

1 **SENATE FLOOR VERSION**

2 February 20, 2012

3 As Amended

4 SENATE BILL NO. 1412

5 By: Paddack and Johnson
6 (Constance) of the Senate

7 and

8 Thomsen of the House

9 **[motor vehicles - release of records to nonprofit
10 providers - effective date]**

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

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

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

18 B. The Commissioner and such officers of the Department as the
19 Commissioner may designate are hereby authorized to prepare under
20 the seal of the Department and deliver upon request a certified copy
21 of any record of the Department, charging a fee of Three Dollars
22 (\$3.00) for each record so certified, and every such certified copy
23 shall be admissible in any proceeding in any court in like manner as
24 the original thereof. A certification fee shall be charged:

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

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

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

10 1. The driver license agency of any other state;

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

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

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

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

24 6. Any state agency in this state.

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

5 E. The following records shall be provided by the Department to
6 any authorized recipient, pursuant to the provisions of the Driver's
7 Privacy Protection Act, 18 United States Code, Sections 2721 through
8 2725, upon payment of the appropriate fees for the records:

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

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

13 F. 1. The provisions of subsections B, D, and E of this
14 section and the Oklahoma Open Records Act shall not apply to the
15 release of personal information from any driving record of any
16 person. Such personal information shall be confidential except as
17 provided for in this subsection or in the provisions of the Driver's
18 Privacy Protection Act, 18 United States Code, Sections 2721 through
19 2725. Upon written request to the Commissioner of Public Safety by
20 a law enforcement agency or another state's or country's driver
21 licensing agency for personal information on a specific individual,
22 as named or otherwise identified in the written request, to be used
23 in the official capacity of the agency, the Commissioner may release
24 such personal information to the agency pursuant to the provisions

1 of the Driver's Privacy Protection Act, 18 United States Code,
2 Sections 2721 through 2725.

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

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

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-15-12 - DO
11 PASS, As Amended and Coauthored.

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