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February 25, 2019

By: Brooks of the Senate

and

Lowe of the House

An Act relating to driver licenses; amending 47 O.S. 2011, Section 6-205, as last amended by Section 5, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2018, Section 6-205), which relates to mandatory revocation of driving privilege; modifying allowable revocation; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-205, as last amended by Section 5, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2018, Section 6-205), is amended to read as follows:

Section 6-205. A. The Department of Public Safety shall revoke the driving privilege of any person, whether adult or juvenile, who, in any municipal, state or federal court within the United States, receives a deferred sentence, or a conviction, when such conviction has become final, or a deferred prosecution, for any of the following offenses:

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

3        2. Driving, operating or being in actual physical control of a  
4 motor vehicle while under the influence of alcohol, any other  
5 intoxicating substance, or the combined influence of alcohol and any  
6 other intoxicating substance, or any offense in subsection A of  
7 Section 11-902 of this title or any offense in Section 11-906.4 of  
8 this title;

9        3. Any felony during the commission of which a motor vehicle is  
10 used;

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

14       5. Perjury or the making of a false affidavit or statement  
15 under oath to the Department under the Uniform Vehicle Code or under  
16 any other law relating to the ownership or operation of motor  
17 vehicles;

18       6. A ~~misdemeanor~~ or felony conviction for unlawfully  
19 possessing, distributing, dispensing, manufacturing, trafficking,  
20 cultivating, selling, transferring, attempting or conspiring to  
21 possess, distribute, dispense, manufacture, traffic, sell, or  
22 transfer of a controlled dangerous substance as defined in the  
23 Uniform Controlled Dangerous Substances Act while using a motor  
24 vehicle;

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

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

5        9. A misdemeanor conviction for a violation of Section ~~609~~ 1-  
6 229.34 of Title ~~37~~ 63 of the Oklahoma Statutes;

7        10. Failure to obey a traffic control device as provided in  
8 Section 11-202 or 11-703 of this title when such failure results in  
9 great bodily injury to any other person; or

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

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

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

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

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

9 F. The first license revocation under paragraph 11 of  
10 subsection A of this section shall be for a period of one (1) year.  
11 Such period may not be modified. Any appeal of the revocation of  
12 driving privilege under paragraph 11 of subsection A of this section  
13 shall be governed by Section 6-211 of this title.

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

18 SECTION 2. This act shall become effective November 1, 2019.

19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
20 February 25, 2019 - DO PASS  
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