

ENROLLED SENATE
BILL NO. 1412

By: Paddack and Johnson
(Constance) of the Senate

and

Thomsen and Sherrer of the
House

<StartFT>An Act relating to motor vehicles; amending
47 O.S. 2011, Section 2-110, which relates to release
of certain records; authorizing the release of
certain records at no charge to certain nonprofit
providers; and providing an effective date.

SUBJECT: Department of Public Safety records

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-110, is
amended to read as follows:

Section 2-110. A. Officers and employees of the Department of
Public Safety designated by the Commissioner, for the purpose of
administering the motor vehicle laws, are authorized to administer
oaths and acknowledge signatures and shall do so without fee.

B. The Commissioner and such officers of the Department as the
Commissioner may designate are hereby authorized to prepare under
the seal of the Department and deliver upon request a certified copy
of any record of the Department, charging a fee of Three Dollars
(\$3.00) for each record so certified, and every such certified copy
shall be admissible in any proceeding in any court in like manner as
the original thereof. A certification fee shall be charged:

1. Only if the person requesting the record specifically requests that the record be certified; and

2. In addition to the copying and reproduction fees provided by the Oklahoma Open Records Act or any other applicable law.

C. The Commissioner and any other officers of the Department as the Commissioner may designate are hereby authorized to provide a copy of any record required to be maintained by the Department at no charge to any of the following government agencies when requested in the performance of official governmental duties:

1. The driver license agency of any other state;

2. Any court, district attorney or municipal prosecutor in this state or any other state;

3. Any law enforcement agency in this state or any other state or any federal agency empowered by law to make arrests for public offenses;

4. Any public school district in this state for purposes of verifying the driving record of a currently employed school bus driver or person making application for employment as a school bus driver; ~~or~~

5. Any nonprofit provider exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 and contracted by the Developmental Disabilities Services Division of the Oklahoma Department of Human Services; or

6. Any state agency in this state.

D. Any record required to be maintained by the Department may be released to any other entity free of charge when the release of the record would be for the benefit of the public, as determined by the Commissioner or a designee of the Commissioner.

E. The following records shall be provided by the Department to any authorized recipient, pursuant to the provisions of the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725, upon payment of the appropriate fees for the records:

1. A Motor Vehicle Report, as defined in Section 6-117 of this title; and

2. A copy of any driving record related to the Motor Vehicle Report.

F. 1. The provisions of subsections B, D, and E of this section and the Oklahoma Open Records Act shall not apply to the release of personal information from any driving record of any person. Such personal information shall be confidential except as provided for in this subsection or in the provisions of the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725. Upon written request to the Commissioner of Public Safety by a law enforcement agency or another state's or country's driver licensing agency for personal information on a specific individual, as named or otherwise identified in the written request, to be used in the official capacity of the agency, the Commissioner may release such personal information to the agency pursuant to the provisions of the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725.

2. For the purposes of this subsection, "personal information" means information which identifies a person, including but not limited to a photograph or image in computerized format of the person, fingerprint image in computerized format, signature or signature in computerized format, social security number, residence address, mailing address, and medical or disability information.

SECTION 2. This act shall become effective November 1, 2012.

Passed the Senate the 8th day of May, 2012.

Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2012.

Presiding Officer of the House
of Representatives