

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 SENATE BILL 874

By: Jolley

4
5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Sections 4-102, 4-103, 4-103.1, 4-112, as last
9 amended by Section 5, Chapter 545, O.S.L. 2005, 4-
10 117, 4-118, 4-119, as amended by Section 7, Chapter
11 485, O.S.L. 2003, 4-120.1, 4-120.8, 7-114, Section 7,
12 Chapter 545, O.S.L. 2004, Section 8, Chapter 545,
13 O.S.L. 2004, 14-113.2, as last amended by Section 11,
14 Chapter 485, O.S.L. 2003, 14-115.1, and 14-115.4, as
15 last amended by Section 8, Chapter 307, O.S.L. 2004,
16 (26 O.S. Supp. 2006, Sections 4-112, 4-119, 7-115.2,
17 7-116.1, 14-113.2 and 14-115.4), which relate to
18 voter registration, qualified voters, procedures to
19 register or update registration, registration
20 application, change of name or residency in same
21 county and another county, change or party
22 affiliation, voluntary cancellation of registration,
23 registration of cancelled voter, procedure for
24 determining eligibility, application by mail,
provisional ballots, marking and return of ballot,
procedure for incapacitated voter, and in-person
absentee ballot; requiring identification to vote;
requiring certain information to become registered
voter; requiring notarized copies of certain
information to register by mail; modifying
information required for voter registration;
requiring photo identification and voter registration
card to satisfy certain requirements; making language
gender neutral; requiring proof of identity to vote;
authorizing the Department of Public Safety to
provide photo identification cards for certain
purpose; deleting certain forms of identification for
voting in certain elections; providing for
verification of voter identity for provisional
ballots; adding statutory reference; modifying
absentee ballot voting procedure; amending 47 O.S.

1 2001, Section 6-111, as last amended by Section 16,
2 Chapter 311, O.S.L. 2006, which relates to issuance
3 of driver license or identification card; providing
4 for a voter photo identification card; specifying
5 certain information to be included on identification
6 card; and providing an effective date.

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

7 SECTION 1. AMENDATORY 26 O.S. 2001, Section 4-102, is
8 amended to read as follows:

9 Section 4-102. No person shall be permitted to vote in any
10 election conducted by any county election board unless such person
11 is a registered voter, ~~unless otherwise provided by law~~ and produces
12 identification as required by Section 4-112 of this title.

13 SECTION 2. AMENDATORY 26 O.S. 2001, Section 4-103, is
14 amended to read as follows:

15 Section 4-103. Any person who will become a qualified elector
16 during the sixty (60) days before the next ensuing election at which
17 he or she could vote shall be entitled to become a registered voter
18 of the precinct of his or her residence not more than sixty (60) and
19 not less than twenty-four (24) days prior to said election provided
20 he or she produces the information as required in Section 4-112 of
21 this title.

22 SECTION 3. AMENDATORY 26 O.S. 2001, Section 4-103.1, is
23 amended to read as follows:

1 Section 4-103.1 A. A qualified elector may apply to register
2 to vote or update a registration to vote by:

3 1. Delivering by mail or otherwise, a completed voter
4 registration application with notarized copies of the requirements
5 described in Section 4-112 of this title to the State Election Board
6 or any county election board;

7 2. Completing a voter registration application in person with
8 any official of an agency described in ~~Section 10 of this act~~
9 Section 4-112 of this title; or

10 3. Completing a voter registration application in person as
11 part of an application for issuance, renewal or change of address
12 for a driver's license or issuance of a state identification card
13 issued pursuant to Section 6-105 of Title 47 of the Oklahoma
14 Statutes with a designated representative of the Department of
15 Public Safety.

16 B. The secretary of the county election board for the county of
17 the applicant's residence shall send to each applicant by
18 nonforwardable, first-class United States mail a notice of the
19 disposition of the application. Notice mailing costs shall be paid
20 by the county.

