

1 STATE OF OKLAHOM

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 251

By: Gumm

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7 AS INTRODUCED

8 An Act relating to identification documents; amending
9 21 O.S. 2001, Section 1550.42, as amended by Section
10 4, Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2008,
11 Section 1550.42), which relates to entities
12 authorized to print identification documents;
13 specifying renewal procedure for temporary driver
14 licenses; specifying renewal procedure for full-term
15 driver licenses; requiring certain presumption
16 despite expiration of certain driver license;
17 requiring renewal of certain driver license without
18 certain proof; defining circumstance under which
19 proof may be required; and declaring an emergency.

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1 plate or other such device for the printing of such identification;
2 provided, the name of the issuing entity shall be clearly printed
3 upon the face of the identification:

4 1. Businesses, companies, corporations, service organizations
5 and federal, state and local governmental agencies for employee
6 identification which is designed to identify the bearer as an
7 employee;

8 2. Businesses, companies, corporations and service
9 organizations for customer identification which is designed to
10 identify the bearer as a customer or member;

11 3. Federal, state and local government agencies for purposes
12 authorized or required by law or any legitimate purpose consistent
13 with the duties of such an agency, including, but not limited to,
14 voter identification cards, driver licenses, nondriver
15 identification cards, passports, birth certificates and social
16 security cards;

17 4. Any public school or state or private educational
18 institution, as defined by Sections 1-106, 21-101 or 3102 of Title
19 70 of the Oklahoma Statutes, to identify the bearer as an
20 administrator, faculty member, student or employee;

21 5. Any professional organization or labor union to identify the
22 bearer as a member of the professional organization or labor union;
23 and
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1 6. Businesses, companies or corporations which manufacture
2 medical-alert identification for the wearer thereof.

3 B. All identification documents as provided for in paragraph 3
4 or 4 of subsection A of this section shall be issued only to United
5 States citizens, nationals and legal permanent resident aliens.

6 C. The provisions of subsection B of this section shall not
7 apply when an applicant presents, in person, valid documentary
8 evidence of:

9 1. A valid, unexpired immigrant or nonimmigrant visa status for
10 admission into the United States;

11 2. A pending or approved application for asylum in the United
12 States;

13 3. Admission into the United States in refugee status;

14 4. A pending or approved application for temporary protected
15 status in the United States;

16 5. Approved deferred action status; or

17 6. A pending application for adjustment of status to legal
18 permanent residence status or conditional resident status.

19 Upon approval, the applicant may be issued an identification
20 document provided for in paragraph 3 or 4 of subsection A of this
21 section. Such identification document shall be valid only during
22 the period of time of the authorized stay of the applicant in the
23 United States or, if there is no definite end to the period of
24 authorized stay, a period of one (1) year. Any identification

1 document issued pursuant to the provisions of this subsection shall
2 clearly indicate that it is temporary and shall state the date that
3 the identification document expires. Such identification document
4 may be renewed only upon presentation of valid documentary evidence
5 that the status by which the applicant qualified for the
6 identification document has been extended by the United States
7 Citizenship and Immigration Services or other authorized agency of
8 the United States Department of Homeland Security.

9 D. The provisions of subsection B of this section shall not
10 apply to an identification document described in paragraph 4 of
11 subsection A of this section that is only valid for use on the
12 campus or facility of that educational institution and includes a
13 statement of such restricted validity clearly and conspicuously
14 printed upon the face of the identification document.

15 E. Any temporary driver license ~~issued to a person who is not a~~
16 ~~United States citizen, national or legal permanent resident alien as~~
17 described in subsection C of this section for which an application
18 has been made for renewal, duplication or reissuance shall be
19 presumed to have been originally issued in accordance with the
20 provisions of subsection C of this section; provided that, at the
21 time the application is made, the driver license has not expired, or
22 been cancelled, suspended or revoked. The requirements of
23 subsection C of this section shall apply, however, to a renewal,
24 duplication or reissuance if the Department of Public Safety is

1 notified by a local, state or federal government agency of
2 information in the possession of the agency indicating a reasonable
3 suspicion that the individual seeking such renewal, duplication or
4 reissuance is present in the United States in violation of law. The
5 provisions of this subsection shall not apply to United States
6 citizens, nationals or legal permanent resident aliens.

7 F. Unless otherwise prescribed by law, any driver license
8 originally issued to a United States citizen, national or legal
9 permanent resident alien for which an application has been made for
10 renewal, duplication or reissuance shall be presumed to have been
11 originally issued in accordance with the provisions of subsection B
12 of this section, and shall be renewed, duplicated or reissued
13 without documentary proof of United States citizenship, nationality
14 or permanent resident alien status, whether or not such driver
15 license has expired at the time the application is made. However,
16 proof of United States citizenship, nationality or permanent
17 resident alien status shall be required at the time the application
18 is made if the Department of Public Safety has been notified by a
19 local, state or federal government agency of information in the
20 possession of the agency indicating a reasonable suspicion that the
21 individual seeking such renewal, duplication or reissuance is
22 present in the United States in violation of law.

23 SECTION 2. 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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