An Act

ENROLLED SENATE
BILL NO. 953

By: Nichols and Brecheen of the Senate

and

Billy of the House

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 6-212, as last amended by Section 18, Chapter 401, O.S.L. 2008 (47 O.S. Supp. 2010, Section 6-212), which relates to conditions for reinstatement of driving privileges; increasing amount of reinstatement fee for specified amount of time; directing deposit of fee to certain revolving fund; providing for expenditure of funds; amending 47 O.S. 2001, Section 2-143, as amended by Section 7, Chapter 461, O.S.L. 2003 (47 O.S. Supp. 2010, Section 2-143), which relates to the Department of Public Safety Patrol Vehicle Revolving Fund; and modifying purpose of revolving fund.

SUBJECT: Uniform vehicle code

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-212, as last amended by Section 18, Chapter 401, O.S.L. 2008 (47 O.S. Supp. 2010, Section 6-212), is amended to read as follows:

Section 6-212. A. The Department of Public Safety shall not assess and collect multiple reinstatement fees when reinstating the driving privilege of any person having more than one suspension or

revocation affecting the person's driving privilege at the time of reinstatement.

B. The Department shall:

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

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

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

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

2. The person has paid to the Department:

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

b. (1) if such privilege is suspended or revoked pursuant to the provisions of Section 6-205, 6-205.1, 7-608, 7-612, 753, 754 or 761 of this title or pursuant to subsection A of Section 7-605 of this title for a conviction for failure to maintain the mandatory motor vehicle insurance required by law or pursuant to subsection B of

Section 6-206 of this title for a suspension other than for points accumulation, a processing fee of Seventy-five Dollars ($75.00) for each such suspension or revocation as shown by the Department's records, and a special assessment trauma-care fee of Two Hundred Dollars ($200.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of Title 63 of the Oklahoma Statutes, for each suspension or revocation as shown by the records of the Department, and

(2) in addition to any other fees required by this section, if such privilege is suspended or revoked pursuant to an arrest on or after November 1, 2008, under the provisions of paragraph 2 or 6 of subsection A of Section 6-205 of this title or of Section 753, 754, or 761 of this title, a fee of Fifteen Dollars ($15.00), which shall be apportioned pursuant to the provisions of Section 3-460 of Title 43A of the Oklahoma Statutes; and

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

a. beginning on the effective date of this act through June 30, 2013, Fifty Dollars ($50.00), of which Twenty-five Dollars ($25.00) shall be deposited by the Commissioner to the credit of the Department of Public Safety Revolving Fund and, in addition to other purposes authorized by law, the expenditures from that fund of monies derived from the Twenty-five Dollars ($25.00) pursuant to this subparagraph shall be used to fund any Oklahoma Highway Patrol Trooper Academy provided by the Department. Any remaining funds shall be used for operational expenses of the Oklahoma Highway Patrol, and

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

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

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

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

SECTION 2. AMENDATORY 47 O.S. 2001, Section 2-143, as amended by Section 7, Chapter 461, O.S.L. 2003 (47 O.S. Supp. 2010, Section 2-143), is amended to read as follows:

Section 2-143. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Public Safety, to be designated the "Department of Public Safety Patrol Vehicle Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. All monies accruing to the credit of said fund are hereby appropriated and shall be budgeted and expended by the Department for the exclusive purpose of the purchase of patrol vehicles, patrol aircraft, and the equipping of those vehicles, as well as any other operational expenses of the Oklahoma Highway Patrol. No monies shall be expended from this fund without expressed authorization by the Legislature. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

Passed the Senate the 4th day of May, 2011.

Presiding Officer of the Senate

Passed the House of Representatives the 27th day of April, 2011.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 5th
day of May, **20** 11,
at 1:45 **o'clock** P **M.**

By: Jessica R. Boyer

Approved by the Governor of the State of Oklahoma the 11th **day of**
May, **20** 11, **at** 3:38 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this
11th **day of** May, **20** 11,
at 4:50 **o'clock** P **M.**

By: Michelle R. Day