

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2018

By: Boyd (Betty)

COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 6-119, which relates to physical and mental conditions of persons applying for or receiving licenses to operate motor vehicles; specifying the location for certain tests, examinations and driver improvement schools; prohibiting the Department of Public Safety from requiring additional examinations under certain conditions; requiring certain reports to be verified; modifying certain requirements and procedures relating to certain reports and examinations; authorizing certain retesting; modifying type of report relating to such retesting; modifying certain conditions for retesting; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 6-119, is amended to read as follows:

Section 6-119. A. When the Department of Public Safety has good cause to believe that a licensee or applicant for license to drive a motor vehicle may be afflicted with any physical or mental ailment or condition which may cause loss of control or partial control or may otherwise be incapable of properly controlling a motor vehicle, or when a licensee's or applicant's accident or violation record indicates the licensee or applicant may be a hazard to public safety, the Department of Public Safety is hereby authorized to require the licensee or applicant to submit to a physical and/or psychological examination as prescribed by the Commissioner based upon recommendations of the State Driver's License Medical Advisory Committee or its selected representative, and/or complete a driver improvement school, and/or be examined again as provided by Section 6-110 of this title. All ~~such tests~~

~~and~~ physical and/or mental examinations shall be conducted in the county of the residence of the applicant, insofar as possible or licensee or in the nearest county to the applicant or licensee where the examination can be completed. Any driver improvement school or examination as provided by Section 6-110 of the title shall be completed in the same location as other applicants or licensees living in the same county as the applicant or licensee who is required to complete the school or examination. Unless the Department receives a verified written report as provided for in subsection B of this section specifying the need for an examination of the applicant or licensee, no person afflicted by diabetes shall be required to submit to any additional requirements before receiving a license to operate a motor vehicle beyond those requirements for a licensee or applicant not affected by diabetes.

B. Every license issued to a person specified in subsection A of this section shall be renewable upon payment of the required fee; provided, the Department of Public Safety has not received a ~~current medical~~ report from a law enforcement officer or a verified medical report from a licensed physician based upon an examination performed within sixty (60) days of the application for or renewal of the license stating that such person is a hazard to the public safety pursuant to subsection A of this section. If the report or verified medical report does not indicate that the physical or mental ailment or condition has remained stable or that the condition is progressive to a degree that the applicant or licensee is a hazard to the public safety, the Department of Public Safety shall evaluate the condition and applicant or licensee to determine if whether more frequent verified medical reports shall be required.

C. The Department may require any person specified in subsection A of this section, including a person afflicted by diabetes, to be retested any time prior to such person's application for renewal of a license if the Department receives a ~~verified~~ written report from any law enforcement officer, a verified report from a licensed physician, or a verified report

from such other person authorized by the Department indicating the ~~person's~~ applicant's or licensee's physical or mental ailment or condition has contributed to an accident or has deteriorated since issuance of the license, ~~and the condition could cause loss of~~ to such a degree the applicant or licensee could lose control or partial control or may otherwise ~~cause such person to~~ be incapable of properly controlling a motor vehicle.

SECTION 2. This act shall become effective September 1, 1994.

44-2-9068

MCD