

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. 1082

By: Ownbey and Ritze of the
House

and

Simpson of the Senate

10 COMMITTEE SUBSTITUTE

11 An Act relating to driver licenses; amending 47 O.S.
12 2011, Section 6-115, which relates to the expiration
13 and renewal of driver licenses; modifying certain
14 renewal requirement; amending 47 O.S. 2011, Section
15 6-209, which relates to the surrender and seizure of
16 driver licenses; deleting driver license return
17 requirement; providing for the issuance of new driver
18 licenses under certain circumstances; denying
19 property interest in driver licenses; requiring
20 immediate surrender of driver license under certain
21 circumstances; and providing an effective date.

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

23 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-115, is
24 amended to read as follows:

1 Section 6-115. A. Except as otherwise provided in this
2 section, every driver license shall be issued for a period of no
3 more than four (4) years; provided, if the applicant or licensee is
4 an alien, the license shall be issued for a period which does not
5 exceed the lesser of:

6 1. Four (4) years; or

7 2. The expiration date on the valid documentation authorizing
8 the presence of the applicant or licensee in the United States, as
9 required by paragraph 9 of subsection A of Section 6-103 of this
10 title.

11 B. Except as otherwise provided in this section, the expiration
12 date of an initial license shall be no more than four (4) years from
13 the last day of the month of issuance or no more than four (4) years
14 from the last day of the birth month of the applicant immediately
15 preceding the date of issuance, if requested by the applicant.

16 C. Except as otherwise provided in this section, the expiration
17 date of a renewal license shall be:

18 1. For a renewal during the month of expiration, four (4) years
19 from the last day of the month of expiration of the expiring license
20 or four (4) years from the last day of the birth month of the
21 licensee immediately preceding the expiration date of the expiring
22 license, if requested by the licensee; or
23
24

1 2. For a renewal prior to the month of expiration, as provided
2 by rule of the Department, four (4) years from the last day of the
3 month of expiration of the current license; provided, no license
4 shall be issued with an expiration date of more than five (5) years
5 from the date of renewal.

6 D. Notwithstanding the provisions of subsection E of Section
7 1550.42 of Title 21 of the Oklahoma Statutes, any Oklahoma driver
8 license that is not more than ~~thirty (30) days~~ one (1) year past the
9 date of expiration provided on the driver license shall be presumed
10 to be a valid form of identification for the purposes of renewing an
11 Oklahoma driver license.

12 E. Except as otherwise provided in this section, every driver
13 license shall be renewable by the licensee upon application to
14 either the Department of Public Safety or a motor license agent,
15 furnishing both primary and secondary proofs of identity, the
16 current mailing address of the person and payment of the required
17 fee, if the person is otherwise eligible for renewal. If the
18 licensee is an alien, the licensee shall appear before a driver
19 license examiner of the Department and, after furnishing primary and
20 secondary proofs of identity as required in this section, shall be
21 issued a renewal driver license for a period which does not exceed
22 the lesser of:

23 1. Four (4) years; or
24

1 2. The expiration date on the valid documentation authorizing
2 the presence of the applicant or licensee in the United States, as
3 required by paragraph 9 of subsection A of Section 6-103 of this
4 title.

5 F. All applicants for renewals of driver licenses who have
6 proven collision records or apparent physical defects may be
7 required to take an examination as specified by the Commissioner of
8 Public Safety.

9 G. When a person makes application for a driver license, or
10 makes application to renew a driver license, and the person has been
11 convicted of, or received a deferred judgment for, any offense
12 required to register pursuant to the Sex Offenders Registration Act,
13 the driver license shall be valid for a period of one (1) year from
14 the month of issuance, but may be renewed yearly during the time the
15 person is registered on the Sex Offender Registry. The cost for
16 such license shall be the same as for other driver licenses and
17 renewals.

18 H. The Department of Public Safety shall promulgate rules
19 prescribing forms of primary and secondary identification acceptable
20 for the renewal of an Oklahoma driver license.

21 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-209, is
22 amended to read as follows:
23
24

1 Section 6-209. A. The Department upon canceling or denying a
2 ~~person's~~ the driver license of a person or upon suspending or
3 revoking ~~a person's~~ the driving privilege of a person shall require
4 that ~~such person's~~ the driver license of the person be surrendered
5 to the Department. ~~Such driver license so surrendered, unless said~~
6 ~~driver license has expired, shall be returned to the licensee, when~~
7 When the statutory requirements for reinstatement are met in
8 accordance with Oklahoma Statutes, the person shall apply for a new
9 driver license from the Department; provided the Department has
10 determined that the licensee is a person not prohibited from holding
11 a driver license under Section 6-103 of this title, and has
12 successfully completed the customary written, physical and driving
13 tests, if such tests are required. Identification of the person
14 shall be verified through the driver license digital file of the
15 Department.

16 B. The Department, upon entering an order canceling or denying
17 a driver license or suspending or revoking ~~a person's~~ the driving
18 privilege of a person, shall forward a copy of ~~said~~ the order to the
19 licensee pursuant to the provisions of Section 2-116 of this title
20 and request the immediate return of the driver license to the
21 Department of Public Safety, Oklahoma City, Oklahoma, or the order
22 may be served upon the licensee by an authorized member of the
23 Department. Failure to comply with the order of the Department
24

1 shall constitute a misdemeanor, and, upon conviction thereof such,
2 the person ~~so convicted~~ shall be punished by a fine of not less than
3 Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00).

4 C. Any peace officer of this state may seize the license of any
5 person who, according to Department records, is under suspension,
6 cancellation, revocation or denial under the provisions of this
7 title. The officer shall immediately forward the license to the
8 Department of Public Safety, Oklahoma City, Oklahoma.

9 D. No person shall have a property interest in a driver license
10 issued pursuant to the laws of this state. It shall be the duty of
11 every person whose driving privilege has been suspended, cancelled
12 or revoked to immediately surrender his or her driver license upon
13 the request of any peace officer or representative of the
14 Department.

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

16
17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/21/2013 -
18 DO PASS, As Amended and Coauthored.