

THE HOUSE OF REPRESENTATIVES  
Monday, March 1, 2010

House Bill No. 2819

HOUSE BILL NO. 2819 - By: AUFFET of the House and WILSON of the Senate.

An Act relating to ambulance services; amending 47 O.S. 2001, Section 6-101, as last amended by Section 1, Chapter 81, O.S.L. 2009 (47 O.S. Supp. 2009, Section 6-101), which relates to driver licenses; increasing certain fees; providing for deposit of fees in certain fund; directing State Department of Health to establish program to administer grants to certain entities; creating the Ambulance Service Assistance Revolving Fund; providing for codification; and providing an effective date.

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

- 1           SECTION 1.   AMENDATORY   47 O.S. 2001, Section 6-101, as last amended by  
2 Section 1, Chapter 81, O.S.L. 2009 (47 O.S. Supp. 2009, Section 6-101), is amended to  
3 read as follows:
- 4           Section 6-101. A. No person, except those hereinafter expressly exempted in  
5 Section 6-102 of this title, shall operate any motor vehicle upon a highway in this state  
6 unless the person has a valid Oklahoma driver license for the class of vehicle being  
7 operated under the provisions of this title. No person shall be permitted to possess more  
8 than one valid license at any time.
- 9           B. 1. No person shall operate a Class A commercial motor vehicle unless the  
10 person is eighteen (18) years of age or older and holds a valid Class A commercial license,  
11 except as provided in paragraph 5 of this subsection. Any person holding a valid Class A

1 commercial license shall be permitted to operate motor vehicles in Classes A, B, C and D,  
2 except as provided for in paragraph 4 of this subsection.

3 2. No person shall operate a Class B commercial motor vehicle unless the person is  
4 eighteen (18) years of age or older and holds a valid Class B commercial license. Any  
5 person holding a valid Class B commercial license shall be permitted to operate motor  
6 vehicles in Classes B, C and D, except as provided for in paragraph 4 of this subsection.

7 3. No person shall operate a Class C commercial motor vehicle unless the person is  
8 eighteen (18) years of age or older and holds a valid Class C commercial license. Any  
9 person holding a valid Class C commercial license shall be permitted to operate motor  
10 vehicles in Classes C and D, except as provided for in paragraph 4 of this subsection.

11 4. No person under twenty-one (21) years of age shall be licensed to operate any  
12 motor vehicle which is required to be placarded for hazardous materials pursuant to 49  
13 C.F.R., Part 172, subpart F; provided, a person eighteen (18) years of age or older may be  
14 licensed to operate a farm vehicle which is required to be placarded for hazardous  
15 materials pursuant to 49 C.F.R., Part 172, subpart F.

16 5. A person at least seventeen (17) years of age who successfully completes all  
17 examinations required by law may be issued by the Department:  
18 a. a restricted Class A commercial license which shall grant to the  
19 licensee the privilege to operate a Class A or Class B commercial motor  
20 vehicle for harvest purposes or a Class D motor vehicle, or

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1           b.     a restricted Class B commercial license which shall grant to the  
2                   licensee the privilege to operate a Class B commercial motor vehicle for  
3                   harvest purposes or a Class D motor vehicle.

4           6. No person shall operate a Class D motor vehicle unless the person is sixteen (16)  
5 years of age or older and holds a valid Class D license, except as provided for in Section  
6 6-102 or 6-105 of this title. Any person holding a valid Class D license shall be permitted  
7 to operate motor vehicles in Class D only.

8           C. Any person issued a driver license pursuant to this section may exercise the  
9 privilege thereby granted upon all streets and highways in this state.

10          D. No person shall operate a motorcycle or motor-driven cycle without having a  
11 valid Class A, B, C or D license with a motorcycle endorsement. Except as otherwise  
12 provided by law, any new applicant for an original driver license shall be required to  
13 successfully complete a written examination, vision examination, and driving  
14 examination for a motorcycle as prescribed by the Department of Public Safety to be  
15 eligible for a motorcycle endorsement thereon. The driving examination for a motorcycle  
16 may be waived by the Department of Public Safety upon verification that the person has  
17 successfully completed a certified Motorcycle Safety Foundation rider course approved by  
18 the Department.

19          E. Except as otherwise provided by law, any person who lawfully possesses a valid  
20 Oklahoma driver license which is eligible for renewal shall be required to successfully  
21 complete a written examination, vision examination, and driving examination for a  
22 motorcycle as prescribed by the Department to be eligible for a motorcycle endorsement;

1 provided, however, the Department may waive all such examinations until July 1, 2000,  
2 upon satisfactory proof that the applicant has regularly operated a motorcycle or motor-  
3 driven cycle for a minimum of two (2) years immediately preceding the application.

