

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 455

By: Brooks

AS INTRODUCED

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

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

7 3. Any felony during the commission of which a motor vehicle is
8 used;

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

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

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

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

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

3 9. A misdemeanor conviction for a violation of Section ~~609~~ 1-
4 229.34 of Title ~~37~~ 63 of the Oklahoma Statutes;

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

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

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

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

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

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

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

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

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

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