

1 **SENATE FLOOR VERSION**

2 March 31, 2011

3 ENGROSSED HOUSE
4 BILL NO. 1520

By: Nollan, Blackwell,
Reynolds, Ritze, Cockroft
and Shelton of the House

5
6 and

7 Brown of the Senate
8

9 An Act relating to motor vehicles; amending 47 O.S.
10 2001, Section 7-606, as last amended by Section 4,
11 Chapter 440, O.S.L. 2010 (47 O.S. Supp. 2010, Section
12 7-606), which relates to penalties for violation of
13 security verification requirements; modifying
14 penalty; and providing an effective date.

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

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

19 Section 7-606. A. 1. An owner or operator who fails to comply
20 with the Compulsory Insurance Law, or who fails to produce for
21 inspection a valid and current security verification form or
22 equivalent form which has been issued by the Department of Public
23 Safety upon request of any peace officer, representative of the
24 Department of Public Safety or other authorized person, shall be

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

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

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

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

12 C. Any person producing proof in court that a current security
13 verification form or equivalent form which has been issued by the
14 Department of Public Safety reflecting liability coverage for the
15 person was in force at the time of the alleged offense shall be
16 entitled to dismissal of the charge ~~upon payment of court costs,~~
17 ~~however, if.~~ If proof of security verification is presented to the
18 court by the assigned first scheduled court appearance date, the
19 dismissal shall be without payment of court costs. The court shall
20 may access information from the online verification system and, if
21 compliance is confirmed, the charge shall be dismissed without
22 payment of court costs to confirm liability coverage. The court
23 shall not dismiss the charge unless proof that liability coverage
24

1 for the person was in force at the time of the alleged offense is
2 presented to the court.

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-29-11 - DO
9 PASS.

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