

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SENATE BILL 1362

By: Holt

AS INTRODUCED

An Act relating to driver licenses and identification cards; amending 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), which relates to fees, issuance and renewal of driver licenses and identification cards; providing definitions; providing for certain licenses and fees; directing disbursement of certain fees; authorizing certain action; directing retention of certain images; restricting issuance in certain situations; amending 47 O.S. 2011, Section 6-105.3, as last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-105.3), which relates to the issuance of identification cards; restricting issuance in certain situations; amending 47 O.S. 2011, Section 6-106, as last amended by Section 1, Chapter 242, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-106), which relates to application for licenses; modifying components of application; restricting issuance in certain situations; repealing 47 O.S. 2011, Section 6-110.3; amending 47 O.S. 2011, Section 6-111, as last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-111), which relates to issuance of license or identification card; modifying inclusions; repealing Section 1, Chapter 206, O.S.L. 2015 (47 OS. Supp. 2015, Section 1132B); amending 47 O.S. 2011, Section 1140.1, which relates to cameras for certain motor license agents; modifying issuance of certain equipment; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
2 last amended by Section 1, Chapter 97, O.S.L. 2015 (47 O.S. Supp.
3 2015, Section 6-101), is amended to read as follows:

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

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

19 2. No person shall operate a Class B commercial motor vehicle
20 unless the person is eighteen (18) years of age or older and holds a
21 valid Class B commercial license, except as provided in paragraph 5
22 of subsection F of this section. Any person holding a valid Class B
23 commercial license shall be permitted to operate motor vehicles in
24

1 Classes B, C and D, except as provided for in paragraph 4 of this
2 subsection.

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

9 4. No person under twenty-one (21) years of age shall be
10 licensed to operate any motor vehicle which is required to be
11 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
12 subpart F, except as provided in subsection F of this section;
13 provided, a person eighteen (18) years of age or older may be
14 licensed to operate a farm vehicle which is required to be placarded
15 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
16 except as provided in subsection F of this section.

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

- 20 a. a restricted Class A commercial license which shall
21 grant to the licensee the privilege to operate a Class
22 A or Class B commercial motor vehicle for harvest
23 purposes or a Class D motor vehicle, or
24

1 b. a restricted Class B commercial license which shall
2 grant to the licensee the privilege to operate a Class
3 B commercial motor vehicle for harvest purposes or a
4 Class D motor vehicle.

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

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

13 D. No person shall operate a motorcycle or motor-driven cycle
14 without having a valid Class A, B, C or D license with a motorcycle
15 endorsement. Except as otherwise provided by law, any new applicant
16 for an original driver license shall be required to successfully
17 complete a written examination, vision examination, and driving
18 examination for a motorcycle as prescribed by the Department of
19 Public Safety to be eligible for a motorcycle endorsement thereon.
20 The written examination and driving examination for a motorcycle may
21 be waived by the Department of Public Safety upon verification that
22 the person has successfully completed a certified Motorcycle Safety
23 Foundation rider course approved by the Department.

1 E. Except as otherwise provided by law, any person who lawfully
2 possesses a valid Oklahoma driver license which is eligible for
3 renewal shall be required to successfully complete a written
4 examination, vision examination, and driving examination for a
5 motorcycle as prescribed by the Department to be eligible for a
6 motorcycle endorsement. The written examination and driving
7 examination for a motorcycle may be waived by the Department of
8 Public Safety upon verification that the person has successfully
9 completed a certified Motorcycle Safety Foundation rider course
10 approved by the Department.

11 F. 1. Any person eighteen (18) years of age or older may apply
12 for a restricted Class A, B or C commercial learner permit. The
13 Department, after the applicant has passed all parts of the
14 examination for a Class D license and has successfully passed all
15 parts of the examination for a Class A, B or C commercial license
16 other than the driving examination, may issue to the applicant a
17 commercial learner permit which shall entitle the person having
18 immediate lawful possession of the commercial learner permit and a
19 valid Oklahoma driver license or provisional driver license pursuant
20 to Section 6-212 of this title to operate a Class A, B or C
21 commercial motor vehicle upon the public highways solely for the
22 purpose of behind-the-wheel training in accordance with rules
23 promulgated by the Department.
24

