

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2222

By: Ford

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2021, Sections 1902 and 1903, which relate to the Bus Passenger Safety Act; modifying scope of certain definition; defining terms; expanding scope of unlawful acts to include rolling stock transit vehicles and transit workers; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1902, is amended to read as follows:

Section 1902. As used in the Bus Passenger Safety Act:

1. "Bus" means a vehicle designed to carry passengers that is part of a network of passenger vehicles for use by the public, running on a regular schedule of routes, times and fares;

2. "Bus transportation company" or "company" means any person or governmental entity providing for-hire transport to passengers or cargo by ~~bus~~ rolling stock transit vehicles upon the roads, streets, highways and turnpikes of this state;

1 3. "Deadly or dangerous weapon" includes all weapons listed in
2 Section 1287 of this title, and any other weapon capable of
3 inflicting serious bodily injury, except for a weapon carried for
4 lawful self-defense in compliance under the Oklahoma Self Defense
5 Act;

6 4. "Passenger" means any person served by the bus
7 transportation company; ~~and~~

8 5. "Rolling stock transit vehicles" includes buses, vans, cars,
9 railcars, locomotives, trolley cars, ferry boats, and vehicles used
10 for support services;

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

17 7. "Transit worker" means any employee, contractor, or
18 volunteer working on behalf of the transit agency.

19 SECTION 2. AMENDATORY 21 O.S. 2021, 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 or
23 rolling stock transit vehicle. Any person violating this subsection
24 shall be guilty of a felony and shall, upon conviction, be punished

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

5 B. In addition, no person shall intimidate, threaten, assault
6 or batter any ~~driver, attendant~~ transit worker, guard or passenger
7 of any bus or rolling stock transit vehicle with intent to violate
8 subsection A of this section. Any person violating this subsection
9 shall be guilty of a felony and shall, upon conviction, be punished
10 by imprisonment in the custody of the Department of Corrections for
11 not more than ten (10) years, or 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 be guilty of a
15 felony, and shall, upon conviction, be punished by imprisonment in
16 the custody of the Department of Corrections for not more than
17 twenty (20) years, or by a fine of not more than Twenty Thousand
18 Dollars (\$20,000.00), or by both such fine and imprisonment.

19 D. It shall be unlawful for any person to discharge any firearm
20 into or within any bus, rolling stock transit vehicle, terminal or
21 other transportation facility, unless such action is determined to
22 have been in defensive force resulting from reasonable fear of
23 imminent peril of death or great bodily harm to himself or herself
24 or another. Such person shall, upon conviction, be guilty of a

1 felony punishable by a fine of not more than Five Thousand Dollars
2 (\$5,000.00) or by imprisonment in the custody of the Department of
3 Corrections for not more than five (5) years, or both.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8

9 59-1-5701 GRS 01/17/23

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24