

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2179
Page 1 Section 1 Lines 14
Of the printed Bill
Of the Engrossed Bill

By inserting new Sections 1 and 2 to read as follows:

(see attached)

and by renumbering the subsequent sections of the bill.

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Jeff Hickman

Reading Clerk

1 "SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
2 last amended by Section 2, Chapter 259, O.S.L. 2013 (47 O.S. Supp.
3 2014, Section 6-101), is amended to read as follows:

4 Section 6-101. A. No person, except those hereinafter
5 expressly exempted in Section 6-102 of this title and Section ~~2~~ 6-
6 102.1 of this ~~act~~ title, shall operate any motor vehicle upon a
7 highway in this state unless the person has a valid Oklahoma driver
8 license for the class of vehicle being operated under the provisions
9 of this title. No person shall be permitted to possess more than
10 one valid license at any time, except as provided in paragraph 4 of
11 subsection F of this section.

12 B. 1. No person shall operate a Class A commercial motor
13 vehicle unless the person is eighteen (18) years of age or older and
14 holds a valid Class A commercial license, except as provided in
15 paragraph 5 of this subsection and subsection F of this section.
16 Any person holding a valid Class A commercial license shall be
17 permitted to operate motor vehicles in Classes A, B, C and D, except
18 as provided for in paragraph 4 of this subsection.

19 2. No person shall operate a Class B commercial motor vehicle
20 unless the person is eighteen (18) years of age or older and holds a
21 valid Class B commercial license, except as provided in paragraph 5
22 of subsection F of this section. Any person holding a valid Class B
23 commercial license shall be permitted to operate motor vehicles in
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1 Classes B, C and D, except as provided for in paragraph 4 of this
2 subsection.

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

9 4. No person under twenty-one (21) years of age shall be
10 licensed to operate any motor vehicle which is required to be
11 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
12 subpart F, except as provided in subsection F of this section;
13 provided, a person eighteen (18) years of age or older may be
14 licensed to operate a farm vehicle which is required to be placarded
15 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
16 except as provided in subsection F of this section.

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

- 20 a. a restricted Class A commercial license which shall
21 grant to the licensee the privilege to operate a Class
22 A or Class B commercial motor vehicle for harvest
23 purposes or a Class D motor vehicle, or
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1 b. a restricted Class B commercial license which shall
2 grant to the licensee the privilege to operate a Class
3 B commercial motor vehicle for harvest purposes or a
4 Class D motor vehicle.

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

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

13 D. No person shall operate a motorcycle or motor-driven cycle
14 without having a valid Class A, B, C or D license with a motorcycle
15 endorsement. Except as otherwise provided by law, any new applicant
16 for an original driver license shall be required to successfully
17 complete a written examination, vision examination, and driving
18 examination for a motorcycle as prescribed by the Department of
19 Public Safety to be eligible for a motorcycle endorsement thereon.
20 The written examination and driving examination for a motorcycle may
21 be waived by the Department of Public Safety upon verification that
22 the person has successfully completed a certified Motorcycle Safety
23 Foundation rider course approved by the Department.

1 E. Except as otherwise provided by law, any person who lawfully
2 possesses a valid Oklahoma driver license which is eligible for
3 renewal shall be required to successfully complete a written
4 examination, vision examination, and driving examination for a
5 motorcycle as prescribed by the Department to be eligible for a
6 motorcycle endorsement. The written examination and driving
7 examination for a motorcycle may be waived by the Department of
8 Public Safety upon verification that the person has successfully
9 completed a certified Motorcycle Safety Foundation rider course
10 approved by the Department.

11 F. 1. Any person eighteen (18) years of age or older may apply
12 for a restricted Class A, B or C commercial learner permit. The
13 Department, after the applicant has passed all parts of the
14 examination for a Class D license and has successfully passed all
15 parts of the examination for a Class A, B or C commercial license
16 other than the driving examination, may issue to the applicant a
17 commercial learner permit which shall entitle the person having
18 immediate lawful possession of the commercial learner permit and a
19 valid Oklahoma driver license or provisional driver license pursuant
20 to Section 6-212 of this title to operate a Class A, B or C
21 commercial motor vehicle upon the public highways solely for the
22 purpose of behind-the-wheel training in accordance with rules
23 promulgated by the Department.
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1 2. This commercial learner permit shall be issued for a period
2 as provided in Section 6-115 of this title of one hundred eighty
3 (180) days, which may be renewed one time for an additional one
4 hundred eighty (180) days; provided, such commercial learner permit
5 may be suspended, revoked, canceled, denied or disqualified at the
6 discretion of the Department for violation of the restrictions, for
7 failing to give the required or correct information on the
8 application, or for violation of any traffic laws of this state
9 pertaining to the operation of a motor vehicle. Except as otherwise
10 provided, the lawful possessor of a commercial learner permit who
11 has been issued a commercial learner permit for a minimum of
12 fourteen (14) days may have the restriction requiring an
13 accompanying driver removed by satisfactorily completing a driver's
14 examination; provided, the removal of a restriction shall not
15 authorize the operation of a Class A, B or C commercial motor
16 vehicle if such operation is otherwise prohibited by law.

