

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1898

By: Sweeden

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 21 O.S.
8 2001, Section 1550.42, as amended by Section 4,
9 Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2007, Section
10 1550.42), which relates to entities authorized to
11 print identification documents; specifying renewal
12 procedure for temporary driver licenses; specifying
13 renewal procedure for driver licenses issued to
14 citizens or legal residents; requiring certain
15 presumption despite expiration of certain driver
16 license; requiring renewal of certain driver license
17 without certain proof; defining circumstance under
18 which proof may be required; and providing an
19 effective date.

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

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

24 Section 1550.42 A. The following entities may create, publish
or otherwise manufacture an identification document, identification
card, or identification certificate and may possess an engraved
plate or other such device for the printing of such identification;

1 provided, the name of the issuing entity shall be clearly printed
2 upon the face of the identification:

3 1. Businesses, companies, corporations, service organizations
4 and federal, state and local governmental agencies for employee
5 identification which is designed to identify the bearer as an
6 employee;

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

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

16 4. Any public school or state or private educational
17 institution, as defined by Sections 1-106, 21-101 or 3102 of Title
18 70 of the Oklahoma Statutes, to identify the bearer as an
19 administrator, faculty member, student or employee;

20 5. Any professional organization or labor union to identify the
21 bearer as a member of the professional organization or labor union;
22 and

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

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

4 C. The provisions of subsection B of this section shall not
5 apply when an applicant presents, in person, valid documentary
6 evidence of:

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

9 2. A pending or approved application for asylum in the United
10 States;

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

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

14 5. Approved deferred action status; or

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

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

1 the identification document expires. Such identification document
2 may be renewed only upon presentation of valid documentary evidence
3 that the status by which the applicant qualified for the
4 identification document has been extended by the United States
5 Citizenship and Immigration Services or other authorized agency of
6 the United States Department of Homeland Security.

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

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

1 suspicion that the individual seeking such renewal, duplication or
2 reissuance is present in the United States in violation of law. The
3 provisions of this subsection shall not apply to United States
4 citizens, nationals or legal permanent resident aliens.

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

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

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