

1 STATE OF OKLAHOMA

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

3 SENATE BILL 376

By: Loveless

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5
6 AS INTRODUCED

7 An Act relating to motor vehicle safety; amending 47
8 O.S. 2011, Section 11-1119, which relates to an
9 unattended child or vulnerable adult in a motor
vehicle; modifying fines and punishment; and
declaring an emergency.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1119, is
14 amended to read as follows:

15 Section 11-1119. A. As used in the Forget-Me-Not Vehicle
16 Safety Act:

17 1. "Person responsible for a child" means a custodial parent or
18 legal guardian of a child, or a person who has been directed or
19 authorized to supervise a child by that child's custodial parent or
20 legal guardian;

21 2. "Unattended" means beyond a person's direct ability to care
22 for or come to the aid of the unaccompanied person; and

23 3. "Motor vehicle" means the same as defined in Section 1-134
24 of ~~Title 47 of the Oklahoma Statutes~~ this title.

1 B. A person responsible for a child who is six (6) years of age
2 or younger, or a caretaker of a vulnerable adult as defined by
3 Section 10-103 of Title 43A of the Oklahoma Statutes, shall not
4 leave that child or vulnerable adult unattended in a motor vehicle
5 if the conditions, including, but not limited to, extreme weather,
6 inadequate ventilation, or hazardous or malfunctioning components
7 within the vehicle present a risk to the health or safety of the
8 unattended child or vulnerable adult.

9 C. It shall not be considered a violation of this section if
10 the child or vulnerable adult is accompanied in the motor vehicle by
11 a person at least twelve (12) years of age who is not mentally
12 incompetent as defined by Section 1-103 of Title 43A of the Oklahoma
13 Statutes.

14 D. Any person convicted of violating the provisions of this
15 section shall be guilty of a misdemeanor and shall be punished by:

16 1. A fine of not less than ~~Fifty Dollars (\$50.00)~~ Five Hundred
17 Dollars (\$500.00) upon a first conviction, and the full record of
18 that person's conviction of the violations of this section shall be
19 submitted to the Department of Human Services for evaluation; and

20 2. A fine of not less than ~~One Hundred Dollars (\$100.00)~~ One
21 Thousand Dollars (\$1,000.00) ~~and ordered to perform community~~
22 ~~service of not less than fifty (50) hours upon a second or~~
23 subsequent conviction conviction; and

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1 3. ~~A fine of not less than Two Hundred Dollars (\$200.00) upon a~~
2 ~~third or subsequent conviction,~~ and the full record of that person's
3 convictions of the violations of this section shall be submitted to
4 the Department of Human Services for evaluation.

5 E. Any person convicted of violating the provisions of this
6 section who has left a child or vulnerable adult unattended in a
7 motor vehicle on the premises of any establishment which holds any
8 license for the sale of alcoholic beverages for consumption on the
9 premises pursuant to Section 521 of Title 37 of the Oklahoma
10 Statutes, and who has consumed any alcoholic beverage during the
11 period of time the child or vulnerable adult has been unattended,
12 shall be punished by a fine of not less than ~~Five Hundred Dollars~~
13 ~~(\$500.00)~~ One Thousand Dollars (\$1,000.00), and the full record of
14 that person's conviction of the violations of this section shall be
15 submitted to the Department of Human Services for evaluation.

16 F. Nothing in this section precludes prosecution under any
17 other provision of law.

18 SECTION 2. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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23 56-1-44

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