4 F. 1. Any person eighteen (18) years of age or older may apply for a restricted  
5 Class A, B or C commercial license. The Department, after the applicant has passed all  
6 parts of the examination for a Class D license and has successfully passed all parts of the  
7 examination for a Class A, B or C commercial license other than the driving examination,  
8 may issue to the applicant a restricted driver license which shall entitle the applicant  
9 having immediate possession of the license to operate a Class A, B or C commercial  
10 motor vehicle upon the public highways solely for the purpose of behind-the-wheel  
11 training in accordance with rules promulgated by the Department.

12 2. This restricted driver license shall be issued for a period as provided in Section 6-  
13 115 of this title; provided, such restricted license may be suspended, revoked, canceled, or  
14 denied at the discretion of the Department for violation of the restrictions, for failing to  
15 give the required or correct information on the application, or for violation of any traffic  
16 laws of this state pertaining to the operation of a motor vehicle. Except as otherwise  
17 provided, the lawful possessor of a restricted license who has been issued a restricted  
18 license for a minimum of thirty (30) days may have the restriction requiring an  
19 accompanying driver removed by satisfactorily completing a driver's examination;  
20 provided, the removal of a restriction shall not authorize the operation of a Class A, B or  
21 C commercial motor vehicle if such operation is otherwise prohibited by law.

1 G. 1. The fee charged for an approved application for an original Oklahoma driver  
2 license or an approved application for the addition of an endorsement to a current valid  
3 Oklahoma driver license shall be assessed in accordance with the following schedule:

|                              |         |
|------------------------------|---------|
| 4 Class A Commercial License | \$25.00 |
| 5 Class B Commercial License | \$15.00 |
| 6 Class C Commercial License | \$15.00 |
| 7 Class D License            | \$ 4.00 |
| 8 Motorcycle Endorsement     | \$ 4.00 |

9 2. Notwithstanding the provisions of Section 1104 of this title, all monies collected  
10 from the fees charged for Class A, B and C commercial licenses pursuant to the  
11 provisions of this subsection shall be deposited in the General Revenue Fund of this  
12 state.

13 H. The fee charged for any failed examination shall be Four Dollars (\$4.00) for any  
14 license classification. Notwithstanding the provisions of Section 1104 of this title, all  
15 monies collected from such examination fees pursuant to the provisions of this subsection  
16 shall be deposited in the General Revenue Fund of this state.

17 I. 1. In addition to any fee charged pursuant to the provisions of subsection G of  
18 this section, the fee charged for the issuance or renewal of an Oklahoma license which is  
19 not in a computerized image format shall be in accordance with the following schedule:

|                               |         |
|-------------------------------|---------|
| 20 Class A Commercial License | \$40.50 |
| 21 Class B Commercial License | \$40.50 |
| 22 Class C Commercial License | \$30.50 |

1 Class D License \$20.50

2 Notwithstanding the provisions of Section 1104 of this title, of each fee charged  
3 pursuant to this paragraph:

4 a. Five Dollars and fifty cents (\$5.50) shall be deposited to the Trauma  
5 Care Assistance Revolving Fund created in Section 1-2530.9 of Title 63  
6 of the Oklahoma Statutes, and

7 b. Five Dollars and seventy-five cents (\$5.75) shall be deposited to the  
8 Department of Public Safety Computer Imaging System Revolving  
9 Fund to be used solely for the purpose of administration and  
10 maintenance of the computerized imaging system of the Department.

11 2. In addition to any fee charged pursuant to the provisions of subsection G of this  
12 section, the fee charged for the issuance or renewal of an Oklahoma license which is in a  
13 computerized image format shall be in accordance with the following schedule:

|                               |                                   |
|-------------------------------|-----------------------------------|
| 14 Class A Commercial License | <del>\$41.50</del> <b>\$46.50</b> |
| 15 Class B Commercial License | <del>\$41.50</del> <b>\$46.50</b> |
| 16 Class C Commercial License | <del>\$31.50</del> <b>\$36.50</b> |
| 17 Class D License            | <del>\$21.50</del> <b>\$26.50</b> |

18 Notwithstanding the provisions of Section 1104 of this title, of each fee charged  
19 pursuant to the provisions of this paragraph:

20 a. Five Dollars and fifty cents (\$5.50) shall be deposited to the Trauma  
21 Care Assistance Revolving Fund created in Section 330.97 of Title 63 of  
22 the Oklahoma Statutes, ~~and~~

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1           b.     Six Dollars and seventy-five cents (\$6.75) shall be deposited to the  
2                     Department of Public Safety Computer Imaging System Revolving  
3                     Fund to be used solely for the purpose of administration and  
4                     maintenance of the computerized imaging system of the Department,  
5                     and

6           c.     Five Dollars (\$5.00) shall be deposited to the Ambulance Service  
7                     Assistance Revolving Fund created in Section 3 of this act.

