

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2688

By: Banz

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 6-111, which relates to the issuance  
9 and renewal of driver licenses and identification  
10 cards; directing the Department of Public Safety to  
11 develop procedures for identifying veterans on driver  
12 licenses and identification cards; and providing an  
13 effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-111, is  
16 amended to read as follows:

17 Section 6-111. A. 1. The Department of Public Safety shall,  
18 upon payment of the required fee, issue to every applicant  
19 qualifying therefor a Class A, B, C or D driver license or  
20 identification card as applied for, which license or card shall bear  
21 thereon a distinguishing alphanumeric identification assigned to the  
22 licensee or cardholder, date of issuance and date of expiration of  
23 the license or card, the full name, signature or computerized  
24 signature, date of birth, residence address, sex, a color photograph

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

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

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

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

20 5. It is unlawful for any person to apply, adhere, or otherwise  
21 attach to a driver license or identification card any decal,  
22 sticker, label, or other attachment. Any law enforcement officer is  
23 authorized to remove and dispose of any unlawful decal, sticker,  
24 label, or other attachment from the driver license of a person. The

1 law enforcement officer, the employing agency of the officer, the  
2 Department of Public Safety, and the State of Oklahoma shall be  
3 immune from any liability for any loss suffered by the licensee,  
4 cardholder, or the owner of the decal, sticker, label, or other  
5 attachment caused by the removal and destruction of the decal,  
6 sticker, label, or other attachment.

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

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

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

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

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

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

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

- 18 a. diesel fuel in quantities of one thousand (1,000)  
19 gallons or less,
- 20 b. liquid fertilizers in vehicles with total capacities  
21 of three thousand (3,000) gallons or less, and
- 22 c. solid fertilizers that are not mixed with any organic  
23 substance.

1 No other placarded hazardous materials shall be transported by  
2 holders of such licenses.

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

12 2. The Department shall notify every person subject to  
13 registration under the provisions of Section 1-101 et seq. of this  
14 title who holds a current Class A, B, C or D driver license or  
15 identification card that such person is required to surrender the  
16 license or card to the Department within one hundred eighty (180)  
17 days from the date of the notice.

18 3. Upon surrendering the license or card for the reason set  
19 forth in this subsection, application may be made with the  
20 Department for a replacement license or card bearing the words "Sex  
21 Offender".

22 4. Failure to comply with the requirements set forth in such  
23 notice shall result in cancellation of the person's license or card.  
24 Such cancellation shall be in effect for one (1) year, after which

1 time the person may make application with the Department for a new  
2 license or card bearing the words "Sex Offender". Continued use of  
3 a canceled license or card shall constitute a misdemeanor and shall,  
4 upon conviction thereof, be punishable by a fine of not less than  
5 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars  
6 (\$200.00). When an individual is no longer required to register as  
7 a convicted sex offender with the Department of Corrections pursuant  
8 to the provisions of the Sex Offenders Registration Act, the  
9 individual shall be eligible to receive a driver license or  
10 identification card which does not bear the words "Sex Offender".

11 E. Nothing in subsection D of this section shall be deemed to  
12 impose any liability upon or give rise to a cause of action against  
13 any employee, agent or official of the Department of Corrections for  
14 failing to designate a sex offender as an aggravated or habitual  
15 offender pursuant to subsection  $\text{¶}$  N of Section 584 of Title 57 of  
16 the Oklahoma Statutes.

17 F. The Department shall develop a procedure whereby a person  
18 subject to an order for the installation of an ignition interlock  
19 device shall be required by the Department to submit their driver  
20 license for a replacement. The replacement driver license shall  
21 bear the words "Interlock Required" and such designation shall  
22 remain on the driver license for the duration of the order requiring  
23 the ignition interlock device. The replacement license shall be  
24 subject to the same expiration and renewal procedures provided by

1 law. Upon completion of the requirements for the interlock device,  
2 a person may apply for a replacement driver license.

3 G. The Department shall develop a procedure whereby a person  
4 applying for an original, renewal or replacement Class D driver  
5 license who has been granted modified driving privileges under this  
6 title shall be issued a Class D driver license which identifies the  
7 license as a modified license.

8 H. The Department shall develop a procedure whereby a person  
9 applying for an original, renewal or replacement Class D driver  
10 license or identification card who can produce:

11 1. A United States Department of Defense discharge document  
12 known as a DD Form 214 or DD Form 215 that indicates an honorable  
13 discharge status or a general discharge under honorable conditions  
14 status;

15 2. A United States Uniformed Services Identification Card DD  
16 Form 2; or

17 3. A United States Department of Veterans Affairs photo  
18 identification card,  
19 shall be issued a driver license or identification card identifying  
20 the licensee or cardholder as a "Veteran".

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

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23 53-2-8104 GRS 01/05/12

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