

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 1164

6 By: David

7 COMMITTEE SUBSTITUTE

8 An Act relating to driver license revocation;  
9 repealing 47 O.S. 2011, Section 6-204, as amended by  
10 Section 4, Chapter 292, O.S.L. 2017 (47 O.S. Supp.  
11 2017, Section 6-204), which relates to the order to  
12 surrender license; directing certain surrender of  
13 license procedures; repealing 47 O.S. 2011, Section  
14 6-205, as last amended by Section 5, Chapter 392,  
15 O.S.L. 2017 (47 O.S. Supp. 2017, Section 6-205),  
16 which relates to mandatory revocation of license;  
17 directing mandatory revocation for certain offenses;  
18 directing certain revocation periods; providing  
19 definition; repealing 47 O.S. 2011, Section 6-205.1,  
20 as last amended by Section 6, Chapter 392, O.S.L.  
21 2017 (47 O.S. Supp. 2017, Section 6-205.1), which  
22 relates to the duration of revocation; directing  
23 certain revocation or denial; stating revocation  
24 periods; directing certain modification; providing  
definitions; repealing 47 O.S. 2011, Section 6-212,  
as last amended by Section 7, Chapter 392, O.S.L.  
2017 (47 O.S. Supp. 2017, Section 6-212), which  
relates to conditions for reinstatement; establishing  
procedures for reinstatement; directing collection of  
certain fees; establishing procedures for issuance of  
provisional license; repealing 47 O.S. 2011, Section  
754.1, as last amended by Section 14, Chapter 392,  
O.S.L. 2017 (47 O.S. Supp. 2017, Section 754.1),  
which relates to modification or revocation of  
license; requiring ignition interlock; establishing  
procedures for modification; directing collection of  
certain fees; providing for codification; and  
providing a provisional effective date.

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

2 SECTION 1. REPEALER 47 O.S. 2011, Section 6-204, as  
3 amended by Section 4, Chapter 292, O.S.L. 2017 (47 O.S. Supp. 2017,  
4 Section 6-204) is hereby repealed.

5 SECTION 2. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 6-204a of Title 47, unless there  
7 is created a duplication in numbering, reads as follows:

8 A. Whenever any person is convicted of, or receives a deferred  
9 sentence for any offense for which this title makes mandatory the  
10 revocation of the driving privilege of such person by the Department  
11 of Public Safety as provided in Section 4 of this act, the court in  
12 which the conviction or deferred sentence occurred may require the  
13 surrender to it of all proof of driving privileges then held by the  
14 person so convicted or sentenced and the court shall thereupon  
15 forward the same together with a record of such conviction or  
16 deferred sentence to the Department within five (5) days after the  
17 conviction or deferred sentence occurred.

18 B. Every court, including courts not of record, having  
19 jurisdiction over offenses committed under this act, or any other  
20 law of this state or municipal ordinance regulating the operation of  
21 motor vehicles on highways, shall forward to the Department a record  
22 of the conviction of any person in such court for a violation of any  
23 such laws other than regulations governing standing or parking, and  
24

1 may recommend the suspension of the driving privileges of the person  
2 so convicted.

3 C. Whenever a person arrested for any offense for which this  
4 title makes mandatory the revocation of the driving privilege of  
5 such person by the Department as provided in Section 4 of this act,  
6 and enters into a deferred prosecution agreement related to such  
7 offense, the prosecutor shall forward to the Department notice of  
8 the deferred prosecution agreement. The notice of a deferred  
9 prosecution agreement provided to the Department shall not be a  
10 violation of Section 305.5 of Title 22 of the Oklahoma Statutes.

11 D. For the purposes of Section 6-101 et seq. of Title 47 of the  
12 Oklahoma Statutes, the term "conviction" shall mean a final  
13 conviction or shall mean a forfeiture of bail or collateral  
14 deposited to secure a defendant's appearance in court, which  
15 forfeiture has not been vacated.

