

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2589

By: Blackwell of the House

and

Shortey of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to motor vehicles; amending 47 O.S.  
12                   2011, Section 6-101, which relates to the issuance of  
13                   driver licenses; modifying circumstances that allow  
14                   for the use of driver license photographs; and  
15                   providing an effective date.

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

18                   SECTION 1.           AMENDATORY           47 O.S. 2011, Section 6-101, is  
19 amended to read as follows:

20                   Section 6-101. A. No person, except those hereinafter  
21 expressly exempted in Section 6-102 of this title, shall operate any  
22 motor vehicle upon a highway in this state unless the person has a  
23 valid Oklahoma driver license for the class of vehicle being

1 operated under the provisions of this title. No person shall be  
2 permitted to possess more than one valid license at any time.

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

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

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

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

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

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

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

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

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UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

15 E. Except as otherwise provided by law, any person who lawfully  
16 possesses a valid Oklahoma driver license which is eligible for  
17 renewal shall be required to successfully complete a written  
18 examination, vision examination, and driving examination for a  
19 motorcycle as prescribed by the Department to be eligible for a  
20 motorcycle endorsement; provided, however, the Department may waive  
21 all such examinations until July 1, 2000, upon satisfactory proof  
22 that the applicant has regularly operated a motorcycle or motor-

1 driven cycle for a minimum of two (2) years immediately preceding  
2 the application.

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

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

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

9	Class A Commercial License	\$25.00
10	Class B Commercial License	\$15.00
11	Class C Commercial License	\$15.00
12	Class D License	\$ 4.00
13	Motorcycle Endorsement	\$ 4.00

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

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

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

6	Class A Commercial License	\$40.50
7	Class B Commercial License	\$40.50
8	Class C Commercial License	\$30.50
9	Class D License	\$20.50

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

- 12 a. Five Dollars and fifty cents (\$5.50) shall be  
13 deposited to the Trauma Care Assistance Revolving Fund  
14 created in Section 1-2530.9 of Title 63 of the  
15 Oklahoma Statutes, and
- 16 b. Five Dollars and seventy-five cents (\$5.75) shall be  
17 deposited to the Department of Public Safety Computer  
18 Imaging System Revolving Fund to be used solely for  
19 the purpose of administration and maintenance of the  
20 computerized imaging system of the Department.

21 2. In addition to any fee charged pursuant to the provisions of  
22 subsection G of this section, the fee charged for the issuance or  
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UNDERLINED language denotes Amendments to present Statutes.  
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~~Strike thru~~ language denotes deletion from present Statutes.

1 renewal of an Oklahoma license which is in a computerized image  
2 format shall be in accordance with the following schedule:

3	Class A Commercial License	\$41.50
4	Class B Commercial License	\$41.50
5	Class C Commercial License	\$31.50
6	Class D License	\$21.50

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

9 a. Five Dollars and fifty cents (\$5.50) shall be  
10 deposited to the Trauma Care Assistance Revolving Fund  
11 created in Section ~~330.97~~ 1-2530.9 of Title 63 of the  
12 Oklahoma Statutes, and

13 b. Six Dollars and seventy-five cents (\$6.75) shall be  
14 deposited to the Department of Public Safety Computer  
15 Imaging System Revolving Fund to be used solely for  
16 the purpose of administration and maintenance of the  
17 computerized imaging system of the Department.

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

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

23	Age 62	\$11.25
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1 application accepted. The two-dollar fee received by the motor  
2 license agent shall be used for operating expenses.

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

10 The next Five Hundred Thousand Dollars (\$500,000.00) of monies  
11 collected pursuant to this section shall be paid by the Tax  
12 Commission to the State Treasurer to be deposited each fiscal year  
13 under the provisions of this section to the credit of the Department  
14 of Public Safety Revolving Fund for the purpose of the Statewide Law  
15 Enforcement Communications System. All other monies collected in  
16 excess of Five Hundred Sixty Thousand Dollars (\$560,000.00) each  
17 fiscal year shall be apportioned as provided in Section 1104 of this  
18 title, except as otherwise provided in this section.

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

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1           1. By a law enforcement agency within the State of Oklahoma for  
2 purposes of criminal investigations, missing person investigations,  
3 or any law enforcement purpose ~~which is deemed necessary by~~. A  
4 written request to the Commissioner of Public Safety shall not be  
5 necessary;

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

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

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/29/2012 -  
16 DO PASS, As Amended and Coauthored.

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