

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1516 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: **Pam Peterson**

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1516

By: Peterson and Nelson

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Sections 6-212 and Section 1, Chapter 168,
10 O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-212.4),
11 which relate to driving privileges; authorizing the
12 Department of Public Safety to issue provisional
13 driver licenses under certain circumstances;
14 requiring payment of fees; directing the Department
15 of Public Safety to develop rules and procedures;
16 providing waiver for persons completing certain
17 programs; and providing an effective date.

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

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

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

B. The Department shall:

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

3 2. Require any person having more than one suspension or
4 revocation affecting the person's driving privilege to meet the
5 statutory requirements for each action as a condition precedent to
6 the reinstatement of any driving privilege. Provided, however,
7 reinstatement fees shall not be cumulative, and a single
8 reinstatement fee, as provided for in subsection C of this section,
9 shall be paid for all suspensions or revocations as shown by the
10 Department's records at the time of reinstatement.

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

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

17 2. The person has paid to the Department:

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

1 b. (1) if such privilege is suspended or revoked
2 pursuant to the provisions of Section 6-205, 6-
3 205.1, ~~7-608~~, 7-612, 753, 754 or 761 of this
4 title or pursuant to subsection A of Section 7-
5 605 of this title for a conviction for failure to
6 maintain the mandatory motor vehicle insurance
7 required by law or pursuant to subsection B of
8 Section 6-206 of this title for a suspension
9 other than for points accumulation, a processing
10 fee of Seventy-five Dollars (\$75.00) for each
11 such suspension or revocation as shown by the
12 Department's records, and a special assessment
13 trauma-care fee of Two Hundred Dollars (\$200.00)
14 to be deposited into the Trauma Care Assistance
15 Revolving Fund created in Section ~~1-2522~~ 1-2530.9
16 of Title 63 of the Oklahoma Statutes, for each
17 suspension or revocation as shown by the records
18 of the Department, and

19 (2) in addition to any other fees required by this
20 section, if such privilege is suspended or
21 revoked pursuant to an arrest on or after
22 November 1, 2008, under the provisions of
23 paragraph 2 or 6 of subsection A of Section 6-205
24 of this title or of Section 753, 754, or 761 of

1 this title, a fee of Fifteen Dollars (\$15.00),
2 which shall be apportioned pursuant to the
3 provisions of Section 3-460 of Title 43A of the
4 Oklahoma Statutes; and

5 3. The person has paid to the Department a single reinstatement
6 fee of:

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

19 b. beginning on July 1, 2013, and any year thereafter,
20 Twenty-five Dollars (\$25.00).

21 D. The Department of Public Safety is hereby authorized to
22 enter into agreements with persons whose license to operate a motor
23 vehicle has been suspended, revoked, cancelled or denied, except as
24 to those suspensions, revocations, cancellations or denials made

1 pursuant to paragraph 1 or 2 of subsection A of Section 6-205 of
2 this title or of Section 753 or 754 of this title, for issuance of a
3 provisional driver license that would allow such persons to drive
4 under one or more of the following circumstances:

5 1. In the course of employment or occupation of the person;

6 2. To and from any combination of the following:

7 a. the residence of the person,

8 b. the work location of the person or to a location where
9 work is sought,

10 c. alcohol or drug education or treatment program as
11 ordered by the court,

12 d. probation or parole office,

13 e. court-ordered community service program,

14 f. educational institution at which the person is
15 enrolled as a student,

16 g. a place of regularly occurring medical treatment for a
17 serious condition of the person or a member of the
18 household or immediate family of the person,

19 h. the school, day care or medical provider of minor
20 children under the care of the person, or

21 i. court-ordered child visitation;

22 with the condition that such persons pay a minimum of Twenty-five
23 Dollars (\$25.00) per month toward the satisfaction of all

24 outstanding driver license reinstatement fees. The Department shall

1 develop rules and procedures to establish such a provisional driver
2 license program and such rules and procedures shall include
3 eligibility requirements, proof of insurance, and any provisional
4 driver license fees. Any violation of law by the person holding the
5 provisional driver license that would result in the suspension or
6 revocation of a driver license, shall result in the revocation of
7 the provisional driver license and shall cause the person to be
8 ineligible for future application for a provisional driver license.

9 E. Effective July 1, 2002, and for each fiscal year thereafter:

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

14 2. Except as otherwise provided in this section, all other
15 monies collected in excess of Two Hundred Fifty Thousand Dollars
16 (\$250,000.00) each month shall be deposited in the General Revenue
17 Fund.

18 SECTION 2. AMENDATORY Section 1, Chapter 168, O.S.L.
19 2012 (47 O.S. Supp. 2012, Section 6-212.4), is amended to read as
20 follows:

21 Section 6-212.4 All revocation, suspension, cancellation ~~and/or~~
22 or denial periods of time of driving privileges as provided in this
23 chapter, with the exception of those revocations, suspensions,
24 cancellations, or denials made pursuant to paragraph 1 or 2 of

1 subsection A of Section 6-205 of this title or of Section 753 or 754
2 of this title, shall be considered served upon successful completion
3 or graduation from an Oklahoma court-approved treatment program or
4 an Oklahoma Drug Court Program created and administered pursuant to
5 the Oklahoma Drug Court Act and the ~~Oklahoma~~ Department of Mental
6 Health and Substance Abuse Services, unless evidence of drug ~~and/or~~
7 or alcohol use occurring postgraduation is acquired by the
8 Department of Public Safety. This waiver of time applies only to
9 Class D driving privileges. Notwithstanding the foregoing, this
10 section does not require the Department of Public Safety to grant
11 driving privileges to an individual not otherwise eligible.
12 Electronic notification of successful completion or graduation from
13 an Oklahoma court-approved treatment program or an Oklahoma Drug
14 Court Program shall be provided to the Department of Public Safety
15 by the court clerk in the county where ~~said~~ the program is situated.
16 ~~Such~~ The electronic notification shall be consistent with the
17 provisions of Section 18-101 of ~~Title 47 of the Oklahoma Statutes~~
18 this title or by any other method approved by the Department of
19 Public Safety.

20 SECTION 3. This act shall become effective November 1, 2013.

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22 54-1-6805 GRS 02/05/13

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