1027

6 By: Glenn

7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.  
9 2001, Section 7-606, as last amended by Section 4,  
10 Chapter 440, O.S.L. 2010 (47 O.S. Supp. 2010, Section  
11 7-606), which relates to the Compulsory Insurance  
12 Law; modifying penalties for certain violation; and  
13 adding an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2001, Section 7-606, as  
16 last amended by Section 4, Chapter 440, O.S.L. 2010 (47 O.S. Supp.  
17 2010, Section 7-606), is amended to read as follows:

18 Section 7-606. A. 1. An owner or operator who fails to comply  
19 with the Compulsory Insurance Law, or who fails to produce for  
20 inspection a valid and current security verification form or  
21 equivalent form which has been issued by the Department of Public  
22 Safety upon request of any peace officer, representative of the  
23 Department of Public Safety or other authorized person, shall be  
24 guilty of a misdemeanor and upon conviction shall be subject to a

1 fine of not more than Two Hundred Fifty Dollars (\$250.00), or  
2 imprisonment for not more than thirty (30) days, or by both such  
3 fine and imprisonment, and in addition thereto, shall be subject to  
4 suspension of the driving privilege of the person in accordance with  
5 Section 7-605 of this title. Upon issuing a citation under this  
6 paragraph, the law enforcement officer issuing the citation may  
7 seize the vehicle being operated by the person and cause the vehicle  
8 to be towed and stored as provided by subsection B of Section 955 of  
9 this title, if the officer has probable cause to believe that the  
10 vehicle is not insured as required by the Compulsory Insurance Law  
11 of this state. If the operator of the vehicle produces what appears  
12 to be a valid security verification form and the officer is unable  
13 to confirm compliance through the online verification system or  
14 noncompliance by a subsequent investigation, the officer shall be  
15 prohibited from seizing the vehicle and causing such vehicle to be  
16 towed and stored. Further, no vehicle shall be seized and towed  
17 under the provisions of this paragraph if said vehicle is displaying  
18 a temporary license plate that has not expired pursuant to the  
19 provisions of Sections 1137.1 and 1137.3 of this title.

20 2. An owner other than an owner of an antique or a classic  
21 automobile as defined by the Oklahoma Tax Commission who files an  
22 affidavit that a vehicle shall not be driven upon the public  
23 highways or public streets, pursuant to Section 7-607 of this title,  
24 who drives or permits the driving of the vehicle upon the public

1 highways or public streets, shall be guilty of a misdemeanor and  
2 upon conviction thereof shall be subject to a fine of not more than  
3 Five Hundred Dollars (\$500.00), or imprisonment for not more than  
4 thirty (30) days, or by both such fine and imprisonment, and in  
5 addition thereto, shall be subject to suspension of the driving  
6 privilege of the person in accordance with Section 7-605 of this  
7 title.

8 B. A sentence imposed for any violation of the Compulsory  
9 Insurance Law may be suspended or deferred in whole or in part by  
10 the court.

11 C. Any person producing proof in court that a current security  
12 verification form or equivalent form which has been issued by the  
13 Department of Public Safety reflecting liability coverage for the  
14 person was in force at the time of the alleged offense shall be  
15 entitled to dismissal of the charge upon payment of court costs;  
16 however, if proof of security verification is presented to the court  
17 by the ~~assigned~~ first scheduled court appearance date, the dismissal  
18 shall be with payment of court costs. The court shall access  
19 information from the online verification system and, if compliance  
20 is confirmed, the charge shall be dismissed without payment of court  
21 costs to confirm liability coverage. The court shall not dismiss  
22 the charge under this statute unless liability coverage for the  
23 person was in force at the time of the alleged offense.  
24

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

5 SECTION 2. This act shall become effective November 1, 2011.

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7 53-1-6656 SDR 02/15/11

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