

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1027

By: Glenn and Cox of the House

and

Wyrick of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicles; amending 47 O.S.
12 2001, Section 7-606, as last amended by Section 4,
13 Chapter 440, O.S.L. 2010 (47 O.S. Supp. 2010, Section
14 7-606), which relates to the Compulsory Insurance
15 Law; modifying penalties for certain violation; and
16 adding an effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2001, Section 7-606, as
19 last amended by Section 4, Chapter 440, O.S.L. 2010 (47 O.S. Supp.
20 2010, Section 7-606), is amended to read as follows:

21 Section 7-606. A. 1. An owner or operator who fails to comply
22 with the Compulsory Insurance Law, or who fails to produce for
23 inspection a valid and current security verification form or

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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1 2. An owner other than an owner of an antique or a classic
2 automobile as defined by the Oklahoma Tax Commission who files an
3 affidavit that a vehicle shall not be driven upon the public
4 highways or public streets, pursuant to Section 7-607 of this title,
5 who drives or permits the driving of the vehicle upon the public
6 highways or public streets, shall be guilty of a misdemeanor and
7 upon conviction thereof shall be subject to a fine of not more than
8 Five Hundred Dollars (\$500.00), or imprisonment for not more than
9 thirty (30) days, or by both such fine and imprisonment, and in
10 addition thereto, shall be subject to suspension of the driving
11 privilege of the person in accordance with Section 7-605 of this
12 title.

13 B. A sentence imposed for any violation of the Compulsory
14 Insurance Law may be suspended or deferred in whole or in part by
15 the court.

16 C. Any person producing proof in court that a current security
17 verification form or equivalent form which has been issued by the
18 Department of Public Safety reflecting liability coverage for the
19 person was in force at the time of the alleged offense shall be
20 entitled to dismissal of the charge upon payment of court costs;
21 however, if proof of security verification is presented to the court
22 by the ~~assigned~~ first scheduled court appearance date, the dismissal
23 shall be with payment of court costs. The court shall access

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1 information from the online verification system ~~and, if compliance~~
2 ~~is confirmed, the charge shall be dismissed without payment of court~~
3 ~~costs~~ to confirm liability coverage. The court shall not dismiss
4 the charge under this statute unless liability coverage for the
5 person was in force at the time of the alleged offense.

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

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

11 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/15/2011 - DO
12 PASS, As Amended and Coauthored.

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