

1 ENGROSSED SENATE
2 BILL NO. 143

By: Ford of the Senate

and

Denney of the House

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6
7 [issuing of driver licenses - restrictions - persons
8 under eighteen (18) years of age]
9

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

11 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-107.3, as
12 amended by Section 12, Chapter 311, O.S.L. 2006 (47 O.S. Supp. 2010,
13 Section 6-107.3), is amended to read as follows:

14 Section 6-107.3 A. The Department of Public Safety shall deny
15 a license, restricted license, or instruction permit for the
16 operation of a motor vehicle to any person under eighteen (18) years
17 of age who does not, at the time of application, present
18 documentation that such person:

- 19 1. a. is a student enrolled in a public or private secondary
20 school, including any technology center school, of
21 this state or any other state,
22 b. has received a diploma or certificate of completion
23 issued to the person from a secondary school of this
24 state or any other state,

1 c. is enrolled and making satisfactory progress in a
2 program leading to a Certificate of High School
3 Equivalency issued by the State Department of
4 Education, or has obtained such certificate, or

5 d. is excused from such requirement pursuant to a lawful
6 excuse as defined in subsection G F of this section or
7 due to circumstances beyond the control of the person,
8 ~~or~~

9 ~~e. is excused from such requirement pursuant to~~
10 ~~subsection C of this section; and~~

11 2. Has successfully passed the criterion-referenced reading
12 test required for all eighth grade students or an alternative
13 reading proficiency test approved by the State Department of
14 Education, pursuant to the provisions of Section 1210.515 of Title
15 70 of the Oklahoma Statutes, demonstrating reading proficiency at
16 the eighth-grade reading level, unless such student is excused from
17 such requirement pursuant to the provisions of Section 1210.515 of
18 Title 70 of the Oklahoma Statutes.

19 Provided, during the summer months when school is not in regular
20 session, as established by the school district pursuant to Section
21 1-109 of Title 70 of the Oklahoma Statutes, a person under eighteen
22 (18) years of age may satisfy the documentation requirement of this
23 subsection by providing a notarized written statement from and
24 signed by the legal custodial parent or legal guardian of the person

1 to the Department of Public Safety stating that the person completed
2 the immediately previous school year and is enrolled or intends to
3 enroll for the immediately subsequent school year.

4 B. 1. A person under eighteen (18) years of age who is
5 receiving education by other means, including education at home
6 pursuant to Section 4 of Article XIII of the Oklahoma Constitution,
7 shall satisfy the documentation requirement of paragraph 1 of
8 subsection A of this section by providing a written statement from
9 and signed by the legal custodial parent or legal guardian of the
10 person to the Department of Public Safety stating that the person is
11 receiving instruction by other means pursuant to Section 4 of
12 Article XIII of the Oklahoma Constitution.

13 2. Any person who falsifies the information required in such
14 documentation, upon conviction, shall be guilty of a misdemeanor.

15 C. 1. ~~A person under eighteen (18) years of age, who does not~~
16 ~~meet the requirements of subparagraphs a through c of paragraph 1 of~~
17 ~~subsection A of this section or the requirements of subsection B of~~
18 ~~this section, may retain or be issued a driver license if:~~

19 a. ~~the person is employed at least twenty four (24) hours~~
20 ~~per week, and~~

21 b. ~~the employer of the person verifies the employment on~~
22 ~~a form prescribed by the Department of Public Safety.~~

23 2. ~~Any person who has retained or been issued a driver license~~
24 ~~pursuant to this subsection who leaves such employment shall have~~

1 ~~fifteen (15) days from the date of termination of employment to~~
2 ~~provide verification of employment from a new employer.~~

3 ~~3. Any employer who falsifies a verification of employment~~
4 ~~shall be subject to an administrative fine of not more than Fifty~~
5 ~~Dollars (\$50.00), to be assessed by the Department of Public Safety.~~

6 ~~D.~~ 1. School district attendance officers, upon request, shall
7 provide a documentation of enrollment status form, established and
8 approved by the Department of Public Safety, to any person under
9 eighteen (18) years of age who is properly enrolled in a school for
10 which the attendance officer is responsible, for presentation to the
11 Department of Public Safety upon application for or reinstatement of
12 an instruction permit, restricted license, or license to operate a
13 motor vehicle.

