

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 24, 2016

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1362

By: Holt and Brooks

[driver licenses and identification cards - fees,
issuance and renewal - application for licenses -
inclusions - cameras for certain motor license agents
- repealer -

~~emergency~~]

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as last amended by Section 1, Chapter 97, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-101), is amended to read as follows:

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

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

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

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

21 4. No person under twenty-one (21) years of age shall be
22 licensed to operate any motor vehicle which is required to be
23 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
24 subpart F, except as provided in subsection F of this section;

1 provided, a person eighteen (18) years of age or older may be
2 licensed to operate a farm vehicle which is required to be placarded
3 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
4 except as provided in subsection F of this section.

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

8 a. a restricted Class A commercial license which shall
9 grant to the licensee the privilege to operate a Class
10 A or Class B commercial motor vehicle for harvest
11 purposes or a Class D motor vehicle, or

12 b. a restricted Class B commercial license which shall
13 grant to the licensee the privilege to operate a Class
14 B commercial motor vehicle for harvest purposes or a
15 Class D motor vehicle.

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

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

1 D. No person shall operate a motorcycle or motor-driven cycle
2 without having a valid Class A, B, C or D license with a motorcycle
3 endorsement. Except as otherwise provided by law, any new applicant
4 for an original driver license shall be required to successfully
5 complete a written examination, vision examination, and driving
6 examination for a motorcycle as prescribed by the Department of
7 Public Safety to be eligible for a motorcycle endorsement thereon.
8 The written examination and driving examination for a motorcycle may
9 be waived by the Department of Public Safety upon verification that
10 the person has successfully completed a certified Motorcycle Safety
11 Foundation rider course approved by the Department.

12 E. Except as otherwise provided by law, any person who lawfully
13 possesses a valid Oklahoma driver license which is eligible for
14 renewal shall be required to successfully complete a written
15 examination, vision examination, and driving examination for a
16 motorcycle as prescribed by the Department to be eligible for a
17 motorcycle endorsement. The written examination and driving
18 examination for a motorcycle may be waived by the Department of
19 Public Safety upon verification that the person has successfully
20 completed a certified Motorcycle Safety Foundation rider course
21 approved by the Department.

22 F. 1. Any person eighteen (18) years of age or older may apply
23 for a restricted Class A, B or C commercial learner permit. The
24 Department, after the applicant has passed all parts of the

1 examination for a Class D license and has successfully passed all
2 parts of the examination for a Class A, B or C commercial license
3 other than the driving examination, may issue to the applicant a
4 commercial learner permit which shall entitle the person having
5 immediate lawful possession of the commercial learner permit and a
6 valid Oklahoma driver license or provisional driver license pursuant
7 to Section 6-212 of this title to operate a Class A, B or C
8 commercial motor vehicle upon the public highways solely for the
9 purpose of behind-the-wheel training in accordance with rules
10 promulgated by the Department.

11 2. This commercial learner permit shall be issued for a period
12 as provided in Section 6-115 of this title of one hundred eighty
13 (180) days, which may be renewed one time for an additional one
14 hundred eighty (180) days; provided, such commercial learner permit
15 may be suspended, revoked, canceled, denied or disqualified at the
16 discretion of the Department for violation of the restrictions, for
17 failing to give the required or correct information on the
18 application, or for violation of any traffic laws of this state
19 pertaining to the operation of a motor vehicle. Except as otherwise
20 provided, the lawful possessor of a commercial learner permit who
21 has been issued a commercial learner permit for a minimum of
22 fourteen (14) days may have the restriction requiring an
23 accompanying driver removed by satisfactorily completing a driver's
24 examination; provided, the removal of a restriction shall not

1 authorize the operation of a Class A, B or C commercial motor
2 vehicle if such operation is otherwise prohibited by law.

3 3. No person shall apply for and the Department shall not issue
4 an original Class A, B or C driver license until the person has been
5 issued a commercial learner permit and held the permit for at least
6 fourteen (14) days. Any person who currently holds a Class B or C
7 license and who wishes to apply for another class of commercial
8 driver license shall be required to apply for a commercial learner
9 permit and to hold the permit for at least fourteen (14) days before
10 applying for the Class A or B license, as applicable. Any person
11 who currently holds a Class A, B or C license and who wishes to add
12 an endorsement or remove a restriction for which a skills
13 examination is required shall be required to apply for a commercial
14 learner permit and to hold the permit for at least fourteen (14)
15 days before applying for the endorsement.

