

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1695

By: Martin

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 6-212, as last amended by Section 3,
9 Chapter 97, O.S.L. 2015 (47 O.S. Supp. 2016, Section
10 6-212), which relates to conditions for reinstatement
11 of driver licenses and provisional licenses;
12 modifying eligibility requirements and limitations of
13 provisional licenses; establishing provisional
14 license processing fee and amount; modifying rules
15 and procedures authorization associated with
16 provisional licenses; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-212, as
20 last amended by Section 3, Chapter 97, O.S.L. 2015 (47 O.S. Supp.
21 2016, Section 6-212), is amended to read as follows:

22 Section 6-212. A. The Department of Public Safety shall not
23 assess and collect multiple reinstatement fees when reinstating the
24 driving privilege of any person having more than one suspension or
25 revocation affecting the person's driving privilege at the time of
26 reinstatement.

B. The Department shall:

1 1. Suspend or revoke a person's driving privilege for each
2 basis as delineated within the Oklahoma Statutes; and

3 2. Require any person having more than one suspension or
4 revocation affecting the person's driving privilege to meet the
5 statutory requirements for each action as a condition precedent to
6 the reinstatement of any driving privilege. Provided, however,
7 reinstatement fees shall not be cumulative, and a single
8 reinstatement fee, as provided for in subsection C of this section,
9 shall be paid for all suspensions or revocations as shown by the
10 Department's records at the time of reinstatement.

11 C. Whenever a person's privilege to operate a motor vehicle is
12 suspended or revoked pursuant to any provision as authorized by the
13 Oklahoma Statutes, the license or privilege to operate a motor
14 vehicle shall remain under suspension or revocation and shall not be
15 reinstated until:

16 1. The expiration of each such revocation or suspension order;

17 2. The person has paid to the Department:

18 a. if such privilege is suspended or revoked pursuant to
19 Section 1115.5 of Title 22 of the Oklahoma Statutes or
20 pursuant to any provisions of this title, except as
21 provided in subparagraph b of this paragraph, a
22 processing fee of Twenty-five Dollars (\$25.00) for
23 each such suspension or revocation as shown by the
24 Department's records, or

- 1 b. (1) if such privilege is suspended or revoked
2 pursuant to the provisions of Section 6-205, 6-
3 205.1, 7-612, 753, 754 or 761 of this title or
4 pursuant to subsection A of Section 7-605 of this
5 title for a conviction for failure to maintain
6 the mandatory motor vehicle insurance required by
7 law or pursuant to subsection B of Section 6-206
8 of this title for a suspension other than for
9 points accumulation, a processing fee of Seventy-
10 five Dollars (\$75.00) for each such suspension or
11 revocation as shown by the Department's records,
12 and a special assessment trauma-care fee of Two
13 Hundred Dollars (\$200.00) to be deposited into
14 the Trauma Care Assistance Revolving Fund created
15 in Section 1-2530.9 of Title 63 of the Oklahoma
16 Statutes, for each suspension or revocation as
17 shown by the records of the Department, and
18 (2) in addition to any other fees required by this
19 section, if such privilege is suspended or
20 revoked pursuant to an arrest on or after
21 November 1, 2008, under the provisions of
22 paragraph 2 or 6 of subsection A of Section 6-205
23 of this title or of Section 753, 754, or 761 of
24 this title, a fee of Fifteen Dollars (\$15.00),

1 which shall be apportioned pursuant to the
2 provisions of Section 3-460 of Title 43A of the
3 Oklahoma Statutes; and

4 3. The person has paid to the Department a single reinstatement
5 fee of:

6 a. beginning on August 26, 2011, through June 30, 2013,
7 Fifty Dollars (\$50.00), of which Twenty-five Dollars
8 (\$25.00) shall be deposited by the Commissioner to the
9 credit of the Department of Public Safety Revolving
10 Fund and, in addition to other purposes authorized by
11 law, the expenditures from that fund of monies derived
12 from the Twenty-five Dollars (\$25.00) pursuant to this
13 subparagraph shall be used to fund any Oklahoma
14 Highway Patrol Trooper Academy provided by the
15 Department. Any remaining funds shall be used for
16 operational expenses of the Oklahoma Highway Patrol,
17 and

18 b. beginning on July 1, 2013, and any year thereafter,
19 Twenty-five Dollars (\$25.00).

20 D. The Department of Public Safety is hereby authorized to
21 enter into agreements with persons whose license to operate a motor
22 vehicle or commercial motor vehicle has been suspended or revoked,
23 except as to those suspensions, revocations, cancellations or
24 denials made pursuant to paragraph 1 or 2 of subsection A of Section

1 6-205 of this title or to Section 753 or 754 of this title, for
2 issuance of provisional licenses ~~that would allow such persons to~~
3 ~~drive:~~

- 4 1. ~~Between their place of residence and their place of~~
5 ~~employment or potential employment;~~
- 6 2. ~~During the scope and course of their employment;~~
- 7 3. ~~Between their place of residence and a college, university~~
8 ~~or technology center;~~
- 9 4. ~~Between their place of residence and their child's school or~~
10 ~~day care provider;~~
- 11 5. ~~Between their place of residence and a place of worship; or~~
- 12 6. ~~Between their place of residence and any court-ordered~~
13 ~~treatment program,~~

14 with the condition that such persons pay a ~~minimum of Twenty-five~~
15 ~~Dollars (\$25.00) per month toward the satisfaction of all~~
16 ~~outstanding driver license or commercial driver license~~
17 ~~reinstatement fees~~ provisional driver license processing fee of
18 Three Hundred Dollars (\$300.00). The Department shall develop rules
19 and procedures to establish such a provisional driver license
20 program and such rules and procedures shall include, but not be
21 limited to, ~~eligibility criteria, proof of insurance, proof of~~
22 ~~enrollment or employment, and any provisional license fees.~~ Any
23 violation of law by the person holding the provisional license that
24 would result in the suspension or revocation of a driver license

1 shall result in the revocation of the provisional license and such
2 person shall be ineligible for future application for a provisional
3 driver license.

4 E. Effective July 1, 2002, and for each fiscal year thereafter:

5 1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all
6 monies collected each month pursuant to this section shall be
7 apportioned as provided in Section 1104 of this title, except as
8 otherwise provided in this section; and

9 2. Except as otherwise provided in this section, all other
10 monies collected in excess of Two Hundred Fifty Thousand Dollars
11 (\$250,000.00) each month shall be deposited in the General Revenue
12 Fund.

13 SECTION 2. This act shall become effective November 1, 2017.

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