

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1412

By: Paddack

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6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 2-110, which relates to release of
9 certain records; authorizing the release of certain
10 records at no charge to certain nonprofit providers;
11 and providing an effective date.

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

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

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

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

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

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

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

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

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

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

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

22 5. Any nonprofit provider exempt from federal income tax
23 pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986

1 and contracted by the Developmental Disabilities Services Division
2 of the Oklahoma Department of Human Services; or

3 6. Any state agency in this state.

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

8 E. The following records shall be provided by the Department to
9 any authorized recipient, pursuant to the provisions of the Driver's
10 Privacy Protection Act, 18 United States Code, Sections 2721 through
11 2725, upon payment of the appropriate fees for the records:

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

14 2. A copy of any driving record related to the Motor Vehicle
15 Report.

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

1 as named or otherwise identified in the written request, to be used
2 in the official capacity of the agency, the Commissioner may release
3 such personal information to the agency pursuant to the provisions
4 of the Driver's Privacy Protection Act, 18 United States Code,
5 Sections 2721 through 2725.

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

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

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