

1 STATE OF OKLAHOMA

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

3 SENATE BILL 924

By: Sykes

4
5 AS INTRODUCED

6 An Act relating to driver licenses; creating the
7 Eliminate Driver License Lines Act; amending 47 O.S.
8 2001, Section 6-110, as last amended by Section 2,
9 Chapter 310, O.S.L. 2009 (47 O.S. Supp. 2010, Section
10 6-110), which relates to examinations for driver
11 license applicants; authorizing certain persons to
12 apply for certification; requiring Department of Public
13 Safety to adopt curriculum of courses and training;
14 requiring payment of initial certification fee; stating
15 amount of fee; requiring payment of annual
16 certification fee; stating amount of fee; stating
17 purpose of fee; providing for deposit of fees;
18 providing for promulgation of certain rules; amending
19 47 O.S. 2001, Sections 6-101, as last amended by
20 Section 1, Chapter 81, O.S.L. 2009 and 6-105, as last
21 amended by Section 1, Chapter 341, O.S.L. 2010 (47 O.S.
22 Supp. 2010, Sections 6-101 and 6-105), which relate to
23 the issuance, renewal and expiration of driver
24 licenses; modifying waiver exception for motorcycle
endorsement; allowing waiver of written and driving
examinations for certain permits and licenses under
certain circumstances; amending 47 O.S. 2001, Section
6-201, as last amended by Section 5, Chapter 149,
O.S.L. 2004 (47 O.S. Supp. 2010, Section 6-201), which
relates to the cancellation or denial of driving
privileges; modifying name of unit within the
Department of Public Safety; amending 47 O.S. 2001,
Section 805, which relates to commercial driver
training license fees; providing term amount for the
issuance of certain licenses; increasing license fee
amounts; providing for noncodification; and providing
an effective date.

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

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 Section 2 of this act shall be known and may be cited as the
4 "Eliminate Driver License Lines Act".

5 SECTION 2. AMENDATORY 47 O.S. 2001, Section 6-110, as
6 last amended by Section 2, Chapter 310, O.S.L. 2009 (47 O.S. Supp.
7 2010, Section 6-110), is amended to read as follows:

8 Section 6-110. A. 1. The Department of Public Safety shall
9 examine every applicant for an original Class A, B, C or D license
10 and for any endorsements thereon, except as otherwise provided in
11 Sections 6-101 through 6-309 of this title or as provided in
12 paragraph 2 of this subsection or in subsection D of this section.
13 The examination shall include a test of the applicant's:

- 14 a. eyesight,
- 15 b. ability to read and understand highway signs
16 regulating, warning and directing traffic,
- 17 c. knowledge of the traffic laws of this state, and
- 18 d. ability, by actual demonstration, to exercise ordinary
19 and reasonable control in the operation of a motor
20 vehicle. The actual demonstration shall be conducted
21 in the type of motor vehicle for the class of driver
22 license being applied for.

23 Any licensee seeking to apply for a driver license of another
24 class which is not covered by the licensee's current driver license

1 shall be considered an applicant for an original license for that
2 class.

3 2. The Department of Public Safety shall have the authority to
4 waive the requirement of any part of the examination required in
5 paragraph 1 of this subsection for those applicants who surrender a
6 valid unexpired driver license issued by any state or country for
7 the same type or types of vehicles, provided that the applicant's
8 driving record meets the standards set by the Department of Public
9 Safety.

10 3. All applicants requiring a hazardous materials endorsement
11 shall be required, for the renewal of the endorsement, to
12 successfully complete the examination and to submit to a security
13 threat assessment performed by the Transportation Security
14 Administration of the Department of Homeland Security as required by
15 and pursuant to 49 C.F.R., Part 1572, which shall be used to
16 determine whether the applicant is eligible for renewal of the
17 endorsement pursuant to federal law and regulation.

18 4. The Department of Public Safety shall give the complete
19 examination as provided for in this section within thirty (30) days
20 from the date the application is received, and the examination shall
21 be given at a location within one hundred (100) miles of the
22 residence of the applicant. The Department shall make every effort
23 to make the examination locations and times convenient for
24 applicants. The Department shall consider giving the examination at

1 various school sites if the district board of education for the
2 district in which the site is located agrees and if economically
3 feasible and practicable.

4 B. Any person holding a valid Oklahoma Class D license and
5 applying for a Class A, B or C commercial license shall be required
6 to successfully complete all examinations as required for the
7 specified class.