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

23 5. After one renewal of a commercial learner permit, as
24 provided in paragraph 2 of this subsection, a commercial permit

1 shall not be renewed again. Any person who has held a commercial
2 learner permit for the initial issuance period and one renewal
3 period shall not be eligible for and the Department shall not issue
4 another renewal of the permit; provided, the person may reapply for
5 a new commercial learner permit, as provided for in this subsection.

6 6. Enrollment in or successful completion of a commercial
7 driver training school shall not be required for any commercial
8 learner permit applicant who requests a skills examination for a
9 Class A, B or C license, nor shall any student enrolled in a
10 commercial driver training school be prohibited from taking a skills
11 examination for a Class A, B or C license upon request with a
12 Department of Public Safety examiner regardless of whether the
13 person has completed the course, is still enrolled in the course to
14 be completed or has voluntarily withdrawn from the course.

15 G. 1. For the purpose of this title:

16 a. REAL ID Driver License or Identification Card means a
17 driver license or identification card issued by the
18 State of Oklahoma that has been certified by the
19 United States Department of Homeland Security (USDHS)
20 as compliant with the requirements of the REAL ID Act.
21 This means that the actual license or card and the
22 process through which they are issued, incorporate a
23 variety of security measures designed to protect the
24 integrity and trustworthiness of the document. A REAL

1 ID complaint license or card will be clearly marked on
2 the face indicating that it is a compliant document,
3 and

4 b. REAL ID Non-Compliant Driver License or Identification
5 Card means a driver license or identification card
6 issued by the State of Oklahoma that has not been
7 certified by the United States Department of Homeland
8 Security (USDHS) as being compliant with the
9 requirements of the REAL ID Act. A REAL ID Non-
10 Compliant license or card will be clearly marked on
11 the face indicating that it is a non-compliant
12 document and that the license or card is not
13 acceptable for official federal purposes. The license
14 or card will have a unique design or color indicator
15 that clearly distinguishes them from a compliant
16 document.

17 2. The fee charged for an approved application for an original
18 Oklahoma REAL ID compliant or REAL ID non-compliant driver license
19 or an approved application for the addition of an endorsement to a
20 current valid Oklahoma REAL ID compliant or REAL ID non-compliant
21 driver license shall be assessed in accordance with the following
22 schedule:

23	Class A Commercial Learner Permit	\$25.00
24	Class A Commercial License	\$25.00

1	Class B Commercial Learner Permit	\$15.00
2	Class B Commercial License	\$15.00
3	Class C Commercial Learner Permit	\$15.00
4	Class C Commercial License	\$15.00
5	Class D License	\$ 4.00
6	Motorcycle Endorsement	\$ 4.00

7 ~~2.~~ 3. Notwithstanding the provisions of Section 1104 of this
8 title, all monies collected from the fees charged for Class A, B and
9 C commercial licenses pursuant to the provisions of this subsection
10 shall be deposited in the General Revenue Fund of this state.

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

16 I. In addition to any fee charged pursuant to the provisions of
17 subsection G of this section, the fee charged for the issuance or
18 renewal of ~~an~~ a REAL ID non-compliant Oklahoma license shall be in
19 accordance with the following schedule; provided, that any applicant
20 who has a CDL Learner Permit shall be charged only the replacement
21 fee for the issuance of the license:

22	Class A Commercial Learner Permit	\$51.50	<u>\$66.50</u>
23	Class A Commercial License	\$51.50	<u>\$66.50</u>
24	Class B Commercial Learner Permit	\$51.50	<u>\$66.50</u>

Class B Commercial License ~~\$51.50~~ \$66.50

Class C Commercial License ~~\$41.50~~ \$56.50

Class D License ~~\$33.50~~ \$48.50

J. In addition to any fee charged pursuant to the provisions of subsection G of this section, the fee charged for the issuance or renewal of a REAL ID compliant Oklahoma license shall be in accordance with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the issuance of the license:

