

1 **SENATE FLOOR VERSION**

2 April 2, 2012

3 ENGROSSED HOUSE
4 BILL NO. 2367

By: Billy, Hoskin, Sherrer,
Reynolds and Denney of the
House

5
6 and

7 Sykes and Shortey of the
8 Senate

9 An Act relating to motor vehicles; amending 47 O.S.
10 2011, Sections 6-101, 6-105, 6-110 and 6-122, which
11 relate to the issuance and renewal of driver
12 licenses; authorizing waiver of written and driving
13 examination for motorcycle endorsements and driver
14 licenses under certain circumstances; allowing
15 eligible certified driver education instructors to
16 administer the Class D driving skills examination;
17 directing Department of Public Safety to adopt
18 curriculum of courses and training; establishing fees
19 for initial and annual designated examiner
20 certifications; directing deposit of fees into
21 certain revolving fund; authorizing designated
22 examiners to charge fee for driving skills
23 examination; providing for the promulgation of rules;
24 modifying procedures for renewing driver licenses by
mail; authorizing motor license agents, employees and
contractors to become designated examiners for the
Department; stating purpose; requiring Department to
adopt certain curriculum; requiring payment of
certification fees; providing duration of
certification; requiring deposit of fees in certain
fund; and providing an effective date.

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

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

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

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

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

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

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

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

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

17 b. a restricted Class B commercial license which shall
18 grant to the licensee the privilege to operate a Class
19 B commercial motor vehicle for harvest purposes or a
20 Class D motor vehicle.

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

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

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

17 E. Except as otherwise provided by law, any person who lawfully
18 possesses a valid Oklahoma driver license which is eligible for
19 renewal shall be required to successfully complete a written
20 examination, vision examination, and driving examination for a
21 motorcycle as prescribed by the Department to be eligible for a
22 motorcycle endorsement; ~~provided, however, the Department may waive~~
23 ~~all such examinations until July 1, 2000, upon satisfactory proof~~
24 ~~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.~~ The written examination and driving examination
3 for a motorcycle may be waived by the Department of Public Safety
4 upon verification that the person has successfully completed a
5 certified Motorcycle Safety Foundation rider course approved by the
6 Department.

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

18 2. This restricted driver license shall be issued for a period
19 as provided in Section 6-115 of this title; provided, such
20 restricted license may be suspended, revoked, canceled, or denied at
21 the discretion of the Department for violation of the restrictions,
22 for failing to give the required or correct information on the
23 application, or for violation of any traffic laws of this state
24 pertaining to the operation of a motor vehicle. Except as otherwise

1 provided, the lawful possessor of a restricted license who has been
2 issued a restricted license for a minimum of thirty (30) days may
3 have the restriction requiring an accompanying driver removed by
4 satisfactorily completing a driver's examination; provided, the
5 removal of a restriction shall not authorize the operation of a
6 Class A, B or C commercial motor vehicle if such operation is
7 otherwise prohibited by law.

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

12	Class A Commercial License	\$25.00
13	Class B Commercial License	\$15.00
14	Class C Commercial License	\$15.00
15	Class D License	\$ 4.00
16	Motorcycle Endorsement	\$ 4.00

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

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

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

8	Class A Commercial License	\$40.50
9	Class B Commercial License	\$40.50
10	Class C Commercial License	\$30.50
11	Class D License	\$20.50

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

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

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

23 2. In addition to any fee charged pursuant to the provisions of
24 subsection G of this section, the fee charged for the issuance or

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
24	Age 63	\$ 7.50

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

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

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

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

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

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

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

10 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105, is
11 amended to read as follows:

12 Section 6-105. A. Unless a legal custodial parent or legal
13 guardian has filed an objection to licensure pursuant to Section 6-
14 103.1 of this title, any person under eighteen (18) years of age who
15 is in compliance with or not subject to Section 6-107.3 of this
16 title may be permitted to operate:

17 1. A Class D motor vehicle under the graduated driver license
18 provisions prescribed in subsections B through E of this section;

19 2. A motorcycle under the provisions prescribed in subsection H
20 of this section; or

21 3. A farm vehicle under the provisions prescribed in subsection
22 I of this section.

