

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1721

6 By: Moore

7 COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2011, Sections 1902, 1903 and 1904, which
10 relate to the Bus Passenger Safety Act; modifying
11 certain definitions; updating penalty language;
12 deleting certain prohibited act and corresponding
13 penalty; providing exception to certain prohibited
14 act; and providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1902, is
17 amended to read as follows:

18 Section 1902. As used in ~~this act~~ the Bus Passenger Safety Act:

19 1. "Bus" ~~shall be defined as provided in Section 1-105 of Title~~
20 47 means a vehicle designed to carry passengers that is part of a
21 network of passenger vehicles for use by the public, running on a
22 regular schedule of routes, times and fares;

23 2. "Bus transportation company" or "company" means any person
24 or governmental entity providing for-hire transport to passengers ~~or~~

1 ~~car~~ by bus upon the roads, streets, highways and turnpikes of this
2 state, ~~whether in interstate or intrastate travel;~~

3 3. "Deadly or dangerous weapon" ~~includes~~ means all weapons
4 listed in ~~Sections~~ Section 1287 and ~~1289.3 through 1289.5~~ of this
5 title, and any other weapon capable of inflicting serious bodily
6 injury; provided, however, this shall not include a weapon carried
7 for lawful self-defense pursuant to the provisions of the Oklahoma
8 Self-Defense Act;

9 4. "Passenger" means any person served by the bus
10 transportation company ~~and in addition to the ordinary meaning of~~
11 ~~passenger, the term shall include persons accompanying or meeting~~
12 ~~another who is transported by this company, any person shipping or~~
13 ~~receiving cargo and any person purchasing a ticket or receiving a~~
14 ~~pass; and~~

15 5. "Terminal" means a bus station or depot or any facility
16 operated or leased by or operated on behalf of a bus transportation
17 company. This term shall include a reasonable area immediately
18 adjacent to any designated stop along the route traveled by any
19 ~~coach~~ bus operated by a bus transportation company and parking lots
20 or parking areas adjacent to a terminal.

21 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1903, is
22 amended to read as follows:

23 Section 1903. A. No person shall by force or violence, or
24 threat of force or violence, seize or exercise control of any bus.

1 Any person violating this subsection shall, upon conviction, be
2 guilty of a felony, ~~and shall, upon conviction, be imprisoned~~
3 punishable by imprisonment in the custody of the Department of
4 Corrections for not more than twenty (20) years, or ~~fin~~ed by a fine
5 of not more than Twenty Thousand Dollars (\$20,000.00), or by both
6 such fine and imprisonment.

7 B. In addition, no person shall intimidate, threaten, assault
8 or batter any driver, attendant, guard or passenger of any bus with
9 intent to violate subsection A of this section. Any person
10 violating this subsection shall, upon conviction, be guilty of a
11 felony, ~~and shall, upon conviction, be imprisoned~~ punishable by
12 imprisonment in the custody of the Department of Corrections for not
13 more than ten (10) years, or ~~fin~~ed by a fine of not more than Five
14 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

15 C. In addition, any person violating subsection A or B of this
16 section using a dangerous or deadly weapon shall, upon conviction,
17 be guilty of a felony, ~~and shall, upon conviction, be imprisoned~~
18 punishable by imprisonment in the custody of the Department of
19 Corrections for not more than twenty (20) years, or ~~fin~~ed by a fine
20 of not more than Twenty Thousand Dollars (\$20,000.00), or by both
21 such fine and imprisonment.

22 D. ~~No person, other than an authorized law enforcement officer,~~
23 ~~shall board a bus with a dangerous or deadly weapon concealed upon~~
24 ~~or about his person. Upon the discovery of any such item or~~

1 ~~material, the company may obtain possession and retain custody of~~
2 ~~such item or material until it is transferred to the custody of law~~
3 ~~enforcement officers. Any person convicted of violating this~~
4 ~~subsection shall be guilty of a felony, and shall, upon conviction,~~
5 ~~be imprisoned for not more than ten (10) years, or fined not more~~
6 ~~than Ten Thousand Dollars (\$10,000.00), or both.~~

7 E. It shall be unlawful for any person to discharge any firearm
8 ~~or hurl or place in the path any missile at,~~ into or within any bus,
9 terminal or other transportation facility, unless such action is
10 determined to have been in defensive force resulting from reasonable
11 fear of imminent peril of death or great bodily harm to himself or
12 herself or another. Such person shall, upon conviction, be guilty
13 of a felony punishable by a fine of not more than Five Thousand
14 Dollars (\$5,000.00) or by imprisonment for not more than five (5)
15 years, or both.

16 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1904, is
17 amended to read as follows:

18 Section 1904. It shall be unlawful to remove any baggage, cargo
19 or other item transported upon a bus or stored in a terminal without
20 consent of the owner of such property or the company, or its duly
21 authorized representative. Any person violating this section shall,
22 upon conviction, be guilty of a felony ~~and, upon conviction, shall~~
23 ~~be punished~~ punishable by a fine of not more than Ten Thousand
24 Dollars (\$10,000.00), ~~or imprisoned~~ by imprisonment in the custody

1 of the Department of Corrections for not more than five (5) years,
2 or by both such fine and imprisonment.

3 The actual value of an item removed in violation of this section
4 shall not be material to the crime herein defined.

5 SECTION 4. This act shall become effective November 1, 2017.

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7 56-1-6951 GRS 02/16/17

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