

ENGROSSED SENATE
BILL NO. 444

By: Wright of the Senate

and

Boyd (Betty) of the House

An Act relating to motor vehicles and driver education; amending 47 O.S. 1991, Section 6-110, as last amended by Section 1, Chapter 196, O.S.L. 1994 (47 O.S. Supp. 1994, Section 6-110) and 70 O.S. 1991, Section 19-114, as amended by Section 2, Chapter 196, O.S.L. 1994 (70 O.S. Supp. 1994, Section 19-114), which relate to license examination and driver education; authorizing certain instructors to administer motorcycle endorsement; deleting requirement that school driver education course be graded on a pass/fail basis; modifying gender references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 6-110, as last amended by Section 1, Chapter 196, O.S.L. 1994 (47 O.S. Supp. 1994, Section 6-110), is amended to read as follows:

Section 6-110. A. The Department of Public Safety shall examine every applicant for an original Class A, B, C or D license and for any endorsements thereon, except as otherwise provided in Sections 6-101 through 6-309 of this title or as provided in

subsection D of this section. Such examination shall include a test of the applicant's eyesight, ~~his~~ ability to read and understand highway signs regulating, warning and directing traffic, ~~his~~ knowledge of the traffic laws of this state, and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The actual demonstration shall be conducted in the type of motor vehicle for the class of driver's license being applied for. Any licensee seeking to apply for a driver's license of another class which is not covered by ~~his~~ the licensee's current driver's license shall be considered an applicant for an original license for that class. The Department of Public Safety shall have the authority to waive the requirement of the actual demonstration of the motor vehicle for those applicants who surrender a valid unexpired driver's license issued by any state for the same type or types of vehicles, provided that the applicant's driving record meets the standards set by the Department of Public Safety. All applicants requiring a hazardous materials endorsement shall be required to successfully complete the examination for the renewal of such endorsement. The Department of Public Safety must give the complete examination as provided for in this section within thirty (30) days from the date the application is received at a location within one hundred (100) miles of the residence of the applicant.

B. Any person holding a valid Oklahoma commercial chauffeur, chauffeur or operator driver's license and applying for a Class A, B or C license shall be required to successfully complete all testing as required for an original applicant for the specified class; provided, however, the Department may, by rule, waive the driving test requirement.

C. Except as provided in subsection F of Section 6-101 of this title, any person holding a valid Oklahoma commercial chauffeur, chauffeur or operator driver's license shall, upon time for renewal

thereof, be entitled to a Class D license without any type of testing or examination, except for any endorsements thereon as otherwise provided for by Section 6-110.1 of this title.

D. Under the direction of the Department of Public Safety, any certified driver education instructor may administer the written portion of the Oklahoma driving examination as required for a driver education course ~~or~~, Class D license, or motorcycle endorsement. The required driving skills portion of the Oklahoma driving examination or motorcycle endorsement may be given by ~~such~~ the certified driver education instructor to a student who has successfully completed one of the following:

1. A prescribed secondary school driver education course, as defined by Section 19-113 et seq. of Title 70 of the Oklahoma Statutes;

2. A driver education course, certified by the Department of Public Safety, from a parochial, private or other nonpublic secondary school; or

3. A commercial driver training course, as defined by Sections 801 through 808 of this title.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 19-114, as amended by Section 2, Chapter 196, O.S.L. 1994 (70 O.S. Supp. 1994, Section 19-114), is amended to read as follows:

Section 19-114. The school board of any school district maintaining a secondary school, which includes any of the grades nine through twelve, inclusive, may, establish and maintain automobile driver education for pupils enrolled in the day secondary public schools in that district. ~~Any such automobile driver education course shall be graded on a pass/fail basis.~~

SECTION 3. This act shall become effective July 1, 1995.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 8th day of March, 1995.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1995.

Speaker of the House of Representatives