

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1295

By: Derby

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 10-104, as amended by Section 8,
9 Chapter 394, O.S.L. 2005 (47 O.S. Supp. 2010, Section
10 10-104), which relates to duties after motor vehicle
11 accidents; modifying Compulsory Insurance Law
12 penalty; and 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 10-104, as
15 amended by Section 8, Chapter 394, O.S.L. 2005 (47 O.S. Supp. 2010,
16 Section 10-104), is amended to read as follows:

17 Section 10-104. A. The driver of any vehicle involved in an
18 accident resulting in injury to or death of any person or damage to
19 any vehicle which is driven or attended by any person shall give his
20 correct name, address and registration number of the vehicle he is
21 driving, and shall upon request exhibit his driver license and his
22 security verification form, as defined in Section 7-600 of this
23 title, to the person struck or the driver or occupant of or person
24 attending any vehicle collided with, and shall render to any person
injured in such accident reasonable assistance, including the

1 carrying, or the making of arrangements for the carrying, of such
2 person to a physician, surgeon or hospital for medical or surgical
3 treatment if it is apparent that such treatment is necessary or if
4 such carrying is requested by the injured person. Any driver who
5 provides information required by this section which is intentionally
6 inaccurate shall be subject to the provisions of Section 10-103 of
7 this title.

8 B. Any driver of any vehicle involved in an accident who could
9 be cited for any traffic offense where said accident resulted in the
10 immediate death or great bodily injury, as defined in subsection B
11 of Section 646 of Title 21 of the Oklahoma Statutes, of any person
12 shall submit to drug and alcohol testing as soon as practicable
13 after such accident occurs. The traffic offense violation shall
14 constitute probable cause for purposes of Section 752 of this title
15 and the procedures found in Section 752 of this title shall be
16 followed to determine the presence of alcohol or controlled
17 dangerous substances within the driver's blood system.

18 C. If any driver of any vehicle involved in an accident
19 resulting in damage does not have a current insurance policy or bond
20 for the motor vehicle as required by the Compulsory Insurance Law,
21 any officer of the Department of Public Safety or any other
22 political subdivision of this state shall cause the vehicle to be
23 towed to the home of the driver and a tire boot shall be used to
24 immobilize the vehicle until the damage caused in the accident is

1 paid in full and the driver is in compliance with the Compulsory
2 Insurance Law.

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

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