REAL ID Compliant Class A Commercial Learner Permit \$76.50

REAL ID Compliant Class A Commercial License \$76.50

REAL ID Compliant Class B Commercial Learner Permit \$76.50

REAL ID Compliant Class B Commercial License \$76.50

REAL ID Compliant Class C Commercial License \$66.50

REAL ID Compliant Class D License \$58.50

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

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

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

1 2. Six Dollars and seventy-five cents (\$6.75) shall be
2 deposited to the Department of Public Safety Computer Imaging System
3 Revolving Fund to be used solely for the purpose of administration
4 and maintenance of the computerized imaging system of the
5 Department; ~~and~~

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

9 4. Fifteen Dollars (\$15.00) shall be deposited to the
10 Department of Public Safety Revolving Fund upon the issuance of an
11 original, renewal or replacement Oklahoma REAL ID compliant or
12 Oklahoma REAL ID non-compliant driver license.

13 ~~J.~~ K. All original and renewal driver licenses shall expire as
14 provided in Section 6-115 of this title.

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

18 Age 62	\$21.25
19 Age 63	\$17.50
20 Age 64	\$13.75
21 Age 65	-0-

22 ~~L.~~ M. No person who has been honorably discharged from active
23 service in any branch of the Armed Forces of the United States or
24 Oklahoma National Guard and who has been certified by the United

1 States Department of Veterans Affairs, its successor, or the Armed
2 Forces of the United States to be a disabled veteran in receipt of
3 compensation at the one-hundred-percent rate for a permanent
4 disability sustained through military action or accident resulting
5 from disease contracted while in such active service shall be
6 charged a fee for the issuance or renewal of an Oklahoma driver
7 license.

8 ~~M. The Department of Public Safety and the Oklahoma Tax~~
9 ~~Commission are authorized to promulgate rules for the issuance and~~
10 ~~renewal of driver licenses authorized pursuant to the provisions of~~
11 ~~Sections 6-101 through 6-309 of this title. Applications, upon~~
12 ~~forms approved by the Department of Public Safety, for such licenses~~
13 ~~shall be handled by the motor license agents; provided, the~~
14 ~~Department of Public Safety is authorized to assume these duties in~~
15 ~~any county of this state. Each motor license agent accepting~~
16 ~~applications for driver licenses shall receive Four Dollars (\$4.00)~~
17 ~~to be deducted from the total collected for each license or renewal~~
18 ~~application accepted. The four-dollar fee received by the motor~~
19 ~~license agent shall be used for operating expenses.~~

20 N. The Department of Public Safety is authorized to accept and
21 process applications for and issue all classes of driver licenses
22 and identification cards in any county of this state. The
23 Department is authorized to promulgate rules for the issuance and
24 renewal of driver licenses, and motor license agents are authorized

1 to process applications and issue driver licenses and identification
2 cards only as permitted by the Department's administrative rules.
3 When accepting an application for a driver license or identification
4 card, the Department or motor license agent shall collect Four
5 Dollars (\$4.00) to be deducted from the total collected for the
6 license or card. Such Four Dollars (\$4.00) fees collected by a
7 motor license agent shall be used for the motor license agent's
8 operating expenses, and such Four Dollars (\$4.00) fees collected by
9 the Department shall be deposited into the Department of Public
10 Safety Revolving Fund.

11 ~~N.~~ O. Notwithstanding the provisions of Section 1104 of this
12 title and subsection M of this section and except as provided in
13 subsections G and I of this section, the first Sixty Thousand
14 Dollars (\$60,000.00) of all monies collected pursuant to this
15 section shall be paid by the Oklahoma Tax Commission to the State
16 Treasurer to be deposited in the General Revenue Fund of the State
17 Treasury.

18 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
19 collected pursuant to this section shall be paid by the Tax
20 Commission to the State Treasurer to be deposited each fiscal year
21 under the provisions of this section to the credit of the Department
22 of Public Safety Restricted Revolving Fund for the purpose of the
23 Statewide Law Enforcement Communications System. All other monies
24 collected in excess of Five Hundred Sixty Thousand Dollars

1 (\$560,000.00) each fiscal year shall be apportioned as provided in
2 Section 1104 of this title, except as otherwise provided in this
3 section.

