

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR ENGROSSED

5 SENATE BILL NO. 953

6 By: Nichols of the Senate

7 and

8 Billy of the House

9 SUBCOMMITTEE RECOMMENDATION

10 An Act relating to motor vehicles; amending 47 O.S.
11 2001, Section 6-212, as last amended by Section 18,
12 Chapter 401, O.S.L. 2008 (47 O.S. Supp. 2010, Section
13 6-212), which relates to conditions for reinstatement
14 of driving privileges; increasing amount of
15 reinstatement fee for specified amount of time;
16 directing deposit of fee to certain revolving fund;
17 providing for expenditure of funds; amending 47 O.S.
18 2001, Section 2-143, as amended by Section 7, Chapter
19 461, O.S.L. 2003 (47 O.S. Supp. 2010, Section 2-143),
20 which relates to the Department of Public Safety
21 Patrol Vehicle Revolving Fund; modifying purpose of
22 revolving fund; providing an effective date; and
23 declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-212, as
last amended by Section 18, Chapter 401, O.S.L. 2008 (47 O.S. Supp.
2010, Section 6-212), is amended to read as follows:

Section 6-212. A. The Department of Public Safety shall not
assess and collect multiple reinstatement fees when reinstating the

1 driving privilege of any person having more than one suspension or
2 revocation affecting the person's driving privilege at the time of
3 reinstatement.

4 B. The Department shall:

5 1. Suspend or revoke a person's driving privilege for each
6 basis as delineated within the Oklahoma Statutes; and

7 2. Require any person having more than one suspension or
8 revocation affecting the person's driving privilege to meet the
9 statutory requirements for each action as a condition precedent to
10 the reinstatement of any driving privilege. Provided, however,
11 reinstatement fees shall not be cumulative, and a single
12 reinstatement fee, as provided for in subsection C of this section,
13 shall be paid for all suspensions or revocations as shown by the
14 Department's records at the time of reinstatement.

15 C. Whenever a person's privilege to operate a motor vehicle is
16 suspended or revoked pursuant to any provision as authorized by the
17 Oklahoma Statutes, the license or privilege to operate a motor
18 vehicle shall remain under suspension or revocation and shall not be
19 reinstated until:

20 1. The expiration of each such revocation or suspension order;

21 2. The person has paid to the Department:

22 a. if such privilege is suspended or revoked pursuant to
23 Section 1115.5 of Title 22 of the Oklahoma Statutes or
24 pursuant to any provisions of this title, except as

1 provided in subparagraph b of this paragraph, a
2 processing fee of Twenty-five Dollars (\$25.00) for
3 each such suspension or revocation as shown by the
4 Department's records, or

- 5 b. (1) if such privilege is suspended or revoked
6 pursuant to the provisions of Section 6-205, 6-
7 205.1, 7-608, 7-612, 753, 754 or 761 of this
8 title or pursuant to subsection A of Section 7-
9 605 of this title for a conviction for failure to
10 maintain the mandatory motor vehicle insurance
11 required by law or pursuant to subsection B of
12 Section 6-206 of this title for a suspension
13 other than for points accumulation, a processing
14 fee of Seventy-five Dollars (\$75.00) for each
15 such suspension or revocation as shown by the
16 Department's records, and a special assessment
17 trauma-care fee of Two Hundred Dollars (\$200.00)
18 to be deposited into the Trauma Care Assistance
19 Revolving Fund created in Section 1-2522 of Title
20 63 of the Oklahoma Statutes, for each suspension
21 or revocation as shown by the records of the
22 Department, and
23 (2) in addition to any other fees required by this
24 section, if such privilege is suspended or

1 revoked pursuant to an arrest on or after
2 November 1, 2008, under the provisions of
3 paragraph 2 or 6 of subsection A of Section 6-205
4 of this title or of Section 753, 754, or 761 of
5 this title, a fee of Fifteen Dollars (\$15.00),
6 which shall be apportioned pursuant to the
7 provisions of Section 3-460 of Title 43A of the
8 Oklahoma Statutes; and

9 3. The person has paid to the Department a single reinstatement
10 fee of:

- 11 a. beginning on July 1, 2011, through June 30, 2013,
12 Fifty Dollars (\$50.00), of which Twenty-five Dollars
13 (\$25.00) shall be deposited by the Commissioner to the
14 credit of the Department of Public Safety Revolving
15 Fund and, in addition to other purposes authorized by
16 law, the expenditures from that fund of monies derived
17 from the Twenty-five Dollars (\$25.00) pursuant to this
18 subparagraph shall be used to fund any Oklahoma
19 Highway Patrol Trooper Academy provided by the
20 Department. Any remaining funds shall be used for
21 operational expenses of the Oklahoma Highway Patrol,
22 and
- 23 b. beginning on July 1, 2013, and any year thereafter,
24 Twenty-five Dollars (\$25.00).

1 D. Effective July 1, 2002, and for each fiscal year thereafter:

2 1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all
3 monies collected each month pursuant to this section shall be
4 apportioned as provided in Section 1104 of this title, except as
5 otherwise provided in this section; and

6 2. Except as otherwise provided in this section, all other
7 monies collected in excess of Two Hundred Fifty Thousand Dollars
8 (\$250,000.00) each month shall be deposited in the General Revenue
9 Fund.

10 SECTION 2. AMENDATORY 47 O.S. 2001, Section 2-143, as
11 amended by Section 7, Chapter 461, O.S.L. 2003 (47 O.S. Supp. 2010,
12 Section 2-143), is amended to read as follows:

13 Section 2-143. There is hereby created in the State Treasury a
14 revolving fund for the Oklahoma Department of Public Safety, to be
15 designated the "Department of Public Safety Patrol Vehicle Revolving
16 Fund". The fund shall be a continuing fund, not subject to fiscal
17 year limitations. All monies accruing to the credit of said fund
18 are hereby appropriated and shall be budgeted and expended by the
19 Department for the exclusive purpose of the purchase of patrol
20 vehicles, patrol aircraft, and the equipping of those vehicles, as
21 well as any other operational expenses of the Oklahoma Highway
22 Patrol. No monies shall be expended from this fund without
23 expressed authorization by the Legislature. Expenditures from said
24 fund shall be made upon warrants issued by the State Treasurer

1 against claims filed as prescribed by law with the Director of State
2 Finance for approval and payment.

3 SECTION 3. This act shall become effective July 1, 2011.

4 SECTION 4. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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9 53-1-7295 GRS 03/29/11

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