

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1459

By: Denney

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5
6 AS INTRODUCED

7 An Act relating to driver licenses; amending 47 O.S.
8 2001, Section 6-111, as last amended by Section 2,
9 Chapter 388, O.S.L. 2009 (47 O.S. Supp. 2010, Section
10 6-111), which relates to the issuance of driver
11 licenses or identification cards; modifying
12 information required for driver licenses and
13 identification cards; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-111, as
17 last amended by Section 2, Chapter 388, O.S.L. 2009 (47 O.S. Supp.
18 2010, Section 6-111), is amended to read as follows:

19 Section 6-111. A. 1. The Department of Public Safety shall,
20 upon payment of the required fee, issue to every applicant
21 qualifying therefor a Class A, B, C or D driver license or
22 identification card as applied for, which license or card shall bear
23 thereon a distinguishing alphanumeric identification assigned to the
24 licensee or cardholder, date of issuance and date of expiration of
the license or card, the full legal name, the first name and last
name of the person, or the middle name and last name of the person,

1 signature or computerized signature, date of birth, residence
2 address, sex, a color photograph or computerized image of the
3 licensee or cardholder and security features as determined by the
4 Department. The photograph or image shall depict a full front
5 unobstructed view of the entire face of the licensee or cardholder.
6 When any person is issued both a driver license and an
7 identification card, the Department shall ensure the information on
8 both the license and the card are the same, unless otherwise
9 provided by law.

10 2. A driver license or identification card issued by the
11 Department on or after March 1, 2004, shall bear thereon the county
12 of residence of the licensee or cardholder.

13 3. The Department may cancel the distinguishing number, when
14 that distinguishing number is another person's Social Security
15 number, assign a new distinguishing alphanumeric identification, and
16 issue a new license or identification card without charge to the
17 licensee or cardholder.

18 4. The Department may promulgate rules for inclusion of the
19 height and a brief description of the licensee or cardholder on the
20 face of the card or license identifying the licensee or cardholder
21 as deaf or hard-of-hearing.

22 5. It is unlawful for any person to apply, adhere, or otherwise
23 attach to a driver license or identification card any decal,
24 sticker, label, or other attachment. Any law enforcement officer is

1 authorized to remove and dispose of any unlawful decal, sticker,
2 label, or other attachment from the driver license of a person. The
3 law enforcement officer, the employing agency of the officer, the
4 Department of Public Safety, and the State of Oklahoma shall be
5 immune from any liability for any loss suffered by the licensee,
6 cardholder, or the owner of the decal, sticker, label, or other
7 attachment caused by the removal and destruction of the decal,
8 sticker, label, or other attachment.

9 6. The Department of Public Safety shall develop by rule an
10 alternative procedure whereby a person applying for a renewal or
11 replacement Class D license or identification card, when the person
12 satisfactorily demonstrates to the Department the inability to
13 appear personally to be photographed because the person is not in
14 the state at the time of renewal or at a time a replacement is
15 required by the person, may be issued a license or card; provided,
16 immediately upon returning to Oklahoma, the person shall obtain a
17 replacement license or card as provided in Section 6-114 of this
18 title.

19 B. The Department may issue a temporary permit to an applicant
20 for a driver license permitting such applicant to operate a motor
21 vehicle while the Department is completing its investigation and
22 determination of all facts relative to such applicant's privilege to
23 receive a license. Such permit must be in the immediate possession
24 of the driver while operating a motor vehicle, and it shall be

1 invalid when the applicant's driver license has been issued or for
2 good cause has been refused.

3 C. 1. The Department may issue a restricted commercial driver
4 license to seasonal drivers eighteen (18) years of age or older for
5 any of the following specific farm-related service industries:

- 6 a. farm retail outlets and suppliers,
- 7 b. agri-chemical businesses,
- 8 c. custom harvesters, and
- 9 d. livestock feeders.

10 The applicant shall hold a valid Oklahoma driver license and
11 shall meet all the requirements for a commercial driver license.

12 The restricted commercial driver license shall not exceed a total of
13 one hundred eighty (180) days within any twelve-month period.

14 2. The restricted commercial driver license shall not be valid
15 for operators of commercial motor vehicles beyond one hundred fifty
16 (150) miles from the place of business or the farm currently being
17 served. Such license shall be limited to Class B vehicles. Holders
18 of such licenses who transport hazardous materials which are
19 required to be placarded shall be limited to the following:

- 20 a. diesel fuel in quantities of one thousand (1,000)
21 gallons or less,
- 22 b. liquid fertilizers in vehicles with total capacities
23 of three thousand (3,000) gallons or less, and

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1 c. solid fertilizers that are not mixed with any organic
2 substance.

3 No other placarded hazardous materials shall be transported by
4 holders of such licenses.

5 D. 1. The Department shall develop a procedure whereby a
6 person applying for an original, renewal or replacement Class A, B,
7 C or D driver license or identification card who is required to
8 register as a convicted sex offender with the Department of
9 Corrections pursuant to the provisions of the Sex Offenders
10 Registration Act and who the Department of Corrections designates as
11 an aggravated or habitual offender pursuant to subsection ¶ M of
12 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
13 license or card bearing the words "Sex Offender".

14 2. The Department shall notify every person subject to
15 registration under the provisions of this act who holds a current
16 Class A, B, C or D driver license or identification card that such
17 person is required to surrender the license or card to the
18 Department within one hundred eighty (180) days from the date of the
19 notice.

20 3. Upon surrendering the license or card for the reason set
21 forth in this subsection, application may be made with the
22 Department for a replacement license or card bearing the words "Sex
23 Offender".
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1 4. Failure to comply with the requirements set forth in such
2 notice shall result in cancellation of the person's license or card.
3 Such cancellation shall be in effect for one (1) year, after which
4 time the person may make application with the Department for a new
5 license or card bearing the words "Sex Offender". Continued use of
6 a canceled license or card shall constitute a misdemeanor and shall,
7 upon conviction thereof, be punishable by a fine of not less than
8 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
9 (\$200.00). When an individual is no longer required to register as
10 a convicted sex offender with the Department of Corrections pursuant
11 to the provisions of the Sex Offenders Registration Act, the
12 individual shall be eligible to receive a driver license or
13 identification card which does not bear the words "Sex Offender".

14 E. Nothing in subsection D of this section shall be deemed to
15 impose any liability upon or give rise to a cause of action against
16 any employee, agent or official of the Department of Corrections for
17 failing to designate a sex offender as an aggravated or habitual
18 offender pursuant to subsection ¶ M of Section 584 of Title 57 of
19 the Oklahoma Statutes.

20 F. The Department shall develop a procedure whereby a person
21 applying for an original, renewal or replacement Class D driver
22 license who has been granted modified driving privileges under this
23 title shall be issued a Class D driver license which identifies the
24 license as a modified license.

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SECTION 2. This act shall become effective November 1, 2011.

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