8 C. Except as provided in subsection E of Section 6-101 of this
9 title, any person holding a valid Oklahoma Class A, B or C
10 commercial license shall, upon time for renewal thereof, be entitled
11 to a Class D license without any type of testing or examination,
12 except for any endorsements thereon as otherwise provided for by
13 Section 6-110.1 of this title.

14 D. Any certified driver education instructor may administer the
15 written portion of the Oklahoma driving examination as required for
16 a driver education course.

17 E. Any certified driver education instructor who is currently
18 an operator or an employee of a commercial driver training school in
19 this state shall be eligible to apply for certification by the
20 Department of Public Safety to administer the driving skills portion
21 of the Oklahoma driving examination.

22 F. The Department of Public Safety shall adopt a curriculum of
23 required courses and training to be offered to applicants who are
24 qualified to apply for certification. The courses and training for

1 certification shall meet the same standards as required for driver
2 examiners of the Department of Public Safety.

3 G. Each person applying for certification shall be required to
4 pay an initial certification fee of One Thousand Dollars
5 (\$1,000.00). Upon certification, the person shall be required to
6 pay an annual certification fee of Five Hundred Dollars (\$500.00).
7 Each such certificate shall expire on the last day of the calendar
8 year and may be renewed upon application to the Department of Public
9 Safety. The certification fees shall pay for those costs associated
10 with providing classroom instruction and training for applicants.
11 The certification fees collected by the Department pursuant to this
12 section shall be deposited to the credit of the Department of Public
13 Safety Revolving Fund. No certification fee shall be refunded in
14 the event that certification is denied, suspended or revoked.

15 H. The Department of Public Safety shall promulgate rules
16 necessary for the qualification and certification of driver
17 education examiners.

18 SECTION 3. AMENDATORY 47 O.S. 2001, Section 6-101, as
19 last amended by Section 1, Chapter 81, O.S.L. 2009 (47 O.S. Supp.
20 2010, Section 6-101), is amended to read as follows:

21 Section 6-101. A. No person, except those hereinafter
22 expressly exempted in Section 6-102 of this title, shall operate any
23 motor vehicle upon a highway in this state unless the person has a
24 valid Oklahoma driver license for the class of vehicle being

1 operated under the provisions of this title. No person shall be
2 permitted to possess more than one valid license at any time.

3 B. 1. No person shall operate a Class A commercial motor
4 vehicle unless the person is eighteen (18) years of age or older and
5 holds a valid Class A commercial license, except as provided in
6 paragraph 5 of this subsection. Any person holding a valid Class A
7 commercial license shall be permitted to operate motor vehicles in
8 Classes A, B, C and D, except as provided for in paragraph 4 of this
9 subsection.

10 2. No person shall operate a Class B commercial motor vehicle
11 unless the person is eighteen (18) years of age or older and holds a
12 valid Class B commercial license. Any person holding a valid Class
13 B commercial license shall be permitted to operate motor vehicles in
14 Classes B, C and D, except as provided for in paragraph 4 of this
15 subsection.

16 3. No person shall operate a Class C commercial motor vehicle
17 unless the person is eighteen (18) years of age or older and holds a
18 valid Class C commercial license. Any person holding a valid Class
19 C commercial license shall be permitted to operate motor vehicles in
20 Classes C and D, except as provided for in paragraph 4 of this
21 subsection.

22 4. No person under twenty-one (21) years of age shall be
23 licensed to operate any motor vehicle which is required to be
24 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,

1 subpart F; provided, a person eighteen (18) years of age or older
2 may be licensed to operate a farm vehicle which is required to be
3 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
4 subpart F.

5 5. A person at least seventeen (17) years of age who
6 successfully completes all examinations required by law may be
7 issued by the Department:

8 a. a restricted Class A commercial license which shall
9 grant to the licensee the privilege to operate a Class
10 A or Class B commercial motor vehicle for harvest
11 purposes or a Class D motor vehicle, or

12 b. a restricted Class B commercial license which shall
13 grant to the licensee the privilege to operate a Class
14 B commercial motor vehicle for harvest purposes or a
15 Class D motor vehicle.

16 6. No person shall operate a Class D motor vehicle unless the
17 person is sixteen (16) years of age or older and holds a valid Class
18 D license, except as provided for in Section 6-102 or 6-105 of this
19 title. Any person holding a valid Class D license shall be
20 permitted to operate motor vehicles in Class D only.

