

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1261

By: Stone

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 6-106, as last amended by Section 1, Chapter 242, O.S.L. 2014 (47 O.S. Supp. 2014, Section 6-106), which relates to the issuance of driver licenses; modifying driver license application requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-106, as last amended by Section 1, Chapter 242, O.S.L. 2014 (47 O.S. Supp. 2014, Section 6-106), is amended to read as follows:

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

2. Every original, renewal, or replacement application for a driver license or identification card made by a male applicant who is at least sixteen (16) but less than twenty-six (26) years of age shall include a statement that by submitting the application, the applicant is consenting to registration with the Selective Service System. The pertinent information from the application shall be

1 forwarded by the Department to the Data Management Center of the
2 Selective Service System in order to register the applicant as
3 required by law with the Selective Service System. Any applicant
4 refusing to sign the consent statement shall be denied a driver
5 license or identification card.

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

12 B. Every applicant for a driver license shall state upon the
13 application the following information:

14 1. Full name;

15 2. Date of birth;

16 3. Sex;

17 4. Residence address or mailing address and county of residence
18 to be displayed on the license;

19 5. Mailing address and residence address to be maintained by
20 the Department for the purpose of giving notice, if necessary, as
21 required by Section 2-116 of this title;

22 6. Medical information, as determined by the Department, which
23 shall assure the Department that the person is not prohibited from
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1 being licensed as provided by paragraph 7 of subsection A of Section
2 6-103 of this title;

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

4 8. A brief description of the applicant, as determined by the
5 Department;

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

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

14 11. Whether the applicant has:

15 a. previously been licensed and, if so, when and by what
16 state or country, and

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

19 12. Social security number or Individual Taxpayer
20 Identification Number if the applicant does not have a social
21 security number. If the applicant provides an Individual Taxpayer
22 Identification Number, the applicant shall submit to the Department
23 either a valid unexpired passport from the country of citizenship of
24 the applicant or a valid unexpired consular identification document

1 issued by the consulate of that country and proof of residence in
2 the state of Oklahoma for a duration of twelve (12) months or more.

3 No person shall request the Department to use the social security
4 number of that person as the driver license number. Upon renewal or
5 replacement of any driver license issued after the effective date of
6 this act, the licensee shall advise the Department or the motor
7 license agent if the present driver license number of the licensee
8 is the social security number of the licensee. If the driver
9 license number is the social security number, the Department or the
10 motor license agent shall change the driver license number to a
11 computer-generated alphanumeric identification.

12 C. 1. In addition to the requirements of subsections A and B
13 of this section, every applicant for a commercial driver license who
14 is subject to the requirements of 49 C.F.R., Part 391, and is
15 applying for an original, renewal, or replacement license, and every
16 person who, upon the effective date of this act, is currently the
17 holder of a commercial driver license and is subject to the
18 requirements of 49 C.F.R., Part 391, and who does not apply for a
19 renewal or replacement license prior to January 30, 2014, shall
20 submit to the Department and maintain with the Department a current
21 approved medical examination certificate signed by a licensed
22 physician authorized to perform and approve medical examination
23 certifications. The Department shall adopt rules regarding
24 procedures for maintaining medical examination certificates pursuant

1 to the requirements in 49 C.F.R., Parts 383 and 384. Any commercial
2 driver licensee subject to the requirements of this paragraph who
3 fails to maintain on file with the Department a current, approved
4 medical examination certificate shall have the driving privileges of
5 the person downgraded to a Class D driver license by the Department.

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

20 3. If the applicant has or is applying for a hazardous material
21 endorsement, the applicant shall submit to a security threat
22 assessment performed by the Transportation Security Administration
23 of the Department of Homeland Security as required by and pursuant
24 to 49 C.F.R., Part 1572, which shall be used to determine whether

1 the applicant is eligible for the endorsement pursuant to federal
2 law and regulation.

3 4. The Department of Public Safety shall notify each commercial
4 driving school of the passage of this section, and each commercial
5 driving school shall notify prospective students of its school of
6 the hazardous material endorsement requirement.

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

20 E. Whenever application is received from a person previously
21 licensed in another jurisdiction, the Department shall request a
22 copy of the driving record from the other jurisdiction and,
23 effective September 1, 2005, from all other jurisdictions in which
24 the person was licensed within the immediately previous ten (10)

1 years. When received, the driving record shall become a part of the
2 driving record of the person in this state with the same force and
3 effect as though entered on the driver's record in this state in the
4 original instance.

5 F. Whenever the Department receives a request for a driving
6 record from another licensing jurisdiction, the record shall be
7 forwarded without charge.

8 G. A valid and unexpired Oklahoma driver license shall serve as
9 both primary and secondary proofs of identity whenever application
10 for an identification card is submitted to the Department. The
11 provisions of subsection B of Section 1550.42 of Title 21 of the
12 Oklahoma Statutes shall not apply when issuing an identification
13 card pursuant to the provisions of this subsection. The Department
14 shall promulgate rules necessary to implement and administer the
15 provisions of this subsection.

16 SECTION 2. This act shall become effective November 1, 2015.

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18 55-1-5429 GRS 12/11/14
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