

1 ENGROSSED SENATE AMENDMENTS  
TO  
2 ENGROSSED HOUSE  
BILL NO. 2186

By: Joyner and Hoskin of the  
House

4 and

5 Stanislawski of the Senate

7 [ motor vehicles - Department of Public Safety

8 records - apportionment for certain fiscal years -

9 effective date -

10 emergency ]

13 AMENDMENT NO. 1. Page 1, strike the enacting clause

14 Passed the Senate the 17th day of April, 2013.

16 \_\_\_\_\_  
17 Presiding Officer of the Senate

18 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

19 2013.

21 \_\_\_\_\_  
22 Presiding Officer of the House  
23 of Representatives

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-117, as amended by Section 1, Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-117), is amended to read as follows:

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

1. All applications denied and on each thereof note the reasons for the denial;
2. All applications granted;

1           3. The name of every person whose driving privilege has been  
2 suspended, revoked, cancelled, or disqualified by the Department and  
3 after each such name note the reasons for the action. Any notation  
4 of suspension of the driving privilege of a person for reason of  
5 nonpayment of a fine shall be removed from the driving record after  
6 the person has paid the fine and the driving privilege of the person  
7 is reinstated as provided for by law;

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

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

18           B. The Department shall file all collision reports and  
19 abstracts of court records of convictions received by it pursuant to  
20 the laws of this state and maintain convenient records of the  
21 records and reports or make suitable notations in order that an  
22 individual record of a person showing the convictions of the person  
23 and the traffic collisions in which the person has been involved  
24 shall be readily ascertainable and available for the consideration

1 of the Department of Public Safety upon any application for a driver  
2 license or renewal of a driver license and at other suitable times.  
3 Any abstract, index or other entry relating to a driving record  
4 according to the licensing authority in another state or a province  
5 of Canada may be posted upon the driving record of any resident of  
6 this state when notice thereof is received by documentation or by  
7 electronic transmission. The individual record of a person shall  
8 not include any collision reports and abstracts of court records  
9 involving a collision in which the person was not issued a citation  
10 or if a citation is issued and the person was not convicted.

11 C. 1. The Commissioner and the officers of the Department as  
12 the Commissioner may designate are hereby authorized to prepare  
13 under the seal of the Department and deliver upon request a copy of  
14 any collision report on file with the Department, charging a fee of:

15 a. beginning on July 1, 2011, through June 30, 2013,  
16 Fifteen Dollars (\$15.00), of which Eight Dollars  
17 (\$8.00) shall be deposited by the Commissioner to the  
18 credit of the Department of Public Safety Revolving  
19 Fund and, in addition to other purposes authorized by  
20 law, the expenditures from that fund of monies derived  
21 from the Eight Dollars (\$8.00) pursuant to this  
22 subparagraph shall be used to fund any Oklahoma  
23 Highway Patrol Trooper Academy provided by the  
24 Department. Any remaining funds shall be deposited in

1 an account to be utilized exclusively for future  
2 expenses directly related to the operation of an  
3 Oklahoma Highway Patrol Academy, and

4 b. beginning on July 1, 2013, and any year thereafter,  
5 Seven Dollars (\$7.00).

6 However, the Department shall not be required to furnish  
7 personal information from the collision report which is contrary to  
8 the provisions of the Driver's Privacy Protection Act, 18 United  
9 States Code, Sections 2721 through 2725.

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

19 D. 1. The Department of Public Safety or any motor license  
20 agent upon request shall prepare and furnish to any authorized  
21 person a Motor Vehicle Report of any person subject to the  
22 provisions of the motor vehicle laws of this state. However, the  
23 Department shall not be required to furnish personal information  
24 from a driving record contrary to the provisions of the Driver's

1 Privacy Protection Act, 18 United States Code, Sections 2721 through  
2 2725. The Motor Vehicle Report shall be a summary of the driving  
3 record of the person and shall include the enumeration of any motor  
4 vehicle collisions, reference to convictions for violations of motor  
5 vehicle laws, and any action taken against the privilege of the  
6 person to operate a motor vehicle, as shown by the files of the  
7 Department for the three (3) years preceding the date of the  
8 request. The Department shall not be required to release to any  
9 person, in whole or in part and in any format, a driving index, as  
10 described in subsection A of this section, except as otherwise  
11 provided for by law.

12 ~~For~~

13 2. a. Until October 31, 2013, for each Motor Vehicle Report  
14 furnished by the Department of Public Safety, the  
15 Department shall collect the sum of Twenty-five  
16 Dollars (\$25.00), Twenty Dollars (\$20.00) of which  
17 shall be deposited in the General Revenue Fund and  
18 Five Dollars (\$5.00) of which shall be deposited in  
19 the Department of Public Safety Revolving Fund. For  
20 each Motor Vehicle Report furnished by a motor license  
21 agent, the agent shall collect the sum of Twenty-five  
22 Dollars (\$25.00), Eighteen Dollars (\$18.00) of which  
23 shall be paid to the Oklahoma Tax Commission for  
24 deposit in the General Revenue Fund in the State

1 Treasury, Five Dollars (\$5.00) of which shall be  
2 deposited in the Department of Public Safety Revolving  
3 Fund and Two Dollars (\$2.00) of which shall be  
4 retained by the motor license agent.

