

COMMITTEE AMENDMENT 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

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8 PROPOSED COMMITTEE SUBSTITUTE

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

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

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

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

1 B. The Department shall:

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

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

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

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

18 2. The person has paid to the Department:

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

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

21 (2) in addition to any other fees required by this
22 section, if such privilege is suspended or
23 revoked pursuant to an arrest on or after
24 November 1, 2008, under the provisions of

1 paragraph 2 or 6 of subsection A of Section 6-205
2 of this title or of Section 753, 754, or 761 of
3 this title, a fee of Fifteen Dollars (\$15.00),
4 which shall be apportioned pursuant to the
5 provisions of Section 3-460 of Title 43A of the
6 Oklahoma Statutes; and

7 3. The person has paid to the Department a single reinstatement
8 fee of:

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

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

23 D. The Department of Public Safety is hereby authorized to
24 enter into agreements with persons enrolled in an Oklahoma State

1 court-approved treatment program or persons supervised by the
2 Department of Corrections who are enrolled in a full-time post-
3 adjudication transitional job program that provides permanent job-
4 placement services and uses random assignment evaluation, whose
5 license to operate a motor vehicle has been suspended, revoked,
6 cancelled or denied, except as to those suspensions, revocations,
7 cancellations or denials made pursuant to paragraph 1 or 2 of
8 subsection A of Section 6-205 of this title or of Section 753 or 754
9 of this title, for issuance of a provisional driver license that
10 would allow such persons to drive under one or more of the following
11 circumstances:

- 12 1. In the course of employment or occupation of the person;
- 13 2. To and from any combination of the following:
 - 14 a. the residence of the person,
 - 15 b. the work location of the person or to a location where
16 work is sought,
 - 17 c. alcohol or drug education or treatment program as
18 ordered by the court,
 - 19 d. probation or parole office,
 - 20 e. court-ordered community service program,
 - 21 f. educational institution at which the person is
22 enrolled as a student,

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- 1 g. a place of regularly occurring medical treatment for a
2 serious condition of the person or a member of the
3 household or immediate family of the person,
4 h. the school, day care or medical provider of minor
5 children under the care of the person, or
6 i. court-ordered child visitation;

7 with the condition that such persons pay a minimum of Twenty-five
8 Dollars (\$25.00) per month toward the satisfaction of all
9 outstanding driver license reinstatement fees. The Department shall
10 develop rules and procedures to establish such a provisional driver
11 license program and such rules and procedures shall include
12 eligibility requirements, proof of insurance, and any provisional
13 driver license fees. Any violation of law by the person holding the
14 provisional driver license that would result in the suspension or
15 revocation of a driver license shall result in the revocation of the
16 provisional driver license and shall cause the person to be
17 ineligible for future application for a provisional driver license.

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

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

23 2. Except as otherwise provided in this section, all other
24 monies collected in excess of Two Hundred Fifty Thousand Dollars

1 (\$250,000.00) each month shall be deposited in the General Revenue
2 Fund.

3 SECTION 2. AMENDATORY Section 1, Chapter 168, O.S.L.
4 2012 (47 O.S. Supp. 2012, Section 6-212.4), is amended to read as
5 follows:

6 Section 6-212.4 All revocation, suspension, cancellation ~~and/or~~
7 or denial periods of time of driving privileges as provided in this
8 chapter shall be considered served upon successful completion or
9 graduation from an Oklahoma Drug Court Program created and
10 administered pursuant to the Oklahoma Drug Court Act and the
11 ~~Oklahoma~~ Department of Mental Health and Substance Abuse Services,
12 unless evidence of drug ~~and/or~~ or alcohol use occurring
13 postgraduation is acquired by the Department of Public Safety. All
14 revocation, suspension, cancellation or denial periods of time of
15 driving privileges as provided in this chapter, with the exception
16 of those revocations, suspensions, cancellations or denials made
17 pursuant to paragraph 1 or 2 of subsection A of Section 6-205 of
18 this title or Section 753 or 754 of this title, shall also be
19 considered served upon successful completion or graduation from an
20 Oklahoma State court-approved treatment program or a full-time post-
21 adjudication transitional job program that provides permanent job-
22 placement services and uses random assignment evaluation, unless
23 evidence of drug or alcohol use occurring postgraduation is acquired
24 by the Department of Public Safety. This waiver of time applies

1 only to Class D driving privileges. Notwithstanding the foregoing,
2 this section does not require the Department of Public Safety to
3 grant driving privileges to an individual not otherwise eligible.
4 Electronic notification of successful completion or graduation from
5 an Oklahoma State court-approved treatment program, a full-time
6 post-adjudication transitional job program that provides permanent
7 job-placement services and uses random assignment evaluation, or an
8 Oklahoma Drug Court Program shall be provided to the Department of
9 Public Safety by the court clerk in the county where ~~said the~~ the
10 program is situated. ~~Such~~ The electronic notification shall be
11 consistent with the provisions of Section 18-101 of ~~Title 47 of the~~
12 ~~Oklahoma Statutes~~ this title or by any other method approved by the
13 Department of Public Safety.

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

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