

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 97

By: Brecheen and Johnson
(Constance) of the Senate

and

Nelson and Bennett of the
House

11 COMMITTEE SUBSTITUTE

12 [provisional driver licenses - reinstatement of
13 suspended or revoked driver licenses - Department of
14 Public Safety to allow limited driving privilege -
15 effective date]

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

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

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

1 revocation affecting the person's driving privilege at the time of
2 reinstatement.

3 B. The Department shall:

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

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

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

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

20 2. The person has paid to the Department:

21 a. if such privilege is suspended or revoked pursuant to
22 Section 1115.5 of Title 22 of the Oklahoma Statutes or
23 pursuant to any provisions of this title, except as
24 provided in subparagraph b of this paragraph, a

1 processing fee of Twenty-five Dollars (\$25.00) for
2 each such suspension or revocation as shown by the
3 Department's records, or

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

1 November 1, 2008, under the provisions of
2 paragraph 2 or 6 of subsection A of Section 6-205
3 of this title or of Section 753, 754, or 761 of
4 this title, a fee of Fifteen Dollars (\$15.00),
5 which shall be apportioned pursuant to the
6 provisions of Section 3-460 of Title 43A of the
7 Oklahoma Statutes; and

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

- 10 a. beginning on ~~the effective date of this act~~ August 26,
11 2011, through June 30, 2013, Fifty Dollars (\$50.00),
12 of which Twenty-five Dollars (\$25.00) shall be
13 deposited by the Commissioner to the credit of the
14 Department of Public Safety Revolving Fund and, in
15 addition to other purposes authorized by law, the
16 expenditures from that fund of monies derived from the
17 Twenty-five Dollars (\$25.00) pursuant to this
18 subparagraph shall be used to fund any Oklahoma
19 Highway Patrol Trooper Academy provided by the
20 Department. Any remaining funds shall be used for
21 operational expenses of the Oklahoma Highway Patrol,
22 and
23 b. beginning on July 1, 2013, and any year thereafter,
24 Twenty-five Dollars (\$25.00).

1 The Department of Public Safety is hereby authorized to enter
2 into agreements with persons whose license to operate a motor
3 vehicle has been suspended or revoked, except as to those
4 suspensions, revocations, cancellations or denials made pursuant to
5 paragraph 1 or 2 of subsection A of Section 6-205 of this title or
6 to Section 753 or 754 of this title, for issuance of provisional
7 licenses that would allow such persons to drive between their place
8 of residence and their place of employment, between their place of
9 residence and a college, university or technology center, between
10 their place of residence and a place of worship, or between their
11 place of residence and any court-ordered treatment program with the
12 condition that such persons pay a minimum of Twenty-five Dollars
13 (\$25.00) per month toward the satisfaction of all outstanding driver
14 license reinstatement fees. The Department shall develop rules and
15 procedures to establish such a provisional driver license program
16 and such rules and procedures shall include, but not be limited to,
17 eligibility criteria, proof of insurance, proof of enrollment or
18 employment, and any provisional license fees. Any violation of law
19 by the person holding the provisional license that would result in
20 the suspension or revocation of a driver license shall result in the
21 revocation of the provisional license and such person shall be
22 ineligible for future application for a provisional driver license.

23 D. Effective July 1, 2002, and for each fiscal year thereafter:
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1 1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all
2 monies collected each month pursuant to this section shall be
3 apportioned as provided in Section 1104 of this title, except as
4 otherwise provided in this section; and

5 2. Except as otherwise provided in this section, all other
6 monies collected in excess of Two Hundred Fifty Thousand Dollars
7 (\$250,000.00) each month shall be deposited in the General Revenue
8 Fund.

9 SECTION 2. This act shall become effective November 1, 2013.

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11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
12 04/08/2013 - DO PASS, As Amended and Coauthored.

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