4 ~~Ø. P.~~ The Department of Public Safety shall ~~implement a~~
5 ~~procedure whereby~~ retain the images displayed on licenses and
6 identification cards issued pursuant to the provisions of Sections
7 6-101 through 6-309 of this title ~~are maintained by the Department~~
8 ~~to create photographs or computerized images,~~ which may be used
9 only:

10 1. By a law enforcement agency for purposes of criminal
11 investigations, missing person investigations, or any law
12 enforcement purpose which is deemed necessary by the Commissioner of
13 Public Safety;

14 2. By the driver licensing agency of another state for its
15 official purpose; and

16 3. As provided in Section 2-110 of this title.

17 The computer system and related equipment acquired for this
18 purpose must conform to industry standards for interoperability and
19 open architecture. The Department of Public Safety may promulgate
20 rules to implement the provisions of this subsection.

21 Q. No person may hold more than one state issued REAL ID
22 compliant driver license or REAL ID compliant identification card,
23 from Oklahoma or any other state. The Department shall not issue a
24 REAL ID compliant driver license to a person who has been previously

1 issued a REAL ID compliant driver license or REAL ID compliant
2 identification card until such license or identification card has
3 been surrendered to the Department by the applicant. The Department
4 may promulgate rules to address the issue of replacement REAL ID
5 compliant driver license or identification cards in the event of one
6 being lost or stolen.

7 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
8 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
9 2015, Section 6-105.3), is amended to read as follows:

10 Section 6-105.3. A. In addition to the licenses to operate
11 motor vehicles, the Department of Public Safety may issue cards to
12 Oklahoma residents for purposes of identification only. The
13 identification cards shall be issued, renewed, replaced, canceled
14 and denied in the same manner as driver licenses in this state. The
15 application for an identification card by any person under the age
16 of eighteen (18) years shall be signed and verified by a custodial
17 legal parent or legal guardian, either in person before a person
18 authorized to administer oaths or electronically if completing an
19 online application, or a notarized affidavit signed by a custodial
20 legal parent or legal guardian submitted before a person authorized
21 to administer oaths by the person under the age of eighteen (18)
22 years with the application. Except as otherwise provided in this
23 section, the identification cards shall be valid for a period of
24 four (4) years from the month of issuance; however, the

1 identification cards issued to persons sixty-five (65) years of age
2 or older shall be valid indefinitely from the month of issuance.

3 B. No person may hold more than one state issued REAL ID
4 compliant driver license or REAL ID compliant identification card,
5 from Oklahoma or any other state or territory, as defined in
6 paragraph 1 of subsection G of Section 6-101 of this title. The
7 Department shall not issue a REAL ID compliant identification card
8 to a person who has been previously issued a REAL ID compliant
9 driver license or REAL ID compliant identification card until such
10 license or identification card has been surrendered to the
11 Department by the applicant. The Department may promulgate rules to
12 address the issue of replacement REAL ID compliant driver license or
13 identification cards in the event of one being lost or stolen.

14 C. The fee charged for the issuance, renewal, or replacement of
15 an Oklahoma REAL ID compliant or REAL ID non-compliant
16 identification card pursuant to this section shall be ~~Twenty Dollars~~
17 ~~(\$20.00)~~ Thirty-five Dollars (\$35.00); however, no person sixty-five
18 (65) years of age or older shall be charged a fee for an
19 identification card. Of each fee charged pursuant to the provisions
20 of this subsection:

21 1. Seven Dollars (\$7.00) shall be apportioned as provided in
22 Section 1104 of this title;

23 2. Three Dollars (\$3.00) shall be credited to the Department of
24 Public Safety Computer Imaging System Revolving Fund to be used

1 solely for the purpose of the administration and maintenance of the
2 computerized imaging system of the Department; ~~and~~

3 3. Ten Dollars (\$10.00) shall be deposited in the Department of
4 Public Safety Revolving Fund; and

5 4. Fifteen Dollars (\$15.00) shall be deposited to the
6 Department of Public Safety Revolving Fund upon the issuance of an
7 original, renewal or replacement Oklahoma REAL ID compliant or
8 Oklahoma REAL ID non-compliant driver license.

