

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2504

6 By: Reynolds

7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 2001, Section 6-110, as last amended by Section 2,
10 Chapter 394, O.S.L. 2005 (47 O.S. Supp. 2007, Section
11 6-110), which relates to examination of driver
12 license applicants; authorizing certain persons to
13 apply for certain certification; requiring Department
14 of Public Safety to adopt curriculum of courses and
15 training; requiring payment of initial certification
16 fee; stating amount of fee; requiring payment of
17 annual certification fee; stating amount of fee;
18 stating purpose of fee; providing for deposit of
19 fees; providing for promulgation of certain rules;
20 and providing an effective date.

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

22 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-110, as
23 last amended by Section 2, Chapter 394, O.S.L. 2005 (47 O.S. Supp.
24 2007, Section 6-110), is amended to read as follows:

25 Section 6-110. A. 1. The Department of Public Safety shall
26 examine every applicant for an original Class A, B, C or D license
27 and for any endorsements thereon, except as otherwise provided in
28 Sections 6-101 through 6-309 of this title or as provided in

1 paragraph 2 of this subsection or in subsection D of this section.

2 The examination shall include a test of the applicant's:

3 a. eyesight,

4 b. ability to read and understand highway signs
5 regulating, warning and directing traffic,

6 c. knowledge of the traffic laws of this state, and

7 d. ability, by actual demonstration, to exercise ordinary
8 and reasonable control in the operation of a motor
9 vehicle. The actual demonstration shall be conducted
10 in the type of motor vehicle for the class of driver
11 license being applied for.

12 Any licensee seeking to apply for a driver license of another
13 class which is not covered by the licensee's current driver license
14 shall be considered an applicant for an original license for that
15 class.

16 2. The Department of Public Safety shall have the authority to
17 waive the requirement of any part of the examination required in
18 paragraph 1 of this subsection for those applicants who surrender a
19 valid unexpired driver license issued by any state or country for
20 the same type or types of vehicles, provided that the applicant's
21 driving record meets the standards set by the Department of Public
22 Safety.

23 3. All applicants requiring a hazardous materials endorsement
24 shall be required, for the renewal of the endorsement, to

1 successfully complete the examination and to submit to a security
2 threat assessment performed by the Transportation Security
3 Administration of the Department of Homeland Security as required by
4 and pursuant to 49 C.F.R., Part 1572, which shall be used to
5 determine whether the applicant is eligible for renewal of the
6 endorsement pursuant to federal law and regulation.

7 4. The Department of Public Safety shall give the complete
8 examination as provided for in this section within thirty (30) days
9 from the date the application is received, and the examination shall
10 be given at a location within one hundred (100) miles of the
11 residence of the applicant. The Department shall make every effort
12 to make the examination locations and times convenient for
13 applicants. The Department shall consider giving the examination at
14 various school sites if the district board of education for the
15 district in which the site is located agrees and if economically
16 feasible and practicable.

17 5. The Department of Public Safety shall provide an alternative
18 method of testing for an applicant for a Class D driver license who
19 is eighteen (18) years of age or older and who can only understand
20 Spanish, subject to the availability of funds. The Department may
21 limit the number of testing sites where the examination in Spanish
22 may be administered.

23 B. Any person holding a valid Oklahoma Class D license and
24 applying for a Class A, B or C commercial license shall be required

1 to successfully complete all examinations as required for the
2 specified class.

3 C. Except as provided in subsection E of Section 6-101 of this
4 title, any person holding a valid Oklahoma Class A, B or C
5 commercial license shall, upon time for renewal thereof, be entitled
6 to a Class D license without any type of testing or examination,
7 except for any endorsements thereon as otherwise provided for by
8 Section 6-110.1 of this title.

9 D. Any certified driver education instructor may administer the
10 written portion of the Oklahoma driving examination as required for
11 a driver education course.

12 E. Any certified driver education instructor who is currently
13 an operator or an employee of a commercial driver training school in
14 this state shall be eligible to apply for certification by the
15 Department of Public Safety to administer the driving skills portion
16 of the Oklahoma driving examination.

17 F. The Department of Public Safety shall adopt a curriculum of
18 required courses and training to be offered to applicants who are
19 qualified to apply for certification. The courses and training for
20 certification shall meet the same standards as required for driver
21 examiners of the Department of Public Safety.

22 G. Each person applying for certification shall be required to
23 pay an initial certification fee of One Thousand Dollars
24 (\$1,000.00). Upon certification, the person shall be required to

1 pay an annual certification fee of Five Hundred Dollars (\$500.00).
2 Each such certificate shall expire on the last day of the calendar
3 year and may be renewed upon application to the Department of Public
4 Safety. The certification fees shall pay for those costs associated
5 with providing classroom instruction and training for applicants.
6 The certification fees collected by the Department pursuant to this
7 section shall be deposited to the credit of the Department of Public
8 Safety Revolving Fund. No certification fee shall be refunded in
9 the event that certification is denied, suspended or revoked.

10 H. The Department of Public Safety shall promulgate rules
11 necessary for the qualification and certification of driver
12 education examiners.

13 SECTION 2. This act shall become effective November 1, 2008.

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