

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2672

By: Morgan

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 6-117, as last amended by Section 10,
9 Chapter 326, O.S.L. 2007 (47 O.S. Supp. 2007, Section
10 6-117), which relates to records kept by Department
11 of Public Safety; requiring implementation of secure
12 web site for certain purpose; providing for
13 termination of access; authorizing promulgation of
14 rules and procedures; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-117, as
18 last amended by Section 10, Chapter 326, O.S.L. 2007 (47 O.S. Supp.
19 2007, Section 6-117), is amended to read as follows:

20 Section 6-117. A. The Department of Public Safety shall file
21 every application for a driver license or identification card
22 received by the Department and shall maintain suitable indexes
23 containing:

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1. All applications denied and on each thereof note the reasons
for the denial;
 2. All applications granted;

1 3. The name of every person whose driving privilege has been
2 suspended, revoked, cancelled, or disqualified by the Department and
3 after each such name note the reasons for the action. Any notation
4 of suspension of the driving privilege of a person for reason of
5 nonpayment of a fine shall be removed from the driving record after
6 the person has paid the fine and the driving privilege of the person
7 is reinstated as provided for by law;

8 4. The county of residence, the name, date of birth, and
9 mailing address of each person residing in that county who is
10 eighteen (18) years of age or older, and who is the holder of a
11 current driver license or a current identification card issued by
12 the Department of Public Safety for the purpose of ascertaining
13 names of all persons qualified for jury service as required by
14 Section 18 of Title 38 of the Oklahoma Statutes; and

15 5. The name, driver license number, and mailing address of
16 every person for the purpose of giving notice, if necessary, as
17 required by Section 2-116 of this title.

18 B. The Department shall file all collision reports and
19 abstracts of court records of convictions received by it pursuant to
20 the laws of this state and maintain convenient records of the
21 records and reports or make suitable notations in order that an
22 individual record of a person showing the convictions of the person
23 and the traffic collisions in which the person has been involved
24 shall be readily ascertainable and available for the consideration

1 of the Department of Public Safety upon any application for a driver
2 license or renewal of a driver license and at other suitable times.
3 Any abstract, index or other entry relating to a driving record
4 according to the licensing authority in another state or a province
5 of Canada may be posted upon the driving record of any resident of
6 this state when notice thereof is received by documentation or by
7 electronic transmission. The individual record of a person shall
8 not include any collision reports and abstracts of court records
9 involving a collision in which the person was not issued a citation
10 or if a citation is issued and the person was not convicted.

11 C. 1. The Commissioner and the officers of the Department as
12 the Commissioner may designate are hereby authorized to prepare
13 under the seal of the Department and deliver upon request a copy of
14 any collision report on file with the Department, charging a fee of
15 Seven Dollars (\$7.00). However, the Department shall not be
16 required to furnish personal information from the collision report
17 which is contrary to the provisions of the Driver's Privacy
18 Protection Act, 18 United States Code, Sections 2721 through 2725.

19 2. Notwithstanding the provisions of paragraph 1 of this
20 subsection, the Department is authorized to enter into contracts to
21 supply information regarding vehicles reported to be involved in
22 collisions. For each vehicle, the information shall be limited to
23 that which only describes the vehicle and the collision. The
24 Department shall not be required to provide any information

1 regarding the owner or operator of the vehicle or any information
2 which would conflict with Section 2-110 or Section 1109 of this
3 title.

4 D. The Department of Public Safety or any motor license agent
5 upon request shall prepare and furnish to any authorized person a
6 Motor Vehicle Report of any person subject to the provisions of the
7 motor vehicle laws of this state. However, the Department shall not
8 be required to furnish personal information from a driving record
9 contrary to the provisions of the Driver's Privacy Protection Act,
10 18 United States Code, Sections 2721 through 2725. The Motor
11 Vehicle Report shall be a summary of the driving record of the
12 person and shall include the enumeration of any motor vehicle
13 collisions, reference to convictions for violations of motor vehicle
14 laws, and any action taken against the privilege of the person to
15 operate a motor vehicle, as shown by the files of the Department for
16 the three (3) years preceding the date of the request. The
17 Department shall not be required to release to any person, in whole
18 or in part and in any format, a driving index, as described in
19 subsection A of this section, except as otherwise provided for by
20 law. For each Motor Vehicle Report furnished by the Department of
21 Public Safety, the Department shall collect the sum of Ten Dollars
22 (\$10.00). For each Motor Vehicle Report furnished by a motor
23 license agent, the agent shall collect the sum of Ten Dollars
24 (\$10.00), Eight Dollars (\$8.00) of which shall be paid to the

1 Oklahoma Tax Commission for deposit in the General Revenue Fund in
2 the State Treasury and Two Dollars (\$2.00) of which shall be
3 retained by the motor license agent. Persons sixty-five (65) years
4 of age or older shall not be required to pay a fee for their own
5 Motor Vehicle Report furnished by the Department or a motor license
6 agent. For purposes of this subsection, a Motor Vehicle Report
7 shall include a report which indicates that no driving record is on
8 file with the Department of Public Safety for the information
9 received by the Department in the request for the Motor Vehicle
10 Report.

11 E. Effective November 1, 2008, the Department of Public Safety
12 shall implement a system that allows the legal custodial parent or
13 legal guardian of a person under eighteen (18) years of age who
14 operates a motor vehicle to have Internet access through a secure
15 web site to inspect the Motor Vehicle Report of said minor.
16 Internet access to the Motor Vehicle Report granted to the legal
17 custodial parent or legal guardian of the minor shall be furnished
18 by the Department at no cost and said access to the Motor Vehicle
19 Report shall terminate when the minor attains eighteen (18) years of
20 age. The Department may promulgate rules and establish procedures
21 as are necessary to implement and maintain the web site.

22 F. The Department of Public Safety may develop procedures
23 whereby an employer of a person:

24 1. Who has a Class A, B or C driver license; and

1 2. Who operates a commercial motor vehicle in the course of his
2 or her employment with the employer, may automatically be notified,
3 pursuant to a fee schedule established by the Department, should the
4 driving record of a person reflect a traffic conviction in any court
5 or an administrative action by the Department which alters the
6 status of the commercial driving privileges of the person.

7 ~~F.~~ G. The Commissioner is authorized to establish a procedure
8 for reviewing the driving records of state residents who are
9 existing policyholders of any insurance company licensed to operate
10 in this state during specified periods of time and producing a
11 report which identifies the policyholders which have had violation
12 and/or status changes to their driving records during such time
13 period. The Department may sell such report to the insurance
14 company or its agent at a fee to be set by the Department. Any such
15 report sold by the Department shall only consist of information
16 otherwise lawfully obtainable by the insurance company or its agent.
17 The fee shall be sufficient to recover all costs incurred by the
18 Department and insure that there will be no net revenue loss to the
19 state. Such fee shall be deposited in the Department of Public
20 Safety Revolving Fund.

21 ~~G.~~ H. All monies received by the Commissioner of Public Safety
22 and the officers and employees of the Department shall be remitted
23 to the State Treasurer to be credited to the General Revenue Fund in
24 the State Treasury except as otherwise provided for by law.

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

51-2-9016 GRS 12/26/07