17 3. No person shall apply for and the Department shall not issue
18 an original Class A, B or C driver license until the person has been
19 issued a commercial learner permit and held the permit for at least
20 fourteen (14) days. Any person who currently holds a Class B or C
21 license and who wishes to apply for another class of commercial
22 driver license shall be required to apply for a commercial learner
23 permit and to hold the permit for at least fourteen (14) days before
24 applying for the Class A or B license, as applicable. Any person

1 who currently holds a Class A, B or C license and who wishes to add
2 an endorsement or remove a restriction for which a skills
3 examination is required shall be required to apply for a commercial
4 learner permit and to hold the permit for at least fourteen (14)
5 days before applying for the endorsement.

6 4. A commercial learner permit shall be issued by the
7 Department as a separate and unique document which shall be valid
8 only in conjunction with a valid Oklahoma driver license or
9 provisional driver license pursuant to Section 6-212 of this title,
10 both of which shall be in the possession of the person to whom they
11 have been issued whenever that person is operating a commercial
12 motor vehicle as provided in this subsection.

13 5. After one renewal of a commercial learner permit, as
14 provided in paragraph 2 of this subsection, a commercial permit
15 shall not be renewed again. Any person who has held a commercial
16 learner permit for the initial issuance period and one renewal
17 period shall not be eligible for and the Department shall not issue
18 another renewal of the permit; provided, the person may reapply for
19 a new commercial learner permit, as provided for in this subsection.

20 6. Enrollment in or successful completion of a commercial
21 driver training school shall not be required for any commercial
22 learner permit applicant who requests a skills examination for a
23 Class A, B or C license, nor shall any student enrolled in a
24 commercial driver training school be prohibited from taking a skills

1 examination for a Class A, B or C license upon request with a
2 Department of Public Safety examiner regardless of whether the
3 person has completed the course, is still enrolled in the course to
4 be completed or has voluntarily withdrawn from the course.

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

9 Class A Commercial Learner Permit	\$25.00
10 Class A Commercial License	\$25.00
11 Class B Commercial Learner Permit	\$15.00
12 Class B Commercial License	\$15.00
13 Class C Commercial Learner Permit	\$15.00
14 Class C Commercial License	\$15.00
15 Class D License	\$ 4.00
16 Motorcycle Endorsement	\$ 4.00

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

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

3 I. In addition to any fee charged pursuant to the provisions of
4 subsection G of this section, the fee charged for the issuance or
5 renewal of an Oklahoma license shall be in accordance with the
6 following schedule; provided, that any applicant who has a CDL
7 Learner Permit shall be charged only the replacement fee for the
8 issuance of the license:

9 Class A Commercial Learner Permit	\$51.50
10 Class A Commercial License	\$51.50
11 Class B Commercial Learner Permit	\$51.50
12 Class B Commercial License	\$51.50
13 Class C Commercial License	\$41.50
14 Class D License	\$33.50

15 A commercial learner permit may be renewed one time for a period
16 of one hundred eighty (180) days. The cost for the renewed permit
17 shall be the same as for the original permit.

18 Notwithstanding the provisions of Section 1104 of this title, of
19 each fee charged pursuant to the provisions of this subsection:

20 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
21 the Trauma Care Assistance Revolving Fund created in Section 1-
22 2530.9 of Title 63 of the Oklahoma Statutes;

23 2. Six Dollars and seventy-five cents (\$6.75) shall be
24 deposited to the Department of Public Safety Computer Imaging System

1 Revolving Fund to be used solely for the purpose of administration
2 and maintenance of the computerized imaging system of the
3 Department; and

4 3. Ten Dollars (\$10.00) shall be deposited to the Department of
5 Public Safety Revolving Fund for all original or renewal issuances
6 of licenses.