9 ~~C.~~ D. The Oklahoma Tax Commission is hereby authorized to
10 reimburse, from funds available to that agency, each motor license
11 agent issuing an identification card to a person sixty-five (65)
12 years of age or older, an amount not to exceed One Dollar (\$1.00)
13 for each card or driver license so issued. The Tax Commission shall
14 develop procedures for claims for reimbursement.

15 ~~D.~~ E. When a person makes application for a new identification
16 card, or makes application to renew an identification card, and the
17 person has been convicted of, or received a deferred judgment for,
18 any offense required to register pursuant to the Sex Offenders
19 Registration Act, the identification card shall be valid for a
20 period of one (1) year from the month of issuance, but may be
21 renewed yearly during the time the person is ~~registered~~ subject to
22 registration on the Sex Offender Registry. The cost for such
23 identification card shall be the same as for other identification
24 cards and renewals.

1 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-106, as
2 last amended by Section 1, Chapter 242, O.S.L. 2015 (47 O.S. Supp.
3 2015, Section 6-106), is amended to read as follows:

4 Section 6-106. A. 1. Every application for a driver license
5 or identification card shall be made by the applicant upon a form
6 furnished by the Department of Public Safety.

7 2. Every original, renewal, or replacement application for a
8 driver license or identification card made by a male applicant who
9 is at least sixteen (16) but less than twenty-six (26) years of age
10 shall include a statement that by submitting the application, the
11 applicant is consenting to registration with the Selective Service
12 System. The pertinent information from the application shall be
13 forwarded by the Department to the Data Management Center of the
14 Selective Service System in order to register the applicant as
15 required by law with the Selective Service System. Any applicant
16 refusing to sign the consent statement shall be denied a driver
17 license or identification card.

18 3. Except as provided for in subsection G of this section,
19 every applicant for a driver license or identification card shall
20 provide to the Department at the time of application both primary
21 and secondary proofs of identity. The Department shall promulgate
22 rules prescribing forms of primary and secondary identification
23 acceptable for an original Oklahoma driver license.
24

1 B. Every applicant for a driver license shall ~~state upon the~~
2 ~~application~~ provide the following information:

3 1. Full name;

4 2. Date of birth;

5 3. Sex;

6 4. ~~Residence address or mailing address and~~ Address of
7 principal residence, county of residence ~~to be displayed,~~ which
8 shall be referenced on the license;

9 5. ~~Mailing~~ Current and complete mailing address ~~and residence~~
10 ~~address~~ to be maintained by the Department for the purpose of giving
11 notice, if necessary, as required by Section 2-116 of this title;

12 6. Medical information, as determined by the Department, which
13 shall assure the Department that the person is not prohibited from
14 being licensed as provided by paragraph 7 of subsection A of Section
15 6-103 of this title;

16 7. Whether the applicant is deaf or hard-of-hearing;

17 8. A brief description of the applicant, as determined by the
18 Department;

19 9. Whether the applicant has previously been licensed, and, if
20 so, when and by what state or country, and whether any license has
21 ever been suspended or revoked, or whether an application has ever
22 been refused, and, if so, the date of and reason for the suspension,
23 revocation or refusal;

1 10. Whether the applicant is an alien eligible to be considered
2 for licensure and is not prohibited from licensure pursuant to
3 paragraph 9 of subsection A of Section 6-103 of this title;

4 11. Whether the applicant has:

5 a. previously been licensed and, if so, when and by what
6 state or country, and

7 b. held more than one license at the same time during the
8 immediately preceding ten (10) years; and

9 12. Social security number.

10 No person shall request the Department to use the social security
11 number of that person as the driver license number. Upon renewal or
12 replacement of any driver license issued after the effective date of
13 this act, the licensee shall advise the Department or the motor
14 license agent if the present driver license number of the licensee
15 is the social security number of the licensee. If the driver
16 license number is the social security number, the Department or the
17 motor license agent shall change the driver license number to a
18 computer-generated alphanumeric identification.

