

1 ENGROSSED HOUSE  
2 BILL NO. 3222

By: Echols of the House

3 and

4 David of the Senate

5  
6 [ motor vehicles - modifying offenses requiring  
7 mandatory revocation - effective date ]  
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-205, as  
13 last amended by Section 3, Chapter 400, O.S.L. 2019 (47 O.S. Supp.  
14 2019, Section 6-205), is amended to read as follows:

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

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

22 2. Driving or being in actual physical control of a motor  
23 vehicle while under the influence of alcohol, any other intoxicating  
24 substance, or the combined influence of alcohol and any other

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

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

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

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

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

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

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

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

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

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

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

19 C. A license revocation under any provision of this section,  
20 except for paragraph 2, 6, or 7 of subsection A of this section,  
21 shall be for a period of three (3) years if a prior revocation under  
22 this section, except under paragraph 2 of subsection A of this  
23 section, commenced within the preceding five-year period as shown by  
24 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 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; provided, any  
14 modification under this subsection shall apply to Class D motor  
15 vehicles only.

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

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

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1 Passed the House of Representatives the 12th day of February,  
2020.

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Presiding Officer of the House  
of Representatives

6 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2020.

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Presiding Officer of the Senate