

1 STATE OF OKLAHOMA

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

3 SENATE BILL 895

By: Shortey

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5
6 AS INTRODUCED

7 An Act relating to criminal penalty; amending 21 O.S.
8 2001, Section 1760, as amended by Section 1, Chapter
9 55, O.S.L. 2008 (21 O.S. Supp. 2010, Section 1760),
10 which relates to malicious injury or destruction of
11 property; adding revocation of driver license for
12 certain conduct; requiring revocation of driver
13 license by Commissioner of Public Safety upon receipt
14 of certain information; providing for certain notice;
15 providing for codification; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1760, as
19 amended by Section 1, Chapter 55, O.S.L. 2008 (21 O.S. Supp. 2010,
20 Section 1760), is amended to read as follows:

21 Section 1760. A. Every person who maliciously injures, defaces
22 or destroys any real or personal property not his or her own, in
23 cases other than such as are specified in Section 1761 et seq. of
24 this title, is guilty of:

1. A misdemeanor, if the damage, defacement or destruction
causes a loss which has an aggregate value of less than One Thousand
Dollars (\$1,000.00);

1 2. A felony, if the damage, defacement or destruction causes a
2 loss which has an aggregate value of One Thousand Dollars
3 (\$1,000.00) or more; or

4 3. A felony, if the defendant has two or more prior convictions
5 for an offense under this section, notwithstanding the value of loss
6 caused by the damage, defacement or destruction.

7 B. In addition to any other punishment prescribed by law for
8 violations of subsection A of this section, he or she is liable in
9 treble damages for the injury done, to be recovered in a civil
10 action by the owner of such property or public officer having charge
11 thereof. A minor with driving privileges of a motor vehicle that
12 violates subsection A of this section shall also have his or her
13 driving privilege revoked pursuant to Section 2 of this act until
14 such minor is twenty-one (21) years of age.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 6-201.2 of Title 47, unless
17 there is created a duplication in numbering, reads as follows:

18 A. In addition to other qualifications and conditions
19 established by law, the driving privilege of an individual is
20 subject to the requirements of this section.

21 B. Upon receipt of an order from a court, a person found guilty
22 of a crime pursuant to subsection A of Section 1760 of Title 21 of
23 the Oklahoma Statutes and otherwise meets the criteria of subsection
24 B of that section and such person owns or operates a motor vehicle,

1 the Commissioner of Public Safety shall revoke the person's driving
2 privilege.

3 C. 1. The Department of Public Safety shall prescribe, prepare
4 and distribute a notification of revocation form to be used by the
5 courts when an order has been entered revoking a person's driving
6 privileges for conviction of a crime pursuant to Section 1760 of
7 Title 21 of the Oklahoma Statutes.

8 2. In addition to the Department of Public Safety, the court
9 shall send a copy of the notification of revocation to the person by
10 first class, postage prepaid mail. The notification shall:

- 11 a. include the name, address, date of birth, physical
12 description and, if known, the driver license number
13 of the person,
- 14 b. require the Department to revoke the driving privilege
15 of the person,
- 16 c. require the Department to not reinstate the person's
17 driving privilege until:
- 18 (1) the person presents proof of certificate of birth
19 indicating that the person is twenty-one (21)
20 years of age, and
- 21 (2) the person has paid to the Department the fees
22 required by Section 6-212 of Title 21 of the
23 Oklahoma Statutes and has met all other statutory
24

1 requirements for reinstatement of the person's
2 driving privilege, and

3 d. specify the reason and statutory ground for the
4 revocation and the effective date of the revocation.

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

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