

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL 1556

6 By: Johnson (Mike) and Myers of
7 the Senate

8 and

9 Miller and Martin (Scott)
10 of the House

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to motor vehicle records; amending 47
13 O.S. 2001, Section 6-117, as last amended by Section
14 10, Chapter 326, O.S.L. 2007 (47 O.S. Supp. 2009,
15 Section 6-117), which relates to records of the
16 Department of Public Safety; modifying fees for
17 furnishing certain records; providing for certain
18 deposits; providing an effective date; and declaring
19 an emergency.

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

21 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-117, as
22 last amended by Section 10, Chapter 326, O.S.L. 2007 (47 O.S. Supp.
23 2009, Section 6-117), is amended to read as follows:

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

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

3 2. All applications granted;

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

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

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

21 B. The Department shall file all collision reports and
22 abstracts of court records of convictions received by it pursuant to
23 the laws of this state and maintain convenient records of the
24 records and reports or make suitable notations in order that an

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

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

22 2. Notwithstanding the provisions of paragraph 1 of this
23 subsection, the Department is authorized to enter into contracts to
24 supply information regarding vehicles reported to be involved in

1 collisions. For each vehicle, the information shall be limited to
2 that which only describes the vehicle and the collision. The
3 Department shall not be required to provide any information
4 regarding the owner or operator of the vehicle or any information
5 which would conflict with Section 2-110 or Section 1109 of this
6 title.

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

1 ~~(\$10.00)~~ Twenty-five Dollars (\$25.00), Twenty Dollars (\$20.00) of
2 which shall be deposited in the General Revenue Fund and Five
3 Dollars (\$5.00) shall be deposited in the Department of Public
4 Safety Revolving Fund. For each Motor Vehicle Report furnished by a
5 motor license agent, the agent shall collect the sum of ~~Ten Dollars~~
6 ~~(\$10.00)~~ Twenty-five Dollars (\$25.00), Eight Dollars (\$8.00)
7 Eighteen Dollars (\$18.00) of which shall be paid to the Oklahoma Tax
8 Commission for deposit in the General Revenue Fund in the State
9 Treasury, Five Dollars (\$5.00) shall be deposited in the Department
10 of Public Safety Revolving Fund and Two Dollars (\$2.00) of which
11 shall be retained by the motor license agent. Persons sixty-five
12 (65) years of age or older shall not be required to pay a fee for
13 their own Motor Vehicle Report furnished by the Department or a
14 motor license agent. For purposes of this subsection, a Motor
15 Vehicle Report shall include a report which indicates that no
16 driving record is on file with the Department of Public Safety for
17 the information received by the Department in the request for the
18 Motor Vehicle Report.

19 E. The Department of Public Safety may develop procedures
20 whereby an employer of a person:

- 21 1. Who has a Class A, B or C driver license; and
- 22 2. Who operates a commercial motor vehicle in the course of his
23 or her employment with the employer, may automatically be notified,
24 pursuant to a fee schedule established by the Department, should the

1 driving record of a person reflect a traffic conviction in any court
2 or an administrative action by the Department which alters the
3 status of the commercial driving privileges of the person.

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

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

22 SECTION 2. This act shall become effective July 1, 2010.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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