

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2215

By: Bashore

6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2021, Section 7-606, with relates to failure to
9 maintain insurance or security; removing provisions
authorizing certain seizure of license plates; and
declaring an emergency.

10
11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

15 Section 7-606. A. 1. An owner or operator who fails to comply
16 with the Compulsory Insurance Law shall be guilty of a misdemeanor
17 and upon conviction shall be subject to a fine of not more than Two
18 Hundred Fifty Dollars (\$250.00), or imprisonment for not more than
19 thirty (30) days, or by both such fine and imprisonment and, in
20 addition thereto, shall be subject to suspension of the driving
21 privilege of the person in accordance with Section 7-605 of this
22 title; provided, that if a requesting law enforcement officer
23 verifies valid and current security and compliance with the

1 Compulsory Insurance Law through the online verification system,
2 there shall be no violation of the Compulsory Insurance Law and no
3 citation shall be issued. Upon issuing a citation under this
4 paragraph, the law enforcement officer issuing the citation may:

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

22 (1) ~~After the issuance of the citation, and if the~~
23 ~~charges are to be filed in district court, the~~
24 ~~law enforcement agency issuing the citation~~

1 shall, within three (3) days, deposit the license
2 plate and deliver a copy of the citation to the
3 county sheriff's office of the county where the
4 violation has occurred. If the charges are to be
5 filed in municipal court, the law enforcement
6 agency issuing the citation may deposit the
7 license plate within their own agency. The
8 county sheriff's office or municipal police
9 department that is storing the license plate
10 shall provide the plan administrator with the
11 seized license plate number by entering the
12 required information into the statewide database
13 maintained by the plan administrator. The plan
14 administrator shall maintain a database including
15 all seized license plates and shall submit such
16 information to the Oklahoma Tax Commission.

- 17 (2) The vehicle owner or operator may retrieve the
18 license plate from the county sheriff's office or
19 municipal police department upon providing
20 verification of compliance with the Compulsory
21 Insurance Law, payment in full of an
22 administrative fee of One Hundred Twenty-five
23 Dollars (\$125.00) to the county sheriff's office
24 or municipal police department and payment in

full of the citation to the court clerk. The county sheriff's office or municipal police department shall transfer the administrative fee to the Plan Administrator. The Plan Administrator shall notify the Oklahoma Tax Commission that the vehicle owner or operator is in compliance with this division and shall distribute the administrative fee as follows:

(a) Twenty Dollars (\$20.00) of the fee shall be distributed to the county sheriff's office or municipal police department that stored the seized license plate to defray any expenses involved in the storage of the license plate,

(b) Seventy Dollars (\$70.00) of the fee shall be transferred to the law enforcement agency which issued the citation and may be used for any lawful purpose,

(c) Twenty-five Dollars (\$25.00) of the fee shall be transferred to the Temporary Insurance Premium Pool,

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

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

19 (3) The county sheriff's office or municipal police
20 department may dispose of any unclaimed license
21 plate after ninety (90) days according to
22 applicable state law. After the license plate
23 has been disposed of by the county sheriff's
24 office or municipal police department, the

operator or owner shall be required to obtain a
new license plate pursuant to all existing
~~requirements.~~

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

2. An owner other than an owner of an antique or a classic automobile as defined by the Oklahoma Tax Commission who files an affidavit that a vehicle shall not be driven upon the public highways or public streets, pursuant to Section 7-607 of this title, who drives or permits the driving of the vehicle upon the public highways or public streets, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than Five Hundred Dollars (\$500.00), or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto, shall be subject to suspension of the driving privilege of the person in accordance with Section 7-605 of this title.

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

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

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

19 E. For purposes of this section, "court" means any court in
20 this state.

21 SECTION 2. It being immediately necessary for the preservation
22

23
24

1 of the public peace, health or safety, an emergency is hereby
2 declared to exist, by reason whereof this act shall take effect and
3 be in full force from and after its passage and approval.

4

5 60-1-11324 JBH 01/15/25

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24