

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1276

By: Vaughan

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6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 7-606, as amended by Section 4, Chapter
9 207, O.S.L. 2012 (47 O.S. Supp. 2012, Section 7-606),
10 which relates to compulsory liability insurance;
11 requiring law enforcement officer to seize the
12 vehicle if the officer has probable cause to believe
13 that the vehicle is not insured; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 7-606, as
17 amended by Section 4, Chapter 207, O.S.L. 2012 (47 O.S. Supp. 2012,
18 Section 7-606), is amended to read as follows:

19 Section 7-606. A. 1. An owner or operator who fails to comply
20 with the Compulsory Insurance Law, or who fails to produce for
21 inspection a valid and current security verification form or
22 equivalent form which has been issued by the Department of Public
23 Safety upon request of any peace officer, representative of the
24 Department of Public Safety or other authorized person, shall be
guilty of a misdemeanor and upon conviction shall be subject to a
fine of not more than Two Hundred Fifty Dollars (\$250.00), or

1 imprisonment for not more than thirty (30) days, or by both such
2 fine and imprisonment, and in addition thereto, shall be subject to
3 suspension of the driving privilege of the person in accordance with
4 Section 7-605 of this title. Upon issuing a citation under this
5 paragraph, the law enforcement officer issuing the citation ~~may~~
6 shall seize the vehicle being operated by the person and cause the
7 vehicle to be towed and stored as provided by subsection B of
8 Section 955 of this title, if the officer has probable cause to
9 believe that the vehicle is not insured as required by the
10 Compulsory Insurance Law of this state. If the operator of the
11 vehicle produces what appears to be a valid security verification
12 form and the officer is unable to confirm compliance through the
13 online verification system or noncompliance by a subsequent
14 investigation, the officer shall be prohibited from seizing the
15 vehicle and causing such vehicle to be towed and stored. Further,
16 no vehicle shall be seized and towed under the provisions of this
17 paragraph if said vehicle is displaying a temporary license plate
18 that has not expired pursuant to the provisions of Sections 1137.1
19 and 1137.3 of this title.

20 2. An owner other than an owner of an antique or a classic
21 automobile as defined by the Oklahoma Tax Commission who files an
22 affidavit that a vehicle shall not be driven upon the public
23 highways or public streets, pursuant to Section 7-607 of this title,
24 who drives or permits the driving of the vehicle upon the public

1 highways or public streets, shall be guilty of a misdemeanor and
2 upon conviction thereof shall be subject to a fine of not more than
3 Five Hundred Dollars (\$500.00), or imprisonment for not more than
4 thirty (30) days, or by both such fine and imprisonment, and in
5 addition thereto, shall be subject to suspension of the driving
6 privilege of the person in accordance with Section 7-605 of this
7 title.

8 B. A sentence imposed for any violation of the Compulsory
9 Insurance Law may be suspended or deferred in whole or in part by
10 the court.

11 C. Any person producing proof in court that a current security
12 verification form or equivalent form which has been issued by the
13 Department of Public Safety reflecting liability coverage for the
14 person was in force at the time of the alleged offense shall be
15 entitled to dismissal of the charge. If proof of security
16 verification is presented to the court by no later than the business
17 day preceding the first scheduled court appearance date, the
18 dismissal shall be without payment of court costs. The court may
19 access information from the online verification system to confirm
20 liability coverage. The court shall not dismiss the fine unless
21 proof that liability coverage for the person was in force at the
22 time of the alleged offense is presented to the court.

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1 D. Upon conviction or bond forfeiture, the court clerk shall
2 forward an abstract to the Department of Public Safety within five
3 (5) days reflecting the action taken by the court.

4 E. For purposes of this section, "court" means any court in
5 this state.

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

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