

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2819

By: Auffet

4  
5 AS INTRODUCED

6 An Act relating to ambulance services; amending 47  
7 O.S. 2001, Section 6-101, as last amended by Section  
8 1, Chapter 81, O.S.L. 2009 (47 O.S. Supp. 2009,  
9 Section 6-101), which relates to driver licenses;  
10 increasing certain fees; providing for deposit of  
11 fees in certain fund; directing State Department of  
Health to establish program to administer grants to  
12 certain entities; creating the Ambulance Service  
13 Assistance Revolving Fund; providing for  
14 codification; and providing an effective date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-101, as  
17 last amended by Section 1, Chapter 81, O.S.L. 2009 (47 O.S. Supp.  
2009, Section 6-101), is amended to read as follows:

18 Section 6-101. A. No person, except those hereinafter  
19 expressly exempted in Section 6-102 of this title, shall operate any  
20 motor vehicle upon a highway in this state unless the person has a  
21 valid Oklahoma driver license for the class of vehicle being  
22 operated under the provisions of this title. No person shall be  
23 permitted to possess more than one valid license at any time.

1 B. 1. No person shall operate a Class A commercial motor  
2 vehicle unless the person is eighteen (18) years of age or older and  
3 holds a valid Class A commercial license, except as provided in  
4 paragraph 5 of this subsection. Any person holding a valid Class A  
5 commercial license shall be permitted to operate motor vehicles in  
6 Classes A, B, C and D, except as provided for in paragraph 4 of this  
7 subsection.

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

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

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

1 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,  
2 subpart F.

3 5. A person at least seventeen (17) years of age who  
4 successfully completes all examinations required by law may be  
5 issued by the Department:

6 a. a restricted Class A commercial license which shall  
7 grant to the licensee the privilege to operate a Class  
8 A or Class B commercial motor vehicle for harvest  
9 purposes or a Class D motor vehicle, or

10 b. a restricted Class B commercial license which shall  
11 grant to the licensee the privilege to operate a Class  
12 B commercial motor vehicle for harvest purposes or a  
13 Class D motor vehicle.

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

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

22 D. No person shall operate a motorcycle or motor-driven cycle  
23 without having a valid Class A, B, C or D license with a motorcycle  
24 endorsement. Except as otherwise provided by law, any new applicant

1 for an original driver license shall be required to successfully  
2 complete a written examination, vision examination, and driving  
3 examination for a motorcycle as prescribed by the Department of  
4 Public Safety to be eligible for a motorcycle endorsement thereon.  
5 The driving examination for a motorcycle may be waived by the  
6 Department of Public Safety upon verification that the person has  
7 successfully completed a certified Motorcycle Safety Foundation  
8 rider course approved by the Department.

9 E. Except as otherwise provided by law, any person who lawfully  
10 possesses a valid Oklahoma driver license which is eligible for  
11 renewal shall be required to successfully complete a written  
12 examination, vision examination, and driving examination for a  
13 motorcycle as prescribed by the Department to be eligible for a  
14 motorcycle endorsement; provided, however, the Department may waive  
15 all such examinations until July 1, 2000, upon satisfactory proof  
16 that the applicant has regularly operated a motorcycle or motor-  
17 driven cycle for a minimum of two (2) years immediately preceding  
18 the application.

19 F. 1. Any person eighteen (18) years of age or older may apply  
20 for a restricted Class A, B or C commercial license. The  
21 Department, after the applicant has passed all parts of the  
22 examination for a Class D license and has successfully passed all  
23 parts of the examination for a Class A, B or C commercial license  
24 other than the driving examination, may issue to the applicant a

1 restricted driver license which shall entitle the applicant having  
2 immediate possession of the license to operate a Class A, B or C  
3 commercial motor vehicle upon the public highways solely for the  
4 purpose of behind-the-wheel training in accordance with rules  
5 promulgated by the Department.

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

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

24 Class A Commercial License \$25.00

1	Class B Commercial License	\$15.00
2	Class C Commercial License	\$15.00
3	Class D License	\$ 4.00
4	Motorcycle Endorsement	\$ 4.00

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

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

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

19	Class A Commercial License	\$40.50
20	Class B Commercial License	\$40.50
21	Class C Commercial License	\$30.50
22	Class D License	\$20.50

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

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

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

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

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

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

20 a. Five Dollars and fifty cents (\$5.50) shall be  
21 deposited to the Trauma Care Assistance Revolving Fund  
22 created in Section 330.97 of Title 63 of the Oklahoma  
23 Statutes, and  
24

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

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

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

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

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

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

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

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

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

23 The next Five Hundred Thousand Dollars (\$500,000.00) of monies  
24 collected pursuant to this section shall be paid by the Tax

1 Commission to the State Treasurer to be deposited each fiscal year  
2 under the provisions of this section to the credit of the Department  
3 of Public Safety Revolving Fund for the purpose of the Statewide Law  
4 Enforcement Communications System. All other monies collected in  
5 excess of Five Hundred Sixty Thousand Dollars (\$560,000.00) each  
6 fiscal year shall be apportioned as provided in Section 1104 of this  
7 title, except as otherwise provided in this section.

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

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

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

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

20 The computer system and related equipment acquired for this  
21 purpose must conform to industry standards for interoperability and  
22 open architecture. The Department of Public Safety may promulgate  
23 rules to implement the provisions of this subsection.

24

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

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

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

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

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

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