

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2657

By: Wesselhoft

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. Sections 1902, 1903 and 1904, which relate to the Bus Passenger Safety Act; modifying certain definitions; updating language; modifying exception to certain prohibited act; making certain acts unlawful; providing exceptions; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1902, is amended to read as follows:

Section 1902. As used in this act:

1. "Bus" ~~shall be defined as provided in Section 1-105 of Title~~
means a network of passenger vehicles for use by the public
running on set routes, usually at set times and charging set fares;

2. "Bus transportation company" or "company" means any person or governmental entity providing for-hire transport to passengers ~~or~~
~~or~~ ~~by bus upon the roads, streets, highways and turnpikes of this~~
~~state, whether in interstate or intrastate travel;~~

1 3. "Deadly or dangerous weapon" ~~includes~~ means all weapons
2 listed in Sections 1287 ~~and 1289.3 through~~, 1289.4 and 1289.5 of
3 this title, and any other weapon capable of inflicting serious
4 bodily injury, but shall not include a handgun;

5 4. "Passenger" means any person served by the bus
6 transportation company ~~and in addition to the ordinary meaning of~~
7 ~~passenger, the term shall include persons accompanying or meeting~~
8 ~~another who is transported by this company, any person shipping or~~
9 ~~receiving cargo and any person purchasing a ticket or receiving a~~
10 ~~pass; and~~

11 5. "Terminal" means a bus station or depot or any facility
12 operated or leased by or operated on behalf of a bus transportation
13 company. This term shall include a reasonable area immediately
14 adjacent to any designated stop along the route traveled by any
15 ~~coach~~ bus operated by a bus transportation company and parking lots
16 or parking areas adjacent to a terminal.

17 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1903, is
18 amended to read as follows:

19 Section 1903. A. No person shall by force or violence, or
20 threat of force or violence, seize or exercise control of any bus.
21 Any person violating this subsection shall be guilty of a felony,
22 and shall, upon conviction, be ~~imprisoned~~ punished by imprisonment
23 in the custody of the Department of Corrections for not more than
24 twenty (20) years, or ~~fined~~ by a fine of not more than Twenty

1 Thousand Dollars (\$20,000.00), or by both such fine and
2 imprisonment.

3 B. In addition, no person shall intimidate, threaten, assault
4 or batter any driver, attendant, guard or passenger of any bus with
5 intent to violate subsection A of this section. Any person
6 violating this subsection shall be guilty of a felony~~7~~ and shall,
7 upon conviction, be ~~imprisoned~~ punished by imprisonment in the
8 custody of the Department of Corrections for not more than ten (10)
9 years, or ~~fined~~ by a fine of not more than Five Thousand Dollars
10 (\$5,000.00), or by both such fine and imprisonment.

11 C. In addition, any person violating subsection A or B of this
12 section using a dangerous or deadly weapon shall be guilty of a
13 felony~~7~~ and shall, upon conviction, be ~~imprisoned~~ punished by
14 imprisonment in the custody of the Department of Corrections for not
15 more than twenty (20) years, or ~~fined~~ by a fine of not more than
16 Twenty Thousand Dollars (\$20,000.00), or by both such fine and
17 imprisonment.

18 D. No person, other than an authorized law enforcement officer
19 or person in possession of a valid handgun license issued pursuant
20 to or recognized by the provisions of the Oklahoma Self-Defense Act,
21 shall board a bus with a ~~dangerous or deadly weapon~~ concealed or
22 unconcealed handgun upon or about his or her person.

23 E. No person other than an authorized law enforcement officer
24 shall board a bus with a dangerous or deadly weapon as defined

1 pursuant to paragraph 3 of Section 1902 of this title. Upon the
2 discovery of any such item or material, the company may obtain
3 possession and retain custody of such item or material until it is
4 transferred to the custody of law enforcement officers. Any person
5 convicted of violating this subsection shall be guilty of a felony,
6 and shall, upon conviction, be ~~imprisoned~~ punished by imprisonment
7 in the custody of the Department of Corrections for not more than
8 ten (10) years, or ~~fined~~ by a fine of not more than Ten Thousand
9 Dollars (\$10,000.00), or by both such fine and imprisonment.

10 ~~E.~~ F. It shall be unlawful for any person to discharge any
11 firearm ~~or hurl or place in the path any missile at, into or within~~
12 any bus, terminal or other transportation facility unless the person
13 has a valid handgun license and is acting in lawful self-defense or
14 in defense of others or the person is an authorized law enforcement
15 officer. Such person shall, upon conviction, be guilty of a felony
16 punishable by a fine of not more than Five Thousand Dollars
17 (\$5,000.00), or by imprisonment in the custody of the Department of
18 Corrections for not more than five (5) years, or by both such fine
19 and imprisonment.

20 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1904, is
21 amended to read as follows:

22 Section 1904. ~~It~~ Except as provided for in subsection E of
23 Section 1903 of this title, it shall be unlawful to remove any
24 baggage, ~~car~~ or other item transported upon a bus or stored in a

1 terminal without consent of the owner of such property or the
2 company, or its duly authorized representative. Any person
3 violating this section shall be guilty of a felony and, upon
4 conviction, shall be punished by a fine of not more than Ten
5 Thousand Dollars (\$10,000.00), or imprisoned by imprisonment in the
6 custody of the Department of Corrections for not more than five (5)
7 years, or by both such fine and imprisonment.

8 The actual value of an item removed in violation of this section
9 shall not be material to the crime herein defined.

10 SECTION 4. This act shall become effective November 1, 2014.

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