21 SECTION 4. AMENDATORY 26 O.S. 2001, Section 4-112, as
22 last amended by Section 5, Chapter 545, O.S.L. 2005 (26 O.S. Supp.
23 2006, Section 4-112), is amended to read as follows:

24

1 Section 4-112. A. The Secretary of the State Election Board
2 shall devise and distribute a registration application form to be
3 used for registering voters. Such registration application shall
4 contain the following information: applicant's full name and date
5 of birth, county and place of residence, and mailing address
6 pursuant to the provisions of subsection B of this section; a
7 certified copy of the applicant's birth certificate; evidence the
8 registrant is a citizen of the United States; telephone number,
9 unless unlisted; the names of political parties recognized by the
10 laws of the State of Oklahoma with which the applicant may be
11 affiliated; the Oklahoma driver license or identification card
12 number if the applicant has been issued a current and valid driver
13 license or identification card by the Department of Public Safety,
14 or if the applicant does not have a valid Oklahoma driver license or
15 identification card, the last four digits of the voter's social
16 security number; an oath of the eligibility of the applicant to
17 become a registered voter; and such other information as may be
18 deemed necessary by the Secretary to identify such applicant and to
19 ascertain his or her eligibility. A voter registration application
20 shall be signed by the applicant in writing. The applicant shall
21 personally subscribe his or her name to or make his or her mark on
22 the application, and no agent, representative or employee of the
23 applicant may sign or mark on the applicant's behalf. The signature
24 or mark must be the original, handwritten signature, autograph or

1 mark of the applicant. No facsimile, reproduction, typewritten or
2 other substitute signature, autograph or mark will be valid.
3 Notwithstanding any law to the contrary, the Secretary of the State
4 Election Board shall prescribe procedures to authorize any person
5 incapable of personally making a mark to complete a voter
6 registration application with assistance of an official of any voter
7 registration agency or motor license agency specified in Sections 4-
8 109.2 and 4-109.3 of this title. Persons who do not indicate a
9 recognized political party or political organization on their
10 registration application shall be designated as Independents. Any
11 person may apply in writing to the Secretary of the State Election
12 Board for permission to print, copy or otherwise prepare and
13 distribute the registration applications designed by the Secretary
14 of the State Election Board. The Secretary may revoke any such
15 permission at any time. All registration applications shall be
16 distributed to the public at no charge. The Secretary also shall
17 prescribe procedures to accept and use federal registration
18 applications as required by the National Voter Registration Act of
19 1993.

20 B. Applicants for voter registration or for change of voter
21 registration in any way shall provide a residence address and, if
22 different from the residence address, a mailing address. A
23 residence address shall include the street address of the residence,
24 including a full house number, street name or number, apartment or

1 suite number, if applicable, and zip code. If a street address is
2 not available for the residence, applicants shall provide such
3 information as the State Election Board deems necessary for voter
4 registration purposes. A post office box may not be given as a
5 residence address. A mailing address, which shall include the city
6 and zip code, may be the actual emergency notification or 911
7 address on file in the local community, a rural route and box
8 number, a post office box number or a street address.

9 SECTION 5. AMENDATORY 26 O.S. 2001, Section 4-117, is
10 amended to read as follows:

11 Section 4-117. If a registered voter of a county has changed
12 name or residence within the same county, and has not executed a
13 transfer as hereinbefore provided, the voter shall be entitled to a
14 change upon executing an application on a form to be prescribed by
15 the Secretary of the State Election Board and presenting such form
16 along with the voter identification card, a government issued photo
17 identification and certified copy of the change of name or a utility
18 bill which reflects the change of address, to the inspector of the
19 precinct in which the voter is registered or to a member of an in-
20 person absentee voting board of the county in which the voter is
21 registered on the day of the next ensuing election or of in-person
22 absentee voting. Upon doing so, such registered voter shall be
23 permitted to vote on the ballots of such precinct, and only of such
24 precinct, for the election being conducted on that day only. The

1 inspector or in-person absentee voting board member shall deliver
2 such form to the secretary of the county election board, who shall
3 change the registration in the manner prescribed by the Secretary of
4 the State Election Board.

5 SECTION 6. AMENDATORY 26 O.S. 2001, Section 4-118, is
6 amended to read as follows:

7 Section 4-118. Any registered voter who changes his or her
8 residence to another county may apply for registration as an initial
9 registrant in such other county. Such person shall indicate his or
10 her prior registration information, including name, residence
11 address and county and political affiliation, as appropriate, on the
12 voter registration application, and presenting a government issued
13 photo identification and a utility bill which reflects the change of
14 address. The secretary of the election board of the second county
15 shall immediately notify the Secretary of the State Election Board
16 of such transaction.