23 B. Any person who is at least fifteen (15) years of age may
24 drive during a session in which the driver is being instructed in a

1 driver education course, as set out in subparagraphs a, b, c and d
2 of paragraph 1 of subsection C of this section, by a certified
3 driver education instructor who is seated in the right front seat of
4 the motor vehicle.

5 C. Any person:

6 1. Who is at least fifteen and one-half (15 1/2) years of age
7 and is currently receiving instruction in or has successfully
8 completed driver education. For purposes of this section, the term
9 "driver education" shall mean:

10 a. a prescribed secondary school driver education course,
11 as provided for in Sections 19-113 through 19-121 of
12 Title 70 of the Oklahoma Statutes,

13 b. a driver education course, certified by the Department
14 of Public Safety, from a parochial, private, or other
15 nonpublic secondary school,

16 c. a commercial driver training course, as defined by
17 Sections 801 through 808 of this title, or

18 d. a parent-taught driver education course, certified by
19 the Department of Public Safety. The Department shall
20 promulgate rules for any parent-taught driver
21 education course; or

22 2. Who is at least sixteen (16) years of age,
23 may, upon successfully passing all parts of the driver license
24 examination administered by the Department except the driving

1 examination, be issued a learner permit which will grant the
2 permittee the privilege to operate a Class D motor vehicle upon the
3 public highways only between the hours of 5:00 a.m. and 10:00 p.m.
4 and while accompanied by a licensed driver who is at least twenty-
5 one (21) years of age and who is actually occupying a seat beside
6 the permittee; provided, the written examination for a learner
7 permit may be waived by the Department of Public Safety upon
8 verification that the person has successfully completed driver
9 education.

10 D. 1. Any person:

- 11 a. who has applied for, been issued, and has possessed a
12 learner permit for a minimum of six (6) months, and
13 b. whose custodial legal parent or legal guardian
14 certifies to the Department by sworn affidavit that
15 the person has received a minimum of fifty (50) hours
16 of actual behind-the-wheel training, of which at least
17 ten (10) hours of such training was at night, from a
18 licensed driver who was at least twenty-one (21) years
19 of age and who was properly licensed to operate a
20 Class D motor vehicle for a minimum of two (2) years,
21 may be issued an intermediate Class D license upon successfully
22 passing all parts of the driver license examinations administered by
23 the Department; provided, the written examination, if it has not
24 previously been administered or waived, may be waived by the

1 Department upon verification that the person has successfully
2 completed driver education or the driving examination may be waived
3 by the Department upon successful passage of the examination
4 administered by a certified designated examiner, as provided for in
5 Section 6-110 of this title. However, notwithstanding the date of
6 issuance of the learner permit, if the person has been convicted of
7 a traffic offense which is reported on the driving record of that
8 person, the time period specified in subparagraph a of this
9 paragraph shall be recalculated to begin from the date of conviction
10 for the traffic offense, and must elapse before that person may be
11 issued an intermediate Class D license. If the person has been
12 convicted of more than one traffic offense which is reported on the
13 driving record of that person, the time period specified in
14 subparagraph a of this paragraph shall be recalculated to begin from
15 the most recent date of conviction, and must elapse before that
16 person may be issued an intermediate Class D license.

17 2. A person who has been issued an intermediate Class D license
18 under the provisions of this subsection:

19 a. shall be granted the privilege to operate a Class D
20 motor vehicle upon the public highways:

21 (1) only between the hours of 5:00 a.m. and 10:00
22 p.m., except for driving to and from work,
23 school, school activities, and church activities,
24 or

1 (2) at any time, if a licensed driver who is at least
2 twenty-one (21) years of age is actually
3 occupying a seat beside the intermediate Class D
4 licensee, or if the intermediate Class D licensee
5 is a farm or ranch resident, and is operating a
6 motor vehicle while engaged in farming or
7 ranching operations outside the limits of a
8 municipality, or driving to and from work,
9 school, school activities, or church activities,
10 and

11 b. shall not operate a motor vehicle with more than one
12 passenger unless:

13 (1) all passengers live in the same household as the
14 custodial legal parent or legal guardian, or

15 (2) a licensed driver at least twenty-one (21) years
16 of age is actually occupying a seat beside the
17 intermediate Class D licensee.

