

05/20/2014 11:45:27 AM

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB2688**

By: Grau of the House and Standridge of the Senate

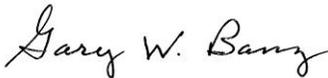
Title: Motor Vehicles; repealer; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

That the Senate recede from its Senate amendment.

Respectfully submitted,

HB2688 CCR (A)  
**HOUSE CONFEREES**

|                     |   |                 |  |
|---------------------|---|-----------------|--|
| Banz, Gary W.       |  | Billy, Lisa J.  | <hr/>  |
| Blackwell, Gus      |  | Cannaday, Ed    |  |
| Fisher, Dan         |  | Floyd, Kay      |  |
| Fourkiller, William | <hr/>   | Hulbert, Arthur | <hr/>  |
| McCullough, Mark    | <hr/>   | Mulready, Glen  |  |
| Shelton, Mike       | <hr/>   | Stiles, Aaron   |  |
| Thomsen, Todd       |  | Walker, Ken     |  |

**SENATE CONFEREES**

Bass \_\_\_\_\_

Treat \_\_\_\_\_

Branan \_\_\_\_\_

Wyrick \_\_\_\_\_

Brinkley *[Signature]* \_\_\_\_\_

\_\_\_\_\_

Coates \_\_\_\_\_

\_\_\_\_\_

Crain \_\_\_\_\_

David *[Signature]* \_\_\_\_\_

Ellis *[Signature]* \_\_\_\_\_

Fields *[Signature]* \_\_\_\_\_

Ford *[Signature]* \_\_\_\_\_

Griffin \_\_\_\_\_

Halligan *[Signature]* \_\_\_\_\_

Holt *[Signature]* \_\_\_\_\_

Ivester *[Signature]* \_\_\_\_\_

C. Johnson \_\_\_\_\_

R. Johnson *[Signature]* \_\_\_\_\_

Jolley *[Signature]* \_\_\_\_\_

Justice *[Signature]* \_\_\_\_\_

Marlatt *[Signature]* \_\_\_\_\_

Mazzei *[Signature]* \_\_\_\_\_

Newberry *[Signature]* \_\_\_\_\_

Paddack \_\_\_\_\_

Standridge \_\_\_\_\_

Stanislowski *[Signature]* \_\_\_\_\_

Sykes \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_



1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 2688

By: Grau of the House

and

Standridge of the Senate

3  
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5  
6  
7 An Act relating to motor vehicles; repealing 47 O.S.  
8 2011, Sections 1138 and 1139, which relate to  
intercity motorbuses; and providing an effective  
9 date.

10

11

12 AUTHOR: Add the following Senate Coauthor: Allen

13 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
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  
tampering with certain vehicles or implements of  
17 husbandry; creating certain felony offenses;  
providing penalties; clarifying certain crime;  
18 repealing 47 O.S. 2011, Sections 1138 and 1139, which  
relate to intercity motorbuses; and providing an  
effective date.

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20

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:

24

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;

24

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"  
24

1 Passed the Senate the 23rd day of April, 2014.

2  
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

1 ENGROSSED HOUSE  
2 BILL NO. 2688

By: Grau of the House

3 and

4 Standridge of the Senate

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.

11  
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.

20  
21 \_\_\_\_\_  
22 Presiding Officer of the Senate  
23  
24