17 SECTION 7. AMENDATORY 26 O.S. 2001, Section 4-119, as
18 amended by Section 7, Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2006,
19 Section 4-119), is amended to read as follows:

20 Section 4-119. Any registered voter may make application under
21 oath to change political affiliation by executing a form prescribed
22 by the Secretary of the State Election Board at any time and by
23 showing a government issued photo identification and voter
24 registration card. The county election board secretary in the

1 applicant's county of residence shall process and approve any such
2 application for political affiliation change upon receipt, except as
3 provided in Section 4-110.1 of Title 26 of the Oklahoma Statutes and
4 except during the period from June 1 through August 31, inclusive,
5 in any even-numbered year. The secretary shall process and approve
6 such applications for change of political affiliation received or
7 postmarked from June 1 through August 31 in any even-numbered year
8 after August 31, provided however, any application received by mail
9 must have notarized copies of the registered voter's government
10 issued photo identification and voter registration card.

11 SECTION 8. AMENDATORY 26 O.S. 2001, Section 4-120.1, is
12 amended to read as follows:

13 Section 4-120.1 A registered voter may have his or her name
14 removed from the registries of a county by executing a personally
15 signed and notarized written notice for same and by showing a
16 government issued identification card and their voter registration
17 card to the Secretary of the State Election Board or any county
18 election board.

19 SECTION 9. AMENDATORY 26 O.S. 2001, Section 4-120.8, is
20 amended to read as follows:

21 Section 4-120.8 A person whose registration has been cancelled
22 according to law shall be required to register again in the manner
23 provided by law for initial registrations before he or she can vote
24 in an election for which registration is required.

1 SECTION 10. AMENDATORY 26 O.S. 2001, Section 7-114, is
2 amended to read as follows:

3 Section 7-114. Each person ~~presenting himself~~ appearing to vote
4 shall announce ~~his~~ that person's name to the judge of the precinct
5 and shall provide proof of identity, whereupon the judge shall
6 determine whether ~~said~~ the person's name is in the precinct
7 registry. The voter's valid voter identification card or a valid
8 driver license or government issued photo identification card may be
9 used as proof of identity. If the person needs a photo
10 identification card for the purpose of voting, such card shall be
11 available from the Department of Public Safety and shall be free of
12 charge. All other photo identification cards for other services
13 provided by law shall be subject to their respective fees.

14 SECTION 11. AMENDATORY Section 7, Chapter 545, O.S.L.
15 2004 (26 O.S. Supp. 2006, Section 7-115.2), is amended to read as
16 follows:

17 Section 7-115.2 Registered voters who submitted applications
18 for new voter registration in the county of their residence by mail
19 on or after January 1, 2003, shall be required to provide
20 identification when they vote for the first time in a federal
21 election. Acceptable forms of identification shall include, but
22 shall not be limited to, a current and valid government issued
23 photo identification, or a voter identification card issued by the
24 county election board in acknowledgement of the person's valid voter

1 registration application as required by Section 4-113 of Title 26 of
2 the Oklahoma Statutes, ~~or a copy of a current utility bill, bank~~
3 ~~statement, government check, paycheck, or other government document~~
4 ~~that shows the voter's name and address.~~ Voters who may be subject
5 to the voter identification requirements of this section may submit
6 a copy of one of these forms of identification along with their
7 voter registration application, but they shall not be required to do
8 so. A voter who submits such identification with a voter
9 registration application shall not be required to show
10 identification when voting as outlined in this section. Any
11 registered voter subject to the voter identification requirements of
12 this section who is unable to provide one of the acceptable forms of
13 identification when they appear at the precinct polling place on
14 election day or at the in-person absentee polling place on a day of
15 in-person absentee voting is entitled to cast a provisional ballot
16 as provided in Section ~~8 of this act~~ 7-116.1 of this title and to
17 have said ballot counted within two (2) days upon verification of
18 the voter's identity.

19 SECTION 12. AMENDATORY Section 8, Chapter 545, O.S.L.
20 2004 (26 O.S. Supp. 2006, Section 7-116.1), is amended to read as
21 follows:

22 Section 7-116.1 A. Provisional ballots shall be available for
23 all elections conducted by the county election board. Provisional
24 ballots shall include all offices, candidates and questions and

1 shall be identical to the regular ballots for each precinct. The
2 Secretary of the State Election Board shall promulgate rules and
3 shall prescribe materials necessary for the implementation of
4 provisional ballots.

