



1 which the conviction or deferred sentence occurred may require the  
2 surrender to it of all proof of driving privileges then held by the  
3 person so convicted or sentenced and the court shall thereupon  
4 forward the same together with a record of such conviction or  
5 deferred sentence to the Department within five (5) days after the  
6 conviction or deferred sentence occurred.

7 B. Every court, including courts not of record, having  
8 jurisdiction over offenses committed under this act, or any other  
9 law of this state or municipal ordinance regulating the operation of  
10 motor vehicles on highways, shall forward to the Department a record  
11 of the conviction of any person in such court for a violation of any  
12 such laws other than regulations governing standing or parking, and  
13 may recommend the suspension of the driving privileges of the person  
14 so convicted.

15 C. Whenever a person arrested for any offense for which this  
16 title makes mandatory the revocation of the driving privilege of  
17 such person by the Department as provided in Section 4 of this act,  
18 and enters into a deferred prosecution agreement related to such  
19 offense, the prosecutor shall forward to the Department notice of  
20 the deferred prosecution agreement. The notice of a deferred  
21 prosecution agreement provided to the Department shall not be a  
22 violation of Section 305.5 of Title 22 of the Oklahoma Statutes.

23 D. For the purposes of Section 6-101 et seq. of Title 47 of the  
24 Oklahoma Statutes, the term "conviction" shall mean a final

1 conviction or shall mean a forfeiture of bail or collateral  
2 deposited to secure a defendant's appearance in court, which  
3 forfeiture has not been vacated.

4 SECTION 3. REPEALER 47 O.S. 2011, Section 6-205, as last  
5 amended by Section 5, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017,  
6 Section 6-205), is hereby repealed.

7 SECTION 4. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 6-205a of Title 47, unless there  
9 is created a duplication in numbering, reads as follows:

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

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

18 2. Driving, operating or being in actual physical control of a  
19 motor vehicle while under the influence of alcohol, any other  
20 intoxicating substance, or the combined influence of alcohol and any  
21 other intoxicating substance, or any offense in subsection A of  
22 Section 11-902 of Title 47 of the Oklahoma Statutes or any offense  
23 in Section 11-906.4 of Title 47 of the Oklahoma Statutes;

24

1       3. Any felony during the commission of which a motor vehicle is  
2 used;

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

6       5. Perjury or the making of a false affidavit or statement  
7 under oath to the Department under the Uniform Vehicle Code or under  
8 any other law relating to the ownership or operation of motor  
9 vehicles;

10       6. A misdemeanor or felony conviction for unlawfully  
11 possessing, distributing, dispensing, manufacturing, trafficking,  
12 cultivating, selling, transferring, attempting or conspiring to  
13 possess, distribute, dispense, manufacture, traffic, sell, or  
14 transfer of a controlled dangerous substance as defined in the  
15 Uniform Controlled Dangerous Substances Act while using a motor  
16 vehicle;

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

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

21       9. A misdemeanor conviction for a violation of Section 609 of  
22 Title 37 of the Oklahoma Statutes;

23

24

1           10. Failure to obey a traffic control device as provided in  
2 Section 11-202 or 11-803 of Title 47 of the Oklahoma Statutes when  
3 such failure results in great bodily injury to any other person; or

4           11. Failure to stop or to remain stopped for school bus loading  
5 or unloading of children pursuant to Section 11-705 or 11-705.1 of  
6 Title 47 of the Oklahoma Statutes.

7           B. The first license revocation under any provision of this  
8 section, except for paragraph 2 of subsection A of this section,  
9 shall be for a period of one (1) year. Such period shall not be  
10 modified.

11           C. A license revocation under any provision of this section,  
12 except for paragraph 2 of subsection A of this section, shall be for  
13 a period of three (3) years if a prior revocation under this  
14 section, except under paragraph 2 of subsection a of this section,  
15 was commenced within the preceding five-year period as shown by the  
16 records of the Department. Such period shall not be modified.

17           D. The period of license revocation under paragraph 2 of  
18 subsection A of this section shall be governed by the provisions of  
19 Section 6 of this act.