18 E. Any person who has been issued an intermediate Class D
19 license for a minimum of:

20 1. One (1) year; or

21 2. Six (6) months, if the person has completed both the driver
22 education and the parent-certified behind-the-wheel training
23 provisions of subparagraph e b of paragraph 1 of subsection D of
24 this section;

1 may be issued a Class D license. However, notwithstanding the date
2 of issuance of the Class D license, if the person has been convicted
3 of a traffic offense which is reported on the driving record of that
4 person, the time periods specified in ~~paragraphs~~ paragraph 1 or 2 of
5 this subsection, as applicable, ~~of this subsection~~ shall be
6 recalculated to begin from the date of conviction for the traffic
7 offense, and must elapse before that person may be issued a Class D
8 license. If the person has been convicted of more than one traffic
9 offense which is reported on the driving record of that person, the
10 time periods specified in ~~paragraphs~~ paragraph 1 or 2 of this
11 subsection, as applicable, ~~of this subsection~~ shall be recalculated
12 to begin from the most recent date of conviction, and must elapse
13 before that person may be issued a Class D license.

14 F. Learner permits and intermediate Class D licenses shall be
15 issued for the same period as all other driver licenses. The
16 licenses may be suspended or canceled at the discretion of the
17 Department for violation of restrictions, for failing to give the
18 required or correct information on the application, for knowingly
19 giving false or inaccurate information on the application or any
20 subsequent documentation related to the granting of driving
21 privileges, for using a hand-held electronic device while operating
22 a motor vehicle for non-life-threatening emergency purposes or for
23 violation of any traffic laws of this state pertaining to the
24 operation of a motor vehicle.

1 G. The Department of Public Safety shall promulgate rules
2 establishing procedures for removal of learner permit and
3 intermediate Class D license restrictions from the permit or license
4 upon the permittee or licensee qualifying for a less restricted or
5 an unrestricted license.

6 H. Any person fourteen (14) years of age or older may apply for
7 a restricted Class D license with a motorcycle-only restriction.
8 After the person has successfully passed all parts of the motorcycle
9 examination other than the driving examination and has met all
10 requirements provided for in the rules of the Department, the
11 Department shall issue to the person a restricted Class D license
12 with a motorcycle-only restriction which shall grant to the person,
13 while having the license in the person's immediate possession, the
14 privilege to operate a motorcycle or motor-driven cycle:

- 15 1. With a piston displacement not to exceed two hundred fifty
16 (250) cubic centimeters;
- 17 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;
- 18 3. While wearing approved protective headgear; and
- 19 4. While accompanied by and receiving instruction from any
20 person who is at least twenty-one (21) years of age and who is
21 properly licensed pursuant to the laws of this state to operate a
22 motorcycle or motor-driven cycle, and who has visual contact with
23 the restricted licensee.

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1 The restricted licensee may apply on or after thirty (30) days
2 from date of issuance of the restricted Class D license with a
3 motorcycle-only restriction to have the restriction of being
4 accompanied by a licensed driver removed by successfully completing
5 the driving portion of an examination.

6 The written examination and driving examination for a restricted
7 Class D license with a motorcycle-only endorsement may be waived by
8 the Department of Public Safety upon verification that the person
9 has successfully completed a certified Motorcycle Safety Foundation
10 rider course approved by the Department.

