

THE HOUSE OF REPRESENTATIVES  
Thursday, February 28, 2008

Committee Substitute for  
House Bill No. 2504

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2504 - By: REYNOLDS of the House and SYKES of the Senate.

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

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

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

4 Section 6-110. A. 1. The Department of Public Safety shall examine every  
5 applicant for an original Class A, B, C or D license and for any endorsements thereon,  
6 except as otherwise provided in Sections 6-101 through 6-309 of this title or as provided  
7 in paragraph 2 of this subsection or in subsection D of this section. The examination  
8 shall include a test of the applicant's:

9 a. eyesight,

- 1           b.     ability to read and understand highway signs regulating, warning and
- 2                     directing traffic,
- 3           c.     knowledge of the traffic laws of this state, and
- 4           d.     ability, by actual demonstration, to exercise ordinary and reasonable
- 5                     control in the operation of a motor vehicle. The actual demonstration
- 6                     shall be conducted in the type of motor vehicle for the class of driver
- 7                     license being applied for.

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

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

16           3. All applicants requiring a hazardous materials endorsement shall be required,  
17 for the renewal of the endorsement, to successfully complete the examination and to  
18 submit to a security threat assessment performed by the Transportation Security  
19 Administration of the Department of Homeland Security as required by and pursuant to  
20 49 C.F.R., Part 1572, which shall be used to determine whether the applicant is eligible  
21 for renewal of the endorsement pursuant to federal law and regulation.

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

14           B. Any person holding a valid Oklahoma Class D license and applying for a Class  
15 A, B or C commercial license shall be required to successfully complete all examinations  
16 as required for the specified class.

17           C. Except as provided in subsection E of Section 6-101 of this title, any person  
18 holding a valid Oklahoma Class A, B or C commercial license shall, upon time for  
19 renewal thereof, be entitled to a Class D license without any type of testing or  
20 examination, except for any endorsements thereon as otherwise provided for by Section  
21 6-110.1 of this title.

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

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

7 F. The Department of Public Safety shall adopt a curriculum of required courses  
8 and training to be offered to applicants who are qualified to apply for certification. The  
9 courses and training for certification shall meet the same standards as required for  
10 driver examiners of the Department of Public Safety.

11 G. Each person applying for certification shall be required to pay an initial  
12 certification fee of One Thousand Dollars (\$1,000.00). Upon certification, the person  
13 shall be required to pay an annual certification fee of Five Hundred Dollars (\$500.00).  
14 Each such certificate shall expire on the last day of the calendar year and may be  
15 renewed upon application to the Department of Public Safety. The certification fees shall  
16 pay for those costs associated with providing classroom instruction and training for  
17 applicants. The certification fees collected by the Department pursuant to this section  
18 shall be deposited to the credit of the Department of Public Safety Revolving Fund. No  
19 certification fee shall be refunded in the event that certification is denied, suspended or  
20 revoked.

21 H. The Department of Public Safety shall promulgate rules necessary for the  
22 qualification and certification of driver education examiners.

1           SECTION 2. This act shall become effective November 1, 2008.  
2           COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,  
3           dated 02-27-08 - DO PASS, As Amended and Coauthored.