5 B. Persons who are not listed in the precinct registry, but who
6 claim to be registered voters in the precinct and eligible to vote
7 in the election, shall be entitled to vote a provisional ballot upon
8 execution of an affidavit prescribed by the Secretary of the State
9 Election Board. Registered voters required to show identification
10 before voting for the first time in a federal election, as described
11 in Section ~~7 of the act~~ 7-115.2 of this title and who are unable to
12 show one of the acceptable forms of identification described in said
13 section, shall be entitled to cast a provisional ballot. Persons
14 identified in Section 14-121 of Title 26 of the Oklahoma Statutes
15 shall be entitled to vote a provisional ballot upon execution of an
16 affidavit prescribed by the Secretary of the State Election Board.
17 Persons who are listed in the precinct registry for a partisan
18 primary election, but who dispute the political affiliation
19 indicated by said precinct registry, shall be entitled to vote a
20 provisional ballot for a party other than the one indicated.
21 However, such provisional ballot shall be counted only if evidence
22 is found by the secretary of the county election board of the
23 voter's valid voter registration in the party for which the
24 provisional ballot was cast. A person who fails to provide proper

1 photo identification pursuant to Section 7-114 of this title shall
2 be entitled to vote a provisional ballot and such ballot shall be
3 counted upon that person submitting proper identification to the
4 county election board within two (2) days following the day of the
5 election.

6 C. Provisional ballots shall be segregated from the regular
7 ballots cast in the precinct in the manner prescribed by the
8 Secretary of the State Election Board and shall not be inserted in
9 the precinct voting device. Information provided by a person who
10 votes a provisional ballot shall be investigated by the secretary of
11 the county election board after the election. A provisional ballot
12 shall be counted only if it is cast in the precinct of the voter's
13 residence and if evidence of the provisional voter's valid voter
14 registration, or of the voter's ~~identity~~ photo identification, is
15 found, except a provisional ballot cast by a voter identified in
16 Section 14-121 of Title 26 of the Oklahoma Statutes shall be
17 counted.

18 D. No information concerning provisional ballots, except the
19 number of provisional ballots cast in the county, shall be made
20 public by any election official prior to 1:00 p.m. on Friday
21 following the election. The county sheriff shall secure sealed
22 ballot transfer cases containing provisional ballots that have been
23 counted after 1:00 p.m. on Friday following the election until 5:00
24 p.m. on Tuesday next succeeding the election or, in the event a

1 recount contest is filed, until such times as said transfer cases
2 are delivered to the district courtroom.

3 E. In the event that the secretary of any county election board
4 is unable to complete the investigation and verification of
5 provisional ballots by 1:00 p.m. on Friday following the election,
6 the Secretary of the State Election Board shall be authorized to
7 extend the period for the investigation and verification of
8 provisional ballots. When such an extension is required by any
9 county for a statewide election, the extension shall apply
10 statewide. The Secretary shall promulgate rules establishing
11 procedures for requesting and granting such extensions.

12 F. All materials used for procuring and casting a provisional
13 ballot shall be retained by the secretary of the county election
14 board for a period of twenty-four (24) months after the day of the
15 election.

16 SECTION 13. AMENDATORY 26 O.S. 2001, Section 14-113.2,
17 as last amended by Section 11, Chapter 485, O.S.L. 2003 (26 O.S.
18 Supp. 2006, Section 14-113.2), is amended to read as follows:

19 Section 14-113.2 A. The voter shall be responsible for marking
20 the ballots or directing a person chosen by the voter to mark the
21 ballots in accordance with the provisions of Section 7-123.3 of this
22 title and as prescribed by the Secretary of the State Election
23 Board; provide proof of identity; seal the ballots in the plain
24 opaque envelope; fill out completely and sign the affidavit or

1 direct a person chosen by the voter to sign the affidavit, such
2 signature to be witnessed by two persons, who did not sign the
3 affidavit, whose signature and address shall appear on the
4 affidavit; seal the plain opaque envelope inside the envelope
5 bearing the affidavit and return both envelopes, sealed inside the
6 return envelope, by United States mail or by a private mail service,
7 provided such service has delivery documentation, to the county
8 election board. The voter's valid voter identification card or a
9 valid driver license or government issued photo identification card
10 may be used as proof of identity.

11 B. No person, except members of absentee voting boards, shall
12 witness the signature of more than five affidavits of persons who
13 swear they are physically incapacitated and unable to vote in person
14 at their precinct on election day. No person who is a candidate for
15 an office on the ballot or who is related within the third degree of
16 consanguinity or affinity to a candidate on the ballot may witness
17 any absentee ballot affidavit.