11 I. The Department may in its discretion issue a special permit
12 to any person who has attained the age of fourteen (14) years,
13 authorizing such person to operate farm vehicles between the farm
14 and the market to haul commodities grown on the farm; provided, that
15 the special permit shall be temporary and shall expire not more than
16 thirty (30) days after the issuance of the special permit. Special
17 permits shall be issued only to farm residents and shall be issued
18 only during the time of the harvest of the principal crops grown on
19 such farm. Provided, however, the Department shall not issue a
20 special permit pursuant to this subsection until the Department is
21 fully satisfied after the examination of the application and other
22 evidence furnished in support thereof, that the person is physically
23 and mentally developed to such a degree that the operation of a
24 motor vehicle by the person would not be inimical to public safety.

1 J. As used in this section:

2 1. "Hand-held electronic device" means a mobile telephone or
3 electronic device with which a user engages in a telephone call,
4 plays or stores media, including but not limited to music and video,
5 or sends or reads a text message while requiring the use of at least
6 one hand; and

7 2. "Using a hand-held electronic device" means engaging any
8 function on an electronic device.

9 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-110, is
10 amended to read as follows:

11 Section 6-110. A. 1. The Department of Public Safety shall
12 examine every applicant for an original Class A, B, C or D license
13 and for any endorsements thereon, except as otherwise provided in
14 Section 6-101 et seq. of this title or as provided in paragraph 2 of
15 this subsection or in subsection D of this section. The examination
16 shall include a test of the applicant's:

- 17 a. eyesight,
- 18 b. ability to read and understand highway signs
19 regulating, warning and directing traffic,
- 20 c. knowledge of the traffic laws of this state, including
21 a portion on bicycle and motorcycle safety, and
- 22 d. ability, by actual demonstration, to exercise ordinary
23 and reasonable control in the operation of a motor
24 vehicle. The actual demonstration shall be conducted

1 in the type of motor vehicle for the class of driver
2 license being applied for.

3 Any licensee seeking to apply for a driver license of another
4 class which is not covered by the licensee's current driver license
5 shall be considered an applicant for an original license for that
6 class.

7 2. The Department of Public Safety shall have the authority to
8 waive the requirement of any part of the examination required in
9 paragraph 1 of this subsection for those applicants who surrender a
10 valid unexpired driver license issued by any state or country for
11 the same type or types of vehicles, provided that the applicant's
12 driving record meets the standards set by the Department of Public
13 Safety.

14 3. All applicants requiring a hazardous materials endorsement
15 shall be required, for the renewal of the endorsement, to
16 successfully complete the examination and to submit to a security
17 threat assessment performed by the Transportation Security
18 Administration of the Department of Homeland Security as required by
19 and pursuant to 49 C.F.R., Part 1572, which shall be used to
20 determine whether the applicant is eligible for renewal of the
21 endorsement pursuant to federal law and regulation.

22 4. The Department of Public Safety shall give the complete
23 examination as provided for in this section within thirty (30) days
24 from the date the application is received, and the examination shall

1 be given at a location within one hundred (100) miles of the
2 residence of the applicant. The Department shall make every effort
3 to make the examination locations and times convenient for
4 applicants. The Department shall consider giving the examination at
5 various school sites if the district board of education for the
6 district in which the site is located agrees and if economically
7 feasible and practicable.

8 B. Any person holding a valid Oklahoma Class D license and
9 applying for a Class A, B or C commercial license shall be required
10 to successfully complete all examinations as required for the
11 specified class.

12 C. Except as provided in subsection E of Section 6-101 of this
13 title, any person holding a valid Oklahoma Class A, B or C
14 commercial license shall, upon time for renewal thereof, be entitled
15 to a Class D license without any type of testing or examination,
16 except for any endorsements thereon as otherwise provided for by
17 Section 6-110.1 of this title.

18 D. 1. Any certified driver education instructor ~~may administer~~
19 ~~the written portion of the Oklahoma driving examination as required~~
20 ~~for a driver education course~~ who is currently an operator or an
21 employee of a commercial driver training school in this state or any
22 driver education instructor employed by any school district in this
23 state shall be eligible to apply to be a designated examiner of the
24 Department of Public Safety for the purposes of administering the

1 Class D driving skills portion of the Oklahoma driving examination
2 to any person who has not previously been a student of the
3 instructor.

