

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 953

By: Nichols of the Senate

and

Billy of the House

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10 COMMITTEE SUBSTITUTE

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

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:

1 Section 6-212. A. The Department of Public Safety shall not
2 assess and collect multiple reinstatement fees when reinstating the
3 driving privilege of any person having more than one suspension or
4 revocation affecting the person's driving privilege at the time of
5 reinstatement.

6 B. The Department shall:

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

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

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

22 1. The expiration of each such revocation or suspension order;
23 2. The person has paid to the Department:

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

1 a. if such privilege is suspended or revoked pursuant to
2 Section 1115.5 of Title 22 of the Oklahoma Statutes or
3 pursuant to any provisions of this title, except as
4 provided in subparagraph b of this paragraph, a
5 processing fee of Twenty-five Dollars (\$25.00) for
6 each such suspension or revocation as shown by the
7 Department's records, or

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

3 (2) in addition to any other fees required by this
4 section, if such privilege is suspended or
5 revoked pursuant to an arrest on or after
6 November 1, 2008, under the provisions of
7 paragraph 2 or 6 of subsection A of Section 6-205
8 of this title or of Section 753, 754, or 761 of
9 this title, a fee of Fifteen Dollars (\$15.00),
10 which shall be apportioned pursuant to the
11 provisions of Section 3-460 of Title 43A of the
12 Oklahoma Statutes; and

13 3. The person has paid to the Department a single reinstatement
14 fee of:

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

1 Department. Any remaining funds shall be used for
2 operational expenses of the Oklahoma Highway Patrol,
3 and

4 b. beginning on July 1, 2013, and any year thereafter,
5 Twenty-five Dollars (\$25.00).

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

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

11 2. Except as otherwise provided in this section, all other
12 monies collected in excess of Two Hundred Fifty Thousand Dollars
13 (\$250,000.00) each month shall be deposited in the General Revenue
14 Fund.

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

18 Section 2-143. There is hereby created in the State Treasury a
19 revolving fund for the Oklahoma Department of Public Safety, to be
20 designated the "Department of Public Safety Patrol Vehicle Revolving
21 Fund". The fund shall be a continuing fund, not subject to fiscal
22 year limitations. All monies accruing to the credit of said fund
23 are hereby appropriated and shall be budgeted and expended by the

1 Department for the exclusive purpose of the purchase of patrol
2 vehicles, patrol aircraft, and the equipping of those vehicles, as
3 well as any other operational expenses of the Oklahoma Highway
4 Patrol. No monies shall be expended from this fund without
5 expressed authorization by the Legislature. Expenditures from said
6 fund shall be made upon warrants issued by the State Treasurer
7 against claims filed as prescribed by law with the Director of State
8 Finance for approval and payment.

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
16 04-14-2011 - DO PASS, As Amended.

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