18 SECTION 14. AMENDATORY 26 O.S. 2001, Section 14-115.1,
19 is amended to read as follows:

20 Section 14-115.1 A registered voter who becomes incapacitated
21 after 5:00 p.m. on Tuesday preceding an election, and is unable to
22 vote in person at the appropriate precinct on the day of the
23 election may make a written request for an absentee ballot. The
24 request shall be signed by the voter, or signed by a witness at the

1 voter's direction if the voter is unable to sign his or her name,
2 and shall be transmitted to the secretary of the county election
3 board. The person transmitting said request on behalf of the voter
4 may be anyone of the voter's choosing at least sixteen (16) years of
5 age; provided, said person is not employed by nor related within the
6 third degree of consanguinity or affinity to any person whose name
7 appears on the ballot. The person becomes the voter's agent for
8 purposes of voting by absentee ballot. The voter's request must be
9 accompanied by a sworn statement by a duly licensed physician.
10 Expected or likely confinement for childbirth on election day is
11 sufficient cause to entitle a voter to vote absentee pursuant to
12 this section. The statement must attest to the fact that the voter
13 is in fact unable to vote in person at the appropriate precinct on
14 the day of the election because of a physical incapacity and that
15 said physical incapacity originated after 5:00 p.m. on Tuesday
16 preceding an election. Upon receipt of the voter's request and
17 accompanying sworn statement, the secretary of the county election
18 board shall issue to the voter's agent the appropriate ballots and
19 envelopes required for voting by incapacitated voters. The ballots
20 and proof of identity must be returned by the agent to the secretary
21 of the county election board no later than 7:00 p.m. on the day of
22 the election. No person may be the agent for more than one voter at
23 any election. Upon return of the absentee ballots, the secretary of
24 the county election board shall cause said ballots to be processed

1 in the same manner as is prescribed for other absentee ballots. A
2 notarized photocopy of the voter's valid voter identification card
3 or a valid driver license or government issued photo identification
4 card may be used as proof of identity.

5 SECTION 15. AMENDATORY 26 O.S. 2001, Section 14-115.4,
6 as last amended by Section 8, Chapter 307, O.S.L. 2004 (26 O.S.
7 Supp. 2006, Section 14-115.4), is amended to read as follows:

8 Section 14-115.4 A. A registered voter may apply for an in-
9 person absentee ballot at a location designated by the secretary of
10 the county election board from 8 a.m. to 6 p.m. on Friday and Monday
11 immediately preceding any election and from 8 a.m. to 1 p.m. on
12 Saturday immediately preceding a state or federal election. As part
13 of the application for an in-person absentee ballot such registered
14 voter shall swear or affirm that the voter has not voted a regular
15 mail absentee ballot and that the voter will not vote at the regular
16 polling place in the election for which the in-person absentee
17 ballot is requested. The voter also shall provide proof of
18 identity. The voter's valid voter identification card or a valid
19 driver license or government issued photo identification card may be
20 used as proof of identity.

21 B. One or more absentee voting boards shall be on duty from 8
22 a.m. to 6 p.m. at the in-person absentee polling place on Friday and
23 Monday immediately preceding any election and from 8 a.m. to 1 p.m.
24 on Saturday immediately preceding a state or federal election. If

1 the secretary of a county election board receives an application
2 from a registered voter requesting to vote by in-person absentee
3 ballot the secretary shall cause to be implemented the following
4 procedures:

5 1. An absentee voting board shall provide to each registered
6 voter who applies for an in-person absentee ballot appropriate
7 ballots and materials as may be necessary to vote;

8 2. The voter must sign an in-person absentee voter record, and
9 the signature of the voter on such record must be certified by both
10 members of the absentee voting board, except that the secretary of
11 the county election board and one other member of the absentee
12 voting board may certify the signature of another member of the
13 absentee voting board;

14 3. The voter must mark the ballots of the voter in the manner
15 provided by law in the presence of the absentee voting board, but in
16 such a manner as to make it impossible for any person other than the
17 voter to ascertain how said ballots are marked. Insofar as is
18 possible, the voting procedure shall be the same as if the voter
19 were casting a vote in person at a precinct;

20 4. The voter shall then deposit the ballot in a voting device
21 designated for in-person absentee voting by the secretary of the
22 county election board;

23 5. When the in-person polling place is closed on each day of
24 in-person absentee voting the in-person absentee voting board shall,

1 without obtaining a printout of results, remove the vote data pack
2 from the voting device and seal ballots counted that day in a
3 transfer case which shall be secured by the sheriff of the county in
4 the same manner as provided in Section 8-110 of this title. The
5 vote data pack shall be sealed in a container prescribed by the
6 Secretary of the State Election Board. The sheriff shall secure the
7 sealed vote data pack container and return it to the in-person
8 absentee voting board no later than 7:45 a.m. on the next day of
9 in-person absentee voting or to the secretary of the county election
10 board at the time of the county election board meeting to count
11 absentee ballots on election day;

12 6. The vote data pack or packs used for in-person absentee
13 voting shall be used by the county election board to count absentee
14 ballots on election day as provided in Section 14-125 of this title;
15 and

16 7. If there is a malfunction in such a way that the vote data
17 pack used for in-person absentee voting will not function, the
18 sheriff is authorized to return the transfer cases containing in-
19 person absentee ballots to the county election board to be recounted
20 as provided in Section 7-134.1 of this title.

