

1 **SENATE FLOOR VERSION**

2 March 21, 2013

3 ENGROSSED HOUSE  
4 BILL NO. 2198

By: Hardin, Hoskin, Sherrer and  
Hickman of the House

5 and

6 Brecheen of the Senate

7  
8  
9 An Act relating to motor vehicles; amending 47 O.S.  
10 2011, Section 6-101, as amended by Section 5, Chapter  
11 283, O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-101),  
12 which relates to driver licenses; referencing  
13 exemption; exempting certain individuals from  
commercial driver license requirements; specifically  
14 excluding certain activities from inclusion;  
15 providing for codification; and providing an  
16 effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as  
19 amended by Section 5, Chapter 283, O.S.L. 2012 (47 O.S. Supp. 2012,  
20 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 and Section 2 of  
23 this act, shall operate any motor vehicle upon a highway in this  
24 state unless the person has a valid Oklahoma driver license for the  
class of vehicle being operated under the provisions of this title.

1 No person shall be permitted to possess more than one valid license  
2 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 driving examination for a motorcycle may be waived by the  
9 Department of Public Safety upon verification that the person has  
10 successfully completed a certified Motorcycle Safety Foundation  
11 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.

22 F. 1. Any person eighteen (18) years of age or older may apply  
23 for a restricted Class A, B or C commercial license. The  
24 Department, after the applicant has passed all parts of the

1 examination for a Class D license and has successfully passed all  
2 parts of the examination for a Class A, B or C commercial license  
3 other than the driving examination, may issue to the applicant a  
4 restricted driver license which shall entitle the applicant having  
5 immediate possession of the license to operate a Class A, B or C  
6 commercial motor vehicle upon the public highways solely for the  
7 purpose of behind-the-wheel training in accordance with rules  
8 promulgated by the Department.

9       2. This restricted driver license shall be issued for a period  
10 as provided in Section 6-115 of this title; provided, such  
11 restricted license may be suspended, revoked, canceled, or denied at  
12 the discretion of the Department for violation of the restrictions,  
13 for failing to give the required or correct information on the  
14 application, or for violation of any traffic laws of this state  
15 pertaining to the operation of a motor vehicle. Except as otherwise  
16 provided, the lawful possessor of a restricted license who has been  
17 issued a restricted license for a minimum of thirty (30) days may  
18 have the restriction requiring an accompanying driver removed by  
19 satisfactorily completing a driver's examination; provided, the  
20 removal of a restriction shall not authorize the operation of a  
21 Class A, B or C commercial motor vehicle if such operation is  
22 otherwise prohibited by law.

23       G. 1. The fee charged for an approved application for an  
24 original Oklahoma driver license or an approved application for the

1 addition of an endorsement to a current valid Oklahoma driver  
2 license shall be assessed in accordance with the following schedule:

3	Class A Commercial License	\$25.00
4	Class B Commercial License	\$15.00
5	Class C Commercial License	\$15.00
6	Class D License	\$ 4.00
7	Motorcycle Endorsement	\$ 4.00

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

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

17 I. 1. In addition to any fee charged pursuant to the  
18 provisions of subsection G of this section, the fee charged for the  
19 issuance or renewal of an Oklahoma license which is not in a  
20 computerized image format shall be in accordance with the following  
21 schedule:

22	Class A Commercial License	\$40.50
23	Class B Commercial License	\$40.50
24	Class C Commercial License	\$30.50

1 Class D License \$20.50

2 Notwithstanding the provisions of Section 1104 of this title, of  
3 each fee charged pursuant to 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 1-2530.9 of Title 63 of the  
7 Oklahoma Statutes, and

8 b. Five Dollars and seventy-five cents (\$5.75) 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 2. In addition to any fee charged pursuant to the provisions of  
14 subsection G of this section, the fee charged for the issuance or  
15 renewal of an Oklahoma license which is in a computerized image  
16 format shall be in accordance with the following schedule:

17 Class A Commercial License	\$41.50
18 Class B Commercial License	\$41.50
19 Class C Commercial License	\$31.50
20 Class D License	\$21.50

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

23 a. Five Dollars and fifty cents (\$5.50) shall be  
24 deposited to the Trauma Care Assistance Revolving Fund

1 created in Section 330.97 of Title 63 of the Oklahoma  
2 Statutes, and

3 b. Six Dollars and seventy-five cents (\$6.75) shall be  
4 deposited to the Department of Public Safety Computer  
5 Imaging System Revolving Fund to be used solely for  
6 the purpose of administration and maintenance of the  
7 computerized imaging system of the Department.

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

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

13	Age 62	\$11.25
14	Age 63	\$ 7.50
15	Age 64	\$ 3.75
16	Age 65	-0-

17 L. No person who has been honorably discharged from active  
18 service in any branch of the Armed Forces of the United States or  
19 Oklahoma National Guard and who has been certified by the United  
20 States Department of Veterans Affairs, its successor, or the Armed  
21 Forces of the United States to be a disabled veteran in receipt of  
22 compensation at the one-hundred-percent rate for a permanent  
23 disability sustained through military action or accident resulting  
24 from disease contracted while in such active service shall be

1 charged a fee for the issuance or renewal of an Oklahoma driver  
2 license.

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

15 N. Notwithstanding the provisions of Section 1104 of this title  
16 and subsection M of this section and except as provided in  
17 subsections G and I of this section, the first Sixty Thousand  
18 Dollars (\$60,000.00) of all monies collected pursuant to this  
19 section shall be paid by the Oklahoma Tax Commission to the State  
20 Treasurer to be deposited in the General Revenue Fund of the State  
21 Treasury.

22 The next Five Hundred Thousand Dollars (\$500,000.00) of monies  
23 collected pursuant to this section shall be paid by the Tax  
24 Commission to the State Treasurer to be deposited each fiscal year

1 under the provisions of this section to the credit of the Department  
2 of Public Safety Restricted Revolving Fund for the purpose of the  
3 Statewide Law Enforcement Communications System. All other monies  
4 collected in excess of Five Hundred Sixty Thousand Dollars  
5 (\$560,000.00) each fiscal year shall be apportioned as provided in  
6 Section 1104 of this title, except as otherwise provided in this  
7 section.

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

13 1. By a law enforcement agency for purposes of criminal  
14 investigations, missing person investigations, or any law  
15 enforcement purpose which is deemed necessary by the Commissioner of  
16 Public Safety;

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

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

20 The computer system and related equipment acquired for this  
21 purpose must conform to industry standards for interoperability and  
22 open architecture. The Department of Public Safety may promulgate  
23 rules to implement the provisions of this subsection.

24

1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 6-102.1 of Title 47, unless  
3 there is created a duplication in numbering, reads as follows:

4           Any person that possesses an agricultural exemption permit  
5 pursuant to Section 1358.1 of Title 68 of the Oklahoma Statutes,  
6 while in the course of an agricultural or ranching operation owned  
7 by the person and while conducting business within the state, may  
8 operate a Class A, B or C commercial motor vehicle if the person  
9 possesses any class of valid Oklahoma driver license. Provided, the  
10 provisions of this section shall not apply to the operation of any  
11 vehicle used for the transportation of any property for hire.

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

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
14 March 21, 2013 - DO PASS  
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