1 2. This commercial learner permit shall be issued for a period
2 as provided in Section 6-115 of this title of one hundred eighty
3 (180) days, which may be renewed one time for an additional one
4 hundred eighty (180) days; provided, such commercial learner permit
5 may be suspended, revoked, canceled, denied or disqualified at the
6 discretion of the Department for violation of the restrictions, for
7 failing to give the required or correct information on the
8 application, or for violation of any traffic laws of this state
9 pertaining to the operation of a motor vehicle. Except as otherwise
10 provided, the lawful possessor of a commercial learner permit who
11 has been issued a commercial learner permit for a minimum of
12 fourteen (14) days may have the restriction requiring an
13 accompanying driver removed by satisfactorily completing a driver's
14 examination; provided, the removal of a restriction shall not
15 authorize the operation of a Class A, B or C commercial motor
16 vehicle if such operation is otherwise prohibited by law.

17 3. No person shall apply for and the Department shall not issue
18 an original Class A, B or C driver license until the person has been
19 issued a commercial learner permit and held the permit for at least
20 fourteen (14) days. Any person who currently holds a Class B or C
21 license and who wishes to apply for another class of commercial
22 driver license shall be required to apply for a commercial learner
23 permit and to hold the permit for at least fourteen (14) days before
24 applying for the Class A or B license, as applicable. Any person

1 who currently holds a Class A, B or C license and who wishes to add
2 an endorsement or remove a restriction for which a skills
3 examination is required shall be required to apply for a commercial
4 learner permit and to hold the permit for at least fourteen (14)
5 days before applying for the endorsement.

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

13 5. After one renewal of a commercial learner permit, as
14 provided in paragraph 2 of this subsection, a commercial permit
15 shall not be renewed again. Any person who has held a commercial
16 learner permit for the initial issuance period and one renewal
17 period shall not be eligible for and the Department shall not issue
18 another renewal of the permit; provided, the person may reapply for
19 a new commercial learner permit, as provided for in this subsection.

20 6. Enrollment in or successful completion of a commercial
21 driver training school shall not be required for any commercial
22 learner permit applicant who requests a skills examination for a
23 Class A, B or C license, nor shall any student enrolled in a
24 commercial driver training school be prohibited from taking a skills

1 examination for a Class A, B or C license upon request with a
2 Department of Public Safety examiner regardless of whether the
3 person has completed the course, is still enrolled in the course to
4 be completed or has voluntarily withdrawn from the course.

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

6 a. REAL ID Driver License or Identification Card means a
7 driver license or identification card issued by the
8 State of Oklahoma that has been certified by the
9 United States Department of Homeland Security (USDHS)
10 as compliant with the requirements of the REAL ID Act.
11 This means that the actual license or card and the
12 process through which they are issued, incorporate a
13 variety of security measures designed to protect the
14 integrity and trustworthiness of the document. A REAL
15 ID complaint license or card will be clearly marked on
16 the face indicating that it is a compliant document,
17 and

18 b. REAL ID Non-Compliant Driver License or Identification
19 Card means a driver license or identification card
20 issued by the State of Oklahoma that has not been
21 certified by the United States Department of Homeland
22 Security (USDHS) as being compliant with the
23 requirements of the REAL ID Act. A REAL ID Non-
24 Compliant license or card will be clearly marked on

1 the face indicating that it is a non-compliant
2 document and that the license or card is not
3 acceptable for official federal purposes. The license
4 or card will have a unique design or color indicator
5 that clearly distinguishes them from a compliant
6 document.

7 2. The fee charged for an approved application for an original
8 Oklahoma REAL ID compliant or REAL ID non-compliant driver license
9 or an approved application for the addition of an endorsement to a
10 current valid Oklahoma REAL ID compliant or REAL ID non-compliant
11 driver license shall be assessed in accordance with the following
12 schedule:

13 Class A Commercial Learner Permit	\$25.00
14 Class A Commercial License	\$25.00
15 Class B Commercial Learner Permit	\$15.00
16 Class B Commercial License	\$15.00
17 Class C Commercial Learner Permit	\$15.00
18 Class C Commercial License	\$15.00
19 Class D License	\$ 4.00
20 Motorcycle Endorsement	\$ 4.00

21 ~~2.~~ 3. Notwithstanding the provisions of Section 1104 of this
22 title, all monies collected from the fees charged for Class A, B and
23 C commercial licenses pursuant to the provisions of this subsection
24 shall be deposited in the General Revenue Fund of this state.