8           J. All original and renewal driver licenses shall expire as provided in Section 6-115  
9 of this title.

10          K. Any person sixty-two (62) years of age or older during the calendar year of  
11 issuance of a Class D license or motorcycle endorsement shall be charged the following  
12 prorated fee:

|                    |         |
|--------------------|---------|
| 13          Age 62 | \$11.25 |
| 14          Age 63 | \$ 7.50 |
| 15          Age 64 | \$ 3.75 |
| 16          Age 65 | -0-     |

17          L. No person who has been honorably discharged from active service in any branch  
18 of the Armed Forces of the United States or Oklahoma National Guard and who has been  
19 certified by the United States Department of Veterans Affairs, its successor, or the  
20 Armed Forces of the United States to be a disabled veteran in receipt of compensation at  
21 the one-hundred-percent rate for a permanent disability sustained through military

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1 action or accident resulting from disease contracted while in such active service shall be  
2 charged a fee for the issuance or renewal of an Oklahoma driver license.

3 M. The Department of Public Safety and the Oklahoma Tax Commission are  
4 authorized to promulgate rules for the issuance and renewal of driver licenses authorized  
5 pursuant to the provisions of Sections 6-101 through 6-309 of this title. Applications,  
6 upon forms approved by the Department of Public Safety, for such licenses shall be  
7 handled by the motor license agents; provided, the Department of Public Safety is  
8 authorized to assume these duties in any county of this state. Each motor license agent  
9 accepting applications for driver licenses shall receive Two Dollars (\$2.00) to be deducted  
10 from the total collected for each license or renewal application accepted. The two-dollar  
11 fee received by the motor license agent shall be used for operating expenses.

12 N. Notwithstanding the provisions of Section 1104 of this title and subsection M of  
13 this section and except as provided in subsections G and I of this section, the first Sixty  
14 Thousand Dollars (\$60,000.00) of all monies collected pursuant to this section shall be  
15 paid by the Oklahoma Tax Commission to the State Treasurer to be deposited in the  
16 General Revenue Fund of the State Treasury.

17 The next Five Hundred Thousand Dollars (\$500,000.00) of monies collected  
18 pursuant to this section shall be paid by the Tax Commission to the State Treasurer to be  
19 deposited each fiscal year under the provisions of this section to the credit of the  
20 Department of Public Safety Revolving Fund for the purpose of the Statewide Law  
21 Enforcement Communications System. All other monies collected in excess of Five

1 Hundred Sixty Thousand Dollars (\$560,000.00) each fiscal year shall be apportioned as  
2 provided in Section 1104 of this title, except as otherwise provided in this section.

3 O. The Department of Public Safety shall implement a procedure whereby images  
4 displayed on licenses and identification cards issued pursuant to the provisions of  
5 Sections 6-101 through 6-309 of this title are maintained by the Department to create  
6 photographs or computerized images which may be used only:

7 1. By a law enforcement agency for purposes of criminal investigations, missing  
8 person investigations, or any law enforcement purpose which is deemed necessary by the  
9 Commissioner of Public Safety;

10 2. By the driver licensing agency of another state for its official purpose; and

11 3. As provided in Section 2-110 of this title.

12 The computer system and related equipment acquired for this purpose must  
13 conform to industry standards for interoperability and open architecture. The  
14 Department of Public Safety may promulgate rules to implement the provisions of this  
15 subsection.

16 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma  
17 Statutes as Section 2854 of Title 63, unless there is created a duplication in numbering,  
18 reads as follows:

19 The State Department of Health shall promulgate rules to establish a program  
20 which uses the Ambulance Service Assistance Revolving Fund to administer grants to  
21 assist entities providing ambulance services.

1 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma  
2 Statutes as Section 2855 of Title 63, unless there is created a duplication in numbering,  
3 reads as follows:

4 There is hereby created in the State Treasury a revolving fund to be designated the  
5 “Ambulance Service Assistance Revolving Fund”. The fund shall be a continuing fund,  
6 not subject to fiscal year limitations, and shall consist of monies available to the State  
7 Department of Health pursuant to subparagraph c of paragraph 2 of subsection I of  
8 Section 6-101 of Title 47 of the Oklahoma Statutes. All monies accruing to the credit of  
9 the fund are hereby appropriated and may be budgeted and expended by the State  
10 Department of Health pursuant to Section 2 of this act. Expenditures from said fund  
11 shall be made upon warrants issued by the State Treasurer against claims filed as  
12 prescribed by law with the Director of State Finance for approval and payment.

13 SECTION 4. This act shall become effective November 1, 2010.

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
15 dated 02-25-10 - DO PASS, As Coauthored.

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