

1 ENGROSSED HOUSE
2 BILL NO. 1027

By: Glenn and Cox of the House

3 and

4 Wyrick of the Senate

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7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 7-606, as last amended by Section 4,
9 Chapter 440, O.S.L. 2010 (47 O.S. Supp. 2010, Section
10 7-606), which relates to the Compulsory Insurance
11 Law; modifying penalties for certain violation; 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 last amended by Section 4, Chapter 440, O.S.L. 2010 (47 O.S. Supp.
16 2010, 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, or who fails to produce for
19 inspection a valid and current security verification form or
20 equivalent form which has been issued by the Department of Public
21 Safety upon request of any peace officer, representative of the
22 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 the driving privilege of the person in accordance with
4 Section 7-605 of this title. Upon issuing a citation under this
5 paragraph, the law enforcement officer issuing the citation may
6 seize the vehicle being operated by the person and cause the vehicle
7 to be towed and stored as provided by subsection B of Section 955 of
8 this title, if the officer has probable cause to believe that the
9 vehicle is not insured as required by the Compulsory Insurance Law
10 of this state. If the operator of the vehicle produces what appears
11 to be a valid security verification form and the officer is unable
12 to confirm compliance through the online verification system or
13 noncompliance by a subsequent investigation, the officer shall be
14 prohibited from seizing the vehicle and causing such vehicle to be
15 towed and stored. Further, no vehicle shall be seized and towed
16 under the provisions of this paragraph if said vehicle is displaying
17 a temporary license plate that has not expired pursuant to the
18 provisions of Sections 1137.1 and 1137.3 of this title.

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

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

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

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

23 D. Upon conviction, bond forfeiture or deferral of sentence,
24 the court clerk shall forward an abstract to the Department of

1 Public Safety within ten (10) days reflecting the action taken by
2 the court.

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

4 Passed the House of Representatives the 17th day of February,
5 2011.

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Presiding Officer of the House of
Representatives

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10 Passed the Senate the ____ day of _____, 2011.

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Presiding Officer of the Senate

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