

ENGROSSED SENATE
BILL NO. 75

By: Hendrick of the Senate

and

Kouba of the House

[driver's license - amending 47 - free reissue of
license if defective - broker -
emergency]

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 6-111, as last amended by Section 3, Chapter 97, O.S.L. 1993 (47 O.S. Supp. 1994, Section 6-111), is amended to read as follows:

Section 6-111. A. The Department of Public Safety shall, upon payment of the required fee, issue to every applicant qualifying therefor a Class A, B, C or D license or identification card as applied for, which license or card shall bear thereon a distinguishing number assigned to the licensee or cardholder, date of issuance and date of expiration of the license or card, the full name, signature, date of birth, mailing address, sex, and a color photograph of the licensee or cardholder. The Department may promulgate rules for inclusion of the height and a brief description of the licensee or cardholder on the face of the card or license, and for the provision of a small decal for attachment to the card or license, identifying the licensee or cardholder as deaf or hearing impaired. The Department of Public Safety may authorize all motor license agents to accept applications for the license or card immediately upon payment of the required fee in accordance with the

rules promulgated by the Department of Public Safety. The Department of Public Safety shall develop an alternative procedure whereby an individual applying for a new or renewal Class D license who satisfactorily demonstrates to the Department the inability to appear personally to be photographed, shall be issued a license or card bearing the words "Valid Without Photo"; provided, however, only persons with legitimate religious objection to being photographed may be issued a new or renewal Class A, B or C license without a photograph and bearing the words "Valid Without Photo".

B. The Department may issue a temporary permit to an applicant for a driver's license permitting ~~such~~ the applicant to operate a motor vehicle while the Department is completing its investigation and determination of all facts relative to ~~such~~ the applicant's privilege to receive a license. ~~Such~~ The permit must be in ~~his~~ the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's driver's license has been issued or for good cause has been refused.

C. The Department may issue a restricted commercial driver's license to seasonal drivers eighteen (18) years of age or older for any of the following specific farm-related service industries:

1. Farm retail outlets and suppliers;
2. Agri-chemical businesses;
3. Custom harvesters; and
4. Livestock feeders.

The applicant shall hold a valid Oklahoma driver's license and shall meet all the requirements for a commercial driver's license except for the commercial driver's license skills and knowledge tests. The restricted commercial driver's license shall not exceed a total of one hundred eighty (180) days within any twelve-month period.

The restricted commercial driver's license shall not be valid for operators of commercial motor vehicles beyond one hundred fifty (150) miles from the place of business or the farm currently being

served. Such license shall be limited to Class B and Class C vehicles. Holders of such licenses who transport hazardous materials which are required to be placarded shall be limited to the following:

1. Diesel fuel in quantities of one thousand (1,000) gallons or less;

2. Liquid fertilizers in vehicles with total capacities of three thousand (3,000) gallons or less; and

3. Solid fertilizers that are not mixed with any organic substance.

No other placarded hazardous materials shall be transported by holders of said licenses.

D. The Department shall, at no cost to the applicant, reissue a license or identification card provided for in this section when an error or defect exists on the face of the original license or identification card. The defective license or card shall be returned to the Department at the time a corrected license or card is reissued.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 579.1, is amended to read as follows:

Section 579.1 A. It shall be unlawful to be a broker.

B. For the purposes of this section, "broker" means a person who, for a fee, commission or other valuable consideration, arranges or offers to arrange a transaction involving the sale, for purposes other than resale, of a new motor vehicle, and who is not:

1. A new motor vehicle dealer or ~~agent or~~ employee of such a dealer; or

2. A distributor or ~~an agent or~~ employee of such a distributor.

However, an individual shall not be deemed to be a broker if he or she is the owner of the new or used motor vehicle which is the object of the brokering transaction.

SECTION 3. 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 2nd day of March, 1995.

President of the Senate

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

Speaker of the House of Representatives