

3 **Senate Bill No. 1824**

4 **As Amended**

5 SENATE BILL NO. 1824 - By: CORN of the Senate and NATIONS of the  
6 House.

7 [ motor vehicles - class requirements - driver license -  
8 identification cards - effective date ]

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

10 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-101, as  
11 last amended by Section 5, Chapter 521, O.S.L. 2004 (47 O.S. Supp.  
12 2005, Section 6-101), is amended to read as follows:

13 Section 6-101. A. No person, except those hereinafter  
14 expressly exempted in Section 6-102 of this title, shall operate any  
15 motor vehicle upon a highway in this state unless the person has a  
16 valid Oklahoma driver license for the class of vehicle being  
17 operated under the provisions of this title. No person shall be  
18 permitted to possess more than one valid license at any time.

19 B. 1. No person shall operate a Class A commercial motor  
20 vehicle unless the person is eighteen (18) years of age or older and  
21 holds a valid Class A commercial license, except as provided in  
22 paragraph 5 of this subsection. Any person holding a valid Class A  
23 commercial license shall be permitted to operate motor vehicles in

1 Classes A, B, C, and D, except as provided for in paragraph 4 of  
2 this subsection.

3 2. No person shall operate a Class B commercial motor vehicle  
4 unless the person is eighteen (18) years of age or older and holds a  
5 valid Class B commercial license. Any person holding a valid Class  
6 B commercial license shall be permitted to operate motor vehicles in  
7 Classes B, C, and D, except as provided for in paragraph 4 of this  
8 subsection.

9 3. No person shall operate a Class C commercial motor vehicle  
10 unless the person is eighteen (18) years of age or older and holds a  
11 valid Class C commercial license. Any person holding a valid Class  
12 C commercial license shall be permitted to operate motor vehicles in  
13 Classes C and D, except as provided for in paragraph 4 of this  
14 subsection.

15 4. No person under twenty-one (21) years of age shall be  
16 licensed to operate any motor vehicle which is required to be  
17 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,  
18 subpart F; provided, a person eighteen (18) years of age or older  
19 may be licensed to operate a farm vehicle which is required to be  
20 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,  
21 subpart F.

1           5. A person at least seventeen (17) years of age who  
2 successfully completes all examinations required by law may be  
3 issued by the Department:

4           a. a restricted Class A commercial license which shall  
5 grant to the licensee the privilege to operate a Class  
6 A or Class B commercial motor vehicle for harvest  
7 purposes or a Class D motor vehicle, or

8           b. a restricted Class B commercial license which shall  
9 grant to the licensee the privilege to operate a Class  
10 B commercial motor vehicle for harvest purposes or a  
11 Class D motor vehicle.

12           6. No person shall operate a Class D motor vehicle unless the  
13 person is sixteen (16) years of age or older and holds a valid Class  
14 D license, except as provided for in Section 6-102 or 6-105 of this  
15 title. Any person holding a valid Class D license shall be  
16 permitted to operate motor vehicles in Class D only.

17           C. Any person issued a driver license pursuant to this section  
18 may exercise the privilege thereby granted upon all streets and  
19 highways in this state.

20           D. No person shall operate a motorcycle or motor-driven cycle  
21 without having a valid Class A, B, C or D license with a motorcycle  
22 endorsement.

1        1. Except as otherwise provided by law, any new applicant for  
2 an original driver license shall be required to successfully  
3 complete a written examination, vision examination, and driving  
4 examination for a motorcycle as prescribed by the Department of  
5 Public Safety to be eligible for a motorcycle endorsement thereon.  
6 The driving examination for a motorcycle may be waived by the  
7 Department of Public Safety upon verification that the person has  
8 completed a certified Motorcycle Safety Foundation rider course  
9 approved by the Department.

10        ~~E. 2.~~ Except as otherwise provided by law, any person who  
11 lawfully possesses a valid Oklahoma driver license ~~which is eligible~~  
12 ~~for renewal~~ and who desires to add a motorcycle endorsement shall be  
13 required to successfully complete a written examination, ~~vision~~  
14 ~~examination,~~ and driving examination for a motorcycle as prescribed  
15 by the Department to be eligible for a motorcycle endorsement,  
16 ~~provided, however, the Department may waive all such examinations~~  
17 ~~until July 1, 2000, upon satisfactory proof that the applicant has~~  
18 ~~regularly operated a motorcycle or motor-driven cycle for a minimum~~  
19 ~~of two (2) years immediately preceding the application.~~

20        ~~F. E.~~ 1. Any person eighteen (18) years of age or older may  
21 apply for a restricted Class A, B, or C commercial license. The  
22 Department, after the applicant has passed all parts of the  
23 examination for a Class D license and has successfully passed all

1 parts of the examination for a Class A, B, or C commercial license  
2 other than the driving examination, may issue to the applicant a  
3 restricted driver license which shall entitle the applicant having  
4 immediate possession of the license to operate a Class A, B, or C  
5 commercial motor vehicle upon the public highways solely for the  
6 purpose of behind-the-wheel training in accordance with rules  
7 promulgated by the Department.

