

1 ENGROSSED SENATE
2 BILL NO. 372

By: Paddack of the Senate

and

Peterson of the House

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6 [driver licenses - penalties for driving without a
7 license - allowances - effective date]
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9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-303, is
11 amended to read as follows:

12 Section 6-303. A. No person shall operate a motor vehicle upon
13 the public roads, streets, highways, turnpikes or other public place
14 of this state without having a valid driver license for the class of
15 vehicle being operated from the Department of Public Safety, except
16 as herein specifically exempted.

17 Any violation of the provisions of this subsection shall
18 constitute a misdemeanor and shall be punishable by a fine of not
19 less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars
20 (\$300.00) plus costs or by imprisonment for not more than thirty
21 (30) days, or by both such fine and imprisonment.

22 Any person charged with violating this section who produces in
23 court, on or before the court date, a renewal or replacement driver
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1 license issued to him or her shall be entitled to dismissal of such
2 charge without payment of court costs and fine.

3 B. Any person who drives a motor vehicle on any public roads,
4 streets, highways, turnpikes or other public place of this state at
5 a time when the person's privilege to do so is canceled, denied,
6 suspended or revoked or at a time when the person is disqualified
7 from so doing shall be guilty of a misdemeanor and upon conviction
8 shall be punished by a fine:

9 1. For a first conviction, of not less than One Hundred Dollars
10 (\$100.00) and not more than Five Hundred Dollars (\$500.00);

11 2. For a second conviction, of not less than Two Hundred
12 Dollars (\$200.00) and not more than Seven Hundred Fifty Dollars
13 (\$750.00); or

14 3. For a third and subsequent conviction, of not less than
15 Three Hundred Dollars (\$300.00) and not more than One Thousand
16 Dollars (\$1,000.00), or by imprisonment for not more than one (1)
17 year or by both such fine and imprisonment. Each act of driving on
18 the highways as prohibited shall constitute a separate offense.

19 C. Any person who drives a motor vehicle on any public roads,
20 streets, highways, turnpikes or other public roads of this state at
21 a time when the driving privilege of that person is canceled,
22 denied, suspended or revoked, pursuant to paragraph 1 of subsection
23 A of Section 6-205.1 of this title, shall be guilty of a misdemeanor
24 and upon conviction shall be punished by a fine:

1 1. For a first conviction, of not less than Five Hundred
2 Dollars (\$500.00) and not more than One Thousand Dollars
3 (\$1,000.00);

4 2. For a second conviction, of not less than One Thousand
5 Dollars (\$1,000.00) and not more than Two Thousand Dollars
6 (\$2,000.00); or

7 3. For a third and subsequent conviction, of not less than Two
8 Thousand Dollars (\$2,000.00) and not more than Five Thousand Dollars
9 (\$5,000.00),

10 or by imprisonment for not more than one (1) year or by both such
11 fine and imprisonment. Each act of driving on the highways as
12 prohibited shall constitute a separate offense.

13 D. The Department, upon receiving a record of conviction of an
14 offense committed by any person whose license or privilege to
15 operate motor vehicles is under suspension or revocation, shall
16 extend the period of such suspension or revocation for an additional
17 three-month period of time. The additional orders of suspension or
18 revocation shall be dated and become effective the day following the
19 date terminating the prior order of suspension or revocation.

20 E. The Department, upon receiving a record of conviction of an
21 offense committed by any person whose license or privilege to
22 operate motor vehicles is under revocation, pursuant to paragraph 1,
23 2, or 3 of subsection A of Section 6-205.1 of this title, shall
24 extend the period of such revocation for an additional four-month

1 period of time. The additional orders of revocation shall be dated
2 and become effective the day following the date terminating the
3 prior order of revocation.

4 F. The Department, upon receiving a record of conviction for a
5 person convicted of an offense specified in Section ~~3 of this act~~
6 11-905 of Title 47 of this title, shall extend the period of such
7 suspension, revocation or denial of driving privilege for an
8 additional twelve-month period of time. The additional orders of
9 suspension, revocation or denial of driving privilege shall be dated
10 and become effective the day following the date terminating the
11 prior order of suspension, revocation or denial of driving
12 privilege.

13 G. It shall be a misdemeanor punishable by imprisonment for not
14 less than seven (7) days nor more than six (6) months, or by a fine
15 of not more than Five Hundred Dollars (\$500.00), or by both such
16 fine and imprisonment, for any person to apply for a renewal or a
17 replacement license to operate a motor vehicle while the person's
18 license, permit or other evidence of driving privilege is in the
19 custody of a law enforcement officer or the Department. A notice
20 regarding this offense and the penalty therefor shall be included on
21 the same form containing the notice of revocation issued by the
22 officer.

23 H. Any fine collected pursuant to a second or subsequent
24 conviction, as provided in subsections B and C of this section,

1 shall be deposited to the Trauma Care Assistance Revolving Fund
2 created in Section 1-2530.9 of Title 63 of the Oklahoma Statutes.

3 I. Any person who drives a motorcycle or motor-driven cycle, as
4 defined in this title, on public roads, streets, highways, turnpikes
5 or other public place of this state without the proper endorsement
6 on a current state-issued license shall be guilty of a misdemeanor.

7 Any person charged with violating this section may request a six-
8 month deferral for the purpose of obtaining the following:

9 1. Proof of successful completion of a Motorcycle Safety
10 Foundation rider course approved by the Department; and

11 2. Proper motorcycle endorsement on the person's valid driver
12 license.

13 Upon presenting the court with proof of satisfaction of both
14 requirements within the deferral period, the offender shall be
15 entitled to dismissal of the charge, and shall be subject to a
16 reduced payment of court costs and fine.

17 SECTION 2. This act shall become effective January 1, 2016.
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