21 C. Any person issued a driver license pursuant to this section
22 may exercise the privilege thereby granted upon all streets and
23 highways in this state.

24

1 D. No person shall operate a motorcycle or motor-driven cycle
2 without having a valid Class A, B, C or D license with a motorcycle
3 endorsement. Except as otherwise provided by law, any new applicant
4 for an original driver license shall be required to successfully
5 complete a written examination, vision examination, and driving
6 examination for a motorcycle as prescribed by the Department of
7 Public Safety to be eligible for a motorcycle endorsement thereon.
8 The written examination and the driving examination for a motorcycle
9 may be waived by the Department of Public Safety upon verification
10 that the person has successfully completed a certified Motorcycle
11 Safety Foundation rider course approved by the Department.

12 E. Except as otherwise provided by law, any person who lawfully
13 possesses a valid Oklahoma driver license which is eligible for
14 renewal shall be required to successfully complete a written
15 examination, vision examination, and driving examination for a
16 motorcycle as prescribed by the Department to be eligible for a
17 motorcycle endorsement; ~~provided, however, the Department may waive~~
18 ~~all such examinations until July 1, 2000, upon satisfactory proof~~
19 ~~that the applicant has regularly operated a motorcycle or motor-~~
20 ~~driven cycle for a minimum of two (2) years immediately preceding~~
21 ~~the application.~~ The written examination and driving examination
22 for a motorcycle may be waived by the Department of Public Safety
23 upon verification that the person has successfully completed a
24

1 certified Motorcycle Safety Foundation rider course approved by the
2 Department.

3 F. 1. Any person eighteen (18) years of age or older may apply
4 for a restricted Class A, B or C commercial license. The
5 Department, after the applicant has passed all parts of the
6 examination for a Class D license and has successfully passed all
7 parts of the examination for a Class A, B or C commercial license
8 other than the driving examination, may issue to the applicant a
9 restricted driver license which shall entitle the applicant having
10 immediate possession of the license to operate a Class A, B or C
11 commercial motor vehicle upon the public highways solely for the
12 purpose of behind-the-wheel training in accordance with rules
13 promulgated by the Department.

14 2. This restricted driver license shall be issued for a period
15 as provided in Section 6-115 of this title; provided, such
16 restricted license may be suspended, revoked, canceled, or denied at
17 the discretion of the Department for violation of the restrictions,
18 for failing to give the required or correct information on the
19 application, or for violation of any traffic laws of this state
20 pertaining to the operation of a motor vehicle. Except as otherwise
21 provided, the lawful possessor of a restricted license who has been
22 issued a restricted license for a minimum of thirty (30) days may
23 have the restriction requiring an accompanying driver removed by
24 satisfactorily completing a driver's examination; provided, the

1 removal of a restriction shall not authorize the operation of a
2 Class A, B or C commercial motor vehicle if such operation is
3 otherwise prohibited by law.

4 G. 1. The fee charged for an approved application for an
5 original Oklahoma driver license or an approved application for the
6 addition of an endorsement to a current valid Oklahoma driver
7 license shall be assessed in accordance with the following schedule:

8 Class A Commercial License	\$25.00
9 Class B Commercial License	\$15.00
10 Class C Commercial License	\$15.00
11 Class D License	\$ 4.00
12 Motorcycle Endorsement	\$ 4.00

13 2. Notwithstanding the provisions of Section 1104 of this
14 title, all monies collected from the fees charged for Class A, B and
15 C commercial licenses pursuant to the provisions of this subsection
16 shall be deposited in the General Revenue Fund of this state.

17 H. The fee charged for any failed examination shall be Four
18 Dollars (\$4.00) for any license classification. Notwithstanding the
19 provisions of Section 1104 of this title, all monies collected from
20 such examination fees pursuant to the provisions of this subsection
21 shall be deposited in the General Revenue Fund of this state.