8       2. This restricted driver license shall be issued for a period  
9 of not more than four (4) years; provided, such restricted license  
10 may be suspended, revoked, canceled, or denied at the discretion of  
11 the Department for violation of the restrictions, for failing to  
12 give the required or correct information on the application, or for  
13 violation of any traffic laws of this state pertaining to the  
14 operation of a motor vehicle. Except as otherwise provided, the  
15 lawful possessor of a restricted license who has been issued a  
16 restricted license for a minimum of thirty (30) days may have the  
17 restriction requiring an accompanying driver removed by  
18 satisfactorily completing a driver's examination; provided, the  
19 removal of a restriction shall not authorize the operation of a  
20 Class A, B, or C commercial motor vehicle if such operation is  
21 otherwise prohibited by law.

22       ~~G. F.~~ 1. The fee charged for an approved application for an  
23 original Oklahoma driver license or an approved application for the

1 addition of an endorsement to a current valid Oklahoma driver  
2 license shall be assessed in accordance with the following schedule:

3	Class A Commercial License	<del>\$25.00</del>	<u>\$30.00</u>
4	Class B Commercial License	<del>\$15.00</del>	<u>\$20.00</u>
5	Class C Commercial License	<del>\$15.00</del>	<u>\$20.00</u>
6	Class D License	<del>\$4.00</del>	<u>\$10.00</u>
7	Motorcycle Endorsement	<del>\$4.00</del>	<u>\$10.00</u>

8 ~~2.~~ Notwithstanding the provisions of Section 1104 of this  
9 title, from the monies collected from the fees charged pursuant to  
10 this paragraph, the first Five Dollars (\$5.00) of each fee collected  
11 shall be deposited in the Department of Public Safety Revolving Fund  
12 for the purpose of administering the Driver License Examining  
13 Division, all remaining monies collected from the fees charged for  
14 Class A, B, and C commercial licenses pursuant to the provisions of  
15 this subsection paragraph shall be deposited in the General Revenue  
16 Fund of this state, and all other remaining monies shall be  
17 deposited as provided by subsection K of this section.

18 2. The fee charged for the basic examination for an original  
19 Oklahoma driver license, the examination for the addition of an  
20 endorsement to a current valid Oklahoma driver license, and the  
21 examination for the renewal of a hazardous material endorsement to a  
22 valid Oklahoma commercial driver license shall be assessed in  
23 accordance with the following schedule:

1	<u>Class A Commercial Driver License Basic Examination</u>	<u>\$30.00</u>
2	<u>Class B Commercial Driver License Basic Examination</u>	<u>\$20.00</u>
3	<u>Class C Commercial Driver License Basic Examination</u>	<u>\$20.00</u>
4	<u>Each Commercial Driver License Endorsement Examination</u>	<u>\$10.00</u>
5	<u>Class D Driver License Examination</u>	<u>\$10.00</u>
6	<u>Motorcycle Endorsement</u>	<u>\$10.00</u>

7       H. The fee charged for any failed examination shall be ~~Four~~  
8 ~~Dollars (\$4.00)~~ the same as for a successful examination for any  
9 license classification or endorsement. Notwithstanding the  
10 provisions of Section 1104 of this title, from the monies collected  
11 from the fees charged pursuant to this paragraph, the first Four  
12 Dollars (\$4.00) of each fee collected shall be deposited in the  
13 General Revenue Fund of this state, and all remaining monies  
14 ~~collected from such examination fees pursuant to the provisions of~~  
15 ~~this subsection shall be deposited in the General Revenue Fund of~~  
16 ~~this state to the Department of Public Safety Revolving Fund for the~~  
17 purpose of administering the Driver License Examining Division.

18       I. ~~1. In addition to any fee charged pursuant to the~~  
19 ~~provisions of subsection G of this section, the fee charged for the~~  
20 ~~issuance or renewal of an Oklahoma license which is not in a~~  
21 ~~computerized image format shall be in accordance with the following~~  
22 ~~schedule:~~

23       Class A Commercial License ~~—————~~ ~~\$40.50~~



1 Notwithstanding the provisions of Section 1104 of this title, of  
2 each fee charged pursuant to the provisions of this paragraph:

3 ~~a.~~ 1. Five Dollars and fifty cents (\$5.50) shall be deposited  
4 to the Trauma Care Assistance Revolving Fund created in Section  
5 330.97 of Title 63 of the Oklahoma Statutes~~;~~i and

6 ~~b.~~ 2. Six Dollars and seventy-five cents (\$6.75) shall be  
7 deposited to the Department of Public Safety Computer Imaging System  
8 Revolving Fund to be used solely for the purpose of administration  
9 and maintenance of the computerized imaging system of the  
10 Department.