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

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

22 A. The Department of Public Safety shall revoke the driving  
23 privilege of any person, whether adult or juvenile, who, in any  
24 municipal, state or federal court within the United States, receives

1 a deferred sentence, or a conviction, when such conviction has  
2 become final, or a deferred prosecution, for any of the following  
3 offenses:

4 1. Manslaughter or negligent homicide resulting from the  
5 operation of a motor vehicle;

6 2. Driving, operating or being in actual physical control of a  
7 motor vehicle while under the influence of alcohol, any other  
8 intoxicating substance, or the combined influence of alcohol and any  
9 other intoxicating substance, or any offense in subsection A of  
10 Section 11-902 of Title 47 of the Oklahoma Statutes or any offense  
11 in Section 11-906.4 of Title 47 of the Oklahoma Statutes;

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

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

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

21 6. A misdemeanor or felony conviction for unlawfully  
22 possessing, distributing, dispensing, manufacturing, trafficking,  
23 cultivating, selling, transferring, attempting or conspiring to  
24 possess, distribute, dispense, manufacture, traffic, sell, or

1 transfer of a controlled dangerous substance as defined in the  
2 Uniform Controlled Dangerous Substances Act while using a motor  
3 vehicle;

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

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

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

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

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

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

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

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

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

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 not 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 Title 47 of the Oklahoma  
16 Statutes.

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

21 SECTION 5. REPEALER 47 O.S. 2011, Section 6-205.1, as  
22 last amended by Section 6, Chapter 392, O.S.L. 2017 (47 O.S. Supp.  
23 2017, Section 6-205.1), is hereby repealed.

24

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

4           A. The driving privilege of a person who is convicted of, or  
5 receives a deferred sentence, or deferred prosecution agreement for  
6 any offense as provided in paragraph 2 of subsection A of Section 4  
7 of this act, unless the person has successfully completed, or is  
8 currently participating in, the Impaired Driver Accountability  
9 Program (IDAP) in accordance with Section 5 of Enrolled Senate Bill  
10 No. 1163 of the 2nd Session of the 56th Oklahoma Legislature, shall  
11 be revoked or denied by the Department of Public Safety for the  
12 following period, as applicable:

13           1. The first license revocation pursuant to paragraph 2 of  
14 subsection A of Section 4 of this act shall be for a minimum period  
15 of one (1) year, which shall be modified; provided, any modification  
16 under this paragraph shall apply to Class D motor vehicles only.  
17 Modification requires the issuance of a modified driver license and  
18 the continuous installation of an ignition interlock device or  
19 devices pursuant to Section 10 of this act for a period of not less  
20 than one (1) year immediately preceding reinstatement of the  
21 license. If within the last six (6) months of the revocation period  
22 the Department receives a report of an interlock violation, as  
23 defined by the rules of the Board of Tests for Alcohol and Drug

24

1 Influence, the revocation period shall be extended until such time  
2 that the person completes a violation-free, six-month period;

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

7 a. a prior revocation commenced pursuant to paragraph 2  
8 or 6 of subsection A of Section 4 of this act, or a  
9 revocation because of a test result or test refusal,  
10 or previous enrollment and/or completion of the  
11 Impaired Driver Accountability Program pursuant to  
12 Section 5 of Enrolled Senate Bill No. 1163 of the 2nd  
13 Session of the 56th Oklahoma Legislature, or

14 b. the record of the person reflects a prior conviction  
15 in another jurisdiction which did not result in a  
16 revocation of Oklahoma driving privileges, for a  
17 violation substantially similar to paragraph 2 of  
18 subsection A of Section 4 of this act, and the person  
19 was not a resident or a licensee of Oklahoma at the  
20 time of the offense resulting in the conviction.

21 Such twenty-four-month period of revocation shall be modified;  
22 provided, any modification under this paragraph shall apply to Class  
23 D driver licenses only. Modification shall require the issuance of  
24 a modified driver license and the installation of an ignition



1 interlock device or devices, pursuant to Section 10 of this act for  
2 a continuous period of not less than twenty-four (24) months  
3 immediately preceding reinstatement of the license. If within the  
4 last eighteen (18) months of the revocation period the Department  
5 receives a report of an interlock violation, as defined by the rules  
6 of the Board of Tests for Alcohol and Drug Influence, the revocation  
7 period shall be extended until such time that the person completes a  
8 violation-free twelve-month period; or

9 3. A revocation pursuant to paragraph 2 of subsection A of  
10 Section 4 of this act, or a revocation because of a test result or  
11 test refusal shall be for a minimum period of forty-eight (48)  
12 months if within ten (10) years preceding the date of arrest  
13 relating thereto, 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 revocations because of a test result or test  
17 refusal, or previous enrollment(s) or completion(s) 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 of subsection A of Section 4 of this act, and the  
2 person was not a resident or a 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, or  
6 previous completions of the Impaired Driver  
7 Accountability Program, or convictions as described in  
8 subparagraphs a and b of this paragraph.