22 I. 1. In addition to any fee charged pursuant to the
23 provisions of subsection G of this section, the fee charged for the
24 issuance or renewal of an Oklahoma license which is not in a

1 computerized image format shall be in accordance with the following
2 schedule:

3	Class A Commercial License	\$40.50
4	Class B Commercial License	\$40.50
5	Class C Commercial License	\$30.50
6	Class D License	\$20.50

7 Notwithstanding the provisions of Section 1104 of this title, of
8 each fee charged pursuant to this paragraph:

- 9 a. Five Dollars and fifty cents (\$5.50) shall be
10 deposited to the Trauma Care Assistance Revolving Fund
11 created in Section 1-2530.9 of Title 63 of the
12 Oklahoma Statutes, and
- 13 b. Five Dollars and seventy-five cents (\$5.75) shall be
14 deposited to the Department of Public Safety Computer
15 Imaging System Revolving Fund to be used solely for
16 the purpose of administration and maintenance of the
17 computerized imaging system of the Department.

18 2. In addition to any fee charged pursuant to the provisions of
19 subsection G of this section, the fee charged for the issuance or
20 renewal of an Oklahoma license which is in a computerized image
21 format shall be in accordance with the following schedule:

22	Class A Commercial License	\$41.50
23	Class B Commercial License	\$41.50
24	Class C Commercial License	\$31.50

1 Class D License \$21.50

2 Notwithstanding the provisions of Section 1104 of this title, of
3 each fee charged pursuant to the provisions of this paragraph:

4 a. Five Dollars and fifty cents (\$5.50) shall be
5 deposited to the Trauma Care Assistance Revolving Fund
6 created in Section ~~330.97~~ 1-2530.9 of Title 63 of the
7 Oklahoma Statutes, and

8 b. Six Dollars and seventy-five cents (\$6.75) shall be
9 deposited to the Department of Public Safety Computer
10 Imaging System Revolving Fund to be used solely for
11 the purpose of administration and maintenance of the
12 computerized imaging system of the Department.

13 J. All original and renewal driver licenses shall expire as
14 provided in Section 6-115 of this title.

15 K. Any person sixty-two (62) years of age or older during the
16 calendar year of issuance of a Class D license or motorcycle
17 endorsement shall be charged the following prorated fee:

18	Age 62	\$11.25
19	Age 63	\$ 7.50
20	Age 64	\$ 3.75
21	Age 65	-0-

22 L. No person who has been honorably discharged from active
23 service in any branch of the Armed Forces of the United States or
24 Oklahoma National Guard and who has been certified by the United

1 States Department of Veterans Affairs, its successor, or the Armed
2 Forces of the United States to be a disabled veteran in receipt of
3 compensation at the one-hundred-percent rate for a permanent
4 disability sustained through military action or accident resulting
5 from disease contracted while in such active service shall be
6 charged a fee for the issuance or renewal of an Oklahoma driver
7 license.

8 M. The Department of Public Safety and the Oklahoma Tax
9 Commission are authorized to promulgate rules for the issuance and
10 renewal of driver licenses authorized pursuant to the provisions of
11 Sections 6-101 through 6-309 of this title. Applications, upon
12 forms approved by the Department of Public Safety, for such licenses
13 shall be handled by the motor license agents; provided, the
14 Department of Public Safety is authorized to assume these duties in
15 any county of this state. Each motor license agent accepting
16 applications for driver licenses shall receive Two Dollars (\$2.00)
17 to be deducted from the total collected for each license or renewal
18 application accepted. The two-dollar fee received by the motor
19 license agent shall be used for operating expenses.

20 N. Notwithstanding the provisions of Section 1104 of this title
21 and subsection M of this section and except as provided in
22 subsections G and I of this section, the first Sixty Thousand
23 Dollars (\$60,000.00) of all monies collected pursuant to this
24 section shall be paid by the Oklahoma Tax Commission to the State

1 Treasurer to be deposited in the General Revenue Fund of the State
2 Treasury.

3 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
4 collected pursuant to this section shall be paid by the Tax
5 Commission to the State Treasurer to be deposited each fiscal year
6 under the provisions of this section to the credit of the Department
7 of Public Safety Revolving Fund for the purpose of the Statewide Law
8 Enforcement Communications System. All other monies collected in
9 excess of Five Hundred Sixty Thousand Dollars (\$560,000.00) each
10 fiscal year shall be apportioned as provided in Section 1104 of this
11 title, except as otherwise provided in this section.