19 C. 1. In addition to the requirements of subsections A and B
20 of this section, every applicant for a commercial driver license who
21 is subject to the requirements of 49 C.F.R., Part 391, and is
22 applying for an original, renewal, or replacement license, and every
23 person who, upon the effective date of this act, is currently the
24 holder of a commercial driver license and is subject to the

1 requirements of 49 C.F.R., Part 391, and who does not apply for a
2 renewal or replacement license prior to January 30, 2014, shall
3 submit to the Department and maintain with the Department a current
4 approved medical examination certificate signed by a licensed
5 physician authorized to perform and approve medical examination
6 certifications. The Department shall adopt rules ~~regarding~~
7 ~~procedures~~ for maintaining medical examination certificates pursuant
8 to the requirements in 49 C.F.R., Parts 383 and 384. Any commercial
9 driver licensee subject to the requirements of this paragraph who
10 fails to maintain on file with the Department a current, approved
11 medical examination certificate shall have the driving privileges of
12 the person downgraded to a Class D driver license by the Department.

13 2. If the applicant is applying for an original commercial
14 driver license in Oklahoma or is transferring a commercial driver
15 license from another state to Oklahoma, the Department shall review
16 the driving record of the applicant in other states for the
17 immediately preceding ten (10) years, unless the record review has
18 already been performed by the Department. As a result of the
19 review, if it is determined by the Department that the applicant is
20 subject to a period of disqualification as prescribed by Section 6-
21 205.2 of this title which has not yet been imposed, the Department
22 shall impose the period of disqualification and the applicant shall
23 serve the period of disqualification before a commercial driver
24 license is issued to the applicant; provided, nothing in this

1 paragraph shall be construed to prevent the issuance of a Class D
2 driver license to the applicant.

3 3. If the applicant has or is applying for a hazardous material
4 endorsement, the applicant shall submit to a security threat
5 assessment performed by the Transportation Security Administration
6 of the Department of Homeland Security as required by and pursuant
7 to 49 C.F.R., Part 1572, which shall be used to determine whether
8 the applicant is eligible for the endorsement pursuant to federal
9 law and regulation.

10 4. The Department of Public Safety shall notify each commercial
11 driving school of the passage of this section, and each commercial
12 driving school shall notify prospective students of its school of
13 the hazardous material endorsement requirement.

14 D. In addition to the requirements of subsections A and B of
15 this section, every applicant shall be given an option on the
16 application for issuance of a driver license or identification card
17 or renewal pursuant to Section 6-115 of this title to provide an
18 emergency contact person. The emergency contact information
19 requested may include full name, address, and phone number. The
20 emergency contact information shall be maintained by the Department
21 and shall be used by the Department and law enforcement for
22 emergency purposes only. A person listed as an emergency contact
23 may request to be removed at any time. Any update to a change of
24 name, address, or phone number may be made by the applicant listing

1 the emergency contact person or by the person listed as the
2 emergency contact.

3 E. Whenever application is received from a person previously
4 licensed in another jurisdiction, the Department shall request a
5 copy of the driving record from the other jurisdiction and,
6 effective September 1, 2005, from all other jurisdictions in which
7 the person was licensed within the immediately previous ten (10)
8 years. When received, the driving record shall become a part of the
9 driving record of the person in this state with the same force and
10 effect as though entered on the driver's record in this state in the
11 original instance.

12 F. Whenever the Department receives a request for a driving
13 record from another licensing jurisdiction, the record shall be
14 forwarded without charge.

15 G. A person may not apply for or possess more than one state
16 issued REAL ID compliant driver license or identification card,
17 pursuant to the provisions of Section 6-101 of this title. A valid
18 and unexpired Oklahoma driver license shall serve as both primary
19 and secondary proofs of identity whenever application for ~~an~~ a REAL
20 ID non-compliant identification card is submitted to the Department.
21 The provisions of subsection B of Section 1550.42 of Title 21 of the
22 Oklahoma Statutes shall not apply when issuing an identification
23 card pursuant to the provisions of this subsection. The Department
24

1 shall promulgate rules necessary to implement and administer the
2 provisions of this subsection.

