

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2018

By: Boyd (Betty)

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 6-119, which relates to physical and mental conditions of persons receiving licenses to operate motor vehicles; prohibiting automatic physical examinations under certain conditions; requiring the Department of Public Safety to pay the expenses of certain examinations under certain conditions; 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 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 examinations shall be conducted in the county of the residence of applicant, insofar as possible. Unless the Department receives a verified written report as provided for in subsection B of this section specifying the need for a reexamination of the person, no person afflicted with epilepsy or diabetes and such condition is under control, as verified on initial application for a license, by a statement from such person's physician, shall be required to submit to any other medical or psychological examination in order to receive a license to operate a motor vehicle.

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 report from a law enforcement officer or a current medical report from a licensed physician based upon an examination performed within sixty (60) days of the renewal stating that such person is not a hazard to the public safety pursuant to subsection A of this section. If the report does not indicate the condition has remained stable or that the condition is progressive, the Department of Public Safety shall evaluate the condition and determine if more frequent reports shall be required. If the Department determines that more frequent reports are necessary and this determination is not based on a verified written report from a law enforcement officer or licensed physician, then the Department shall pay the expenses incurred for these additional evaluations. The Department may require any person specified in subsection A of this section 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, licensed physician, or other person authorized

by the Department indicating the person'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 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.

44-2-7763

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