

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2500

By: Inman

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2001, Section 6-111, as last amended by Section 2,  
9 Chapter 328, O.S.L. 2007 (47 O.S. Supp. 2007, Section  
10 6-111), which relates to issuance of driver licenses;  
11 directing the Department of Public Safety to issue  
12 distinctive driver license to persons convicted of  
13 certain offenses; directing the Department to provide  
14 notification of certain requirements; requiring  
15 person to surrender driver license within certain  
16 period of time; authorizing application for  
17 replacement driver license; providing for certain  
18 action by the Department for failure to comply;  
19 authorizing application for reissuance of certain  
20 driver license; providing penalty for certain  
21 prohibited act; providing for issuance of  
22 nondistinctive driver license under certain  
23 circumstance; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-111, as  
last amended by Section 2, Chapter 328, O.S.L. 2007 (47 O.S. Supp.  
2007, Section 6-111), is amended to read as follows:

Section 6-111. A. 1. The Department of Public Safety shall,  
upon payment of the required fee, issue to every applicant  
qualifying therefore a Class A, B, C or D driver license or

1 identification card as applied for, which license or card shall bear  
2 thereon a distinguishing alphanumeric identification assigned to the  
3 licensee or cardholder, date of issuance and date of expiration of  
4 the license or card, the full name, signature or computerized  
5 signature, date of birth, mailing address, sex, a color photograph  
6 or computerized image of the licensee or cardholder and security  
7 features as determined by the Department. The photograph or image  
8 shall depict a full front unobstructed view of the entire face of  
9 the licensee or cardholder. When any person is issued both a driver  
10 license and an identification card, the Department shall ensure the  
11 information on both the license and the card are the same, unless  
12 otherwise provided by law.

13 2. A driver license or identification card issued by the  
14 Department on or after March 1, 2004, shall bear thereon the county  
15 of residence of the licensee or cardholder.

16 3. The Department may cancel the distinguishing number, when  
17 that distinguishing number is another person's Social Security  
18 number, assign a new distinguishing alphanumeric identification, and  
19 issue a new license or identification card without charge to the  
20 licensee or cardholder.

21 4. The Department may promulgate rules for inclusion of the  
22 height and a brief description of the licensee or cardholder on the  
23 face of the card or license identifying the licensee or cardholder  
24 as deaf or hard-of-hearing.

1           5. It is unlawful for any person to apply, adhere, or otherwise  
2 attach to a driver license or identification card any decal,  
3 sticker, label, or other attachment. Any law enforcement officer is  
4 authorized to remove and dispose of any unlawful decal, sticker,  
5 label, or other attachment from the driver license of a person. The  
6 law enforcement officer, the employing agency of the officer, the  
7 Department of Public Safety, and the State of Oklahoma shall be  
8 immune from any liability for any loss suffered by the licensee,  
9 cardholder, or the owner of the decal, sticker, label, or other  
10 attachment caused by the removal and destruction of the decal,  
11 sticker, label, or other attachment.

12           6. The Department of Public Safety shall develop by rule an  
13 alternative procedure whereby a person applying for a renewal or  
14 replacement Class D license or identification card, when the person  
15 satisfactorily demonstrates to the Department the inability to  
16 appear personally to be photographed because the person is not in  
17 the state at the time of renewal or at a time a replacement is  
18 required by the person, may be issued a license or card; provided,  
19 immediately upon returning to Oklahoma, the person shall obtain a  
20 replacement license or card as provided in Section 6-114 of this  
21 title.

22           B. The Department may issue a temporary permit to an applicant  
23 for a driver license permitting such applicant to operate a motor  
24 vehicle while the Department is completing its investigation and

1 determination of all facts relative to such applicant's privilege to  
2 receive a license. Such permit must be in the immediate possession  
3 of the driver while operating a motor vehicle, and it shall be  
4 invalid when the applicant's driver license has been issued or for  
5 good cause has been refused.

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

- 9 a. farm retail outlets and suppliers,
- 10 b. agri-chemical businesses,
- 11 c. custom harvesters, and
- 12 d. livestock feeders.

