

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No. 2215, Page 1, Line 27 1/2,

as follows:

By inserting a new SECTION 1 to read as per attached, by renumbering subsequent sections, and by amending the title to conform.

Submitted by:

Senator Kenneth Corn

Corn-CD-FA-HB2215
4/23/2008 1:01 PM

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-101, as last amended by Section
2 23, Chapter 44, 2nd Extraordinary Session, O.S.L. 2006 (47 O.S. Supp. 2007, Section 6-101), is
3 amended to read as follows:

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

8 B. 1. No person shall operate a Class A commercial motor vehicle unless the person is
9 eighteen (18) years of age or older and holds a valid Class A commercial license, except as provided
10 in paragraph 5 of this subsection. Any person holding a valid Class A commercial license shall be
11 permitted to operate motor vehicles in Classes A, B, C and D, except as provided for in paragraph 4
12 of this subsection.

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

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

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

1 subpart F.

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

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

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

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

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

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

18 1. Except as otherwise provided by law, any new applicant for an original driver license shall
19 be required to successfully complete a written examination, vision examination, and driving
20 examination for a motorcycle as prescribed by the Department of Public Safety to be eligible for a
21 motorcycle endorsement thereon. The driving examination for a motorcycle may be waived by the
22 Department of Public Safety upon verification that the person has completed a certified Motorcycle
23 Safety Foundation rider course approved by the Department.

24 ~~E. 2.~~ Except as otherwise provided by law, any person who lawfully possesses a valid
25 Oklahoma driver license ~~which is eligible for renewal~~ and who desires to add a motorcycle

1 endorsement shall be required to successfully complete a written examination, ~~vision examination,~~
2 and driving examination for a motorcycle as prescribed by the Department to be eligible for a
3 motorcycle endorsement; ~~provided, however, the Department may waive all such examinations until~~
4 ~~July 1, 2000, upon satisfactory proof that the applicant has regularly operated a motorcycle or~~
5 ~~motor driven cycle for a minimum of two (2) years immediately preceding the application.~~

6 ~~F. E.~~ 1. Any person eighteen (18) years of age or older may apply for a restricted Class A, B
7 or C commercial license. The Department, after the applicant has passed all parts of the examination
8 for a Class D license and has successfully passed all parts of the examination for a Class A, B or C
9 commercial license other than the driving examination, may issue to the applicant a restricted driver
10 license which shall entitle the applicant having immediate possession of the license to operate a
11 Class A, B or C commercial motor vehicle upon the public highways solely for the purpose of
12 behind-the-wheel training in accordance with rules promulgated by the Department.

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

22 ~~G. E.~~ 1. The fee charged for an approved application for an original Oklahoma driver license
23 or an approved application for the addition of an endorsement to a current valid Oklahoma driver
24 license shall be assessed in accordance with the following schedule:

25 Class A Commercial License \$25.00

1	Class B Commercial License	\$15.00
2	Class C Commercial License	\$15.00
3	Class D License	\$ 4.00
4	Motorcycle Endorsement	\$ 4.00

5 2. Notwithstanding the provisions of Section 1104 of this title, all monies collected from the
6 fees charged for Class A, B, and C commercial licenses pursuant to the provisions of this subsection
7 shall be deposited in the General Revenue Fund of this state.

8 ~~H. G.~~ The fee charged for any failed examination shall be Four Dollars (\$4.00) for any license
9 classification. Notwithstanding the provisions of Section 1104 of this title, all monies collected from
10 such examination fees pursuant to the provisions of this subsection shall be deposited in the General
11 Revenue Fund of this state.

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

15	Class A Commercial License	\$40.50
16	Class B Commercial License	\$40.50
17	Class C Commercial License	\$30.50
18	Class D License	\$20.50

19 ~~Notwithstanding the provisions of Section 1104 of this title, of each fee charged pursuant to~~
20 ~~this paragraph:~~

21 a. ~~Five Dollars and fifty cents (\$5.50) shall be deposited to the Trauma Care~~
22 ~~Assistance Revolving Fund created in Section 1-2530.9 of Title 63 of the~~
23 ~~Oklahoma Statutes, and~~

24 b. ~~Five Dollars and seventy five cents (\$5.75) shall be deposited to the~~
25 ~~Department of Public Safety Computer Imaging System Revolving Fund to be~~

1 ~~used solely for the purpose of administration and maintenance of the~~
2 ~~computerized imaging system of the Department.~~

3 ~~2. H.~~ In addition to any fee charged pursuant to the provisions of ~~subsection~~ subsections F and
4 G of this section, the fee charged for the issuance or renewal of an Oklahoma license ~~which is in a~~
5 ~~computerized image format~~ shall be in accordance with the following schedule:

6 Class A Commercial License	\$41.50 <u>\$45.00</u>
7 Class B Commercial License	\$41.50 <u>\$45.00</u>
8 Class C Commercial License	\$31.50 <u>\$35.00</u>
9 Class D License	\$21.50 <u>\$25.00</u>

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

12 ~~a. 1.~~ Five Dollars and fifty cents (\$5.50) shall be deposited to the Trauma Care Assistance
13 Revolving Fund created in Section ~~330.97~~ 1-2530.9 of Title 63 of the Oklahoma Statutes, ~~and;~~

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

17 3. Three Dollars and fifty cents (\$3.50) shall be deposited to the Department of Public
18 Safety Revolving Fund for the purpose of administering the Driver License Examining Division.

19 ~~J. I.~~ All original and renewal driver licenses shall expire no more than four (4) years from the
20 last day of the month in which the license was issued, as provided by law.

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

23 Age 62	\$11.25
24 Age 63	\$ 7.50
25 Age 64	\$ 3.75

1 Age 65

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2 ~~L. K.~~ No person who has been honorably discharged from active service in any branch of the
3 Armed Forces of the United States or Oklahoma National Guard and who has been certified by the
4 United States Department of Veterans Affairs, its successor, or the Armed Forces of the United
5 States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a
6 permanent disability sustained through military action or accident resulting from disease contracted
7 while in such active service shall be charged a fee for the issuance or renewal of an Oklahoma driver
8 license.

9 ~~M. L.~~ The Department of Public Safety and the Oklahoma Tax Commission are authorized to
10 promulgate rules for the issuance and renewal of driver licenses authorized pursuant to the
11 provisions of Sections 6-101 through 6-309 of this title. Applications, upon forms approved by the
12 Department of Public Safety, for such licenses shall be handled by the motor license agents;
13 provided, the Department of Public Safety is authorized to assume these duties in any county of this
14 state. Each motor license agent accepting applications for driver licenses shall receive Two Dollars
15 (\$2.00) to be deducted from the total collected for each license or renewal application accepted. The
16 two-dollar fee received by the motor license agent shall be used for operating expenses.

17 ~~N. M.~~ Notwithstanding the provisions of Section 1104 of this title and subsection ~~M L~~ of this
18 section and, except as provided in subsections ~~G F~~ and ~~I H~~ of this section, the first Sixty Thousand
19 Dollars (\$60,000.00) of all monies collected pursuant to this section shall be paid by the ~~Oklahoma~~
20 Tax Commission to the State Treasurer to be deposited in the General Revenue Fund of the State
21 Treasury.

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

1 collected in excess of Five Hundred Sixty Thousand Dollars (\$560,000.00) each fiscal year shall be
2 apportioned as provided in Section 1104 of this title, except as otherwise provided in this section.

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

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

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

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

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

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