

1 ENGROSSED HOUSE  
2 BILL NO. 3381

By: Terrill and Duncan of the  
House

3 and

4 Sykes of the Senate  
5  
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8 An Act relating to motor vehicles; amending 47 O.S.  
9 2001, Section 6-301, as last amended by Section 8,  
10 Chapter 149, O.S.L. 2004 (47 O.S. Supp. 2009, Section  
11 6-301), which relates to penalties for the unlawful  
12 use of driver licenses or identification cards;  
13 providing penalty for altering certain designation on  
14 driver license or identification card; and providing  
15 an effective date.

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

17 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-301, as  
18 last amended by Section 8, Chapter 149, O.S.L. 2004 (47 O.S. Supp.  
19 2009, Section 6-301), is amended to read as follows:

20 Section 6-301. It shall be unlawful for any person to commit  
21 any of the acts specified in paragraph 1 or 2 of this section in  
22 relation to an Oklahoma driver license or identification card  
23 authorized to be issued by the Department of Public Safety pursuant  
24 to the provisions of Sections 6-101 through 6-309 of this title or

1 any driver license or other evidence of driving privilege or  
2 identification card authorized to be issued by the state of origin.

3 1. It is a misdemeanor for any licensee:

4 a. to display or cause or permit to be displayed one's  
5 own license after such license has been suspended,  
6 revoked or canceled or to possess one's own license  
7 after having received notice of its suspension,  
8 revocation, or cancellation,

9 b. to lend one's own license or identification card to  
10 any other person or knowingly permit the use thereof  
11 by another,

12 c. to display or cause or permit to be displayed or to  
13 possess a license or identification card issued to  
14 oneself which bears altered information concerning the  
15 date of birth, expiration date, sex, height, eye  
16 color, weight or license or card number,

17 d. to fail or refuse to surrender to the Department upon  
18 its lawful demand any license or identification card  
19 which has been suspended, revoked or canceled,

20 e. to permit any unlawful use of a license or  
21 identification card issued to oneself,

22 f. to do any act forbidden or fail to perform any act  
23 required by this chapter, excepting those acts as  
24 provided in paragraph 2 of this section,

1 g. to display or represent as one's own, any license or  
2 identification card not issued to such person, unless  
3 under conditions provided in subparagraph e of  
4 paragraph 2 of this section, or

5 h. to add to, delete from, alter, or deface the required  
6 information on a driver license or identification  
7 card.

8 2. It is a felony for any person:

9 a. to create, publish or otherwise manufacture an  
10 Oklahoma or other state license or identification card  
11 or facsimile thereof, or to create, manufacture or  
12 possess an engraved plate or other such device, card,  
13 laminate, digital image or file, or software for the  
14 printing of an Oklahoma or other state license or  
15 identification card or facsimile thereof, except as  
16 authorized pursuant to this title,

17 b. to display or cause or permit to be displayed or to  
18 knowingly possess any state counterfeit or fictitious  
19 license or identification card,

20 c. to display or cause to be displayed or to knowingly  
21 possess any state license or identification card  
22 bearing a fictitious or forged name or signature,

23 d. to display or cause to be displayed or to knowingly  
24 possess any state license or identification card

1 bearing the photograph of any person, other than the  
2 person named thereon as licensee,

3 e. to display or represent as one's own, any license or  
4 identification card not issued to ~~him~~ the person, for  
5 the purpose of committing a fraud in any commercial  
6 transaction or to mislead a peace officer in the  
7 performance of ~~his~~ the duties of the peace officer, ~~or~~

8 f. to use a false or fictitious name in any application  
9 for a license or identification card or to knowingly  
10 make a false statement or to knowingly conceal a  
11 material fact or otherwise commit a fraud in any such  
12 application, or

13 g. to delete from, alter, or deface the required "Sex  
14 Offender" designation on a driver license or  
15 identification card that has been issued to a person  
16 pursuant to the provisions of subsection D of Section  
17 6-111 of this title.

18 3. It is a felony for any employee or person authorized to  
19 issue or approve the issuance of licenses or identification cards  
20 under this title to knowingly issue or attempt to issue a license or  
21 identification card or to knowingly give approval for, cause, or  
22 attempt to cause a license or identification card to be issued:

23 a. to a person not entitled thereto,

24 b. bearing erroneous information thereon, or

1           c.     bearing the photograph of a person other than the  
2                     person named thereon.

3 Such conduct shall be grounds for termination of employment of the  
4 employee.

5           4.     The violation of any of the provisions of paragraph 1 of  
6 this section shall constitute a misdemeanor and shall, upon  
7 conviction thereof, be punishable by a fine of not less than  
8 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars  
9 (\$200.00); the violation of any of the provisions of paragraph 2 or  
10 3 of this section shall constitute a felony and shall, upon  
11 conviction thereof, be punishable by a fine not exceeding Ten  
12 Thousand Dollars (\$10,000.00) or a term of imprisonment in the State  
13 Penitentiary not to exceed seven (7) years, or by both such fine and  
14 imprisonment.

15           5.     Notwithstanding any provision of this section, the  
16 Commissioner of the Department of Public Safety may, upon the  
17 request of the chief administrator of a law enforcement, military,  
18 or intelligence agency, authorize the issuance to and display, and  
19 possession by a person of a license which would otherwise be a  
20 violation of this section, for the sole purpose of aiding in a  
21 criminal investigation or a military or intelligence operation.  
22 While acting pursuant to such authorization by the Commissioner,  
23 such person shall not be prosecuted for a violation under this  
24 section. Upon termination of such investigation or operation or