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

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

- 23 a. diesel fuel in quantities of one thousand (1,000)  
24 gallons or less,

1           b.    liquid fertilizers in vehicles with total capacities  
2                   of three thousand (3,000) gallons or less, and

3           c.    solid fertilizers that are not mixed with any organic  
4                   substance.

5 No other placarded hazardous materials shall be transported by  
6 holders of such licenses.

7           D.   1.   The Department shall develop a procedure whereby a  
8 person applying for an original, renewal or replacement Class A, B,  
9 C or D driver license or identification card who is required to  
10 register as a convicted sex offender with the Department of  
11 Corrections pursuant to the provisions of the Sex Offenders  
12 Registration Act and who the Department of Corrections designates as  
13 an aggravated or habitual offender pursuant to subsection J of  
14 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a  
15 license or card bearing the words "Sex Offender".

16           2.   The Department shall notify every person subject to  
17 registration under the provisions of this act who holds a current  
18 Class A, B, C or D driver license or identification card that such  
19 person is required to surrender the license or card to the  
20 Department within one hundred eighty (180) days from the date of the  
21 notice.

22           3.   Upon surrendering the license or card for the reason set  
23 forth in this subsection, application may be made with the  
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1 Department for a replacement license or card bearing the words "Sex  
2 Offender".

3 4. Failure to comply with the requirements set forth in such  
4 notice shall result in cancellation of the person's license or card.  
5 Such cancellation shall be in effect for one (1) year, after which  
6 time the person may make application with the Department for a new  
7 license or card bearing the words "Sex Offender". Continued use of  
8 a canceled license or card shall constitute a misdemeanor and shall,  
9 upon conviction thereof, be punishable by a fine of not less than  
10 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars  
11 (\$200.00). When an individual is no longer required to register as  
12 a convicted sex offender with the Department of Corrections pursuant  
13 to the provisions of the Sex Offenders Registration Act, the  
14 individual shall be eligible to receive a driver license or  
15 identification card which does not bear the words "Sex Offender".

16 E. Nothing in subsection D of this section shall be deemed to  
17 impose any liability upon or give rise to a cause of action against  
18 any employee, agent or official of the Department of Corrections for  
19 failing to designate a sex offender as an aggravated or habitual  
20 offender pursuant to subsection J of Section 584 of Title 57 of the  
21 Oklahoma Statutes.

22 F. 1. The Department shall develop a procedure whereby a  
23 person applying for an original, renewal or replacement Class A, B,  
24 C or D driver license who has been convicted of either offense

1 listed in subparagraphs a and b of this paragraph shall be issued a  
2 driver license bearing the words "DUI Offender" or "DWI Offender",  
3 depending on the offense for which the person has been convicted:

4 a. driving under the influence, or

5 b. driving while intoxicated.

6 2. The Department shall notify every person subject to  
7 registration under the provisions of this act who holds a current  
8 Class A, B, C or D driver license that such person is required to  
9 surrender the driver license to the Department within one hundred  
10 eighty (180) days from the date of the notice.

11 3. Upon surrendering the driver license for the reason set  
12 forth in this subsection, application may be made with the  
13 Department for a replacement driver license bearing the words "DUI  
14 Offender" or "DWI Offender", as appropriate.

15 4. Failure to comply with the requirements set forth in such  
16 notice shall result in cancellation of the driver license of the  
17 person. Such cancellation shall be in effect for one (1) year,  
18 after which time the person may make application with the Department  
19 for a new driver license bearing the words "DUI Offender" or "DWI  
20 Offender", as appropriate. Continued use of a canceled driver  
21 license shall constitute a misdemeanor and shall, upon conviction,  
22 be punishable by a fine of not less than Twenty-five Dollars  
23 (\$25.00), nor more than Two Hundred Dollars (\$200.00). If after  
24 four (4) years, upon renewal of said driver license, the person has

1 not been convicted any additional times of either offense listed in  
2 subparagraphs a and b of paragraph 1 of this subsection, the person  
3 shall be eligible to receive a driver license which does not bear  
4 the words "DUI Offender" or "DWI Offender", as appropriate.

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

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