

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 1476

By: Stanislawski and Allen of
the Senate

6 and

7 Joyner, Ritze and Moore of
the House

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicle reports; amending 47
12 O.S. 2011, Section 6-117, as amended by Section 1,
13 Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2013, Section
14 6-117), which relates to records kept by the
15 Department of Public Safety; modifying certain fees;
16 establishing procedures whereby certain reports may
be purchased at a bulk rate; and providing an
effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-117, as
19 amended by Section 1, Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2013,
20 Section 6-117), is amended to read as follows:

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

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

3 2. All applications granted;

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

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

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

21 B. The Department shall file all collision reports and
22 abstracts of court records of convictions received by it pursuant to
23 the laws of this state and maintain convenient records of the
24 records and reports or make suitable notations in order that an

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

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

- 18 a. beginning on July 1, 2011, through June 30, 2013,
19 Fifteen Dollars (\$15.00), of which Eight Dollars
20 (\$8.00) shall be deposited by the Commissioner to the
21 credit of the Department of Public Safety Revolving
22 Fund and, in addition to other purposes authorized by
23 law, the expenditures from that fund of monies derived
24 from the Eight Dollars (\$8.00) pursuant to this

1 subparagraph shall be used to fund any Oklahoma
2 Highway Patrol Trooper Academy provided by the
3 Department. Any remaining funds shall be deposited in
4 an account to be utilized exclusively for future
5 expenses directly related to the operation of an
6 Oklahoma Highway Patrol Academy, and

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

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

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

22 D. The Department of Public Safety or any motor license agent
23 upon request shall prepare and furnish to any authorized person a
24 Motor Vehicle Report of any person subject to the provisions of the

1 motor vehicle laws of this state. However, the Department shall not
2 be required to furnish personal information from a driving record
3 contrary to the provisions of the Driver's Privacy Protection Act,
4 18 United States Code, Sections 2721 through 2725. The Motor
5 Vehicle Report shall be a summary of the driving record of the
6 person and shall include the enumeration of any motor vehicle
7 collisions, reference to convictions for violations of motor vehicle
8 laws, and any action taken against the privilege of the person to
9 operate a motor vehicle, as shown by the files of the Department for
10 the three (3) years preceding the date of the request. The
11 Department shall not be required to release to any person, in whole
12 or in part and in any format, a driving index, as described in
13 subsection A of this section, except as otherwise provided for by
14 law. For each Motor Vehicle Report furnished by the Department of
15 Public Safety, the Department shall collect the sum of Twenty-five
16 Dollars (\$25.00), ~~Twenty Dollars (\$20.00)~~ unless the Motor Vehicle
17 Report is for a commercial driver license, then the Department shall
18 collect the sum of Fifteen Dollars (\$15.00), Ten Dollars (\$10.00) of
19 which shall be deposited in the General Revenue Fund and Five
20 Dollars (\$5.00) shall be deposited in the Department of Public
21 Safety Revolving Fund. For each Motor Vehicle Report furnished by a
22 motor license agent, the agent shall collect the sum of Twenty-five
23 Dollars (\$25.00), ~~Eighteen Dollars (\$18.00)~~ unless the Motor Vehicle
24 Report is for a commercial driver license, then the Department shall

1 collect the sum of Fifteen Dollars (\$15.00), Eight Dollars (\$8.00)
2 of which shall be paid to the Oklahoma Tax Commission for deposit in
3 the General Revenue Fund in the State Treasury, Five Dollars (\$5.00)
4 shall be deposited in the Department of Public Safety Revolving Fund
5 and Two Dollars (\$2.00) of which shall be retained by the motor
6 license agent. Persons sixty-five (65) years of age or older shall
7 not be required to pay a fee for their own Motor Vehicle Report
8 furnished by the Department or a motor license agent. For purposes
9 of this subsection, a Motor Vehicle Report shall include a report
10 which indicates that no driving record is on file with the
11 Department of Public Safety for the information received by the
12 Department in the request for the Motor Vehicle Report.

13 The Department shall establish a procedure whereby Motor Vehicle
14 Reports may be purchased at a bulk rate resulting in a lower cost
15 per individual report. Such bulk rate shall be established so that
16 no reduction occurs in the amount attributable to the Motor Vehicle
17 Report fee deposited in the General Revenue Fund or the Department
18 of Public Safety Revolving Fund for Fiscal Year 2014.

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

- 21 1. Who has a Class A, B or C driver license; and
- 22 2. Who operates a commercial motor vehicle in the course of his
23 or her employment with the employer, may automatically be notified,
24 pursuant to a fee schedule established by the Department, should the

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

14 F. The Commissioner is authorized to establish a procedure for
15 reviewing the driving records of state residents who are existing
16 policyholders of any insurance company licensed to operate in this
17 state during specified periods of time and producing a report which
18 identifies the policyholders which have had violation and/or status
19 changes to their driving records during such time period. The
20 Department may sell such report to the insurance company or its
21 agent at a fee to be set by the Department. Any such report sold by
22 the Department shall only consist of information otherwise lawfully
23 obtainable by the insurance company or its agent. The fee shall be
24 sufficient to recover all costs incurred by the Department and

1 insure that there will be no net revenue loss to the state. Such
2 fee shall be deposited in the Department of Public Safety Revolving
3 Fund.

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

8 SECTION 2. This act shall become effective July 1, 2015.

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