9 Such forty-eight-month period of revocation shall be modified;  
10 provided, any modification under this paragraph shall apply to Class  
11 D driver licenses only. Modification requires the issuance of a  
12 modified driver license and the installation of an ignition  
13 interlock device or devices, pursuant to Section 10 of this act for  
14 a continuous period of not less than forty-eight (48) months  
15 immediately preceding reinstatement of the license. If within the  
16 last forty-two (42) months of the revocation period the Department  
17 receives a report of an interlock violation, as defined by the rules  
18 of the Board of Tests for Alcohol and Drug Influence, the revocation  
19 period shall be extended until such time that the person completes a  
20 violation-free forty-two (42) month period.

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

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

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

6            a. a prior revocation commenced pursuant to paragraph 2  
7                    or 6 of subsection A of Section 4 of this act, or a  
8                    revocation because of a test result or test refusal,  
9                    previous participation and/or completion of the

10                    Impaired Driver Accountability Program pursuant to  
11                    Section 5 of Enrolled Senate Bill No. 1163 of the 2nd  
12                    Session of the 56th Oklahoma Legislature, or

13            b. the record of the person reflects a prior conviction  
14                    in another jurisdiction which did not result in a  
15                    revocation of Oklahoma driving privileges, for a  
16                    violation substantially similar to paragraph 2 or 6 of  
17                    subsection A of Section 4 of this act, and the person  
18                    was not a resident or a licensee of Oklahoma at the  
19                    time of the offense resulting in the conviction.

20                    Such period shall not be modified; or

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

24

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

18           Such period shall not be modified.

19           The revocation of the driving privilege of any person under this  
20          subsection shall not run concurrently with any other withdrawal of  
21          driving privilege resulting from a different incident and which  
22          requires the driving privilege to be withdrawn for a prescribed  
23          amount of time. A denial based on a conviction of any offense as  
24          provided in paragraph 6 of subsection A of Section 4 of this act

1 shall become effective on the first day the convicted person is  
2 otherwise eligible to apply for and be granted driving privilege if  
3 the person was not eligible to do so at the time of the conviction.

4 C. For the purposes of this subsection:

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

8 2. The term "revocation" includes a denial of driving  
9 privileges by the Department.

10 D. Each period of revocation not subject to modification shall  
11 be mandatory and neither the Department nor any court may grant  
12 driving privileges for the duration of that period. Each period of  
13 revocation, subject to modification as provided for in this section,  
14 shall be modified as provided for in Section 10 of this act;  
15 provided, any modification under this paragraph shall apply to Class  
16 D driver licenses only.

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

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

23  
24

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

4           A. The Department of Public Safety shall not assess and collect  
5 multiple reinstatement fees when reinstating the driving privilege  
6 of any person having more than one suspension or revocation  
7 affecting the person's driving privilege at the time of  
8 reinstatement.

9           B. The Department shall:

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

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

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

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

3 2. The person has paid to the Department:

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

12 b. (1) if such privilege is suspended or revoked because  
13 of a test result or test refusal, or pursuant to  
14 the provisions of Section 4 of this act, Section  
15 6 of this act, 7-612 or 761 of Title 47 of the  
16 Oklahoma Statutes or pursuant to subsection A of  
17 Section 7-605 of Title 47 of the Oklahoma  
18 Statutes for a conviction for failure to maintain  
19 the mandatory motor vehicle insurance required by  
20 law or pursuant to subsection B of Section 6-206  
21 of Title 47 of the Oklahoma Statutes for a  
22 suspension other than for points accumulation, a  
23 processing fee of Seventy-five Dollars (\$75.00)  
24 for each such suspension or revocation as shown

1 by the Department's records, and a special  
2 assessment trauma-care fee of Two Hundred Dollars  
3 (\$200.00) to be deposited into the Trauma Care  
4 Assistance Revolving Fund created in Section 1-  
5 2530.9 of Title 63 of the Oklahoma Statutes, for  
6 each suspension or revocation as shown by the  
7 records of the Department, and

8 (2) in addition to any other fees required by this  
9 section, if such privilege is suspended or  
10 revoked pursuant to an arrest on or after  
11 November 1, 2008, under the provisions of  
12 paragraph 2 or 6 of subsection A of Section 4 of  
13 this act or of Section 761 of Title 47 of the  
14 Oklahoma Statutes or because of a test result or  
15 test refusal, a fee of Fifteen Dollars (\$15.00),  
16 which shall be apportioned pursuant to the  
17 provisions of Section 3-460 of Title 43A of the  
18 Oklahoma Statutes; and

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

21 a. beginning on August 26, 2011, through June 30, 2013,  
22 Fifty Dollars (\$50.00), of which Twenty-five Dollars  
23 (\$25.00) shall be deposited by the Commissioner to the  
24 credit of the Department of Public Safety Revolving



