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April 4, 2013

ENGROSSED HOUSE
BILL NO. 1082

By: Ownbey, Ritze, Hoskin and
Vaughan of the House

and

Simpson of the Senate

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

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

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

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

1 1. Four (4) years; or

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

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

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

13 1. For a renewal during the month of expiration, four (4) years
14 from the last day of the month of expiration of the expiring license
15 or four (4) years from the last day of the birth month of the
16 licensee immediately preceding the expiration date of the expiring
17 license, if requested by the licensee; or

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

23 D. Notwithstanding the provisions of subsection E of Section
24 1550.42 of Title 21 of the Oklahoma Statutes, any Oklahoma driver

1 license that is not more than ~~thirty (30) days~~ one (1) year past the
2 date of expiration provided on the driver license shall be presumed
3 to be a valid form of identification for the purposes of renewing an
4 Oklahoma driver license.

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

16 1. Four (4) years; or

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

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

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

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

13 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-209, is
14 amended to read as follows:

15 Section 6-209. A. The Department upon canceling or denying a
16 ~~person's~~ the driver license of a person or upon suspending or
17 revoking ~~a person's~~ the driving privilege of a person shall require
18 that ~~such person's~~ the driver license of the person be surrendered
19 to the Department. ~~Such driver license so surrendered, unless said~~
20 ~~driver license has expired, shall be returned to the licensee, when~~
21 When the statutory requirements for reinstatement are met in
22 accordance with Oklahoma Statutes, the person shall apply for a new
23 driver license from the Department; provided the Department has
24 determined that the licensee is a person not prohibited from holding

1 a driver license under Section 6-103 of this title, and has
2 successfully completed the customary written, physical and driving
3 tests, if such tests are required. Identification of the person
4 shall be verified through the driver license digital file of the
5 Department.

6 B. The Department, upon entering an order canceling or denying
7 a driver license or suspending or revoking ~~a person's~~ the driving
8 privilege of a person, shall forward a copy of ~~said~~ the order to the
9 licensee pursuant to the provisions of Section 2-116 of this title
10 and request the immediate return of the driver license to the
11 Department of Public Safety, Oklahoma City, Oklahoma, or the order
12 may be served upon the licensee by an authorized member of the
13 Department. Failure to comply with the order of the Department
14 shall constitute a misdemeanor, ~~and, upon conviction thereof such,~~
15 the person so convicted shall be punished by a fine of not less than
16 Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00).

17 C. Any peace officer of this state may seize the license of any
18 person who, according to Department records, is under suspension,
19 cancellation, revocation or denial under the provisions of this
20 title. The officer shall immediately forward the license to the
21 Department of Public Safety, Oklahoma City, Oklahoma.

22 D. No person shall have a property interest in the physical
23 driver license issued pursuant to the laws of this state. It shall
24 be the duty of every person whose driving privilege has been

1 suspended, canceled or revoked to immediately surrender his or her
2 driver license upon the request of any peace officer or
3 representative of the Department.

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

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
6 April 4, 2013 - DO PASS
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