11 ~~F.~~ H. All original and renewal driver licenses shall expire no  
12 more than four (4) years from the last day of the month in which the  
13 license was issued, as provided by law.

14 ~~K.~~ I. Any person sixty-two (62) years of age or older during  
15 the calendar year of issuance of a Class D license or motorcycle  
16 endorsement shall be charged the following prorated fee:

17	Age 62	\$11.25
18	Age 63	\$ 7.50
19	Age 64	\$ 3.75
20	Age 65	-0-

21 ~~H.~~ J. The Department of Public Safety and the Oklahoma Tax  
22 Commission are authorized to promulgate rules for the issuance and  
23 renewal of driver licenses authorized pursuant to the provisions of

1 Sections 6-101 through 6-309 of this title. Applications, upon  
2 forms approved by the Department of Public Safety, for such licenses  
3 shall be handled by the motor license agents; provided, the  
4 Department of Public Safety is authorized to assume these duties in  
5 any county of this state. Each motor license agent accepting  
6 applications for driver licenses shall receive Two Dollars (\$2.00)  
7 to be deducted from the total collected for each license or renewal  
8 application accepted. The two-dollar fee received by the motor  
9 license agent shall be used for operating expenses.

10 ~~M.~~ K. Notwithstanding the provisions of Section 1104 of this  
11 title and subsection ~~H.~~ J. of this section and except as provided in  
12 subsections ~~G.~~ F. and ~~I.~~ G. of this section, the first Sixty Thousand  
13 Dollars (\$60,000.00) of all monies collected pursuant to this  
14 section shall be paid by the Oklahoma Tax Commission to the State  
15 Treasurer to be deposited in the General Revenue Fund of the State  
16 Treasury.

17 The next Five Hundred Thousand Dollars (\$500,000.00) of monies  
18 collected pursuant to this section shall be paid by the Tax  
19 Commission to the State Treasurer to be deposited each fiscal year  
20 under the provisions of this section to the credit of the Department  
21 of Public Safety Revolving Fund for the purpose of the Statewide Law  
22 Enforcement Communications System. All other monies collected in  
23 excess of Five Hundred Sixty Thousand Dollars (\$560,000.00) each

1 fiscal year shall be apportioned as provided in Section 1104 of this  
2 title, except as otherwise provided in this section.

3 ~~N.~~ L. The Department of Public Safety shall implement a  
4 procedure whereby images displayed on licenses and identification  
5 cards issued pursuant to the provisions of Sections 6-101 through 6-  
6 309 of this title are maintained by the Department to create  
7 photographs or computerized images which may be used only:

8 1. By a law enforcement agency for purposes of criminal  
9 investigations, missing person investigations, or any law  
10 enforcement purpose which is deemed necessary by the Commissioner of  
11 Public Safety;

12 2. By the driver licensing agency of another state for its  
13 official purpose; and

14 3. As provided in Section 2-110 of this title.

15 The computer system and related equipment acquired for this  
16 purpose must conform to industry standards for interoperability and  
17 open architecture. The Department of Public Safety may promulgate  
18 rules to implement the provisions of this subsection.

19 SECTION 2. AMENDATORY Section 4, Chapter 457, O.S.L.  
20 2005 (47 O.S. Supp. 2005, Section 6-105.3), is amended to read as  
21 follows:

22 Section 6-105.3. A. In addition to the licenses to operate  
23 motor vehicles, the Department of Public Safety may issue cards to

1 Oklahoma residents for purposes of identification only. The  
2 identification cards shall be issued, ~~renewed~~ replaced, canceled and  
3 denied in the same manner as driver licenses in this state. The  
4 application for an identification card by any person under the age  
5 of eighteen (18) shall be signed and verified by a custodial legal  
6 parent or legal guardian before a person authorized to administer  
7 oaths. The identification cards shall be valid ~~for a period of four~~  
8 ~~(4) years from the month of issuance; however, the identification~~  
9 ~~cards issued to persons sixty-five (65) years of age or older shall~~  
10 ~~be valid indefinitely from the month of issuance; provided, an~~  
11 identification card holder may replace his or her identification  
12 card at any time upon payment of the fee as provided in subsection B  
13 of this section.

