

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 2215

By: Bashore of the House

5 and

6 **Alvord** of the Senate

9 AS INTRODUCED

10 An Act relating to motor vehicles; amending 47 O.S.
11 2021, Section 7-606, with relates to failure to
12 maintain insurance or security; removing provisions
13 authorizing certain seizure of license plates; and
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY 47 O.S. 2021, Section 7-606, is
17 amended to read as follows:

18 Section 7-606. A. 1. An owner or operator who fails to comply
19 with the Compulsory Insurance Law shall be guilty of a misdemeanor
20 and upon conviction shall be subject to a fine of not more than Two
21 Hundred Fifty Dollars (\$250.00), or imprisonment for not more than
22 thirty (30) days, or by both such fine and imprisonment and, in
23 addition thereto, shall be subject to suspension of the driving
24 privilege of the person in accordance with Section 7-605 of this

1 title; provided, that if a requesting law enforcement officer
2 verifies valid and current security and compliance with the
3 Compulsory Insurance Law through the online verification system,
4 there shall be no violation of the Compulsory Insurance Law and no
5 citation shall be issued. Upon issuing a citation under this
6 paragraph, the law enforcement officer issuing the citation may:

- 7 a. seize the vehicle being operated by the person and
8 cause the vehicle to be towed and stored as provided
9 by subsection A of Section 955 of this title, if the
10 officer has probable cause to believe that the vehicle
11 is not insured as required by the Compulsory Insurance
12 Law of this state, or
- 13 b. ~~seize the license plate of the vehicle and issue the~~
14 ~~citation to the vehicle operator, provided that the~~
15 ~~vehicle is in a drivable condition at the time of~~
16 ~~issuing the citation. A copy of the citation retained~~
17 ~~by the owner or operator of the vehicle shall serve as~~
18 ~~the temporary license plate of the vehicle for up to~~
19 ~~ten (10) calendar days after the issuance of the~~
20 ~~citation. After ten (10) calendar days, the vehicle~~
21 ~~shall not be used until the vehicle operator or owner~~
22 ~~completes the requirements to retrieve the license~~
23 ~~plate.~~

- 1 (1) After the issuance of the citation, and if the
2 charges are to be filed in district court, the
3 law enforcement agency issuing the citation
4 shall, within three (3) days, deposit the license
5 plate and deliver a copy of the citation to the
6 county sheriff's office of the county where the
7 violation has occurred. If the charges are to be
8 filed in municipal court, the law enforcement
9 agency issuing the citation may deposit the
10 license plate within their own agency. The
11 county sheriff's office or municipal police
12 department that is storing the license plate
13 shall provide the plan administrator with the
14 seized license plate number by entering the
15 required information into the statewide database
16 maintained by the plan administrator. The plan
17 administrator shall maintain a database including
18 all seized license plates and shall submit such
19 information to the Oklahoma Tax Commission.
- 20 (2) The vehicle owner or operator may retrieve the
21 license plate from the county sheriff's office or
22 municipal police department upon providing
23 verification of compliance with the Compulsory
24 Insurance Law, payment in full of an

1 administrative fee of One Hundred Twenty-five
2 Dollars (\$125.00) to the county sheriff's office
3 or municipal police department and payment in
4 full of the citation to the court clerk. The
5 county sheriff's office or municipal police
6 department shall transfer the administrative fee
7 to the Plan Administrator. The Plan
8 Administrator shall notify the Oklahoma Tax
9 Commission that the vehicle owner or operator is
10 in compliance with this division and shall
11 distribute the administrative fee as follows:
12 (a) Twenty Dollars (\$20.00) of the fee shall be
13 distributed to the county sheriff's office
14 or municipal police department that stored
15 the seized license plate to defray any
16 expenses involved in the storage of the
17 license plate,
18 (b) Seventy Dollars (\$70.00) of the fee shall be
19 transferred to the law enforcement agency
20 which issued the citation and may be used
21 for any lawful purpose,
22 (c) Twenty five Dollars (\$25.00) of the fee
23 shall be transferred to the Temporary
24 Insurance Premium Pool,

(d) the Plan Administrator shall retain Ten Dollars (\$10.00) of the fee, and

(e) if, by the end of the second business day immediately following the date of citation, a person produces proof to the law enforcement agency that issued the citation and is storing the seized license plate that a current security verification form or equivalent form which has been issued by the Department of Public Safety reflecting liability coverage for the person was in force at the time of the alleged offense, the person shall not be required to pay the administrative fee required by this division. If no such proof is presented within that time, the person shall pay the full administrative fee required by this division, regardless of whether the person had minimum auto liability insurance coverage at the time of citation.

(3) The county sheriff's office or municipal police department may dispose of any unclaimed license plate after ninety (90) days according to applicable state law. After the license plate

1 has been disposed of by the county sheriff's
2 office or municipal police department, the
3 operator or owner shall be required to obtain a
4 new license plate pursuant to all existing
5 requirements.

6 If the operator of the vehicle produces what appears to be a valid
7 security verification form and the officer is unable to confirm
8 compliance through the online verification system or noncompliance
9 by a subsequent investigation, the officer shall be prohibited from
10 ~~seizing the license plate or~~ seizing the vehicle and causing such
11 vehicle to be towed and stored. Further, no vehicle shall be seized
12 and towed under the provisions of this paragraph if the vehicle is
13 displaying a temporary license plate that has not expired pursuant
14 to the provisions of Sections 1137.1 and 1137.3 of this title.

15 2. An owner other than an owner of an antique or a classic
16 automobile as defined by the Oklahoma Tax Commission who files an
17 affidavit that a vehicle shall not be driven upon the public
18 highways or public streets, pursuant to Section 7-607 of this title,
19 who drives or permits the driving of the vehicle upon the public
20 highways or public streets, shall be guilty of a misdemeanor and
21 upon conviction thereof shall be subject to a fine of not more than
22 Five Hundred Dollars (\$500.00), or imprisonment for not more than
23 thirty (30) days, or by both such fine and imprisonment, and in
24 addition thereto, shall be subject to suspension of the driving

1 privilege of the person in accordance with Section 7-605 of this
2 title.

3 B. A sentence imposed for any violation of the Compulsory
4 Insurance Law may be suspended or deferred in whole or in part by
5 the court.

6 C. Any person producing proof in court that a current security
7 verification form or equivalent form which has been issued by the
8 Department of Public Safety reflecting liability coverage for the
9 person was in force at the time of the alleged offense shall be
10 entitled to dismissal of the charge. If proof of security
11 verification is presented to the court by no later than the business
12 day preceding the first scheduled court appearance date, the
13 dismissal shall be without payment of court costs. The court may
14 access information from the online verification system to confirm
15 liability coverage. The court shall not dismiss the fine unless
16 proof that liability coverage for the person was in force at the
17 time of the alleged offense is presented to the court.

18 D. Upon conviction or bond forfeiture, the court clerk shall
19 forward an abstract to the Department of Public Safety within five
20 (5) days reflecting the action taken by the court.

21 E. For purposes of this section, "court" means any court in
22 this state.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3

4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
OVERSIGHT, dated 03/06/2025 - DO PASS, As Coauthored.