14 2. Except as provided in subsection ~~E~~ D of this section,
15 whenever a person over fourteen (14) years of age and under eighteen
16 (18) years of age, who has a driver license or permit issued by the
17 Department of Public Safety, withdraws from school, the attendance
18 officer shall notify the Department of Public Safety of such
19 withdrawal through a documentation of enrollment status form.

20 3. Within fifteen (15) working days of the receipt of such
21 notice, the Department of Public Safety shall provide written notice
22 to the person, by first class, postage prepaid mail, that the
23 license of the person will be canceled thirty (30) days following
24 the date the notice to the person was sent, unless documentation of

1 compliance with the provisions of this section is received by the
2 Department of Public Safety before such time. After the thirty-day
3 period, the Department of Public Safety shall cancel the driving
4 privileges of the person.

5 ~~F.~~ D. When the withdrawal from school of a person under
6 eighteen (18) years of age is:

7 1. Due to circumstances beyond the control of the person;

8 2. Pursuant to any lawful excuse; or

9 3. For the purpose of transfer to another school, including
10 education at home pursuant to Section 4 of Article XIII of the
11 Oklahoma Constitution, as confirmed in writing by the legal
12 custodial parent or legal guardian of the person,
13 no notice as required by subsection ~~D~~ C of this section shall be
14 sent to the Department of Public Safety, or, if sent, such notice
15 shall be disregarded by the Department of Public Safety. If the
16 person is applying for a license, restricted license, or instruction
17 permit, the attendance officer shall provide the person with
18 documentation to present to the Department of Public Safety to
19 excuse the person from the requirements of this section.

20 ~~F.~~ E. Every school district shall, upon request, provide
21 documentation of reading proficiency for any person under eighteen
22 (18) years of age enrolled in such school district by certifying
23 passage of a reading examination pursuant to the provisions of
24 Section 1210.515 of Title 70 of the Oklahoma Statutes.

1 ~~G.~~ F. As used in Sections 6-107.3 through 6-107.6 of this
2 title:

3 1. "Withdrawal" means more than ten (10) consecutive days, or
4 parts of days, of unexcused absences or fifteen (15) days, or parts
5 of days, total unexcused absences during a single semester;

6 2. "Lawful excuse" means absence from school pursuant to any
7 valid physical or mental illness or pursuant to any legal excuse as
8 provided in Section 10-105 of Title 70 of the Oklahoma Statutes;
9 provided, however, the meaning of such term shall not include
10 marriage;

11 3. "Circumstances beyond the control of the person" shall not
12 include marriage, suspension or expulsion from school, or
13 imprisonment in a jail, penitentiary or other correctional
14 institution;

15 4. "Documentation of enrollment status form" means the document
16 established and approved by the Department of Public Safety to
17 substantiate information concerning the eligibility of a person
18 under eighteen (18) years of age to apply for or to retain a license
19 or permit to drive. Such documentation shall not include any
20 information which is considered an education record pursuant to the
21 Family Education Rights and Privacy Act, 20 U.S.C., Sections 1232g
22 through 1232i, unless compliance is made with the restrictions
23 regarding disclosure of the information; and
24

1 5. "Documentation of reading proficiency" means information
2 provided by a school authorized by subsection B of Section 1210.515
3 of Title 70 of the Oklahoma Statutes to certify the eligibility of a
4 person under eighteen (18) years of age to apply for a license or
5 permit based on passage of a reading proficiency test approved by
6 the State Department of Education, or pursuant to the alternative
7 documentation criteria provided in subsection C of Section 1210.515
8 of Title 70 of the Oklahoma Statutes. Such documentation shall not
9 include any information which is considered an education record
10 pursuant to the Family Education Rights and Privacy Act, 20 U.S.C.,
11 Sections 1232g through 1232i, unless compliance is made with the
12 restrictions regarding disclosure of the information.

13 ~~H.~~ G. The provisions of this section shall be inapplicable with
14 respect to any person under eighteen (18) years of age upon whom
15 rights of majority have been conferred pursuant to Sections 91
16 through 94 of Title 10 of the Oklahoma Statutes.

17 ~~F.~~ H. The Department of Public Safety shall establish and
18 approve documentation forms and certificates required by this
19 section for use by school districts to comply with the provisions of
20 this section. Upon establishment and approval of such forms and
21 certificates, the Department of Public Safety shall notify each
22 school district and the State Board of Education of the content
23 thereof.

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