

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3222

By: Echols

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5
6 AS INTRODUCED

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

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

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

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

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

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

13 3. Any felony during the commission of which a motor vehicle is
14 used;

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

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

22 6. A ~~misdemeanor or~~ felony conviction for unlawfully
23 ~~possessing,~~ distributing, dispensing, manufacturing, trafficking,
24 cultivating, selling, transferring, attempting or conspiring to

1 ~~possess~~, distribute, dispense, manufacture, traffic, sell, or
2 transfer of a controlled dangerous substance as defined in the
3 Uniform Controlled Dangerous Substances Act while using a motor
4 vehicle;

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

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

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

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

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

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

21 C. A license revocation under any provision of this section,
22 except for paragraph 2, 6, or 7 of subsection A of this section,
23 shall be for a period of three (3) years if a prior revocation under
24 this section, except under paragraph 2 of subsection A of this

1 section, commenced within the preceding five-year period as shown by
2 the records of the Department. Such period shall not be modified.

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

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

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

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

22 SECTION 2. This act shall become effective November 1, 2020.

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