12 O. The Department of Public Safety shall implement a procedure
13 whereby images displayed on licenses and identification cards issued
14 pursuant to the provisions of Sections 6-101 through 6-309 of this
15 title are maintained by the Department to create photographs or
16 computerized images which may be used only:

17 1. By a law enforcement agency for purposes of criminal
18 investigations, missing person investigations, or any law
19 enforcement purpose which is deemed necessary by the Commissioner of
20 Public Safety;

21 2. By the driver licensing agency of another state for its
22 official purpose; and

23 3. As provided in Section 2-110 of this title.
24

1 The computer system and related equipment acquired for this
2 purpose must conform to industry standards for interoperability and
3 open architecture. The Department of Public Safety may promulgate
4 rules to implement the provisions of this subsection.

5 SECTION 4. AMENDATORY 47 O.S. 2001, Section 6-105, as
6 last amended by Section 1, Chapter 341, O.S.L. 2010 (47 O.S. Supp.
7 2010, Section 6-105), is amended to read as follows:

8 Section 6-105. A. Unless a legal custodial parent or legal
9 guardian has filed an objection to licensure pursuant to Section 6-
10 103.1 of this title, any person under eighteen (18) years of age who
11 is in compliance with or not subject to Section 6-107.3 of this
12 title may be permitted to operate:

13 1. A Class D motor vehicle under the graduated driver license
14 provisions prescribed in subsections B through E of this section;

15 2. A motorcycle under the provisions prescribed in subsection H
16 of this section; or

17 3. A farm vehicle under the provisions prescribed in subsection
18 I of this section.

19 B. Any person who is at least fifteen (15) years of age may
20 drive during a session in which the driver is being instructed in a
21 driver education course, as set out in subparagraphs a, b, c and d
22 of paragraph 1 of subsection C of this section, by a certified
23 driver education instructor who is seated in the right front seat of
24 the motor vehicle.

1 C. Any person:

2 1. Who is at least fifteen and one-half (15 1/2) years of age
3 and is currently receiving instruction in or has successfully
4 completed driver education. For purposes of this section, the term
5 "driver education" shall mean:

6 a. a prescribed secondary school driver education course,
7 as provided for in Sections 19-113 through 19-121 of
8 Title 70 of the Oklahoma Statutes,

9 b. a driver education course, certified by the Department
10 of Public Safety, from a parochial, private, or other
11 nonpublic secondary school,

12 c. a commercial driver training course, as defined by
13 Sections 801 through 808 of this title, or

14 d. a parent-taught driver education course, certified by
15 the Department of Public Safety. The Department shall
16 promulgate rules for any parent-taught driver
17 education course; or

18 2. Who is at least sixteen (16) years of age,
19 may, upon successfully passing all parts of the driver license
20 examination administered by the Department except the driving
21 examination, be issued a learner permit which will grant the
22 permittee the privilege to operate a Class D motor vehicle upon the
23 public highways only between the hours of 5:00 a.m. and 10:00 p.m.
24 and while accompanied by a licensed driver who is at least twenty-

1 one (21) years of age and who is actually occupying a seat beside
2 the permittee; provided, the written examination for a learner
3 permit may be waived by the Department of Public Safety upon
4 verification that the person has successfully completed driver
5 education.

6 D. 1. Any person:

7 a. who has applied for, been issued, and has possessed a
8 learner permit for a minimum of six (6) months, and

9 b. whose custodial legal parent or legal guardian

10 certifies to the Department by sworn affidavit that

11 the person has received a minimum of fifty (50) hours

12 of actual behind-the-wheel training, of which at least

13 ten (10) hours of such training was at night, from a

14 licensed driver who was at least twenty-one (21) years

15 of age and who was properly licensed to operate a

16 Class D motor vehicle for a minimum of two (2) years,

17 may be issued an intermediate Class D license upon successfully

18 passing all parts of the driver license examinations administered by

19 the Department; provided, the written examination and driving

20 examination for an intermediate Class D license may be waived by the

21 Department of Public Safety upon verification that the person has

22 successfully completed driver education. However, notwithstanding

23 the date of issuance of the learner permit, if the person has been

24 convicted of a traffic offense which is reported on the driving

1 record of that person, the time period specified in subparagraph a
2 of this paragraph shall be recalculated to begin from the date of
3 conviction for the traffic offense, and must elapse before that
4 person may be issued an intermediate Class D license. If the person
5 has been convicted of more than one traffic offense which is
6 reported on the driving record of that person, the time period
7 specified in subparagraph a of this paragraph shall be recalculated
8 to begin from the most recent date of conviction, and must elapse
9 before that person may be issued an intermediate Class D license.

