

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1721

By: Moore

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5
6 AS INTRODUCED

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

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

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

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

16 1. "Bus" ~~shall be defined as provided in Section 1-105 of Title~~
17 47 means a vehicle designed to carry passengers that is part of a
18 network of passenger vehicles for use by the public, running on a
19 regular schedule of routes, times and fares;

20 2. "Bus transportation company" or "company" means any person
21 or governmental entity providing for-hire transport to passengers ~~or~~
22 ~~enjoy~~ by bus upon the roads, streets, highways and turnpikes of this
23 state, ~~whether in interstate or intrastate travel;~~

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

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

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

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

21 Section 1903. A. No person shall by force or violence, or
22 threat of force or violence, seize or exercise control of any bus.
23 Any person violating this subsection shall, upon conviction, be
24 guilty of a felony, ~~and shall, upon conviction, be imprisoned~~

1 punishable by imprisonment in the custody of the Department of
2 Corrections for not more than twenty (20) years, or ~~fined~~ by a fine
3 of not more than Twenty Thousand Dollars (\$20,000.00), or by both
4 such fine and imprisonment.

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

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

20 ~~D. No person, other than an authorized law enforcement officer,~~
21 ~~shall board a bus with a dangerous or deadly weapon concealed upon~~
22 ~~or about his person. Upon the discovery of any such item or~~
23 ~~material, the company may obtain possession and retain custody of~~
24 ~~such item or material until it is transferred to the custody of law~~

1 ~~enforcement officers. Any person convicted of violating this~~
2 ~~subsection shall be guilty of a felony, and shall, upon conviction,~~
3 ~~be imprisoned for not more than ten (10) years, or fined not more~~
4 ~~than Ten Thousand Dollars (\$10,000.00), or both.~~

5 ~~E. It shall be unlawful for any person to discharge any firearm~~
6 ~~or hurl or place in the path any missile at, into or within any bus,~~
7 ~~terminal or other transportation facility. Such person shall, upon~~
8 ~~conviction, be guilty of a felony punishable by a fine of not more~~
9 ~~than Five Thousand Dollars (\$5,000.00) or by imprisonment for not~~
10 ~~more than five (5) years, or both.~~

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

13 Section 1904. It shall be unlawful to remove any baggage, cargo
14 or other item transported upon a bus or stored in a terminal without
15 consent of the owner of such property or the company, or its duly
16 authorized representative. Any person violating this section shall,
17 upon conviction, be guilty of a felony ~~and, upon conviction, shall~~
18 ~~be punished~~ punishable by a fine of not more than Ten Thousand
19 Dollars (\$10,000.00), or imprisoned by imprisonment in the custody
20 of the Department of Corrections for not more than five (5) years,
21 or by both such fine and imprisonment.

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

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

56-1-6558 GRS 12/14/16