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

1 F. The first license revocation under paragraph 11 of  
2 subsection A of this section shall be for a period of one (1) year.  
3 Such period may not be modified. Any appeal of the revocation of  
4 driving privilege under paragraph 11 of subsection A of this section  
5 shall be governed by Section 6-211 of Title 47 of the Oklahoma  
6 Statutes.

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

11 SECTION 5. REPEALER 47 O.S. 2011, Section 6-205.1, as  
12 last amended by Section 6, Chapter 392, O.S.L. 2017 (47 O.S. Supp.  
13 2017, Section 6-205.1), is hereby repealed.

14 SECTION 6. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 6-205.3 of Title 47, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. The driving privilege of a person who is convicted of, or  
18 receives a deferred sentence, or deferred prosecution agreement for  
19 any offense as provided in paragraph 2 of subsection A of Section 4  
20 of this act, unless the person has successfully completed, or is  
21 currently participating in, the Impaired Driver Accountability  
22 Program (IDAP) in accordance with Section 5 of Enrolled Senate Bill  
23 No. 1163 of the 2nd Session of the 56th Oklahoma Legislature, shall  
24

1 be revoked or denied by the Department of Public Safety for the  
2 following period, as applicable:

3 1. The first license revocation pursuant to paragraph 2 of  
4 subsection A of Section 4 of this act shall be for a minimum period  
5 of one (1) year, which shall be modified; provided, any modification  
6 under this paragraph shall apply to Class D motor vehicles only.  
7 Modification requires the issuance of a modified driver license and  
8 the continuous installation of an ignition interlock device or  
9 devices pursuant to Section 10 of this act for a period of not less  
10 than one (1) year immediately preceding reinstatement of the  
11 license. If within the last six (6) months of the revocation period  
12 the Department receives a report of an interlock violation, as  
13 defined by the rules of the Board of Tests for Alcohol and Drug  
14 Influence, the revocation period shall be extended until such time  
15 that the person completes a violation-free, six-month period;

16 2. A revocation pursuant to paragraph 2 of subsection A of  
17 Section 4 of this act shall be for a minimum period of twenty-four  
18 (24) months, if within ten (10) years preceding the date of arrest  
19 relating thereto, as shown by the records of the Department:

20 a. a prior revocation commenced pursuant to paragraph 2  
21 or 6 of subsection A of Section 4 of this act, or a  
22 revocation because of a test result or test refusal,  
23 or previous enrollment and/or completion of the  
24 Impaired Driver Accountability Program pursuant to

1 Section 5 of Enrolled Senate Bill No. 1163 of the 2nd  
2 Session of the 56th Oklahoma Legislature, or

3 b. the record of the person reflects a prior conviction  
4 in another jurisdiction which did not result in a  
5 revocation of Oklahoma driving privileges, for a  
6 violation substantially similar to paragraph 2 of  
7 subsection A of Section 4 of this act, and the person  
8 was not a resident or a licensee of Oklahoma at the  
9 time of the offense resulting in the conviction.

10 Such twenty-four-month period of revocation shall be modified;  
11 provided, any modification under this paragraph shall apply to Class  
12 D driver licenses only. Modification shall require the issuance of  
13 a modified driver license and the installation of an ignition  
14 interlock device or devices, pursuant to Section 10 of this act for  
15 a continuous period of not less than twenty-four (24) months  
16 immediately preceding reinstatement of the license. If within the  
17 last eighteen (18) months of the revocation period the Department  
18 receives a report of an interlock violation, as defined by the rules  
19 of the Board of Tests for Alcohol and Drug Influence, the revocation  
20 period shall be extended until such time that the person completes a  
21 violation-free twelve-month period; or

22 3. A revocation pursuant to paragraph 2 of subsection A of  
23 Section 4 of this act, or a revocation because of a test result or  
24 test refusal shall be for a minimum period of forty-eight (48)



1 months if within ten (10) years preceding the date of arrest  
2 relating thereto, as shown by the records of the Department:

