

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 786

By: Weaver

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2021, Section 1220, which relates to transporting intoxicating beverage; increasing certain fine; prohibiting certain consumption of medical marijuana; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1220, is amended to read as follows:

Section 1220. A. Except as provided in subsection C D of this section, it shall be unlawful for any operator to knowingly transport or for any passenger to possess in any moving vehicle upon a public highway, street or alley any intoxicating beverage or low-point beer, as defined by Sections 163.1 and 163.2 of Title 37 of the Oklahoma Statutes, except in the original container which shall not have been opened and from which the original cap or seal shall not have been removed, unless the opened container be in the rear trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside

1 compartment which is not accessible to the driver or any other
2 person in the vehicle while it is in motion. Any person violating
3 the provisions of this section shall be deemed guilty of a
4 misdemeanor, and upon conviction shall be punished as provided in
5 subsection A of Section 566 of Title 37 of the Oklahoma Statutes.

6 B. Any person convicted of violating any provision of
7 subsection A of this section shall, in addition to any fine imposed,
8 pay a special assessment trauma-care fee of ~~One Hundred Dollars~~
9 ~~(\$100.00)~~ Two Hundred Fifty Dollars (\$250.00) to be deposited into
10 the Trauma Care Assistance Revolving Fund created in Section 1-2522
11 of Title 63 of the Oklahoma Statutes.

12 C. A person shall not consume medical marijuana, or consume
13 secondhand medical marijuana smoke due to another person's
14 consumption of medical marijuana, while operating a motor vehicle on
15 a public highway. A person operating a motor vehicle on a public
16 highway shall not possess any open container that contains medical
17 marijuana in the passenger area of the motor vehicle.

18 D. The provisions of subsection A of this section shall not
19 apply to the passenger area of buses and limousines; however, it
20 shall be unlawful for the driver of the bus or limousine to consume
21 or have in the driver's immediate possession any intoxicating
22 beverage or low-point beer.

1 ~~D.~~ E. No city, town, or county may adopt any order, ordinance,
2 rule or regulation concerning the consumption or serving of
3 intoxicating beverages or low-point beer in buses or limousines.

4 ~~E.~~ F. As used in this section:

5 1. "Bus" means a vehicle as defined in Section 1-105 of Title
6 47 of the Oklahoma Statutes chartered for transportation of persons
7 for hire. It shall not mean a school bus, as defined by Section 1-
8 160 of Title 47 of the Oklahoma Statutes, transporting children or a
9 vehicle operated pursuant to a franchise with a city or town
10 operating over a regularly scheduled route; and

11 2. "Limousine" means a chauffeur-driven motor vehicle, other
12 than a bus or taxicab, as defined by Section 1-174 of Title 47 of
13 the Oklahoma Statutes, designed and used for transportation of
14 persons for compensation.

15 SECTION 2. This act shall become effective November 1, 2025.

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