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

I. 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 ~~an~~ a REAL ID non-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:

Class A Commercial Learner Permit	\$51.50
Class A Commercial License	\$51.50
Class B Commercial Learner Permit	\$51.50
Class B Commercial License	\$51.50
Class C Commercial License	\$41.50
Class D License	\$33.50

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:

<u>REAL ID Compliant Class A Commercial Learner Permit</u>	<u>\$61.50</u>
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1	<u>REAL ID Compliant Class A Commercial License</u>	<u>\$61.50</u>
2	<u>REAL ID Compliant Class B Commercial Learner Permit</u>	<u>\$61.50</u>
3	<u>REAL ID Compliant Class B Commercial License</u>	<u>\$61.50</u>
4	<u>REAL ID Compliant Class C Commercial License</u>	<u>\$51.50</u>
5	<u>REAL ID Compliant Class D License</u>	<u>\$43.50</u>

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

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

11 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
12 the Trauma Care Assistance Revolving Fund created in Section 1-
13 2530.9 of Title 63 of the Oklahoma Statutes;

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

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

22 4. Ten Dollars (\$10.00) shall be deposited to the Department of
23 Public Safety Revolving Fund upon the issuance of an original,
24 renewal or replacement Oklahoma REAL ID compliant driver license.

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

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

6 Age 62	\$21.25
7 Age 63	\$17.50
8 Age 64	\$13.75
9 Age 65	-0-

10 ~~L.~~ M. No person who has been honorably discharged from active
11 service in any branch of the Armed Forces of the United States or
12 Oklahoma National Guard and who has been certified by the United
13 States Department of Veterans Affairs, its successor, or the Armed
14 Forces of the United States to be a disabled veteran in receipt of
15 compensation at the one-hundred-percent rate for a permanent
16 disability sustained through military action or accident resulting
17 from disease contracted while in such active service shall be
18 charged a fee for the issuance or renewal of an Oklahoma driver
19 license.

20 ~~M. The Department of Public Safety and the Oklahoma Tax~~
21 ~~Commission are authorized to promulgate rules for the issuance and~~
22 ~~renewal of driver licenses authorized pursuant to the provisions of~~
23 ~~Sections 6-101 through 6-309 of this title. Applications, upon~~
24 ~~forms approved by the Department of Public Safety, for such licenses~~

1 ~~shall be handled by the motor license agents; provided, the~~
2 ~~Department of Public Safety is authorized to assume these duties in~~
3 ~~any county of this state. Each motor license agent accepting~~
4 ~~applications for driver licenses shall receive Four Dollars (\$4.00)~~
5 ~~to be deducted from the total collected for each license or renewal~~
6 ~~application accepted. The four-dollar fee received by the motor~~
7 ~~license agent shall be used for operating expenses.~~

8 N. The Department of Public Safety is authorized to accept and
9 process applications for and issue all classes of driver licenses
10 and identification cards in any county of this state. The
11 Department is authorized to promulgate rules for the issuance and
12 renewal of driver licenses, and motor license agents are authorized
13 to process applications and issue driver licenses and identification
14 cards only as permitted by the Department's administrative rules.
15 When accepting an application for a driver license or identification
16 card, the Department or motor license agent shall collect Four
17 Dollars (\$4.00) to be deducted from the total collected for the
18 license or card. Such Four Dollars (\$4.00) fees collected by a
19 motor license agent shall be used for the motor license agent's
20 operating expenses, and such Four Dollars (\$4.00) fees collected by
21 the Department shall be deposited into the Department of Public
22 Safety Revolving Fund.

23 N. O. Notwithstanding the provisions of Section 1104 of this
24 title and subsection M of this section and except as provided in

1 subsections G and I of this section, the first Sixty Thousand
2 Dollars (\$60,000.00) of all monies collected pursuant to this
3 section shall be paid by the Oklahoma Tax Commission to the State
4 Treasurer to be deposited in the General Revenue Fund of the State
5 Treasury.

6 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
7 collected pursuant to this section shall be paid by the Tax
8 Commission to the State Treasurer to be deposited each fiscal year
9 under the provisions of this section to the credit of the Department
10 of Public Safety Restricted Revolving Fund for the purpose of the
11 Statewide Law Enforcement Communications System. All other monies
12 collected in excess of Five Hundred Sixty Thousand Dollars
13 (\$560,000.00) each fiscal year shall be apportioned as provided in
14 Section 1104 of this title, except as otherwise provided in this
15 section.