- 3 a. two or more prior revocations commenced pursuant to  
4 paragraph 2 or 6 of subsection A of Section 4 of this  
5 act, or revocations because of a test result or test  
6 refusal, or previous enrollment(s) or completion(s) of  
7 the Impaired Driver Accountability Program pursuant to  
8 Section 5 of Enrolled Senate Bill No. 1163 of the 2nd  
9 Session of the 56th Oklahoma Legislature,
- 10 b. the record of the person reflects two or more prior  
11 convictions in another jurisdiction which did not  
12 result in a revocation of Oklahoma driving privileges,  
13 for a violation substantially similar to paragraph 2  
14 of subsection A of Section 4 of this act, and the  
15 person was not a resident or a licensee of Oklahoma at  
16 the time of the offense resulting in the conviction,  
17 or
- 18 c. any combination of two or more prior revocations, or  
19 previous completions of the Impaired Driver  
20 Accountability Program, or convictions as described in  
21 subparagraphs a and b of this paragraph.

22 Such forty-eight-month period of revocation shall be modified;  
23 provided, any modification under this paragraph shall apply to Class  
24 D driver licenses only. Modification requires the issuance of a

1 modified driver license and the installation of an ignition  
2 interlock device or devices, pursuant to Section 10 of this act for  
3 a continuous period of not less than forty-eight (48) months  
4 immediately preceding reinstatement of the license. If within the  
5 last forty-two (42) months of the revocation period the Department  
6 receives a report of an interlock violation, as defined by the rules  
7 of the Board of Tests for Alcohol and Drug Influence, the revocation  
8 period shall be extended until such time that the person completes a  
9 violation-free forty-two (42) month period.

10 B. The driving privilege of a person who is convicted of any  
11 offense as provided in paragraph 6 of subsection A of Section 4 of  
12 this act shall be revoked or denied by the Department of Public  
13 Safety for the following period, as applicable:

14 1. The first license revocation shall be for one hundred eighty  
15 (180) days, which may not be modified;

16 2. A revocation shall be for a period of one (1) year if within  
17 ten (10) years preceding the date of arrest relating thereto, as  
18 shown by the records of the Department:

19 a. a prior revocation commenced pursuant to paragraph 2  
20 or 6 of subsection A of Section 4 of this act, or a  
21 revocation because of a test result or test refusal,  
22 previous participation and/or completion of the  
23 Impaired Driver Accountability Program pursuant to  
24

1 Section 5 of Enrolled Senate Bill No. 1163 of the 2nd  
2 Session of the 56th Oklahoma Legislature, or

- 3 b. the record of the person reflects a prior conviction  
4 in another jurisdiction which did not result in a  
5 revocation of Oklahoma driving privileges, for a  
6 violation substantially similar to paragraph 2 or 6 of  
7 subsection A of Section 4 of this act, and the person  
8 was not a resident or a licensee of Oklahoma at the  
9 time of the offense resulting in the conviction.

10 Such period shall not be modified; or

11 3. A revocation shall be for a period of three (3) years if  
12 within ten (10) years preceding the date of arrest relating thereto,  
13 as shown by the records of the Department:

- 14 a. two or more prior revocations commenced pursuant to  
15 paragraph 2 or 6 of subsection A of Section 4 of this  
16 act, or a revocation because of a test result or test  
17 refusal, previous participation and/or completion of  
18 the Impaired Driver Accountability Program pursuant to  
19 Section 5 of Enrolled Senate Bill No. 1163 of the 2nd  
20 Session of the 56th Oklahoma Legislature,

- 21 b. the record of the person reflects two or more prior  
22 convictions in another jurisdiction which did not  
23 result in a revocation of Oklahoma driving privileges,  
24 for a violation substantially similar to paragraph 2

1 or 6 of subsection A of Section 4 of this act, and the  
2 person was not a resident or licensee of Oklahoma at  
3 the time of the offense resulting in the conviction,  
4 or

5 c. any combination of two or more prior revocations as  
6 described in subparagraphs a and b or this paragraph.

