

1 STATE OF OKLAHOMA

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

3 SENATE BILL 903

By: Brown

4
5 AS INTRODUCED

6 An Act relating to driver licenses; amending 47 O.S.
7 2001, Section 6-117, as last amended by Section 1,
8 Chapter 426, O.S.L. 2010 (47 O.S. Supp. 2010, Section
9 6-117), which relates to issuance, expiration, and
renewal of licenses; modifying amounts of certain
fees; providing an effective date; and declaring an
emergency.

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

12 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-117, as
13 last amended by Section 1, Chapter 426, O.S.L. 2010 (47 O.S. Supp.
14 2010, Section 6-117), is amended to read as follows:

15 Section 6-117. A. The Department of Public Safety shall file
16 every application for a driver license or identification card
17 received by the Department and shall maintain suitable indexes
18 containing:

19 1. All applications denied and on each thereof note the reasons
20 for the denial;

21 2. All applications granted;

22 3. The name of every person whose driving privilege has been
23 suspended, revoked, cancelled, or disqualified by the Department and
24 after each such name note the reasons for the action. Any notation

1 of suspension of the driving privilege of a person for reason of
2 nonpayment of a fine shall be removed from the driving record after
3 the person has paid the fine and the driving privilege of the person
4 is reinstated as provided for by law;

5 4. The county of residence, the name, date of birth, and
6 mailing address of each person residing in that county who is
7 eighteen (18) years of age or older, and who is the holder of a
8 current driver license or a current identification card issued by
9 the Department of Public Safety for the purpose of ascertaining
10 names of all persons qualified for jury service as required by
11 Section 18 of Title 38 of the Oklahoma Statutes; and

12 5. The name, driver license number, and mailing address of
13 every person for the purpose of giving notice, if necessary, as
14 required by Section 2-116 of this title.

15 B. The Department shall file all collision reports and
16 abstracts of court records of convictions received by it pursuant to
17 the laws of this state and maintain convenient records of the
18 records and reports or make suitable notations in order that an
19 individual record of a person showing the convictions of the person
20 and the traffic collisions in which the person has been involved
21 shall be readily ascertainable and available for the consideration
22 of the Department of Public Safety upon any application for a driver
23 license or renewal of a driver license and at other suitable times.
24 Any abstract, index or other entry relating to a driving record

1 according to the licensing authority in another state or a province
2 of Canada may be posted upon the driving record of any resident of
3 this state when notice thereof is received by documentation or by
4 electronic transmission. The individual record of a person shall
5 not include any collision reports and abstracts of court records
6 involving a collision in which the person was not issued a citation
7 or if a citation is issued and the person was not convicted.

8 C. 1. The Commissioner and the officers of the Department as
9 the Commissioner may designate are hereby authorized to prepare
10 under the seal of the Department and deliver upon request a copy of
11 any collision report on file with the Department, charging a fee of
12 Seven Dollars (\$7.00). However, the Department shall not be
13 required to furnish personal information from the collision report
14 which is contrary to the provisions of the Driver's Privacy
15 Protection Act, 18 United States Code, Sections 2721 through 2725.

16 2. Notwithstanding the provisions of paragraph 1 of this
17 subsection, the Department is authorized to enter into contracts to
18 supply information regarding vehicles reported to be involved in
19 collisions. For each vehicle, the information shall be limited to
20 that which only describes the vehicle and the collision. The
21 Department shall not be required to provide any information
22 regarding the owner or operator of the vehicle or any information
23 which would conflict with Section 2-110 or Section 1109 of this
24 title.

1 D. The Department of Public Safety or any motor license agent
2 upon request shall prepare and furnish to any authorized person a
3 Motor Vehicle Report of any person subject to the provisions of the
4 motor vehicle laws of this state. However, the Department shall not
5 be required to furnish personal information from a driving record
6 contrary to the provisions of the Driver's Privacy Protection Act,
7 18 United States Code, Sections 2721 through 2725. The Motor
8 Vehicle Report shall be a summary of the driving record of the
9 person and shall include the enumeration of any motor vehicle
10 collisions, reference to convictions for violations of motor vehicle
11 laws, and any action taken against the privilege of the person to
12 operate a motor vehicle, as shown by the files of the Department for
13 the three (3) years preceding the date of the request. The
14 Department shall not be required to release to any person, in whole
15 or in part and in any format, a driving index, as described in
16 subsection A of this section, except as otherwise provided for by
17 law. For each Motor Vehicle Report furnished by the Department of
18 Public Safety, the Department shall collect the sum of ~~Twenty five~~
19 ~~Dollars (\$25.00)~~ Fifteen Dollars (\$15.00), ~~Twenty Dollars (\$20.00)~~
20 Ten Dollars (\$10.00) of which shall be deposited in the General
21 Revenue Fund and Five Dollars (\$5.00) shall be deposited in the
22 Department of Public Safety Revolving Fund. For each Motor Vehicle
23 Report furnished by a motor license agent, the agent shall collect
24 the sum of ~~Twenty five Dollars (\$25.00)~~ Fifteen Dollars (\$15.00),

1 ~~Eighteen Dollars (\$18.00)~~ Eight Dollars (\$8.00) of which shall be
2 paid to the Oklahoma Tax Commission for deposit in the General
3 Revenue Fund in the State Treasury, Five Dollars (\$5.00) shall be
4 deposited in the Department of Public Safety Revolving Fund and Two
5 Dollars (\$2.00) of which shall be retained by the motor license
6 agent. Persons sixty-five (65) years of age or older shall not be
7 required to pay a fee for their own Motor Vehicle Report furnished
8 by the Department or a motor license agent. For purposes of this
9 subsection, a Motor Vehicle Report shall include a report which
10 indicates that no driving record is on file with the Department of
11 Public Safety for the information received by the Department in the
12 request for the Motor Vehicle Report.

13 E. The Department of Public Safety may develop procedures
14 whereby an employer of a person:

15 1. Who has a Class A, B or C driver license; and

16 2. Who operates a commercial motor vehicle in the course of his
17 or her employment with the employer, may automatically be notified,
18 pursuant to a fee schedule established by the Department, should the
19 driving record of a person reflect a traffic conviction in any court
20 or an administrative action by the Department which alters the
21 status of the commercial driving privileges of the person.

22 F. The Commissioner is authorized to establish a procedure for
23 reviewing the driving records of state residents who are existing
24 policyholders of any insurance company licensed to operate in this

1 state during specified periods of time and producing a report which
2 identifies the policyholders which have had violation and/or status
3 changes to their driving records during such time period. The
4 Department may sell such report to the insurance company or its
5 agent at a fee to be set by the Department. Any such report sold by
6 the Department shall only consist of information otherwise lawfully
7 obtainable by the insurance company or its agent. The fee shall be
8 sufficient to recover all costs incurred by the Department and
9 insure that there will be no net revenue loss to the state. Such
10 fee shall be deposited in the Department of Public Safety Revolving
11 Fund.

12 G. All monies received by the Commissioner of Public Safety and
13 the officers and employees of the Department shall be remitted to
14 the State Treasurer to be credited to the General Revenue Fund in
15 the State Treasury except as otherwise provided for by law.

16 SECTION 2. This act shall become effective July 1, 2011.

17 SECTION 3. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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