16 ~~O. P.~~ The Department of Public Safety shall ~~implement a~~
17 ~~procedure whereby~~ retain the images displayed on licenses and
18 identification cards issued pursuant to the provisions of Sections
19 6-101 through 6-309 of this title ~~are maintained by the Department~~
20 ~~to create photographs or computerized images,~~ which may be used
21 only:

22 1. By a law enforcement agency for purposes of criminal
23 investigations, missing person investigations, or any law
24

1 enforcement purpose which is deemed necessary by the Commissioner of
2 Public Safety;

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

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

6 The computer system and related equipment acquired for this
7 purpose must conform to industry standards for interoperability and
8 open architecture. The Department of Public Safety may promulgate
9 rules to implement the provisions of this subsection.

10 Q. No person may hold more than one state issued REAL ID
11 compliant driver license or REAL ID compliant identification card,
12 from Oklahoma or any other state. The Department shall not issue a
13 REAL ID compliant driver license to a person who has been previously
14 issued a REAL ID compliant driver license or REAL ID compliant
15 identification card until such license or identification card has
16 been surrendered to the Department by the applicant. The Department
17 may promulgate rules to address the issue of replacement REAL ID
18 compliant driver license or identification cards in the event of one
19 being lost or stolen.

20 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
21 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
22 2015, Section 6-105.3), is amended to read as follows:

23 Section 6-105.3. A. In addition to the licenses to operate
24 motor vehicles, the Department of Public Safety may issue cards to

1 Oklahoma residents for purposes of identification only. The
2 identification cards shall be issued, renewed, replaced, canceled
3 and denied in the same manner as driver licenses in this state. The
4 application for an identification card by any person under the age
5 of eighteen (18) years shall be signed and verified by a custodial
6 legal parent or legal guardian, either in person before a person
7 authorized to administer oaths or electronically if completing an
8 online application, or a notarized affidavit signed by a custodial
9 legal parent or legal guardian submitted before a person authorized
10 to administer oaths by the person under the age of eighteen (18)
11 years with the application. Except as otherwise provided in this
12 section, the identification cards shall be valid for a period of
13 four (4) years from the month of issuance; however, the
14 identification cards issued to persons sixty-five (65) years of age
15 or older shall be valid indefinitely from the month of issuance.

16 B. No person may hold more than one state issued REAL ID
17 compliant driver license or REAL ID compliant identification card,
18 from Oklahoma or any other state or territory, as defined in
19 paragraph 1 of subsection G of Section 6-101 of this title. The
20 Department shall not issue a REAL ID compliant identification card
21 to a person who has been previously issued a REAL ID compliant
22 driver license or REAL ID compliant identification card until such
23 license or identification card has been surrendered to the
24 Department by the applicant. The Department may promulgate rules to

1 address the issue of replacement REAL ID compliant driver license or
2 identification cards in the event of one being lost or stolen.

3 C. The fee charged for the issuance, renewal, or replacement of
4 an identification card pursuant to this section shall be Twenty
5 Dollars (\$20.00); however, no person sixty-five (65) years of age or
6 older shall be charged a fee for an identification card. Of each
7 fee charged pursuant to the provisions of this subsection:

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

10 2. Three Dollars (\$3.00) shall be credited to the Department of
11 Public Safety Computer Imaging System Revolving Fund to be used
12 solely for the purpose of the administration and maintenance of the
13 computerized imaging system of the Department; and

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

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

22 ~~D.~~ E. When a person makes application for a new identification
23 card, or makes application to renew an identification card, and the
24 person has been convicted of, or received a deferred judgment for,

1 any offense required to register pursuant to the Sex Offenders
2 Registration Act, the identification card shall be valid for a
3 period of one (1) year from the month of issuance, but may be
4 renewed yearly during the time the person is ~~registered~~ subject to
5 registration on the Sex Offender Registry. The cost for such
6 identification card shall be the same as for other identification
7 cards and renewals.

8 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-106, as
9 last amended by Section 1, Chapter 242, O.S.L. 2015 (47 O.S. Supp.
10 2015, Section 6-106), is amended to read as follows:

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

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

1 3. Except as provided for in subsection G of this section,
2 every applicant for a driver license or identification card shall
3 provide to the Department at the time of application both primary
4 and secondary proofs of identity. The Department shall promulgate
5 rules prescribing forms of primary and secondary identification
6 acceptable for an original Oklahoma driver license.

