

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1516

By: Peterson and Nelson

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Sections 6-212 and Section 1, Chapter 168,  
9 O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-212.4),  
10 which relate to driving privileges; authorizing the  
11 Department of Public Safety to issue provisional  
12 driver licenses under certain circumstances;  
13 requiring payment of fees; directing the Department  
14 of Public Safety to develop rules and procedures;  
15 providing waiver for persons completing certain  
16 programs; and providing an effective date.

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

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

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

B. The Department shall:

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

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

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

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

15           2. The person has paid to the Department:

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

23           b. (1) if such privilege is suspended or revoked  
24                pursuant to the provisions of Section 6-205, 6-

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

17 (2) in addition to any other fees required by this  
18 section, if such privilege is suspended or  
19 revoked pursuant to an arrest on or after  
20 November 1, 2008, under the provisions of  
21 paragraph 2 or 6 of subsection A of Section 6-205  
22 of this title or of Section 753, 754, or 761 of  
23 this title, a fee of Fifteen Dollars (\$15.00),  
24 which shall be apportioned pursuant to the

1 provisions of Section 3-460 of Title 43A of the  
2 Oklahoma Statutes; and

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

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

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

19 D. The Department of Public Safety is hereby authorized to  
20 enter into agreements with persons whose license to operate a motor  
21 vehicle has been suspended, revoked, cancelled or denied, except as  
22 to those suspensions, revocations, cancellations or denials made  
23 pursuant to paragraph 1 or 2 of subsection A of Section 6-205 of  
24 this title or of Section 753 or 754 of this title, for issuance of a

1 provisional driver license that would allow such persons to drive  
2 under one or more of the following circumstances:

3 1. In the course of employment or occupation of the person;

4 2. To and from any combination of the following:

5 a. the residence of the person,

6 b. the work location of the person or to a location where  
7 work is sought,

8 c. alcohol or drug education or treatment program as  
9 ordered by the court,

10 d. probation or parole office,

11 e. court-ordered community service program,

12 f. educational institution at which the person is  
13 enrolled as a student,

14 g. a place of regularly occurring medical treatment for a  
15 serious condition of the person or a member of the  
16 household or immediate family of the person,

17 h. the school, day care or medical provider of minor  
18 children under the care of the person, or

19 i. court-ordered child visitation;

20 with the condition that such persons pay a minimum of Twenty-five

21 Dollars (\$25.00) per month toward the satisfaction of all

22 outstanding driver license reinstatement fees. The Department shall

23 develop rules and procedures to establish such a provisional driver

24 license program and such rules and procedures shall include

1 eligibility requirements, proof of insurance, and any provisional  
2 driver license fees. Any violation of law by the person holding the  
3 provisional driver license that would result in the suspension or  
4 revocation of a driver license, shall result in the revocation of  
5 the provisional driver license and shall cause the person to be  
6 ineligible for future application for a provisional driver license.

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

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

12 2. Except as otherwise provided in this section, all other  
13 monies collected in excess of Two Hundred Fifty Thousand Dollars  
14 (\$250,000.00) each month shall be deposited in the General Revenue  
15 Fund.

16 SECTION 2. AMENDATORY Section 1, Chapter 168, O.S.L.  
17 2012 (47 O.S. Supp. 2012, Section 6-212.4), is amended to read as  
18 follows:

19 Section 6-212.4 All revocation, suspension, cancellation ~~and/or~~  
20 or denial periods of time of driving privileges as provided in this  
21 chapter shall be considered served upon successful completion or  
22 graduation from an Oklahoma Community Service Sentencing Program  
23 created pursuant to Section 991a-4.1 of Title 22 of the Oklahoma  
24 Statutes or an Oklahoma Drug Court Program created and administered

1 pursuant to the Oklahoma Drug Court Act and the ~~Oklahoma~~ Department  
2 of Mental Health and Substance Abuse Services, unless evidence of  
3 drug ~~and/or~~ or alcohol use occurring postgraduation is acquired by  
4 the Department of Public Safety. This waiver of time applies only  
5 to Class D driving privileges. Notwithstanding the foregoing, this  
6 section does not require the Department of Public Safety to grant  
7 driving privileges to an individual not otherwise eligible.  
8 Electronic notification of successful completion or graduation from  
9 an Oklahoma Community Sentencing Program or an Oklahoma Drug Court  
10 Program shall be provided to the Department of Public Safety by the  
11 court clerk in the county where ~~said~~ the program is situated. ~~Such~~  
12 The electronic notification shall be consistent with the provisions  
13 of Section 18-101 of ~~Title 47 of the Oklahoma Statutes~~ this title or  
14 by any other method approved by the Department of Public Safety.

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

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