

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 2042

By: Young

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 6-212, as amended by Section 1, Chapter 274, O.S.L. 2013 (47 O.S. Supp. 2014, Section 6-212), which relates to the reinstatement of driver licenses; deleting certain disqualifying category for provisional driver licenses; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-212, as amended by Section 1, Chapter 274, O.S.L. 2013 (47 O.S. Supp. 2014, Section 6-212), is amended to read as follows:

Section 6-212. A. The Department of Public Safety shall not assess and collect multiple reinstatement fees when reinstating the driving privilege of any person having more than one suspension or revocation affecting the person's driving privilege at the time of 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, 7-612, 753, 754 or 761 of this title or
2 pursuant to subsection A of Section 7-605 of this
3 title for a conviction for failure to maintain
4 the mandatory motor vehicle insurance required by
5 law or pursuant to subsection B of Section 6-206
6 of this title for a suspension other than for
7 points accumulation, a processing fee of Seventy-
8 five Dollars (\$75.00) for each such suspension or
9 revocation as shown by the Department's records,
10 and a special assessment trauma-care fee of Two
11 Hundred Dollars (\$200.00) to be deposited into
12 the Trauma Care Assistance Revolving Fund created
13 in Section 1-2530.9 of Title 63 of the Oklahoma
14 Statutes, for each suspension or revocation as
15 shown by the records of the Department, and
16 (2) in addition to any other fees required by this
17 section, if such privilege is suspended or
18 revoked pursuant to an arrest on or after
19 November 1, 2008, under the provisions of
20 paragraph 2 or 6 of subsection A of Section 6-205
21 of this title or of Section 753, 754, or 761 of
22 this title, a fee of Fifteen Dollars (\$15.00),
23 which shall be apportioned pursuant to the
24

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 August 26, 2011, through June 30, 2013,
6 Fifty Dollars (\$50.00), of which Twenty-five Dollars
7 (\$25.00) shall be deposited by the Commissioner to the
8 credit of the Department of Public Safety Revolving
9 Fund and, in addition to other purposes authorized by
10 law, the expenditures from that fund of monies derived
11 from the Twenty-five Dollars (\$25.00) pursuant to this
12 subparagraph shall be used to fund any Oklahoma
13 Highway Patrol Trooper Academy provided by the
14 Department. Any remaining funds shall be used for
15 operational expenses of the Oklahoma Highway Patrol,
16 and

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

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

1 licenses that would allow such persons to drive between their place
2 of residence and their place of employment or potential employment,
3 between their place of residence and a college, university or
4 technology center, between their place of residence and their
5 child's school or day care provider, between their place of
6 residence and a place of worship or between their place of residence
7 and any court-ordered treatment program with the condition that such
8 persons pay a minimum of Twenty-five Dollars (\$25.00) per month
9 toward the satisfaction of all outstanding driver license
10 reinstatement fees. The Department shall develop rules and
11 procedures to establish such a provisional driver license program
12 and such rules and procedures shall include, but not be limited to,
13 eligibility criteria, proof of insurance, proof of enrollment or
14 employment, and any provisional license fees. Any violation of law
15 by the person holding the provisional license that would result in
16 the suspension or revocation of a driver license shall result in the
17 revocation of the provisional license and such person shall be
18 ineligible for future application for a provisional driver license.

19 D. Effective July 1, 2002, and for each fiscal year thereafter:

20 1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all
21 monies collected each month pursuant to this section shall be
22 apportioned as provided in Section 1104 of this title, except as
23 otherwise provided in this section; and
24

1 2. Except as otherwise provided in this section, all other
2 monies collected in excess of Two Hundred Fifty Thousand Dollars
3 (\$250,000.00) each month shall be deposited in the General Revenue
4 Fund.

5 SECTION 2. This act shall become effective November 1, 2015.

6
7 55-1-5414 GRS 01/09/15
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24