7 Such period shall not be modified.

8 The revocation of the driving privilege of any person under this  
9 subsection shall not run concurrently with any other withdrawal of  
10 driving privilege resulting from a different incident and which  
11 requires the driving privilege to be withdrawn for a prescribed  
12 amount of time. A denial based on a conviction of any offense as  
13 provided in paragraph 6 of subsection A of Section 4 of this act  
14 shall become effective on the first day the convicted person is  
15 otherwise eligible to apply for and be granted driving privilege if  
16 the person was not eligible to do so at the time of the conviction.

17 C. For the purposes of this subsection:

18 1. The term "conviction" includes a juvenile delinquency  
19 adjudication by a court or any notification from a court pursuant to  
20 Section 6-107.1 of Title 47 of the Oklahoma Statutes; and

21 2. The term "revocation" includes a denial of driving  
22 privileges by the Department.

23 D. Each period of revocation not subject to modification shall  
24 be mandatory and neither the Department nor any court may grant

1 driving privileges for the duration of that period. Each period of  
2 revocation, subject to modification as provided for in this section,  
3 shall be modified as provided for in Section 10 of this act;  
4 provided, any modification under this paragraph shall apply to Class  
5 D driver licenses only.

6 E. Any appeal of a revocation of denial of driving privileges  
7 shall be governed by Section 6-211 of Title 47 of the Oklahoma  
8 Statutes.

9 SECTION 7. REPEALER 47 O.S. 2011, Section 6-212, as last  
10 amended by Section 7, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017,  
11 Section 6-212), is hereby repealed.

12 SECTION 8. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 6-212a of Title 47, unless there  
14 is created a duplication in numbering, reads as follows:

15 A. The Department of Public Safety shall not assess and collect  
16 multiple reinstatement fees when reinstating the driving privilege  
17 of any person having more than one suspension or revocation  
18 affecting the person's driving privilege at the time of  
19 reinstatement.

20 B. The Department shall:

21 1. Suspend or revoke a person's driving privilege as delineated  
22 within the Oklahoma Statutes; and

23 2. Require any person having more than one suspension or  
24 revocation affecting the person's driving privilege to meet the

1 statutory requirements for each action as a condition precedent to  
2 the reinstatement of any driving privilege. Provided, however,  
3 reinstatement fees shall not be cumulative, and a single  
4 reinstatement fee, as provided for in subsection C of this section,  
5 shall be paid for all suspensions or revocations as shown by the  
6 Department's records at the time of reinstatement.

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

12 1. The expiration of each such revocation or suspension order  
13 and the satisfaction of all terms and conditions of the revocation;

14 2. The person has paid to the Department:

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

23 b. (1) if such privilege is suspended or revoked because  
24 of a test result or test refusal, or pursuant to

1 the provisions of Section 4 of this act, Section  
2 6 of this act, 7-612 or 761 of Title 47 of the  
3 Oklahoma Statutes or pursuant to subsection A of  
4 Section 7-605 of Title 47 of the Oklahoma  
5 Statutes 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 Title 47 of the Oklahoma Statutes for a  
9 suspension other than for points accumulation, a  
10 processing fee of Seventy-five Dollars (\$75.00)  
11 for each such suspension or revocation as shown  
12 by the Department's records, and a special  
13 assessment trauma-care fee of Two Hundred Dollars  
14 (\$200.00) to be deposited into the Trauma Care  
15 Assistance Revolving Fund created in Section 1-  
16 2530.9 of Title 63 of the Oklahoma Statutes, for  
17 each suspension or revocation as shown by the  
18 records of the Department, and

19 (2) in addition to any other fees required by this  
20 section, if such privilege is suspended or  
21 revoked pursuant to an arrest on or after  
22 November 1, 2008, under the provisions of  
23 paragraph 2 or 6 of subsection A of Section 4 of  
24 this act or of Section 761 of Title 47 of the

1 Oklahoma Statutes or because of a test result or  
2 test refusal, a fee of Fifteen Dollars (\$15.00),  
3 which shall be apportioned pursuant to the  
4 provisions of Section 3-460 of Title 43A of the  
5 Oklahoma Statutes; and

