

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 19

By: Loveless

AS INTRODUCED

An Act relating to the Bus Passenger Safety Act, amending 21 O.S. 2011, Section 1902, which relates to definitions regarding public bus transportation; modifying definitions; amending 21 O.S. 2011, Section 1903, which relates to unlawful acts; removing certain prohibitions; amending 21 O.S. 2011, Section 1904, which relates to unauthorized removal on public bus transportation; clarifying language; 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~~ the Bus Passenger Safety Act:

1. "Bus" ~~shall be defined as provided in Section 1-105 of Title 47~~ means a vehicle designed to carry passengers that is part of a network of passenger vehicles for use by the public, running on a regular schedule of routes, times and fares;

2. "Bus transportation company" or "company" means any person or governmental entity providing for-hire transport to passengers ~~or~~

1 ~~car~~ by bus upon the roads, streets, highways and turnpikes of this  
2 state, ~~whether in interstate or intrastate travel;~~

3 3. "Deadly or dangerous weapon" ~~includes~~ means all weapons  
4 listed in ~~Sections~~ Section 1287 and ~~1289.3 through 1289.5~~ of this  
5 title, and any other weapon capable of inflicting serious bodily  
6 injury; except for a weapon carried for lawful self-defense in  
7 compliance under the Oklahoma Self Defense Act for lawful self-  
8 defense;

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

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

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

23 Section 1903. A. No person shall by force or violence, or  
24 threat of force or violence, seize or exercise control of any bus.

1 Any person violating this subsection shall be guilty of a felony<sup>7</sup>  
2 and shall, upon conviction, be ~~imprisoned~~ punished by imprisonment  
3 in the custody of the Department of Corrections for not more than  
4 twenty (20) years, or ~~fined~~ by a fine of not more than Twenty  
5 Thousand Dollars (\$20,000.00), or by both such fine and  
6 imprisonment.

7 B. In addition, no person shall intimidate, threaten, assault  
8 or batter any driver, attendant, guard or passenger of any bus with  
9 intent to violate subsection A of this section. Any person  
10 violating this subsection shall be guilty of a felony<sup>7</sup> and shall,  
11 upon conviction, be ~~imprisoned~~ punished by imprisonment in the  
12 custody of the Department of Corrections for not more than ten (10)  
13 years, or ~~fined~~ by a fine of not more than Five Thousand Dollars  
14 (\$5,000.00), or by both such fine and imprisonment.

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

22 ~~D. No person, other than an authorized law enforcement officer,~~  
23 ~~shall board a bus with a dangerous or deadly weapon concealed upon~~  
24 ~~or about his person. Upon the discovery of any such item or~~

1 ~~material, the company may obtain possession and retain custody of~~  
2 ~~such item or material until it is transferred to the custody of law~~  
3 ~~enforcement officers. Any person convicted of violating this~~  
4 ~~subsection shall be guilty of a felony, and shall, upon conviction,~~  
5 ~~be imprisoned for not more than ten (10) years, or fined not more~~  
6 ~~than Ten Thousand Dollars (\$10,000.00), or both.~~

7 ~~E. It shall be unlawful for any person to discharge any firearm~~  
8 ~~or hurl or place in the path any missile at, into or within any bus,~~  
9 ~~terminal or other transportation facility. Such person shall, upon~~  
10 ~~conviction, be guilty of a felony punishable by a fine of not more~~  
11 ~~than Five Thousand Dollars (\$5,000.00) or by imprisonment for not~~  
12 ~~more than five (5) years, or both.~~

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

15 Section 1904. It shall be unlawful to remove any baggage, cargo  
16 or other item transported upon a bus or stored in a terminal without  
17 consent of the owner of such property or the company, or its duly  
18 authorized representative. Any person violating this section shall  
19 be guilty of a felony and, upon conviction, shall be punished by a  
20 fine of not more than Ten Thousand Dollars (\$10,000.00), or  
21 imprisoned by imprisonment in the custody of the Department of  
22 Corrections for not more than five (5) years, or by both such fine  
23 and imprisonment.  
24

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

3       SECTION 4.   This act shall become effective November 1, 2015.

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