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

9 1. Full name;

10 2. Date of birth;

11 3. Sex;

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

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

18 6. Medical information, as determined by the Department, which
19 shall assure the Department that the person is not prohibited from
20 being licensed as provided by paragraph 7 of subsection A of Section
21 6-103 of this title;

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

23 8. A brief description of the applicant, as determined by the
24 Department;

1 9. Whether the applicant has previously been licensed, and, if
2 so, when and by what state or country, and whether any license has
3 ever been suspended or revoked, or whether an application has ever
4 been refused, and, if so, the date of and reason for the suspension,
5 revocation or refusal;

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

9 11. Whether the applicant has:

10 a. previously been licensed and, if so, when and by what
11 state or country, and

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

14 12. Social security number.

15 No person shall request the Department to use the social security
16 number of that person as the driver license number. Upon renewal or
17 replacement of any driver license issued after the effective date of
18 this act, the licensee shall advise the Department or the motor
19 license agent if the present driver license number of the licensee
20 is the social security number of the licensee. If the driver
21 license number is the social security number, the Department or the
22 motor license agent shall change the driver license number to a
23 computer-generated alphanumeric identification.
24

1 C. 1. In addition to the requirements of subsections A and B
2 of this section, every applicant for a commercial driver license who
3 is subject to the requirements of 49 C.F.R., Part 391, and is
4 applying for an original, renewal, or replacement license, and every
5 person who, upon the effective date of this act, is currently the
6 holder of a commercial driver license and is subject to the
7 requirements of 49 C.F.R., Part 391, and who does not apply for a
8 renewal or replacement license prior to January 30, 2014, shall
9 submit to the Department and maintain with the Department a current
10 approved medical examination certificate signed by a licensed
11 physician authorized to perform and approve medical examination
12 certifications. The Department shall adopt rules ~~regarding~~
13 ~~procedures~~ for maintaining medical examination certificates pursuant
14 to the requirements in 49 C.F.R., Parts 383 and 384. Any commercial
15 driver licensee subject to the requirements of this paragraph who
16 fails to maintain on file with the Department a current, approved
17 medical examination certificate shall have the driving privileges of
18 the person downgraded to a Class D driver license by the Department.

19 2. If the applicant is applying for an original commercial
20 driver license in Oklahoma or is transferring a commercial driver
21 license from another state to Oklahoma, the Department shall review
22 the driving record of the applicant in other states for the
23 immediately preceding ten (10) years, unless the record review has
24 already been performed by the Department. As a result of the

1 review, if it is determined by the Department that the applicant is
2 subject to a period of disqualification as prescribed by Section 6-
3 205.2 of this title which has not yet been imposed, the Department
4 shall impose the period of disqualification and the applicant shall
5 serve the period of disqualification before a commercial driver
6 license is issued to the applicant; provided, nothing in this
7 paragraph shall be construed to prevent the issuance of a Class D
8 driver license to the applicant.

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

16 4. The Department of Public Safety shall notify each commercial
17 driving school of the passage of this section, and each commercial
18 driving school shall notify prospective students of its school of
19 the hazardous material endorsement requirement.

20 D. In addition to the requirements of subsections A and B of
21 this section, every applicant shall be given an option on the
22 application for issuance of a driver license or identification card
23 or renewal pursuant to Section 6-115 of this title to provide an
24 emergency contact person. The emergency contact information

1 requested may include full name, address, and phone number. The
2 emergency contact information shall be maintained by the Department
3 and shall be used by the Department and law enforcement for
4 emergency purposes only. A person listed as an emergency contact
5 may request to be removed at any time. Any update to a change of
6 name, address, or phone number may be made by the applicant listing
7 the emergency contact person or by the person listed as the
8 emergency contact.

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

18 F. Whenever the Department receives a request for a driving
19 record from another licensing jurisdiction, the record shall be
20 forwarded without charge.

21 G. A person may not apply for or possess more than one state
22 issued REAL ID compliant driver license or identification card,
23 pursuant to the provisions of Section 6-101 of this title. A valid
24 and unexpired Oklahoma driver license shall serve as both primary

1 and secondary proofs of identity whenever application for ~~an~~ a REAL
2 ID non-compliant identification card is submitted to the Department.
3 The provisions of subsection B of Section 1550.42 of Title 21 of the
4 Oklahoma Statutes shall not apply when issuing an identification
5 card pursuant to the provisions of this subsection. The Department
6 shall promulgate rules necessary to implement and administer the
7 provisions of this subsection.

