

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2474

By: Peterson

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7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.  
9 2011, Section 6-206, which relates to cancellation,  
10 suspension and revocation of driver licenses;  
11 permitting certain order by the courts; and providing  
12 an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-206, is  
15 amended to read as follows:

16 Section 6-206. A. Whenever any person is convicted or pleads  
17 guilty in any court having jurisdiction over offenses committed  
18 under Section 1-101 et seq. of this title, or any other act or  
19 municipal ordinance or act or ordinance of another state regulating  
20 the operation of motor vehicles on highways, such court shall make  
21 immediate report to the Department of Public Safety setting forth  
22 the name of the offender, the number of the driver license and the  
23 penalty imposed. Said report shall be submitted by the judge or the  
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1 clerk of the court upon forms furnished or approved by the  
2 Department.

3 B. The Department, upon receipt of said report or upon receipt  
4 of a report of a conviction in another state relating to the  
5 operation of a motor vehicle, may in its discretion suspend the  
6 driving privilege of such person for such period of time as in its  
7 judgment is justified from the records of such conviction together  
8 with the records and reports on file in the Department, subject to  
9 the limitations provided in Section 6-208 of this title. Any action  
10 taken by the Department shall be in addition to the penalty imposed  
11 by the court.

12 C. Following receipt of a notice of any nonpayment of fine and  
13 costs for a moving traffic violation with a recommendation of  
14 suspension of driving privileges of a defendant from any court  
15 within this state, as provided for in Section 983 of Title 22 of the  
16 Oklahoma Statutes, the Department shall suspend the driving  
17 privilege of the named person after giving notice as provided in  
18 Section 2-116 of this title. A person whose license is subject to  
19 suspension pursuant to this section may avoid the effective date of  
20 the suspension or, if suspended, shall be eligible for  
21 reinstatement, if otherwise eligible, upon:

- 22 1. Making application to the Department of Public Safety;
- 23 2. Showing proof of payment of the total amount of the fine and  
24 cost or a release from the court or court clerk; and

1        3. Submitting the processing and reinstatement fees, as  
2 provided for in Section 6-212 of this title.

3        Provided, however, in cases of extreme and unusual hardship, as  
4 determined by the court, the person shall be placed on a payment  
5 plan by the court, and the court shall send a release to the  
6 Department for reinstatement purposes. The court may submit another  
7 suspension request pursuant to this section if the person fails to  
8 honor the payment plan. In such case, the Department shall again  
9 suspend the person's driving privilege for nonpayment of fine and  
10 costs for the same moving traffic violation. Upon reinstatement  
11 after suspension for nonpayment of fine and costs for a moving  
12 traffic violation the Department may remove such record of  
13 suspension from the person's driving record and retain an internal  
14 record for audit purposes. A court within this state may order the  
15 Department to waive any requirement that fines and costs be  
16 satisfied by a person prior to that person being eligible for a  
17 provisional license provided under Section 6-212 of this title.

18        D. Upon the receipt of a record of conviction for eluding or  
19 attempting to elude a peace officer, the Department of Public Safety  
20 shall suspend the driving privilege of the person:

21        1. For the first conviction as indicated on the driving record  
22 of the person, for a period of six (6) months;

1        2. For the second conviction as indicated on the driving record  
2 of the person, for a period of one (1) year. Such period shall not  
3 be modified; and

4        3. For the third or subsequent conviction as indicated on the  
5 driving record of the person, for a period of three (3) years. Such  
6 period shall not be modified.

7        E. Any person whose driving privilege is so suspended under the  
8 provisions of this section shall have the right of appeal, as  
9 provided in Section 6-211 of this title.

10        SECTION 2. This act shall become effective November 1, 2016.

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