STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

HOUSE BILL 2568 By: Wright

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 11-904, which relates to personal injury accidents; modifying penalty; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-904, is amended to read as follows:

Section 11-904. A. Any person who is involved in a personal injury accident while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of Section 11-902 of this title may be charged with a violation of the provisions of this subsection as follows:

1. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a misdemeanor for the first offense and shall be punished by imprisonment in the county jail for not less than ninety (90) days nor more than one (1) year,

and a fine of not more than Two Thousand Five Hundred Dollars ($2,500.00); and

2. Any person who is convicted of a violation of the provisions of this subsection after having been previously convicted of a violation of this subsection or of Section 11-902 of this title shall be deemed guilty of a felony and shall be punished by imprisonment in ~~a state correctional institution~~ the custody of the Department of Corrections for not less than one (1) year and not more than five (5) years, and a fine of not more than Five Thousand Dollars ($5,000.00).

B. 1. Any person who causes an accident resulting in great bodily injury to any person other than himself while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of Section 11-902 of this title may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a felony punishable by imprisonment in ~~a state correctional institution~~ the custody of the Department of Corrections for not less than one (1) year and not more than ~~five (5)~~ twenty (20) years, and a fine of not more than Five Thousand Dollars ($5,000.00).

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which

causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

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

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