

1 ENGROSSED SENATE
2 BILL NO. 1165

By: David of the Senate

3 and

4 Babinec of the House

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6 An Act relating to motor vehicle; repealing 47 O.S.
7 2011, Section 11-902a, as amended by Section 9,
8 Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017, Section
9 11-902a), which relates to the use of a motor
10 vehicle without an ignition interlock device; making
11 certain allowance unlawful; stating certain
12 penalties; making certain interference unlawful;
13 stating certain exception; providing for
14 codification; and providing a provisional effective
15 date.

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

17 SECTION 1. REPEALER 47 O.S. 2011, Section 11-902a, as
18 amended by Section 9, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017,
19 Section 11-902a), is hereby repealed.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 11-902e of Title 47, unless
22 there is created a duplication in numbering, reads as follows:

23 A. No person shall knowingly authorize or permit a motor
24 vehicle owned or under the control of that person which is not
equipped with an ignition interlock device to be driven upon any
street or highway of this state by any person who is required to
have an ignition interlock device installed upon the vehicle of that

1 person. A violation of this subsection shall be a misdemeanor and
2 shall be punishable by a fine of not more than Five Hundred Dollars
3 (\$500.00) or by imprisonment in the county jail for not more than
4 six (6) months, or by both such fine and imprisonment.

5 B. No person shall willfully attempt to interfere in any way
6 with the intended and proper functioning of an ignition interlock
7 device installed in a vehicle as required by law, or intentionally
8 fail to return an ignition interlock device when it is no longer
9 required in the vehicle or upon request by the owner of the device.
10 A violation of this subsection shall be a misdemeanor and shall be
11 punishable by a fine of not more than Five Hundred Dollars (\$500.00)
12 or by imprisonment in the county jail for not more than six (6)
13 months, or by both such fine and imprisonment.

14 C. No person granted permission to drive a motor vehicle on the
15 condition of installation of an ignition interlock device shall
16 drive any vehicle that is not equipped with an ignition interlock
17 device unless driving an employer's vehicle in accordance with
18 Section 10 of Enrolled Senate Bill No. 1164 of the 2nd Session of
19 the 56th Oklahoma Legislature or subsection A of Section 2 of
20 Enrolled Senate Bill No. 1163 of the 2nd Session of the 56th
21 Oklahoma Legislature. A violation of this subsection shall be a
22 misdemeanor and shall be punishable by a fine of not more than Five
23 Hundred Dollars (\$500.00) or by imprisonment in the county jail for
24 not more than six (6) months, or by both such fine and imprisonment.

SECTION 3. The provisions of this act shall not become effective as law unless Enrolled Senate Bill No. 1163 of the 2nd Session of the 56th Oklahoma Legislature and Enrolled Senate Bill No. 1164 of the 2nd Session of the 56th Oklahoma Legislature become effective as law.

Passed the Senate the 13th day of March, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2018.

Presiding Officer of the House
of Representatives