8 SECTION 4. REPEALER 47 O.S. 2011, Section 6-110.3, is
9 hereby repealed.

10 SECTION 5. AMENDATORY 47 O.S. 2011, Section 6-111, as
11 last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
12 2015, Section 6-111), is amended to read as follows:

13 Section 6-111. A. 1. The Department of Public Safety shall,
14 upon payment of the required fee, issue to every applicant
15 qualifying therefor a Class A, B, C or D driver license or
16 identification card as applied for, which license or card shall bear
17 thereon a distinguishing alphanumeric identification assigned to the
18 licensee or cardholder, date of issuance and date of expiration of
19 the license or card, the full legal name, signature or computerized
20 signature, date of birth, residence address unless specified as an
21 exception in the Code of Federal Regulations per 6 C.F.R. Section
22 37.17, sex, a ~~color photograph or~~ computerized color image of the
23 licensee or cardholder taken in accordance with Department rules,
24 and security features as determined by the Department. The

1 ~~photograph or~~ image shall depict a full front unobstructed view of
2 the entire face of the licensee or cardholder; provided, a
3 commercial learner permit shall not bear the ~~photograph or~~ image of
4 the licensee. When any person is issued both a driver license and
5 an identification card, the Department shall ensure the information
6 on both the license and the card are the same, unless otherwise
7 provided by law.

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

11 3. The Department may cancel the distinguishing number, when
12 that distinguishing number is another person's Social Security
13 number, assign a new distinguishing alphanumeric identification, and
14 issue a new license or identification card without charge to the
15 licensee or cardholder.

16 4. The Department may promulgate rules for inclusion of the
17 height and a brief description of the licensee or cardholder on the
18 face of the card or license identifying the licensee or cardholder
19 as deaf or hard-of-hearing.

20 5. It is unlawful for any person to apply, adhere, or otherwise
21 attach to a driver license or identification card any decal,
22 sticker, label, or other attachment. Any law enforcement officer is
23 authorized to remove and dispose of any unlawful decal, sticker,
24 label, or other attachment from the driver license of a person. The

1 law enforcement officer, the employing agency of the officer, the
2 Department of Public Safety, and the State of Oklahoma shall be
3 immune from any liability for any loss suffered by the licensee,
4 cardholder, or the owner of the decal, sticker, label, or other
5 attachment caused by the removal and destruction of the decal,
6 sticker, label, or other attachment.

7 6. The Department of Public Safety may develop by rule an
8 alternative procedure whereby a person may apply for a renewal or
9 replacement Oklahoma Class D license or Oklahoma identification
10 card.

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

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

- 22 a. farm retail outlets and suppliers,
- 23 b. agri-chemical businesses,
- 24 c. custom harvesters, and

1 d. livestock feeders.

2 The applicant shall hold a valid Oklahoma driver license and
3 shall meet all the requirements for a commercial driver license.
4 The restricted commercial driver license shall not exceed a total of
5 one hundred eighty (180) days within any twelve-month period.

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

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

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

16 c. solid fertilizers that are not mixed with any organic
17 substance.

18 No other placarded hazardous materials shall be transported by
19 holders of such licenses.

20 D. 1. The Department shall develop a procedure whereby a
21 person applying for an original, renewal or replacement Class A, B,
22 C or D driver license or identification card who is required to
23 register as a convicted sex offender with the Department of
24 Corrections pursuant to the provisions of the Sex Offenders

1 Registration Act and who the Department of Corrections designates as
2 an aggravated or habitual offender pursuant to subsection J of
3 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
4 license or card bearing the words "Sex Offender".

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

11 3. Upon surrendering the license or card for the reason set
12 forth in this subsection, application may be made with the
13 Department for a replacement license or card bearing the words "Sex
14 Offender".

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

1 to the provisions of the Sex Offenders Registration Act, the
2 individual shall be eligible to receive a driver license or
3 identification card which does not bear the words "Sex Offender".

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

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

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

1 SECTION 6. REPEALER Section 1, Chapter 206, O.S.L. 2015
2 (47 O.S. Supp. 2015, Section 1132B), is hereby repealed.

3 SECTION 7. AMENDATORY 47 O.S. 2011, Section 1140.1, is
4 amended to read as follows:

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

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

23 C. The ~~furnishing~~ issuance of any camera and associated
24 equipment shall be subject to availability from the vendor ~~and, if~~

1 ~~limited, shall be allocated according to this section. When~~
2 availability is limited, issuance of a camera and associated
3 equipment shall be determined by the Department based on population
4 and geographic needs.

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.

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