14 B. ~~The fee charged for the issuance or renewal of an~~  
15 ~~identification card which is not in computerized image format~~  
16 ~~pursuant to this section shall be Seven Dollars (\$7.00); however, no~~  
17 ~~person sixty-five (65) years of age or older shall be charged a fee~~  
18 ~~for an identification card. The fees derived pursuant to this~~  
19 ~~subsection shall be apportioned as provided in Section 1104 of Title~~  
20 ~~47 of the Oklahoma Statutes.~~

21 ~~E.~~ The fee charged for the issuance or ~~renewal~~ replacement of  
22 an identification card ~~which is in computerized image format~~  
23 pursuant to this section shall be Ten Dollars (\$10.00); however, no

1 person sixty-five (65) years of age or older shall be charged a fee  
2 for an identification card. Of each fee charged pursuant to the  
3 provisions of this subsection:

4 1. Seven Dollars (\$7.00) shall be apportioned as provided in  
5 Section 1104 of Title 47 of the Oklahoma Statutes; and

6 2. Three Dollars (\$3.00) shall be credited to the Department of  
7 Public Safety Computer Imaging System Revolving Fund to be used  
8 solely for the purpose of the administration and maintenance of the  
9 computerized imaging system of the Department.

10 ~~D.~~ C. The Oklahoma Tax Commission is hereby authorized to  
11 reimburse, from funds available to that agency, each motor license  
12 agent issuing an identification card to a person sixty-five (65)  
13 years of age or older, an amount not to exceed One Dollar (\$1.00)  
14 for each card or driver license so issued. The Tax Commission shall  
15 develop procedures for claims for reimbursement.

16 SECTION 3. AMENDATORY 47 O.S. 2001, Section 6-114, as  
17 last amended by Section 6, Chapter 390, O.S.L. 2004 (47 O.S. Supp.  
18 2005, Section 6-114), is amended to read as follows:

19 Section 6-114. A. 1. In the event that a driver license is  
20 lost, destroyed or requires the updating of any information,  
21 restriction or endorsement displayed thereon, the person to whom  
22 such license was issued may obtain a replacement thereof upon  
23 payment of the required fee and by furnishing both primary and

1 secondary proofs of identity to the Department of Public Safety. If  
2 application is made at a motor license agency or subagency, the  
3 agent or subagent shall immediately verify the identity of the  
4 applicant, by means of both primary and secondary proofs of  
5 identity, and the eligibility of the applicant by contacting the  
6 Department for verification and approval, if the applicant will pay  
7 the costs of any long distance calls that might be involved. If the  
8 licensee is an alien, the licensee shall appear before a driver  
9 license examiner of the Department and, after furnishing primary and  
10 secondary proofs of identity as required in this section, shall be  
11 issued a replacement driver license for a period which does not  
12 exceed the lesser of:

- 13 a. the expiration date of the license being replaced, or
- 14 b. the expiration date on the valid documentation  
15 authorizing the presence of the applicant of licensee  
16 in the United States, as required by paragraph 9 of  
17 subsection A of Section 6-103 of this title.

18 2. ~~The cost of such replacement license which is not in~~  
19 ~~computerized image format shall be Five Dollars (\$5.00), of which~~  
20 ~~Two Dollars (\$2.00) shall be apportioned as provided in Section 1104~~  
21 ~~of this title and Three Dollars (\$3.00) shall be remitted to the~~  
22 ~~State Treasurer to be credited to the General Revenue Fund.~~

1           3. The cost of a replacement license ~~which is in computerized~~  
2 ~~image format~~ shall be Ten Dollars (\$10.00), ~~of which if:~~

3           a. the replacement license is for the purpose of  
4           exchanging a learner permit for an intermediate driver  
5           license, as provided in Section 6-105 of this title,  
6           Two Dollars (\$2.00) shall be apportioned as provided  
7           in Section 1104 of this title and Eight Dollars  
8           (\$8.00) shall be credited to the Department of Public  
9           Safety Revolving Fund for the purpose of administering  
10           the Driver License Examining Division, or

11           b. the replacement license is for any purpose other than  
12           described in subparagraph a of this paragraph, Two  
13           Dollars (\$2.00) shall be apportioned as provided in  
14           Section 1104 of this title, Three Dollars (\$3.00)  
15           shall be remitted to the State Treasurer to be  
16           credited to the General Revenue Fund, and Five Dollars  
17           (\$5.00) shall be credited to the Department of Public  
18           Safety Computer Imaging System Revolving Fund to be  
19           used solely for the purpose of administering and  
20           maintaining the computer imaging system of the  
21           Department.

1       ~~4.~~ 3. The Department shall promulgate rules prescribing forms  
2 of primary and secondary identification acceptable for replacement  
3 of an Oklahoma driver license.

4       B. Any person desiring to add or remove an endorsement or  
5 endorsements or a restriction or restrictions to any existing driver  
6 license, when authorized by the Department of Public Safety, shall  
7 obtain a replacement license with said endorsement or endorsements  
8 or said restriction or restrictions change thereon and shall be  
9 charged the fee for a replacement license as provided in subsection  
10 A of this section.

11       SECTION 4. This act shall become effective November 1, 2006.

12       COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-15-06 - DO  
13       PASS, As Amended and Coauthored.