21 SECTION 16. AMENDATORY 47 O.S. 2001, Section 6-111, as
22 last amended by Section 16, Chapter 311, O.S.L. 2006 (47 O.S. Supp.
23 2006, Section 6-111), is amended to read as follows:

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1 Section 6-111. A. 1. The Department of Public Safety shall,
2 upon payment of the required fee, issue to every applicant
3 qualifying therefore a Class A, B, C or D driver license or
4 identification card as applied for, which license or card shall bear
5 thereon a distinguishing alphanumeric identification assigned to the
6 licensee or cardholder, date of issuance and date of expiration of
7 the license or card, the full name, signature or computerized
8 signature, date of birth, mailing address, sex, a color photograph
9 or computerized image of the licensee or cardholder and security
10 features as determined by the Department. The photograph or image
11 shall depict a full front unobstructed view of the entire face of
12 the licensee or cardholder. When any person is issued both a driver
13 license and an identification card, the Department shall ensure the
14 information on both the license and the card are the same, unless
15 otherwise provided by law. Provided however, if a person needs a
16 photo identification card for the purpose of voting, a special voter
17 photo identification card shall be available from the Department of
18 Public Safety and shall be free of charge. The style of the card
19 shall be fixed by the Department and by the State Election Board and
20 shall contain the voter's name, the date of issuance of such card,
21 and such other information as the Commissioner of Public Safety and
22 the Secretary of the State Election Board shall direct.

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

4 3. The Department may cancel the distinguishing number, when
5 that distinguishing number is another person's Social Security
6 number, assign a new distinguishing alphanumeric identification, and
7 issue a new license or identification card without charge to the
8 licensee or cardholder.

9 4. The Department may promulgate rules for inclusion of the
10 height and a brief description of the licensee or cardholder on the
11 face of the card or license identifying the licensee or cardholder
12 as deaf or hard-of-hearing.

13 5. It is unlawful for any person to apply, adhere, or otherwise
14 attach to a driver license or identification card any decal,
15 sticker, label, or other attachment. Any law enforcement officer is
16 authorized to remove and dispose of any unlawful decal, sticker,
17 label, or other attachment from the driver license of a person. The
18 law enforcement officer, the employing agency of the officer, the
19 Department of Public Safety, and the State of Oklahoma shall be
20 immune from any liability for any loss suffered by the licensee,
21 cardholder, or the owner of the decal, sticker, label, or other
22 attachment caused by the removal and destruction of the decal,
23 sticker, label, or other attachment.

1 6. The Department of Public Safety shall develop by rule an
2 alternative procedure whereby a person applying for a renewal or
3 replacement Class D license or identification card, when the person
4 satisfactorily demonstrates to the Department the inability to
5 appear personally to be photographed because the person is not in
6 the state at the time of renewal or at a time a replacement is
7 required by the person, may be issued a license or card; provided,
8 immediately upon returning to Oklahoma, the person shall obtain a
9 replacement license or card as provided in Section 6-114 of this
10 title.

11 B. The Department may issue a temporary permit to an applicant
12 for a driver license permitting such applicant to operate a motor
13 vehicle while the Department is completing its investigation and
14 determination of all facts relative to such applicant's privilege to
15 receive a license. Such permit must be in the immediate possession
16 of the driver while operating a motor vehicle, and it shall be
17 invalid when the applicant's driver license has been issued or for
18 good cause has been refused.

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

- 22 a. farm retail outlets and suppliers,
- 23 b. agri-chemical businesses,
- 24 c. custom harvesters, and

1 d. livestock feeders.

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

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

12 a. diesel fuel in quantities of one thousand (1,000)
13 gallons or less,

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

16 c. solid fertilizers that are not mixed with any organic
17 substance.

18 No other placarded hazardous materials shall be transported by
19 holders of such licenses.

20 SECTION 17. This act shall become effective November 1, 2007.

21
22 51-1-106 JT 11/3/2007 5:19:13 AM
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