3 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-111, as
4 last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
5 2015, Section 6-111), is amended to read as follows:

6 Section 6-111. A. 1. The Department of Public Safety shall,
7 upon payment of the required fee, issue to every applicant
8 qualifying therefor a Class A, B, C or D driver license or
9 identification card as applied for, which license or card shall bear
10 thereon a distinguishing alphanumeric identification assigned to the
11 licensee or cardholder, date of issuance and date of expiration of
12 the license or card, the full legal name, signature or computerized
13 signature, date of birth, residence address unless specified as an
14 exception in the Code of Federal Regulations per 6 C.F.R. Section
15 37.17, sex, a ~~color photograph~~ or computerized color image of the
16 licensee or cardholder taken in accordance with Department rules,
17 and security features as determined by the Department. The
18 ~~photograph or~~ image shall depict a full front unobstructed view of
19 the entire face of the licensee or cardholder; provided, a
20 commercial learner permit shall not bear the ~~photograph or~~ image of
21 the licensee. When any person is issued both a driver license and
22 an identification card, the Department shall ensure the information
23 on both the license and the card are the same, unless otherwise
24 provided by law.

1 2. A driver license or identification card issued by the
2 Department on or after March 1, 2004, shall bear thereon the county
3 of residence of the licensee or cardholder.

4 3. The Department may cancel the distinguishing number, when
5 that distinguishing number is another person's Social Security
6 number, assign a new distinguishing alphanumeric identification, and
7 issue a new license or identification card without charge to the
8 licensee or cardholder.

9 4. The Department may promulgate rules for inclusion of the
10 height and a brief description of the licensee or cardholder on the
11 face of the card or license identifying the licensee or cardholder
12 as deaf or hard-of-hearing.

13 5. It is unlawful for any person to apply, adhere, or otherwise
14 attach to a driver license or identification card any decal,
15 sticker, label, or other attachment. Any law enforcement officer is
16 authorized to remove and dispose of any unlawful decal, sticker,
17 label, or other attachment from the driver license of a person. The
18 law enforcement officer, the employing agency of the officer, the
19 Department of Public Safety, and the State of Oklahoma shall be
20 immune from any liability for any loss suffered by the licensee,
21 cardholder, or the owner of the decal, sticker, label, or other
22 attachment caused by the removal and destruction of the decal,
23 sticker, label, or other attachment.

1 6. The Department of Public Safety may develop by rule an
2 alternative procedure whereby a person may apply for a renewal or
3 replacement Oklahoma Class D license or Oklahoma identification
4 card.

5 B. The Department may issue a temporary permit to an applicant
6 for a driver license permitting such applicant to operate a motor
7 vehicle while the Department is completing its investigation and
8 determination of all facts relative to such applicant's privilege to
9 receive a license. Such permit must be in the immediate possession
10 of the driver while operating a motor vehicle, and it shall be
11 invalid when the applicant's driver license has been issued or for
12 good cause has been refused.

13 C. 1. The Department may issue a restricted commercial driver
14 license to seasonal drivers eighteen (18) years of age or older for
15 any of the following specific farm-related service industries:

- 16 a. farm retail outlets and suppliers,
- 17 b. agri-chemical businesses,
- 18 c. custom harvesters, and
- 19 d. livestock feeders.

20 The applicant shall hold a valid Oklahoma driver license and
21 shall meet all the requirements for a commercial driver license.
22 The restricted commercial driver license shall not exceed a total of
23 one hundred eighty (180) days within any twelve-month period.
24

1 2. The restricted commercial driver license shall not be valid
2 for operators of commercial motor vehicles beyond one hundred fifty
3 (150) miles from the place of business or the farm currently being
4 served. Such license shall be limited to Class B vehicles. Holders
5 of such licenses who transport hazardous materials which are
6 required to be placarded shall be limited to the following:

7 a. diesel fuel in quantities of one thousand (1,000)
8 gallons or less,

9 b. liquid fertilizers in vehicles with total capacities
10 of three thousand (3,000) gallons or less, and

11 c. solid fertilizers that are not mixed with any organic
12 substance.

13 No other placarded hazardous materials shall be transported by
14 holders of such licenses.

15 D. 1. The Department shall develop a procedure whereby a
16 person applying for an original, renewal or replacement Class A, B,
17 C or D driver license or identification card who is required to
18 register as a convicted sex offender with the Department of
19 Corrections pursuant to the provisions of the Sex Offenders
20 Registration Act and who the Department of Corrections designates as
21 an aggravated or habitual offender pursuant to subsection J of
22 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
23 license or card bearing the words "Sex Offender".
24

1 2. The Department shall notify every person subject to
2 registration under the provisions of Section 1-101 et seq. of this
3 title who holds a current Class A, B, C or D driver license or
4 identification card that such person is required to surrender the
5 license or card to the Department within one hundred eighty (180)
6 days from the date of the notice.

