

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3222

 By: Echols

7 AS INTRODUCED

8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 6-205, as last amended by Section 3,
10 Chapter 400, O.S.L. 2019 (47 O.S. Supp. 2019, Section
11 6-205), which relates to mandatory revocation of
12 driving privilege; modifying offenses requiring
13 mandatory revocation; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-205, as
17 last amended by Section 3, Chapter 400, O.S.L. 2019 (47 O.S. Supp.
18 2019, Section 6-205), is amended to read as follows:

19 Section 6-205. A. The Department of Public Safety shall
20 immediately revoke the driving privilege of any person, whether
21 adult or juvenile, upon receiving a record of conviction, in any
22 municipal, state or federal court within the United States of any of
23 the following offenses, when such conviction has become final:

1 1. Manslaughter or negligent homicide resulting from the
2 operation of a motor vehicle;

3 2. Driving or being in actual physical control of a motor
4 vehicle while under the influence of alcohol, any other intoxicating
5 substance, or the combined influence of alcohol and any other
6 intoxicating substance, any violation of paragraph 1, 2, 3 or 4 of
7 subsection A of Section 11-902 of this title or any violation of
8 Section 11-906.4 of this title. However, the Department shall not
9 additionally revoke the driving privileges of the person pursuant to
10 this subsection if the driving privilege of the person has been
11 revoked because of a test result or test refusal pursuant to Section
12 753 or 754 of this title arising from the same circumstances which
13 resulted in the conviction unless the revocation because of a test
14 result or test refusal is set aside;

15 3. Any felony during the commission of which a motor vehicle is
16 used;

17 4. Failure to stop and render aid as required under the laws of
18 this state in the event of a motor vehicle accident resulting in the
19 death or personal injury of another;

20 5. Perjury or the making of a false affidavit or statement
21 under oath to the Department under the Uniform Vehicle Code or under
22 any other law relating to the ownership or operation of motor
23 vehicles;

1 6. A ~~misdemeanor~~ or felony conviction for unlawfully
2 ~~possessing~~, distributing, dispensing, manufacturing, trafficking,
3 cultivating, selling, transferring, attempting or conspiring to
4 ~~possess~~, distribute, dispense, manufacture, traffic, sell, or
5 transfer of a controlled dangerous substance as defined in the
6 Uniform Controlled Dangerous Substances Act while using a motor
7 vehicle;

8 7. Failure to pay for gasoline pumped into a vehicle pursuant
9 to Section 1740 of Title 21 of the Oklahoma Statutes;

10 8. A misdemeanor conviction for a violation of Section 1465 of
11 Title 21 of the Oklahoma Statutes;

12 9. A misdemeanor conviction for a violation of Section 1-229.34
13 of Title 63 of the Oklahoma Statutes;

14 10. Failure to obey a traffic control device as provided in
15 Section 11-202 of this title or a stop sign when such failure
16 results in great bodily injury to any other person; or

17 11. Failure to stop or to remain stopped for school bus loading
18 or unloading of children pursuant to Section 11-705 or 11-705.1 of
19 this title.

20 B. The first license revocation under any provision of this
21 section, except for paragraph 2, 6, 7 or 11 of subsection A of this
22 section, shall be for a period of one (1) year. Such period shall
23 not be modified.

1 C. A license revocation under any provision of this section,
2 except for paragraph 2, 6, or 7 of subsection A of this section,
3 shall be for a period of three (3) years if a prior revocation under
4 this section, except under paragraph 2 of subsection A of this
5 section, commenced within the preceding five-year period as shown by
6 the records of the Department. Such period shall not be modified.

7 D. The period of license revocation under paragraph 2 or 6 of
8 subsection A of this section shall be governed by the provisions of
9 Section 6-205.1 of this title.

10 E. The first license revocation under paragraph 7 of subsection
11 A of this section shall be for a period of six (6) months. A second
12 or subsequent license revocation under paragraph 7 of subsection A
13 of this section shall be for a period of one (1) year. Such periods
14 shall not be modified.

15 F. The first license revocation under paragraph 11 of
16 subsection A of this section shall be for a period of one (1) year.
17 Such period may be modified. Any appeal of the revocation of
18 driving privilege under paragraph 11 of subsection A of this section
19 shall be governed by Section 6-211 of this title; provided, any
20 modification under this subsection shall apply to Class D motor
21 vehicles only.

22 G. As used in this section, "great bodily injury" means bodily
23 injury which creates a substantial risk of death or which causes
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1 serious, permanent disfigurement or protracted loss or impairment of
2 the function of any bodily member or organ.

3 SECTION 2. This act shall become effective November 1, 2020.
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5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/06/2020 - DO
6 PASS.
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