

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1470

By: Floyd

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5
6 AS INTRODUCED

7 An Act relating to provisional driver licenses;
8 providing for the Provisional License for Ex-
9 Offenders Act; providing for the Department of Public
10 Safety to issue provisional license to certain
11 applicants; providing for requirements; providing for
12 qualifications; providing for revocation; providing
13 for codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 6-125 of Title 47, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known as the "Provisional License for Ex-
19 Offenders Act".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 6-126 of Title 47, unless there
22 is created a duplication in numbering, reads as follows:

23 Notwithstanding any provisions of law or rule, the Department of
24 Public Safety shall issue either of the following to an otherwise
qualified applicant who has been convicted of an offense or

1 offenses, except those described in Sections 6-205 and 11-906.4 of
2 this title:

3 A. The license for which the applicant applied if the applicant
4 meets all other requirements of the licensing qualifications except
5 those pertaining to former offenses; or

6 B. A provisional license for which the applicant applied if the
7 applicant meets all other requirements of the licensing
8 qualifications except those pertaining to former offenses.

9 SECTION 3. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 6-127 of Title 47, unless there
11 is created a duplication in numbering, reads as follows:

12 A. 1. An ex-offender may apply to the Department of Public
13 Safety for a provisional driver license to engage in certain fields
14 of work.

15 2. The Department shall issue the provisional license for which
16 the applicant applied and is otherwise qualified to receive.

17 B. The Department issuing the provisional license shall
18 determine the term for which the provisional license shall be valid;
19 however, in no event shall a provisional license issued pursuant to
20 this act be valid for fewer than ninety (90) days nor more than
21 three hundred sixty (360) days.

22 C. 1. An applicant who is on any level of supervision by the
23 Department of Corrections and who is issued a provisional driver
24 license pursuant to this act shall provide the licensing entity the

1 name and contact information of the person at the State Department
2 of Corrections, division of probation or parole, to whom he or she
3 reports. If the applicant reports to the probation or parole
4 department of another state, he or she shall provide the Department
5 of Public Safety the name and contact information of the person at
6 that particular department to whom he or she reports.

7 2. The Department shall notify the probation or parole division
8 or department and court in which the holder's offense was
9 adjudicated that a provisional license has been issued to the
10 applicant.

11 SECTION 4. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 6-128 of Title 47, unless there
13 is created a duplication in numbering, reads as follows:

14 A. The Department of Public Safety may revoke the provisional
15 license issued pursuant to this act upon notification that the
16 holder has committed any of the following:

17 1. A new offense;

18 2. An act or omission that violates the conditions of the
19 suspended sentence;

20 3. A violation of law or rules governing the practice of the
21 field of work for which the provisional license was issued;

22 4. A probation or parole department or division of the
23 Department of Corrections shall notify the Department of Public
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1 Safety if the community supervision of the holder of a provisional
2 license is revoked;

3 5. A court should notify the Department if the holder of the
4 provisional license is charged with a new offense.

5 B. If a licensing entity revokes a provisional license,
6 pursuant to this section, the holder shall not be entitled to
7 receive another provisional license.

8 SECTION 5. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 6-129 of Title 47, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Department of Public Safety shall issue the regular
12 license for which the provisional license was issued on the
13 expiration of the provisional license term if the holder does not
14 terms and conditions of the issued provisional license.

15 B. Nothing in this act shall be implicitly interpreted to
16 preclude the Department from exercising its existing discretion to
17 issue to individuals not covered in this section, except where
18 precluded by another law.

19 C. If the Department believes that another exemption not
20 provided in this act is necessary in a specific case to protect the
21 public from a clear and imminent danger, the Department may seek
22 declaratory relief in district court through a judicial order
23 finding that the applicant shall not be issued a provisional or
24 regular license because it would pose such a danger.

1 SECTION 6. This act shall become effective November 1, 2016.

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