

1 Section 14-111. A. The governing body of a municipality may
2 provide for enforcement of its ordinances and establish fines,
3 penalties, or imprisonment, as authorized by subsections B through D
4 of this section, for any offense in violation of its ordinances,
5 which shall be recoverable together with costs of suit. The
6 governing body may provide that any person fined for violation of a
7 municipal ordinance who is financially able but refuses or neglects
8 to pay the fine or costs may be compelled to satisfy the amount owed
9 by working on the streets, alleys, avenues, areas, and public
10 grounds of the municipality, subject to the direction of the street
11 commissioner or other proper officer, at a rate per day as the
12 governing body may prescribe by ordinance, but not less than Fifty
13 Dollars (\$50.00) per day for useful labor, until the fine or costs
14 are satisfied.

15 B. 1. Except for municipal ordinances related to prostitution
16 and as otherwise provided in this section, cities having a municipal
17 criminal court of record may enact ordinances prescribing maximum
18 fines of One Thousand Two Hundred Dollars (\$1,200.00) and costs or
19 imprisonment not exceeding six (6) months or both the fine and
20 imprisonment, but shall not have authority to enact any ordinance
21 making unlawful an act or omission declared by state statute to be
22 punishable as a felony. Cities having a municipal criminal court of
23 record may enact ordinances prescribing maximum fines of One
24 Thousand Dollars (\$1,000.00) and costs or imprisonment not exceeding

1 six (6) months or both such fine and imprisonment for violations of
2 municipal ordinances regulating the pretreatment of wastewater and
3 regulating stormwater discharges. Cities having a municipal
4 criminal court of record may enact ordinances prescribing maximum
5 fines of One Thousand Two Hundred Fifty Dollars (\$1,250.00) and
6 costs or imprisonment not exceeding six (6) months or both such fine
7 and imprisonment for alcohol-related or drug-related traffic
8 offenses. The court shall remit Fifty Dollars (\$50.00) of each
9 alcohol fine or deferral fee to a fund of the municipality that
10 shall be used to defray costs for enforcement of laws relating to
11 juvenile access to alcohol, other laws relating to alcohol and other
12 intoxicating substances, and traffic-related offenses involving
13 alcohol or other intoxicating substances. The court shall remit
14 twenty percent (20%) of each physically disabled parking fine or
15 deferral fee to the Department of Public Safety in accordance with
16 subsection B of Section 11-1007 of Title 47 of the Oklahoma Statutes
17 and regulations of the Department of Public Safety.

18 2. For violations of municipal ordinances relating to
19 prostitution, including but not limited to engaging in prostitution
20 or soliciting or procuring prostitution, a municipal criminal court
21 of record may enact ordinances prescribing an imprisonment not to
22 exceed six (6) months, and fines as follows: a fine not to exceed
23 Two Thousand Five Hundred Dollars (\$2,500.00) upon the first
24 conviction for violation of any such ordinances, a fine of not more

1 than Five Thousand Dollars (\$5,000.00) upon the second conviction
2 for violation of any of such ordinances, and a fine of not more than
3 Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or
4 subsequent convictions for violation of any of such ordinances, or
5 both such fine and imprisonment as well as a term of community
6 service of not less than forty (40) nor more than eighty (80) hours.

7 C. Municipalities having a municipal court not of record may
8 enact ordinances prescribing maximum fines pursuant to the
9 provisions of this subsection. A municipal ordinance may not impose
10 a penalty, including fine or deferral fee in lieu of a fine and
11 costs, which is greater than that established by statute for the
12 same offense. The maximum fine or deferral fee in lieu of a fine
13 for traffic-related offenses relating to speeding or parking shall
14 not exceed ~~Two Hundred Dollars (\$200.00)~~ Five Hundred Dollars
15 (\$500.00). The maximum fine or deferral fee in lieu of a fine for
16 alcohol-related or drug-related offenses shall not exceed Eight
17 Hundred Dollars (\$800.00). For all other offenses, the maximum fine
18 or deferral fee in lieu of a fine shall not exceed Seven Hundred
19 Fifty Dollars (\$750.00). The court shall remit Fifty Dollars
20 (\$50.00) of each alcohol fine or deferral fee to a fund of the
21 municipality that shall be used to defray costs for enforcement of
22 laws relating to juvenile access to alcohol, other laws relating to
23 alcohol and other intoxicating substances, and traffic-related
24 offenses involving alcohol or other intoxicating substances. The

