

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2474

By: Peterson and Billy of the
House

and

Griffin of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

20 Section 6-206. A. Whenever any person is convicted or pleads
21 guilty in any court having jurisdiction over offenses committed
22 under Section 1-101 et seq. of this title, or any other act or
23 municipal ordinance or act or ordinance of another state regulating
24 the operation of motor vehicles on highways, such court shall make

1 immediate report to the Department of Public Safety setting forth
2 the name of the offender, the number of the driver license and the
3 penalty imposed. Said report shall be submitted by the judge or the
4 clerk of the court upon forms furnished or approved by the
5 Department.

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

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

1 1. Making application to the Department of Public Safety;

2 2. Showing proof of payment of the total amount of the fine and
3 cost or a release from the court or court clerk; and

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

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

21 D. Upon the receipt of a record of conviction for eluding or
22 attempting to elude a peace officer, the Department of Public Safety
23 shall suspend the driving privilege of the person:
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1 1. For the first conviction as indicated on the driving record
2 of the person, for a period of six (6) months;

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

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

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

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

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14 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
15 dated 02/17/2016 - DO PASS, As Amended and Coauthored.
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