

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1507

6 By: Schwartz

7 COMMITTEE SUBSTITUTE

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

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

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

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

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

Section 6-205. A. The Department of Public Safety shall
immediately revoke the driving privilege of any person, whether

1 adult or juvenile, upon receiving a record of conviction in any
2 municipal, state or federal court within the United States of any of
3 the following offenses, when such conviction has become final:

4 1. Manslaughter or negligent homicide resulting from the
5 operation of a motor vehicle;

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14 been revoked because of a test result or test refusal pursuant to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

18 3. Any felony during the commission of which a motor vehicle is
19 used;

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

23 5. Perjury or the making of a false affidavit or statement
24 under oath to the Department under the Uniform Vehicle Code or under

1 any other law relating to the ownership or operation of motor
2 vehicles;

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

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

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

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

16 10. Reckless driving without regard for the safety of others;

17 11. Failure to obey any traffic control device when such
18 failure endangers the safety and life of any other person; or

19 12. Failure to stop or to remain stopped for school bus loading
20 or unloading of children.

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

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

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

11 E. The first license revocation under paragraph 7 of subsection
12 A of this section shall be for a period of six (6) months. A second
13 or subsequent license revocation under paragraph 7 of subsection A
14 of this section shall be for a period of one (1) year. Such periods
15 shall not be modified.

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

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

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1 B. Any person convicted of negligent homicide shall be ~~punished~~
2 guilty of a misdemeanor punishable by imprisonment in the county
3 jail for not more than one (1) year or by fine of not less than ~~One~~
4 ~~Hundred Dollars (\$100.00) nor more than One Thousand Dollars~~
5 (\$1,000.00), or by both such fine and imprisonment.

6 In addition to the fine or penalty, the court shall order the
7 person to attend a driver improvement or defensive driving course,
8 as provided in Section 6-206.1 of this title. Furthermore, if the
9 records of the Department of Public Safety for the person reflect a
10 conviction for any traffic offense within the three (3) years
11 immediately preceding the conviction for negligent homicide, the
12 fine shall be enhanced to double the amount of the fine imposed
13 pursuant to this subsection.

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

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

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