1 court shall remit twenty percent (20%) of each physically disabled
2 parking fine or deferral fee to the Department of Public Safety in
3 accordance with subsection B of Section 11-1007 of Title 47 of the
4 Oklahoma Statutes and regulations of the Department of Public
5 Safety. The ordinances may prescribe costs pursuant to the
6 provisions of Section 27-126 of this title or imprisonment not
7 exceeding sixty (60) days or both the fine and imprisonment;
8 provided, that municipalities having only a municipal court not of
9 record shall not have authority to enact any ordinance making
10 unlawful any act or omission declared by state statute to be
11 punishable as a felony; provided further, that municipalities having
12 a municipal court not of record may enact ordinances prescribing
13 maximum fines of One Thousand Dollars (\$1,000.00) and costs or
14 imprisonment not exceeding ninety (90) days or both such fine and
15 imprisonment for violations of municipal ordinances regulating the
16 pretreatment of wastewater and regulating stormwater discharges. If
17 imprisonment is available for the offense, then that person charged
18 shall have a right to a jury trial.

19 D. Municipalities having both municipal criminal courts of
20 record and municipal courts not of record may enact ordinances,
21 within the authority of this section, for each court.

22 E. No municipality may levy a fine or deferral fee in lieu of a
23 fine of over Fifty Dollars (\$50.00) until it has compiled and
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1 published its penal ordinances as required in Sections 14-109 and
2 14-110 of this title.

3 F. No municipality may levy a fine of more than Ten Dollars
4 (\$10.00) nor court costs of more than Fifteen Dollars (\$15.00) for
5 exceeding the posted speed limit by no more than ten (10) miles per
6 hour upon any portion of the National System of Interstate and
7 Defense Highways, federal-aid primary highways, and the state
8 highway system which are located on the outskirts of any
9 municipality as determined in Section 2-117 of Title 47 of the
10 Oklahoma Statutes.

11 SECTION 3. AMENDATORY 47 O.S. 2011, Section 15-111, is
12 amended to read as follows:

13 Section 15-111. A. Municipalities and political subdivisions
14 of the state with authority to regulate the standing or parking of
15 vehicles shall extend special parking privileges to a physically
16 disabled person who displays on a motor vehicle operated by or under
17 the direction and for the use of the physically disabled person:

18 1. A placard indicating physical disability, issued pursuant to
19 the provisions of Section 15-112 of this title;

20 2. A physically disabled license plate, issued pursuant to the
21 provisions of Section 1135.1 of this title;

22 3. A disabled veterans license plate with the international
23 accessibility symbol, issued pursuant to the provisions of Section
24 1135.2 of this title;

1 4. A disability sticker issued by the Department of Veterans
2 Affairs and federal military bases; or

3 5. A physically disabled placard or license plate issued by
4 another state.

5 B. No such special parking privilege, however, shall excuse the
6 violation of any state statute, nor shall any such privilege be
7 applicable where the standing or parking would create a dangerous
8 situation or impede the normal flow of traffic.

9 C. Municipalities and political subdivisions of the state with
10 authority to regulate the standing or parking of vehicles shall
11 follow the current version of the Americans with Disabilities Act
12 Accessibility Guidelines (ADAAG) when designing or redesigning
13 disabled parking spaces.

14 D. Municipalities and political subdivisions of the state with
15 authority to regulate the standing or parking of vehicles shall:

16 1. Enact ordinances or rules implementing the provisions of
17 Section 11-1007 of this title, which shall take effect no later than
18 October 1, 2013; and

19 2. Enact ordinances or rules implementing the provisions of
20 Section 15-113 of this title, which shall take effect no later than
21 October 1, 2013.

22 SECTION 4. This act shall become effective July 1, 2013.

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
02/28/2013 - DO PASS, As Coauthored.

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