

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1465

By: Anderson

4  
5 AS INTRODUCED

6 An Act relating to identification documents; amending  
7 21 O.S. 2001, Section 1550.42, as amended by Section  
8 4, Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2007,  
9 Section 1550.42), which relates to entities  
10 authorized to print identification documents;  
11 specifying renewal procedure for temporary driver  
12 licenses; specifying renewal procedure for full-term  
13 driver licenses; requiring certain presumption  
14 despite expiration of certain driver license;  
15 requiring renewal of certain driver license without  
16 certain proof; defining circumstance under which  
17 proof may be required; and declaring an emergency.

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

19 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1550.42, as  
20 amended by Section 4, Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2007,  
21 Section 1550.42), is amended to read as follows:

22 Section 1550.42 A. The following entities may create, publish  
23 or otherwise manufacture an identification document, identification  
24 card, or identification certificate and may possess an engraved  
plate or other such device for the printing of such identification;  
provided, the name of the issuing entity shall be clearly printed  
upon the face of the identification:

1. Businesses, companies, corporations, service organizations  
and federal, state and local governmental agencies for employee

1 identification which is designed to identify the bearer as an  
2 employee;

3 2. Businesses, companies, corporations and service  
4 organizations for customer identification which is designed to  
5 identify the bearer as a customer or member;

6 3. Federal, state and local government agencies for purposes  
7 authorized or required by law or any legitimate purpose consistent  
8 with the duties of such an agency, including, but not limited to,  
9 voter identification cards, driver licenses, nondriver  
10 identification cards, passports, birth certificates and social  
11 security cards;

12 4. Any public school or state or private educational  
13 institution, as defined by Sections 1-106, 21-101 or 3102 of Title  
14 70 of the Oklahoma Statutes, to identify the bearer as an  
15 administrator, faculty member, student or employee;

16 5. Any professional organization or labor union to identify the  
17 bearer as a member of the professional organization or labor union;  
18 and

19 6. Businesses, companies or corporations which manufacture  
20 medical-alert identification for the wearer thereof.

21 B. All identification documents as provided for in paragraph 3  
22 or 4 of subsection A of this section shall be issued only to United  
23 States citizens, nationals and legal permanent resident aliens.

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1 C. The provisions of subsection B of this section shall not  
2 apply when an applicant presents, in person, valid documentary  
3 evidence of:

4 1. A valid, unexpired immigrant or nonimmigrant visa status for  
5 admission into the United States;

6 2. A pending or approved application for asylum in the United  
7 States;

8 3. Admission into the United States in refugee status;

9 4. A pending or approved application for temporary protected  
10 status in the United States;

11 5. Approved deferred action status; or

12 6. A pending application for adjustment of status to legal  
13 permanent residence status or conditional resident status.

14 Upon approval, the applicant may be issued an identification  
15 document provided for in paragraph 3 or 4 of subsection A of this  
16 section. Such identification document shall be valid only during  
17 the period of time of the authorized stay of the applicant in the  
18 United States or, if there is no definite end to the period of  
19 authorized stay, a period of one (1) year. Any identification  
20 document issued pursuant to the provisions of this subsection shall  
21 clearly indicate that it is temporary and shall state the date that  
22 the identification document expires. Such identification document  
23 may be renewed only upon presentation of valid documentary evidence  
24 that the status by which the applicant qualified for the

1 identification document has been extended by the United States  
2 Citizenship and Immigration Services or other authorized agency of  
3 the United States Department of Homeland Security.

4 D. The provisions of subsection B of this section shall not  
5 apply to an identification document described in paragraph 4 of  
6 subsection A of this section that is only valid for use on the  
7 campus or facility of that educational institution and includes a  
8 statement of such restricted validity clearly and conspicuously  
9 printed upon the face of the identification document.

10 E. Any temporary driver license ~~issued to a person who is not a~~  
11 ~~United States citizen, national or legal permanent resident alien as~~  
12 described in subsection C of this section for which an application  
13 has been made for renewal, duplication or reissuance shall be  
14 presumed to have been originally issued in accordance with the  
15 provisions of subsection C of this section; provided that, at the  
16 time the application is made, the driver license has not expired, or  
17 been cancelled, suspended or revoked. The requirements of  
18 subsection C of this section shall apply, however, to a renewal,  
19 duplication or reissuance if the Department of Public Safety is  
20 notified by a local, state or federal government agency of  
21 information in the possession of the agency indicating a reasonable  
22 suspicion that the individual seeking such renewal, duplication or  
23 reissuance is present in the United States in violation of law. The

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1 provisions of this subsection shall not apply to United States  
2 citizens, nationals or legal permanent resident aliens.

3 F. Unless otherwise prescribed by law, any driver license  
4 originally issued to a United States citizen, national or legal  
5 permanent resident alien for which an application has been made for  
6 renewal, duplication or reissuance shall be presumed to have been  
7 originally issued in accordance with the provisions of subsection B  
8 of this section, and shall be renewed, duplicated or reissued  
9 without documentary proof of United States citizenship, nationality  
10 or permanent resident alien status, whether or not such driver  
11 license has expired at the time the application is made. However,  
12 proof of United States citizenship, nationality or permanent  
13 resident alien status shall be required at the time the application  
14 is made if the Department of Public Safety has been notified by a  
15 local, state or federal government agency of information in the  
16 possession of the agency indicating a reasonable suspicion that the  
17 individual seeking such renewal, duplication or reissuance is  
18 present in the United States in violation of law.

19 SECTION 2. It being immediately necessary for the preservation  
20 of the public peace, health and safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.

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