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

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

12 Age 62	\$21.25
13 Age 63	\$17.50
14 Age 64	\$13.75
15 Age 65	-0-

16 L. No person who has been honorably discharged from active
17 service in any branch of the Armed Forces of the United States or
18 Oklahoma National Guard and who has been certified by the United
19 States Department of Veterans Affairs, its successor, or the Armed
20 Forces of the United States to be a disabled veteran in receipt of
21 compensation at the one-hundred-percent rate for a permanent
22 disability sustained through military action or accident resulting
23 from disease contracted while in such active service shall be
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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 Four Dollars (\$4.00)
12 to be deducted from the total collected for each license or renewal
13 application accepted. The four-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.
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1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-110, as
2 last amended by Section 2, Chapter 199, O.S.L. 2014 (47 O.S. Supp.
3 2014, 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 The Department may create a knowledge test that may be taken on
21 the Internet by an applicant applying for a Class D license.

22 Any licensee seeking to apply for a driver license of another
23 class which is not covered by the licensee's current driver license
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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. The Department shall accept skills test results from another
11 state for Class A, B or C license applicants who have successfully
12 completed commercial motor vehicle driver training in that state and
13 successfully passed the skills test in that state; provided, the
14 Department shall not accept skills test results from another state
15 when the applicant has not successfully completed commercial motor
16 vehicle driver training in that state. Nothing in this section
17 shall be construed to prohibit the Department from administering the
18 skills test to any applicant who has successfully completed
19 commercial vehicle driver training in another state.

20 4. All applicants requiring a hazardous materials endorsement
21 shall be required, for the renewal of the endorsement, to
22 successfully complete the examination and to submit to a security
23 threat assessment performed by the Transportation Security
24 Administration of the Department of Homeland Security as required by

1 and pursuant to 49 C.F.R., Part 1572, which shall be used to
2 determine whether the applicant is eligible for renewal of the
3 endorsement pursuant to federal law and regulation.

4 5. The Department of Public Safety shall give the complete
5 examination as provided for in this section within thirty (30) days
6 from the date the application is received, and the examination shall
7 be given at a location within one hundred (100) miles of the
8 residence of the applicant. The Department shall make every effort
9 to make the examination locations and times convenient for
10 applicants. The Department shall consider giving the examination at
11 various school sites if the district board of education for the
12 district in which the site is located agrees and if economically
13 feasible and practicable.

14 B. Any person holding a valid Oklahoma Class D license or
15 provisional driver license pursuant to Section 6-212 of this title
16 and applying for a Class A, B or C commercial license shall be
17 required to successfully complete all examinations as required for
18 the specified class. Failure to submit to the Department federally
19 required medical certification information pursuant to 49 C.F.R.,
20 Part 391.41 et seq. shall result in an automatic downgrade of a
21 commercial license to a Class D license. Provided, however, once
22 the required medical certification information has been received by
23 the Department, the license shall be reinstated to the
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1 classification of the commercial license prior to the downgrade and
2 the holder of such a license shall not be required to reapply.

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

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

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

22 3. Each person applying to be a designated examiner shall be
23 required to pay an initial designated examiner certification fee of
24 One Thousand Dollars (\$1,000.00). Upon successful completion of

1 training prescribed by paragraph 2 of this subsection, the person
2 shall be required to pay an annual designated examiner certification
3 fee of Five Hundred Dollars (\$500.00). If an applicant for the
4 designated examiner program is employed by an Oklahoma public school
5 system that offers driver education, and he or she administers the
6 skills test only to students enrolled in a public school driver
7 education program, the certification fee may be waived by the
8 Department. Each designated examiner certification shall expire on
9 the last day of the calendar year and may be renewed upon
10 application to the Department of Public Safety. The designated
11 examiner certification fees collected by the Department pursuant to
12 this subsection shall be deposited to the credit of the Department
13 of Public Safety Restricted Revolving Fund to be used for the
14 purposes of this subsection. No designated examiner certification
15 fee shall be refunded in the event that certification is denied,
16 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 shall conduct an annual complete nationwide
22 criminal history background check on each designated examiner and a
23 complete nationwide criminal history background check on each
24 designated examiner applicant. The fees for the background check

1 shall be borne by the designated examiner or designated examiner
2 applicant.

3 6. The Department of Public Safety shall promulgate rules to
4 implement and administer the provisions of this subsection."
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