10 2. A person who has been issued an intermediate Class D license
11 under the provisions of this subsection:

12 a. shall be granted the privilege to operate a Class D
13 motor vehicle upon the public highways:

14 (1) only between the hours of 5:00 a.m. and 11:00
15 p.m., except for driving to and from work,
16 school, school activities, and church activities,
17 or

18 (2) at any time, if a licensed driver who is at least
19 twenty-one (21) years of age is actually
20 occupying a seat beside the intermediate Class D
21 licensee, or if the intermediate Class D licensee
22 is a farm or ranch resident, and is operating a
23 motor vehicle while engaged in farming or
24 ranching operations outside the limits of a

1 municipality, or driving to and from work,
2 school, school activities, or church activities,
3 and

4 b. shall not operate a motor vehicle with more than one
5 passenger unless:

6 (1) all passengers live in the same household as the
7 custodial legal parent or legal guardian, or

8 (2) a licensed driver at least twenty-one (21) years
9 of age is actually occupying a seat beside the
10 intermediate Class D licensee.

11 E. Any person who has been issued an intermediate Class D
12 license for a minimum of:

13 1. One (1) year; or

14 2. Six (6) months, if the person has completed both the driver
15 education and the parent-certified behind-the-wheel training
16 provisions of subparagraph c of paragraph 1 of subsection D of this
17 section;

18 may be issued a Class D license. However, notwithstanding the date
19 of issuance of the Class D license, if the person has been convicted
20 of a traffic offense which is reported on the driving record of that
21 person, the time periods specified in ~~paragraphs~~ paragraph 1 or 2,
22 as applicable, of this subsection shall be recalculated to begin
23 from the date of conviction for the traffic offense, and must elapse
24 before that person may be issued a Class D license. If the person

1 has been convicted of more than one traffic offense which is
2 reported on the driving record of that person, the time periods
3 specified in ~~paragraphs~~ paragraph 1 or 2, as applicable, of this
4 subsection shall be recalculated to begin from the most recent date
5 of conviction, and must elapse before that person may be issued a
6 Class D license.

7 F. Learner permits and intermediate Class D licenses shall be
8 issued for the same period as all other driver licenses. The
9 licenses may be suspended or canceled at the discretion of the
10 Department for violation of restrictions, for failing to give the
11 required or correct information on the application, for knowingly
12 giving false or inaccurate information on the application or any
13 subsequent documentation related to the granting of driving
14 privileges, for using a hand-held electronic device while operating
15 a motor vehicle for non-life-threatening emergency purposes or for
16 violation of any traffic laws of this state pertaining to the
17 operation of a motor vehicle.

18 G. The Department of Public Safety shall promulgate rules
19 establishing procedures for removal of learner permit and
20 intermediate Class D license restrictions from the permit or license
21 upon the permittee or licensee qualifying for a less restricted or
22 an unrestricted license.

23 H. Any person fourteen (14) years of age or older may apply for
24 a restricted Class D license with a motorcycle-only restriction.

1 After the person has successfully passed all parts of the motorcycle
2 examination other than the driving examination and has met all
3 requirements provided for in the rules of the Department, the
4 Department shall issue to the person a restricted Class D license
5 with a motorcycle-only restriction which shall grant to the person,
6 while having the license in the person's immediate possession, the
7 privilege to operate a motorcycle or motor-driven cycle:

8 1. With a piston displacement not to exceed two hundred fifty
9 (250) cubic centimeters;

10 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

11 3. While wearing approved protective headgear; and

12 4. While accompanied by and receiving instruction from any
13 person who is at least twenty-one (21) years of age and who is
14 properly licensed pursuant to the laws of this state to operate a
15 motorcycle or motor-driven cycle, and who has visual contact with
16 the restricted licensee.

17 The restricted licensee may apply on or after thirty (30) days
18 from date of issuance of the restricted Class D license with a
19 motorcycle-only restriction to have the restriction of being
20 accompanied by a licensed driver removed by successfully completing
21 the driving portion of an examination.

22 The written examination and driving examination for a restricted
23 Class D license with a motorcycle-only endorsement may be waived by
24 the Department of Public Safety upon verification that the person

1 has successfully completed a certified Motorcycle Safety Foundation
2 rider course approved by the Department.