6 3. The person has paid to the Department a single reinstatement  
7 fee of:

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

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

22 D. The Department of Public Safety is hereby authorized to  
23 enter into agreements with persons whose license to operate a motor  
24 vehicle or commercial motor vehicle has been suspended or revoked,



1 for issuance of a provisional license that allows such persons to  
2 drive:

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

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

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

3 1. Two Hundred Fifty Thousand Dollars (\$250,000.00) of all  
4 monies collected each month pursuant to this section shall be  
5 apportioned as provided in Section 1104 of Title 47 of the Oklahoma  
6 Statutes, except as otherwise provided in this section; and

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

11 SECTION 9. REPEALER 47 O.S. 2011, Section 754.1, as last  
12 amended by Section 14, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017,  
13 Section 754.1), is hereby repealed.

14 SECTION 10. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 754.2 of Title 47, unless there  
16 is created a duplication in numbering, reads as follows:

17 A. Modification of a revocation arising under the provisions of  
18 Section 6 of this act shall apply to Class D motor vehicles only.

19 B. As a prerequisite and condition of any modification, the  
20 person shall be required to have installed an ignition interlock  
21 device approved by the rules of the Board of Tests for Alcohol and  
22 Drug Influence, at the person's own expense, upon any motor vehicle  
23 operated by the person. A person whose revocation is modified may  
24 only operate a motor vehicle equipped with an approved ignition

1 interlock device. The Department shall require, as a condition of  
2 modification, the device to be installed upon any vehicle owned or  
3 leased, as reflected on the vehicle registration, by an employer of  
4 the person for use by the person, except when the employer requests  
5 the ignition interlock device not be installed. The request shall  
6 be in writing and notarized on the official letterhead of the  
7 employer and provided by the employer to the Department; provided, a  
8 request shall not be accepted by the Department under the following  
9 circumstances:

10 1. When the person is self-employed or owns part or all of the  
11 company or corporation, or exercises control over some part of the  
12 business which owns or leases the vehicle;

13 2. When the person is employed by a relative who either is  
14 within the first degree of consanguinity or who resides in the same  
15 household; or

16 3. When the person has had a prior revocation pursuant to  
17 paragraph 2 of subsection A of Section 4 of this act or to Sections  
18 3 and 7 of Enrolled Senate Bill No. 1163 of the 2nd Session of the  
19 56th Oklahoma Legislature.

20 The person shall comply with all provisions of law and rule  
21 regarding ignition interlock devices.

22 C. Upon the issuance of a modification order pursuant to this  
23 section, or under the provisions of paragraph 1, 2, or 3 of  
24 subsection A or paragraph 1, 2, or 3 of subsection B of Section 6 of

1 this act, for a violation of this title, the person shall pay a  
2 modification fee of One Hundred Seventy-five Dollars (\$175.00) to  
3 the Department. For each modification fee collected pursuant to the  
4 provisions of this subsection, One Hundred Dollars (\$100.00) shall  
5 be remitted to the State Treasurer to be credited to the General  
6 Revenue Fund in the State Treasury and Seventy-five Dollars (\$75.00)  
7 shall be remitted to the State Treasurer to be credited to the  
8 Department of Public Safety Restricted Revolving Fund. All monies  
9 accruing to the credit of the Department of Public Safety Restricted  
10 Revolving Fund from modification fees shall be budgeted and expended  
11 solely for the purpose of administering the provisions of this  
12 section.

13 D. The Board of Tests for Alcohol and Drug Influence shall  
14 promulgate such rules as are necessary to implement and administer  
15 the provisions of this subsection relating to ignition interlock  
16 devices and the providers of such devices.

17 SECTION 11. The provisions of this act shall not become  
18 effective as law unless Enrolled Senate Bill No. 1163 of the 2nd  
19 Session of the 56th Oklahoma Legislature becomes effective as law.

20  
21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 04/11/2018 - DO  
22 PASS, As Amended.  
23  
24