

1 **SENATE FLOOR VERSION**

2 February 22, 2012

3 SENATE BILL NO. 1142

By: Brecheen and Johnson
(Constance) of the Senate

4 and

5 Roan of the House

6
7 An Act relating to provisional driver licenses;
8 amending 47 O.S. 2011, Section 6-212, which relates
9 to reinstatement of suspended or revoked driver
10 licenses; authorizing the Department of Public Safety
11 to enter certain agreements with persons to allow
12 limited driving privilege; requiring certain
13 payments; providing for rules and procedures; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-212, is
17 amended to read as follows:

18 Section 6-212. A. The Department of Public Safety shall not
19 assess and collect multiple reinstatement fees when reinstating the
20 driving privilege of any person having more than one suspension or
21 revocation affecting the person's driving privilege at the time of
22 reinstatement.

23 B. The Department shall:

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

2. Require any person having more than one suspension or
revocation affecting the person's driving privilege to meet the

1 statutory requirements for each action as a condition precedent to
2 the reinstatement of any driving privilege. Provided, however,
3 reinstatement fees shall not be cumulative, and a single
4 reinstatement fee, as provided for in subsection C of this section,
5 shall be paid for all suspensions or revocations as shown by the
6 Department's records at the time of reinstatement.

7 C. Whenever a person's privilege to operate a motor vehicle is
8 suspended or revoked pursuant to any provision as authorized by the
9 Oklahoma Statutes, the license or privilege to operate a motor
10 vehicle shall remain under suspension or revocation and shall not be
11 reinstated until:

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

13 2. The person has paid to the Department:

14 a. if such privilege is suspended or revoked pursuant to
15 Section 1115.5 of Title 22 of the Oklahoma Statutes or
16 pursuant to any provisions of this title, except as
17 provided in subparagraph b of this paragraph, a
18 processing fee of Twenty-five Dollars (\$25.00) for
19 each such suspension or revocation as shown by the
20 Department's records, or

21 b. (1) if such privilege is suspended or revoked
22 pursuant to the provisions of Section 6-205, 6-
23 205.1, ~~7-608~~, 7-612, 753, 754 or 761 of this
24 title or pursuant to subsection A of Section 7-

1 605 of this title for a conviction for failure to
2 maintain the mandatory motor vehicle insurance
3 required by law or pursuant to subsection B of
4 Section 6-206 of this title for a suspension
5 other than for points accumulation, a processing
6 fee of Seventy-five Dollars (\$75.00) for each
7 such suspension or revocation as shown by the
8 Department's records, and a special assessment
9 trauma-care fee of Two Hundred Dollars (\$200.00)
10 to be deposited into the Trauma Care Assistance
11 Revolving Fund created in Section 1-2522 of Title
12 63 of the Oklahoma Statutes, for each suspension
13 or revocation as shown by the records of the
14 Department, and

15 (2) in addition to any other fees required by this
16 section, if such privilege is suspended or
17 revoked pursuant to an arrest on or after
18 November 1, 2008, under the provisions of
19 paragraph 2 or 6 of subsection A of Section 6-205
20 of this title or of Section 753, 754, or 761 of
21 this title, a fee of Fifteen Dollars (\$15.00),
22 which shall be apportioned pursuant to the
23 provisions of Section 3-460 of Title 43A of the
24 Oklahoma Statutes; and

1 3. The person has paid to the Department a single reinstatement
2 fee of:

- 3 a. beginning on ~~the effective date of this act~~ August 26,
4 2011 through June 30, 2013, Fifty Dollars (\$50.00), of
5 which Twenty-five Dollars (\$25.00) shall be deposited
6 by the Commissioner to the credit of the Department of
7 Public Safety Revolving Fund and, in addition to other
8 purposes authorized by law, the expenditures from that
9 fund of monies derived from the Twenty-five Dollars
10 (\$25.00) pursuant to this subparagraph shall be used
11 to fund any Oklahoma Highway Patrol Trooper Academy
12 provided by the Department. Any remaining funds shall
13 be used for operational expenses of the Oklahoma
14 Highway Patrol, and
- 15 b. beginning on July 1, 2013, and any year thereafter,
16 Twenty-five Dollars (\$25.00).

17 The Department of Public Safety is hereby authorized to enter
18 into agreements with persons whose license to operate a motor
19 vehicle has been suspended or revoked, for issuance of provisional
20 licenses that would allow such persons to drive between their place
21 of residence and their place of employment, between their place of
22 residence and a college, university or technology center, or between
23 their place of residence and any court-ordered treatment program
24 with the condition that such persons pay a minimum of Twenty-five

1 Dollars (\$25.00) per month toward the satisfaction of all
2 outstanding driver license reinstatement fees. The Department shall
3 develop rules and procedures to establish such a provisional driver
4 license program and such rules and procedures shall include, but not
5 be limited to, eligibility criteria, proof of insurance, proof of
6 enrollment or employment, and any provisional license fees. Any
7 violation of law by the person holding the provisional license that
8 would result in the suspension or revocation of a driver license
9 shall result in the revocation of the provisional license and such
10 person shall be ineligible for future application for a provisional
11 driver license.

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

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

17 2. Except as otherwise provided in this section, all other
18 monies collected in excess of Two Hundred Fifty Thousand Dollars
19 (\$250,000.00) each month shall be deposited in the General Revenue
20 Fund.

21 SECTION 2. This act shall become effective November 1, 2012.

22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 2-9-12 - DO
23 PASS, As Coauthored.

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