3 I. The Department may in its discretion issue a special permit
4 to any person who has attained the age of fourteen (14) years,
5 authorizing such person to operate farm vehicles between the farm
6 and the market to haul commodities grown on the farm; provided, that
7 the special permit shall be temporary and shall expire not more than
8 thirty (30) days after the issuance of the special permit. Special
9 permits shall be issued only to farm residents and shall be issued
10 only during the time of the harvest of the principal crops grown on
11 such farm. Provided, however, the Department shall not issue a
12 special permit pursuant to this subsection until the Department is
13 fully satisfied after the examination of the application and other
14 evidence furnished in support thereof, that the person is physically
15 and mentally developed to such a degree that the operation of a
16 motor vehicle by the person would not be inimical to public safety.

17 J. As used in this section:

18 1. "Hand-held electronic device" means a mobile telephone or
19 electronic device with which a user engages in a telephone call,
20 plays or stores media, including but not limited to music and video,
21 or sends or reads a text message while requiring the use of at least
22 one hand; and

23 2. "Using a hand-held electronic device" means engaging any
24 function on an electronic device.

1 SECTION 5. AMENDATORY 47 O.S. 2001, Section 6-201, as
2 last amended by Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp.
3 2010, Section 6-201), is amended to read as follows:

4 Section 6-201. A. The Department of Public Safety is hereby
5 authorized to cancel or deny any person's driving privilege upon
6 determining that the person:

7 1. Is not entitled to a driver license or identification card
8 issued to the person; or

9 2. Failed to give the required or correct information in the
10 application.

11 Upon such cancellation or denial, the person to whom the license or
12 card was issued shall surrender the license or card so canceled to
13 the Department. The person may apply for a valid driver license or
14 identification card, if the person is otherwise eligible. Any
15 person whose driving privilege is canceled or denied under the
16 provisions of this subsection shall have the right to an appeal as
17 provided in Section 6-211 of this title.

18 B. Upon determination by the Department that any person:

19 1. Used fraudulent information to apply for or obtain a driver
20 license or identification card;

21 2. Committed or aided another person in the commission of any
22 act provided in subparagraph b, c, e, g, or h of paragraph 1 of
23 Section 6-301 of this title; or
24

1 3. Committed or aided another person in the commission of any
2 act provided in subparagraph a, b, c, d, e, or f of paragraph 2 of
3 Section 6-301 of this title,
4 the Department shall revoke the person's driving privilege for a
5 period of sixty (60) days for a first determination. For a second
6 or subsequent determination by the Department under paragraph 1, 2
7 or 3 of this subsection, the person's driving privilege shall be
8 revoked for a period of six (6) months. Such periods shall not be
9 subject to modification. Upon such revocation, the person to whom
10 the license or card was issued shall surrender the license or card
11 to the Department. The person may apply for a valid identification
12 card, if the person is otherwise eligible.

13 C. A determination, as provided for in subsection B of this
14 section, shall include:

15 1. A conviction in any court, when the conviction becomes
16 final; or

17 2. The findings of an investigation by the ~~Driver License Fraud~~
18 Identity Verification Unit of the Oklahoma Highway Patrol Division
19 of the Department of Public Safety.

20 D. Any person whose driving privilege is revoked under the
21 provisions of subsection B of this section may be required to obtain
22 a release from the ~~Driver License Fraud~~ Identity Verification Unit
23 of the Department before being considered for reinstatement of
24 driving privileges.

1 E. Any person whose driving privilege is revoked under the
2 provisions of subsection B of this section shall have the right to
3 an appeal as provided in Section 6-211 of this title.

4 SECTION 6. AMENDATORY 47 O.S. 2001, Section 805, is
5 amended to read as follows:

6 Section 805. All licenses shall be issued for a term of three
7 (3) years, shall expire on the last day of the calendar year of
8 expiration, and may be renewed upon application to the Commissioner
9 as prescribed by ~~his regulation~~ rule. Each application for an
10 original or renewal school license shall be accompanied by a fee of
11 ~~Twenty-five Dollars (\$25.00)~~ Seventy-five Dollars (\$75.00). Each
12 application for an original or renewal instructor's license shall be
13 accompanied by a fee of ~~Five Dollars (\$5.00)~~ Fifteen Dollars
14 (\$15.00). The license fees collected pursuant to Sections 801
15 through 808 of this title shall be remitted to the State Treasurer
16 to be credited to the General Revenue Fund in the State Treasury. No
17 license fee shall be refunded in the event that the license is
18 rejected, suspended, or revoked.

19 SECTION 7. This act shall become effective November 1, 2011.

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