

3 **Senate Bill No. 1426**

4 **As Amended**

5 SENATE BILL NO. 1426 - By: CRAIN, LAMB and MAZZEI of the Senate and
6 TIBBS of the House.

7 [motor vehicles - issuance of driver license and
8 identification cards - distinctive license and cards - Sex
9 Offenders Registration Act - effective date]

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

11 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-111, as
12 last amended by Section 2, Chapter 36, O.S.L. 2005 (47 O.S. Supp.
13 2005, Section 583), is amended to read as follows:

14 Section 6-111. A. 1. The Department of Public Safety shall,
15 upon payment of the required fee, issue to every applicant
16 qualifying therefore a Class A, B, C or D driver license or
17 identification card as applied for, which license or card shall bear
18 thereon a distinguishing alphanumeric identification assigned to the
19 licensee or cardholder, date of issuance and date of expiration of
20 the license or card, the full name, signature or computerized
21 signature, date of birth, mailing address, sex, a color photograph
22 or computerized image of the licensee or cardholder and security
23 features as determined by the Department. The photograph or image
24 shall depict a full front unobstructed view of the entire face of
25 the licensee or cardholder. When any person is issued both a driver

1 license and an identification card, the Department shall ensure the
2 information on both the license and the card are the same, unless
3 otherwise provided by law.

4 2. A driver license or identification card issued by the
5 Department on or after the effective date of this act shall bear
6 thereon the county of residence of the licensee or cardholder.

7 3. The Department may cancel the distinguishing number, when
8 that distinguishing number is another person's Social Security
9 number, assign a new distinguishing alphanumeric identification, and
10 issue a new license or identification card without charge to the
11 licensee or cardholder.

12 4. The Department may promulgate rules for inclusion of the
13 height and a brief description of the licensee or cardholder on the
14 face of the card or license identifying the licensee or cardholder
15 as deaf or hard-of-hearing.

16 5. It is unlawful for any person to apply, adhere, or otherwise
17 attach to a driver license or identification card any decal,
18 sticker, label, or other attachment. Any law enforcement officer is
19 authorized to remove and dispose of any unlawful decal, sticker,
20 label, or other attachment from the driver license of a person. The
21 law enforcement officer, the employing agency of the officer, the
22 Department of Public Safety, and the State of Oklahoma shall be
23 immune from any liability for any loss suffered by the licensee,

1 cardholder, or the owner of the decal, sticker, label, or other
2 attachment caused by the removal and destruction of the decal,
3 sticker, label, or other attachment.

4 6. The Department of Public Safety shall develop an alternative
5 procedure whereby a person applying for a renewal or replacement
6 Class D license or identification card who satisfactorily
7 demonstrates to the Department the inability to appear personally to
8 be photographed, because the person is not in the state at the time
9 of renewal or at a time a replacement is required by the person, may
10 be issued a license or card bearing the words "Valid Without Photo";
11 provided, immediately upon returning to Oklahoma, the person shall
12 obtain a replacement license or card, as applicable, which contains
13 and displays a photograph or computerized image of the person.

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

1 C. 1. The Department may issue a restricted commercial driver
2 license to seasonal drivers eighteen (18) years of age or older for
3 any of the following specific farm-related service industries:

- 4 a. farm retail outlets and suppliers,
- 5 b. agri-chemical businesses,
- 6 c. custom harvesters, and
- 7 d. livestock feeders.

8 The applicant shall hold a valid Oklahoma driver license and shall
9 meet all the requirements for a commercial driver license. The
10 restricted commercial driver license shall not exceed a total of one
11 hundred eighty (180) days within any twelve-month period.

12 2. The restricted commercial driver license shall not be valid
13 for operators of commercial motor vehicles beyond one hundred fifty
14 (150) miles from the place of business or the farm currently being
15 served. Such license shall be limited to Class B vehicles. Holders
16 of such licenses who transport hazardous materials which are
17 required to be placarded shall be limited to the following:

- 18 a. diesel fuel in quantities of one thousand (1,000)
19 gallons or less,
- 20 b. liquid fertilizers in vehicles with total capacities
21 of three thousand (3,000) gallons or less, and
- 22 c. solid fertilizers that are not mixed with any organic
23 substance.

1 No other placarded hazardous materials shall be transported by
2 holders of such licenses.

3 D. 1. The Department shall develop a procedure whereby a
4 person applying for an original, renewal or replacement Class A, B,
5 C or D driver license or identification card who is required to
6 register as a convicted sex offender with the Department of
7 Corrections pursuant to the provisions of the Sex Offenders
8 Registration Act, shall be issued a license or card bearing the
9 words "Sex Offender".

10 2. The Department shall notify every person subject to
11 registration under the provisions of the Sex Offenders Registration
12 Act who holds a current Class A, B, C or D driver license or
13 identification card that such person is required to surrender the
14 license or card to the Department within one hundred eighty (180)
15 days from the date of the notice.

16 3. Upon surrendering the license or card for the reason set
17 forth in this subsection, application may be made with the
18 Department for a replacement license or card bearing the words "Sex
19 Offender".

20 4. Failure to comply with the requirements set forth in such
21 notice shall result in cancellation of the person's license or card.
22 Such cancellation shall be in effect for one (1) year, after which
23 time the person may make application with the Department for a new

1 license or card bearing the words "Sex Offender". Continued use of
2 a cancelled license or card shall constitute a misdemeanor and
3 shall, upon conviction thereof, be punishable by a fine of not less
4 than Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
5 (\$200.00).

6 SECTION 2. This act shall become effective January 1, 2007.

7 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-22-06 - DO
8 PASS, As Amended and Coauthored.