1 Fund and, in addition to other purposes authorized by  
2 law, the expenditures from that fund of monies derived  
3 from the Twenty-five Dollars (\$25.00) pursuant to this  
4 subparagraph shall be used to fund any Oklahoma  
5 Highway Patrol Trooper Academy provided by the  
6 Department. Any remaining funds shall be used for  
7 operational expenses of the Oklahoma Highway Patrol,  
8 and

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

11 D. The Department of Public Safety is hereby authorized to  
12 enter into agreements with persons whose license to operate a motor  
13 vehicle or commercial motor vehicle has been suspended or revoked,  
14 for issuance of a provisional license that allows such persons to  
15 drive:

16 1. Between their place of residence and their place of  
17 employment or potential employment;

18 2. During the scope and course of their employment;

19 3. Between their place of residence and a college, university  
20 or technology center;

21 4. Between their place of residence and their child's school or  
22 day care provider;

23 5. Between their place of residence and a place of worship; or  
24

1       6. Between their place of residence and any court-ordered  
2 treatment program,  
3       with the condition that such persons pay a minimum of Twenty-  
4 five Dollars (\$25.00) per month toward the satisfaction of all  
5 outstanding driver license or commercial driver license  
6 reinstatement fees. The Department shall develop rules and  
7 procedures to establish such a provisional driver license program  
8 and such rules and procedures shall include, but not be limited to,  
9 eligibility criteria, proof of insurance, proof of enrollment or  
10 employment, and any provisional license fees. Any violation of law  
11 by the person holding the provisional license that would result in  
12 the suspension or revocation of a driver license shall result in the  
13 revocation of the provisional license and such person shall be  
14 ineligible for future application for a provisional driver license.

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

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

21       2. Except as otherwise provided in this section, all other  
22 monies collected in excess of Two Hundred Fifty Thousand Dollars  
23 (\$250,000.00) each month shall be deposited in the General Revenue  
24 Fund.

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

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

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

9 B. As a prerequisite and condition of any modification, the  
10 person shall be required to have installed an ignition interlock  
11 device approved by the rules of the Board of Tests for Alcohol and  
12 Drug Influence, at the person's own expense, upon any motor vehicle  
13 operated by the person. A person whose revocation is modified may  
14 only operate a motor vehicle equipped with an approved ignition  
15 interlock device. The Department shall require, as a condition of  
16 modification, the device to be installed upon any vehicle owned or  
17 leased, as reflected on the vehicle registration, by an employer of  
18 the person for use by the person, except when the employer requests  
19 the ignition interlock device not be installed. The request shall  
20 be in writing and notarized on the official letterhead of the  
21 employer and provided by the employer to the Department; provided, a  
22 request shall not be accepted by the Department under the following  
23 circumstances:

24

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

4           2. When the person is employed by a relative who either is  
5 within the first degree of consanguinity or who resides in the same  
6 household; or

7           3. When the person has had a prior revocation pursuant to  
8 paragraph 2 of subsection A of Section 4 of this act or to Sections  
9 3 and 7 of Enrolled Senate Bill No. 1163 of the 2nd Session of the  
10 56th Oklahoma Legislature.

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

13           C. Upon the issuance of a modification order pursuant to this  
14 section, or under the provisions of paragraph 1, 2, or 3 of  
15 subsection A or paragraph 1, 2, or 3 of subsection B of Section 6 of  
16 this act, for a violation of this title, the person shall pay a  
17 modification fee of One Hundred Seventy-five Dollars (\$175.00) to  
18 the Department. For each modification fee collected pursuant to the  
19 provisions of this subsection, One Hundred Dollars (\$100.00) shall  
20 be remitted to the State Treasurer to be credited to the General  
21 Revenue Fund in the State Treasury and Seventy-five Dollars (\$75.00)  
22 shall be remitted to the State Treasurer to be credited to the  
23 Department of Public Safety Restricted Revolving Fund. All monies  
24 accruing to the credit of the Department of Public Safety Restricted

1 Revolving Fund from modification fees shall be budgeted and expended  
2 solely for the purpose of administering the provisions of this  
3 section.

4 D. The Board of Tests for Alcohol and Drug Influence shall  
5 promulgate such rules as are necessary to implement and administer  
6 the provisions of this subsection relating to ignition interlock  
7 devices and the providers of such devices.

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

11

12 56-2-3318 BH 2/27/2018 8:50:55 AM

13

14

15

16

17

18

19

20

21

22

23

24