

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2784

By: Lockhart

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 4-104, which relates to damaging or
9 tampering with certain vehicles; specifying
penalties; clarifying scope of crime; and providing
an effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 4-104, is
14 amended to read as follows:

15 Section 4-104. ~~(a)~~ A. A person, who, with intent and without
16 right to do so, injures or tampers with any vehicle or implement of
17 husbandry or in any other manner damages any part or portion of said
18 vehicle or implement of husbandry or any accessories, appurtenance
19 or attachments thereto is guilty of ~~a misdemeanor~~.

20 1. A misdemeanor, if the injury or damage causes a loss which
21 has an aggregate value of One Thousand Dollars (\$1,000.00) or less,
22 and upon conviction, shall be punished by a fine not to exceed Five
23 Thousand Dollars (\$5,000.00), imprisonment in the county jail for
24 not more than one (1) year, or by both fine and imprisonment;

1 2. A felony, if the injury or damage causes a loss which has an
2 aggregate value of more than One Thousand Dollars (\$1,000.00) but
3 less than Twenty-five Thousand Dollars (\$25,000.00), and upon
4 conviction, shall be punished by a fine not to exceed Five Thousand
5 Dollars (\$5,000.00), imprisonment in the custody of the Department
6 of Corrections for not more than five (5) years, or by both fine and
7 imprisonment;

8 3. A felony, if the injury or damage causes a loss which has an
9 aggregate value of more than Twenty-five Thousand Dollars
10 (\$25,000.00), and upon conviction, shall be punished by a fine not
11 to exceed Ten Thousand Dollars (\$10,000.00), imprisonment in the
12 custody of the Department of Corrections for not more than ten (10)
13 years, or by both fine and imprisonment; or

14 4. A felony, if the person has two or more prior convictions
15 for an offense under this section, notwithstanding the value of loss
16 caused by the injury or damage, and upon conviction, shall be
17 punished by a fine not to exceed Five Thousand Dollars (\$5,000.00),
18 imprisonment in the custody of the Department of Corrections for a
19 term of not more than five (5) years, or by both fine and
20 imprisonment.

21 ~~(b)~~ B. A person, who, without right to do so and with intent to
22 commit a crime, tampers with or climbs into or upon a vehicle or
23 implement of husbandry whether it is in motion or at rest, attempts
24 to manipulate any of the levers, starting mechanism, brakes or other

1 mechanism or device of a vehicle or implement of husbandry while the
2 same is at rest and unattended, or sets in motion any vehicle or
3 implement of husbandry while the same is at rest and unattended is
4 guilty of a misdemeanor, and upon conviction, shall be punished by a
5 fine not to exceed Five Thousand Dollars (\$5,000.00), imprisonment
6 in the county jail for not more than one (1) year, or by both fine
7 and imprisonment.

8 ~~(e)~~ C. This section shall not apply as stated in Section 11-
9 1002 of this title.

10 SECTION 2. This act shall become effective November 1, 2014.

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12 54-2-8467 GRS 12/05/13

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