

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1229

By: Quinn and Murphey of the
House

7 and

8 Stanislawski of the Senate

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to driver licenses; creating the
12 Oklahoma Driver Examination Modernization Act of
13 2013; amending 47 O.S. 2011, Section 6-110, as
14 amended by Section 3, Chapter 280, O.S.L. 2012 (47
15 O.S. Supp. 2012, Section 6-110), which relates to
16 examination of driver license applicants; directing
the Department of Public Safety to allow examination
participants to reserve time for examination;
providing for noncodification; and providing an
effective date.

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

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

22 This act shall be known and may be cited as the "Oklahoma Driver
23 Examination Modernization Act of 2013".

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-110, as
2 amended by Section 3, Chapter 280, O.S.L. 2012 (47 O.S. Supp. 2012,
3 Section 6-110), is amended to read as follows:

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

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

20 Any licensee seeking to apply for a driver license of another
21 class which is not covered by the licensee's current driver license
22 shall be considered an applicant for an original license for that
23 class.

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

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

16 4. The Department of Public Safety shall give the complete
17 examination as provided for in this section within thirty (30) days
18 from the date the application is received, and the examination shall
19 be given at a location within one hundred (100) miles of the
20 residence of the applicant. The Department shall make every effort
21 to make the examination locations and times convenient for
22 applicants. The Department shall consider giving the examination at
23 various school sites if the district board of education for the
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1 district in which the site is located agrees and if economically
2 feasible and practicable.

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

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

13 D. 1. Any certified driver education instructor who is
14 currently an operator or an employee of a commercial driver training
15 school in this state or any driver education instructor employed by
16 any school district in this state shall be eligible to apply to be a
17 designated examiner of the Department of Public Safety for the
18 purposes of administering the Class D driving skills portion of the
19 Oklahoma driving examination to any person who has not previously
20 been a student of the instructor.

21 2. The Department of Public Safety shall adopt a curriculum of
22 required courses and training to be offered to applicants who are
23 qualified to apply to be a designated examiner. The courses and
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1 training for certification shall meet the same standards as required
2 for driver examiners of the Department of Public Safety.

3 3. Each person applying to be a designated examiner shall be
4 required to pay an initial designated examiner certification fee of
5 One Thousand Dollars (\$1,000.00). Upon successful completion of
6 training prescribed by paragraph 2 of this subsection, the person
7 shall be required to pay an annual designated examiner certification
8 fee of Five Hundred Dollars (\$500.00). Each designated examiner
9 certification shall expire on the last day of the calendar year and
10 may be renewed upon application to the Department of Public Safety.
11 The designated examiner certification fees collected by the
12 Department pursuant to this subsection shall be deposited to the
13 credit of the Department of Public Safety Restricted Revolving Fund
14 to be used for the purposes of this subsection. No designated
15 examiner certification fee shall be refunded in the event that
16 certification is denied, suspended or revoked.

17 4. A designated examiner may charge a fee of no more than
18 Twenty-five Dollars (\$25.00) for each Class D driving skills
19 examination given, whether the person being examined passes or fails
20 the examination.

21 5. The Department of Public Safety shall promulgate rules to
22 implement and administer the provisions of this subsection.
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1 E. The Department of Public Safety shall allow examination
2 participants to reserve a specific time and place of examination
3 through the online portal system referenced in Section 34.24.1 of
4 Title 62 of the Oklahoma Statutes.

5 SECTION 3. This act shall become effective November 1, 2013.

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7 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
8 02/25/2013 - DO PASS, As Amended and Coauthored.

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.