

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2688

By: Grau of the House

and

Standridge of the Senate

4
5
6
7 An Act relating to motor vehicles; repealing 47 O.S.
8 2011, Sections 1138 and 1139, which relate to
9 intercity motorbuses; and providing an effective
10 date.

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12 AUTHOR: Add the following Senate Coauthor: Allen

13 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
14 entire bill and insert

14

15 "An Act relating to motor vehicles; amending 47 O.S.
16 2011, Section 4-104, which relates to damaging or
17 tampering with certain vehicles or implements of
18 husbandry; creating certain felony offenses;
19 providing penalties; clarifying certain crime;
20 repealing 47 O.S. 2011, Sections 1138 and 1139, which
21 relate to intercity motorbuses; and providing an
22 effective date.

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

22 SECTION 1. AMENDATORY 47 O.S. 2011, Section 4-104, is
23 amended to read as follows:

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1 Section 4-104. ~~(a)~~ A. A person, who, with intent and without
2 right to do so, injures or tampers with any vehicle or implement of
3 husbandry or in any other manner damages any part or portion of said
4 vehicle or implement of husbandry or any accessories, appurtenance
5 or attachments thereto is guilty of a ~~misdemeanor~~ :

6 1. A misdemeanor, if the injury or damage causes a loss which
7 has an aggregate value of Five Thousand Dollars (\$5,000.00) or less,
8 and upon conviction, shall be punished by a fine not to exceed Five
9 Thousand Dollars (\$5,000.00), imprisonment in the county jail for
10 not more than one (1) year, or by both fine and imprisonment;

11 2. A felony, if the injury or damage causes a loss which has an
12 aggregate value of more than Five Thousand Dollars (\$5,000.00) but
13 less than Twenty-five Thousand Dollars (\$25,000.00), and upon
14 conviction, shall be punished by a fine not to exceed Five Thousand
15 Dollars (\$5,000.00), imprisonment in the custody of the Department
16 of Corrections for not more than five (5) years, or by both fine and
17 imprisonment;

18 3. A felony, if the injury or damage causes a loss which has an
19 aggregate value of more than Twenty-five Thousand Dollars
20 (\$25,000.00), and upon conviction, shall be punished by a fine not
21 to exceed Ten Thousand Dollars (\$10,000.00), imprisonment in the
22 custody of the Department of Corrections for not more than ten (10)
23 years, or by both fine and imprisonment;

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1 4. A felony, if the person has two (2) or more prior
2 convictions for an offense under this section, notwithstanding the
3 value of loss caused by the injury or damage, and upon conviction,
4 shall be punished by a fine not to exceed Five Thousand Dollars
5 (\$5,000.00), imprisonment in the custody of the Department of
6 Corrections for a term of not more than five (5) years, or by both
7 fine and imprisonment.

8 ~~(b)~~ B. A person, who, without right to do so and with intent to
9 commit a crime, tampers with or climbs into or upon a vehicle or
10 implement of husbandry whether it is in motion or at rest, attempts
11 to manipulate any of the levers, starting mechanism, brakes or other
12 mechanism or device of a vehicle or implement of husbandry while the
13 same is at rest and unattended, or sets in motion any vehicle or
14 implement of husbandry while the same is at rest and unattended is
15 guilty of a misdemeanor, and upon conviction, shall be punished by a
16 fine not to exceed Five Thousand Dollars (\$5,000.00), imprisonment
17 in the county jail for not more than one (1) year, or by both fine
18 and imprisonment.

19 ~~(c)~~ C. This section shall not apply as stated in Section 11-
20 1002 of this title.

21 SECTION 2. REPEALER 47 O.S. 2011, Sections 1138 and
22 1139, are hereby repealed.

23 SECTION 3. This act shall become effective November 1, 2014"
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1 Passed the Senate the 23rd day of April, 2014.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2014.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

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8 2011, Sections 1138 and 1139, which relate to
9 intercity motorbuses; and providing an effective
10 date.

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

13 SECTION 4. REPEALER 47 O.S. 2011, Sections 1138 and 1139,
14 are hereby repealed.

SECTION 5. This act shall become effective November 1, 2014.

15 Passed the House of Representatives the 11th day of March, 2014.

16 _____
17 Presiding Officer of the House
18 of Representatives

19 Passed the Senate the ___ day of _____, 2014.

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21 _____
22 Presiding Officer of the Senate
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