5 b. For the period beginning November 1, 2013, and ending  
6 October 31, 2014, for each Motor Vehicle Report  
7 furnished by the Department of Public Safety, the  
8 Department shall collect the sum of Twenty Dollars  
9 (\$20.00), Sixteen Dollars (\$16.00) of which shall be  
10 deposited in the General Revenue Fund and Four Dollars  
11 (\$4.00) of which shall be deposited in the Department  
12 of Public Safety Revolving Fund. For each Motor  
13 Vehicle Report furnished by a motor license agent, the  
14 agent shall collect the sum of Twenty Dollars  
15 (\$20.00), Fourteen Dollars (\$14.00) of which shall be  
16 paid to the Oklahoma Tax Commission for deposit in the  
17 General Revenue Fund in the State Treasury, Four  
18 Dollars (\$4.00) of which shall be deposited in the  
19 Department of Public Safety Revolving Fund and Two  
20 Dollars (\$2.00) of which shall be retained by the  
21 motor license agent.

22 c. For the period beginning November 1, 2014, and ending  
23 October 31, 2015, for each Motor Vehicle Report  
24 furnished by the Department of Public Safety, the

1 Department shall collect the sum of Fifteen Dollars  
2 (\$15.00), Twelve Dollars (\$12.00) of which shall be  
3 deposited in the General Revenue Fund and Three  
4 Dollars (\$3.00) of which shall be deposited in the  
5 Department of Public Safety Revolving Fund. For each  
6 Motor Vehicle Report furnished by a motor license  
7 agent, the agent shall collect the sum of Fifteen  
8 Dollars (\$15.00), Ten Dollars and seventeen cents  
9 (\$10.17) of which shall be paid to the Oklahoma Tax  
10 Commission for deposit in the General Revenue Fund in  
11 the State Treasury, Two Dollars and eighty-three cents  
12 (\$2.83) of which shall be deposited in the Department  
13 of Public Safety Revolving Fund and Two Dollars  
14 (\$2.00) of which shall be retained by the motor  
15 license agent.

16 d. Beginning November 1, 2015, and in all subsequent  
17 years, for each Motor Vehicle Report furnished by the  
18 Department of Public Safety, the Department shall  
19 collect the sum of Twelve Dollars and fifty cents  
20 (\$12.50), Ten Dollars (\$10.00) of which shall be  
21 deposited in the General Revenue Fund and Two Dollars  
22 and fifty cents (\$2.50) of which shall be deposited in  
23 the Department of Public Safety Revolving Fund. For  
24 each Motor Vehicle Report furnished by a motor license

1           agent, the agent shall collect the sum of Twelve  
2           Dollars and fifty cents (\$12.50), Eight Dollars and  
3           twenty-one cents (\$8.21) of which shall be paid to the  
4           Oklahoma Tax Commission for deposit in the General  
5           Revenue Fund in the State Treasury, Two Dollars and  
6           twenty-nine cents (\$2.29) of which shall be deposited  
7           in the Department of Public Safety Revolving Fund and  
8           Two Dollars (\$2.00) of which shall be retained by the  
9           motor license agent.

10         3. Persons sixty-five (65) years of age or older shall not be  
11 required to pay a fee for their own Motor Vehicle Report furnished  
12 by the Department or a motor license agent. For purposes of this  
13 subsection, a Motor Vehicle Report shall include a report which  
14 indicates that no driving record is on file with the Department of  
15 Public Safety for the information received by the Department in the  
16 request for the Motor Vehicle Report.

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

- 19           1. Who has a Class A, B or C driver license; and
- 20           2. Who operates a commercial motor vehicle in the course of his  
21 or her employment with the employer, may automatically be notified,  
22 pursuant to a fee schedule established by the Department, should the  
23 driving record of a person reflect a traffic conviction in any court  
24 or an administrative action by the Department which alters the

1 status of the commercial driving privileges of the person. The  
2 notification system shall include electronic delivery of a Motor  
3 Vehicle Report at least annually for any employee who is a  
4 commercial driver licensee or who operates a commercial motor  
5 vehicle, as required by 49 C.F.R., Section 391.25. All monies  
6 received by the Commissioner of Public Safety and the officers and  
7 employees of the Department pursuant to this subsection shall be  
8 deposited in the Department of Public Safety Restricted Revolving  
9 Fund; provided, the fee received for electronic delivery of a Motor  
10 Vehicle Report shall be deposited as provided in subsection G of  
11 this section.

12 F. The Commissioner is authorized to establish a procedure for  
13 reviewing the driving records of state residents who are existing  
14 policyholders of any insurance company licensed to operate in this  
15 state during specified periods of time and producing a report which  
16 identifies the policyholders which have had violation and/or status  
17 changes to their driving records during such time period. The  
18 Department may sell such report to the insurance company or its  
19 agent at a fee to be set by the Department. Any such report sold by  
20 the Department shall only consist of information otherwise lawfully  
21 obtainable by the insurance company or its agent. The fee shall be  
22 sufficient to recover all costs incurred by the Department and  
23 ~~insure~~ ensure that there will be no net revenue loss to the state.

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1 Such fee shall be deposited in the Department of Public Safety  
2 Revolving Fund.

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

7 SECTION 2. This act shall become effective July 1, 2013.

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

12 Passed the House of Representatives the 14th day of March, 2013.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2013.

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Presiding Officer of the Senate

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