7 3. Upon surrendering the license or card for the reason set
8 forth in this subsection, application may be made with the
9 Department for a replacement license or card bearing the words "Sex
10 Offender".

11 4. Failure to comply with the requirements set forth in such
12 notice shall result in cancellation of the person's license or card.
13 Such cancellation shall be in effect for one (1) year, after which
14 time the person may make application with the Department for a new
15 license or card bearing the words "Sex Offender". Continued use of
16 a canceled license or card shall constitute a misdemeanor and shall,
17 upon conviction thereof, be punishable by a fine of not less than
18 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
19 (\$200.00). When an individual is no longer required to register as
20 a convicted sex offender with the Department of Corrections pursuant
21 to the provisions of the Sex Offenders Registration Act, the
22 individual shall be eligible to receive a driver license or
23 identification card which does not bear the words "Sex Offender".
24

1 E. Nothing in subsection D of this section shall be deemed to
2 impose any liability upon or give rise to a cause of action against
3 any employee, agent or official of the Department of Corrections for
4 failing to designate a sex offender as an aggravated or habitual
5 offender pursuant to subsection J of Section 584 of Title 57 of the
6 Oklahoma Statutes.

7 F. ~~The Department shall develop a procedure whereby a~~ A person
8 subject to an order for the installation of an ignition interlock
9 device shall be required by the Department to submit their driver
10 license for a replacement. The replacement driver license shall
11 bear the words "Interlock Required" and such designation shall
12 remain on the driver license for the duration of the order requiring
13 the ignition interlock device. The replacement license shall be
14 subject to the same expiration and renewal procedures provided by
15 law. Upon completion of the requirements for the interlock device,
16 a person may apply for a replacement driver license.

17 G. The Department shall develop a procedure whereby a person
18 applying for an original, renewal or replacement Class D driver
19 license who has been granted modified driving privileges under this
20 title shall be issued a Class D driver license which identifies the
21 license as a modified license.

22 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1140.1, is
23 amended to read as follows:
24

1 Section 1140.1. A. Any motor license agent ~~appointed on or~~
2 ~~after July 1, 2002, within a specific municipality shall~~ may be
3 ~~furnished~~ issued a camera and associated equipment by the Department
4 of Public Safety ~~without charge if, based upon the number of driver~~
5 ~~licenses issued during the preceding year, the total number of~~
6 ~~licenses issued shall average not less than one thousand two hundred~~
7 ~~(1,200) per year per camera within the municipality and not less~~
8 ~~than one thousand two hundred (1,200) per year per camera within the~~
9 ~~county; provided, each county shall have at least one motor license~~
10 ~~agent who shall be furnished a camera~~ for the purpose of issuing a
11 driver license or identification card as authorized by the
12 Department. The motor license agent shall be responsible for the
13 cost of the camera, all associated equipment and maintenance, as
14 determined by the Department.

15 B. ~~For the purposes of this section, each motor license agent~~
16 ~~appointed after July 1, 2002, shall be considered a new agent,~~
17 ~~whether assets of another agency were inherited, purchased or~~
18 ~~otherwise acquired.~~

19 C. ~~The furnishing~~ issuance of any camera and associated
20 equipment shall be subject to availability from the vendor ~~and, if~~
21 ~~limited, shall be allocated according to this section. When~~
22 availability is limited, issuance of a camera and associated
23 equipment shall be determined by the Department based on population
24 and geographic needs.

1 SECTION 6. REPEALER 47 O.S. 2011, Section 6-110.3, is
2 hereby repealed.

3 SECTION 7. REPEALER Section 1, Chapter 206, O.S.L. 2015
4 (47 O.S. Supp. 2015, Section 1132B), is hereby repealed.

5 ~~SECTION 8. It being immediately necessary for the preservation~~
6 ~~of the public peace, health and safety, an emergency is hereby~~
7 ~~declared to exist, by reason whereof this act shall take effect and~~
8 ~~be in full force from and after its passage and approval.~~

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
February 24, 2016 - DO PASS AS AMENDED
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24