4 2. The Department of Public Safety shall adopt a curriculum of
5 required courses and training to be offered to applicants who are
6 qualified to apply to be a designated examiner. The courses and
7 training for certification shall meet the same standards as required
8 for driver examiners of the Department of Public Safety.

9 3. Each person applying to be a designated examiner shall be
10 required to pay an initial designated examiner certification fee of
11 One Thousand Dollars (\$1,000.00). Upon successful completion of
12 training prescribed by paragraph 2 of this subsection, the person
13 shall be required to pay an annual designated examiner certification
14 fee of Five Hundred Dollars (\$500.00). Each designated examiner
15 certification shall expire on the last day of the calendar year and
16 may be renewed upon application to the Department of Public Safety.
17 The designated examiner certification fees collected by the
18 Department pursuant to this subsection shall be deposited to the
19 credit of the Department of Public Safety Restricted Revolving Fund
20 to be used for the purposes of this subsection. No designated
21 examiner certification fee shall be refunded in the event that
22 certification is denied, suspended or revoked.

23 4. A designated examiner may charge a fee of no more than
24 Twenty-five Dollars (\$25.00) for each Class D driving skills

1 examination given, whether the person being examined passes or fails
2 the examination.

3 5. The Department of Public Safety shall promulgate rules to
4 implement and administer the provisions of this subsection.

5 E. 1. Any motor license agent of the Oklahoma Tax Commission,
6 including any employee or contractor employed by a motor license
7 agent, shall be eligible to apply to be a designated examiner of the
8 Department of Public Safety for the purposes of administering the
9 Class D written portion of the Oklahoma driving examination to any
10 person who has applied for a learner permit or a Class D driver
11 license.

12 2. The Department of Public Safety shall adopt a curriculum of
13 required courses and training to be offered to motor license agents,
14 employees or contractors employed by a motor license agent who are
15 qualified to apply to be a designated examiner. The courses and
16 training for certification shall meet the same standards as required
17 for driver examiners of the Department of Public Safety and as
18 required for commercial driver training instructors, as provided in
19 Section 801 et seq. of this title.

20 3. Each motor license agent, employee or contractor employed
21 by a motor license agent applying to be a designated examiner shall
22 be required to pay an initial designated examiner certification fee
23 of One Thousand Dollars (\$1,000.00). Upon successful completion of
24 training prescribed by paragraph 2 of this subsection, the person

1 shall be required to pay an annual designated examiner certification
2 fee of Five Hundred Dollars (\$500.00). Each designated examiner
3 certification shall expire on the last day of the calendar year and
4 may be renewed upon application to the Department of Public Safety.
5 The designated examiner certification fees collected by the
6 Department pursuant to this subsection shall be deposited to the
7 credit of the Department of Public Safety Restricted Revolving Fund
8 to be used for the purposes of this subsection. No designated
9 examiner certification fee shall be refunded in the event that
10 certification is denied, suspended or revoked.

11 4. A designated examiner may charge a fee of no more than Four
12 Dollars (\$4.00) for each Class D written examination given, whether
13 the person being examined passes or fails the examination.

14 5. The Department of Public Safety shall promulgate rules to
15 implement and administer the provisions of this subsection.

16 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-122, is
17 amended to read as follows:

18 Section 6-122. The Department of Public Safety shall develop
19 procedures whereby driver licenses issued under the provisions of
20 Section 6-101 et seq. of this title may be renewed by the applicant
21 by mail except for licenses to be renewed by aliens as prescribed by
22 subsection ~~D~~ E of Section 6-115 of this title. Any license issued
23 pursuant to this section shall be valid for a period ~~of not more~~
24 than four (4) years as prescribed in Section 6-115 of this title.

1 The Department shall not renew a license by mail unless the
2 immediately preceding issuance or renewal was done in person by the
3 applicant.

4 SECTION 5. This act shall become effective November 1, 2012.

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 3-29-12 - DO
6 PASS, As Coauthored.

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