

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4   COMMITTEE SUBSTITUTE  
5   FOR  
6   HOUSE BILL NO. 1465

By: Echols

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8                               COMMITTEE SUBSTITUTE

9       An Act relating to driver licenses; amending 47 O.S.  
10      2011, Section 6-101, as last amended by Section 1,  
11      Chapter 180, O.S.L. 2016 (47 O.S. Supp. 2016, Section  
12      6-101), which relates to classes of driver licenses;  
13      defining terms; requiring certain designs and  
14      markings; requiring certain applications be made to  
15      the Department of Public Safety; authorizing certain  
16      applications to be made to the Department or motor  
17      license agents; requiring certain tasks be performed  
18      by Department employees; authorizing certain tasks be  
19      performed by the Department or motor license agents;  
20      providing certain process for obtaining certain  
21      driver licenses and identification cards; providing  
22      for temporary driver licenses and identification  
23      cards; establishing privileges for temporary driver  
24      licenses and identification cards; limiting period of  
privileges; modifying references; modifying issuance  
and renewal fee amounts for certain licenses;  
providing issuance and renewal fee amounts for  
certain licenses; modifying apportionments of certain  
fees; limiting certain rule-making authority; making  
retention of certain fees by motor license agents  
conditional; clarifying language; prohibiting  
possession of certain multiple licenses or  
identification cards simultaneously; authorizing the  
promulgation of rules related to replacement of  
certain driver licenses; 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. 2016, Section  
6-105.3), which relates to issuance of identification  
cards; prohibiting possession of multiple licenses or

1 identification cards simultaneously; authorizing the  
2 promulgation of rules related to replacement of  
3 certain identification cards; modifying the fee for  
4 issuance, renewal and replacement of identification  
5 cards; modifying apportionment of certain fee; making  
6 retention of certain fees by motor license agents  
7 conditional; clarifying language; amending 47 O.S.  
8 2011, Section 6-106, as last amended by Section 1,  
9 Chapter 170, O.S.L. 2016 (47 O.S. Supp. 2016, Section  
10 6-106), which relates to applications for driver  
11 licenses and identification cards; modifying  
12 application information required; prohibiting  
13 possession of certain multiple licenses or  
14 identification cards simultaneously; amending 47 O.S.  
15 2011, Section 6-110.3, which relates to prohibiting  
16 the implementation of the federal REAL ID Act;  
17 modifying legislative finding and statement;  
18 eliminating prohibition on REAL ID Act implementation  
19 and compliance; eliminating requirement related to  
20 retrieval and deletion of certain data; prohibiting  
21 the sharing of certain information and data;  
22 providing an exception; amending 47 O.S. 2011,  
23 Section 6-111, as last amended by Section 1, Chapter  
24 214, O.S.L. 2016 (47 O.S. Supp. 2016, Section 6-111),  
which relates to the issuance of licenses and  
identification cards; modifying information to be  
included on driver licenses and identification cards;  
clarifying language; limiting certain rule making  
authority; modifying circumstances whereby temporary  
driver licenses may be issued; authorizing the  
issuance of temporary identification cards under  
certain circumstances; clarifying privileges  
associated with such cards; establishing conditions  
when such cards become invalid; amending 47 O.S.  
2011, Section 6-114, as last amended by Section 2,  
Chapter 170, O.S.L. 2016 (47 O.S. Supp. 2016, Section  
6-114), which relates to replacement driver licenses;  
modifying procedure related to applications for  
replacement driver licenses; modifying the fee for  
replacement licenses; modifying apportionment of  
certain fee; making retention of certain fees by  
motor license agents conditional; amending 47 O.S.  
2011, Section 1113.2, as amended by Section 1,  
Chapter 359, O.S.L. 2016 (47 O.S. Supp. 2016, Section  
1113.2), which relates to reissue of official vehicle  
license plates; modifying time period whereby certain  
fee is applicable; modifying apportionment of certain

1 fee; clarifying language; clarifying fund name;  
2 requiring the offering of certain training and  
3 education by the Department of Public Safety;  
4 establishing standard for training and education;  
5 identifying groups eligible for such training and  
6 education; requiring such training and education be  
7 offered at reasonable cost; authorizing online  
8 training and education under certain conditions;  
9 authorizing in-person education and training under  
10 certain conditions; requiring furnishing without  
11 charge certain equipment by the Department of Public  
12 Safety; authorizing the promulgation of rules;  
13 regulating the storage of certain information related  
14 to applications for certain driver licenses and  
15 identification cards; defining term; requiring the  
16 creation and offering of a certain waiver; requiring  
17 certain receipt; requiring certain actions be taken  
18 related to data associated with a waiver applicant;  
19 prohibiting certain actions related to data  
20 associated with a waiver applicant; disqualifying  
21 felons from waiver eligibility; requiring certain  
22 periodic attestations; authorizing certain compliance  
23 audits by certain entities; limiting collection of  
24 data related to certain renewals; providing for  
photoless driver license and identification cards  
under certain conditions; requiring submission to  
certain fingerprinting; requiring deletion of  
fingerprints within certain period; providing for  
codification; and declaring an 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 180, O.S.L. 2016 (47 O.S. Supp.  
2016, 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

1 the person has a valid Oklahoma driver license for the class of  
2 vehicle being operated under the provisions of this title. No  
3 person shall be permitted to possess more than one valid license at  
4 any time, except as provided in paragraph 4 of subsection F of this  
5 section.

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

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

20 3. No person shall operate a Class C commercial motor vehicle  
21 unless the person is eighteen (18) years of age or older and holds a  
22 valid Class C commercial license, except as provided in subsection F  
23 of this section. Any person holding a valid Class C commercial  
24

1 license shall be permitted to operate motor vehicles in Classes C  
2 and D, except as provided for in paragraph 4 of this subsection.

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

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

- 14 a. a restricted Class A commercial license which shall  
15 grant to the licensee the privilege to operate a Class  
16 A or Class B commercial motor vehicle for harvest  
17 purposes or a Class D motor vehicle, or
- 18 b. a restricted Class B commercial license which shall  
19 grant to the licensee the privilege to operate a Class  
20 B commercial motor vehicle for harvest purposes or a  
21 Class D motor vehicle.

22 6. No person shall operate a Class D motor vehicle unless the  
23 person is sixteen (16) years of age or older and holds a valid Class  
24 D license, except as provided for in Section 6-102 or 6-105 of this

1 title. Any person holding a valid Class D license shall be  
2 permitted to operate motor vehicles in Class D only.

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

6 D. No person shall operate a motorcycle or motor-driven cycle  
7 without having a valid Class A, B, C or D license with a motorcycle  
8 endorsement. Except as otherwise provided by law, any new applicant  
9 for an original driver license shall be required to successfully  
10 complete a written examination, vision examination, and driving  
11 examination for a motorcycle as prescribed by the Department of  
12 Public Safety, and a certified state-approved motorcycle basic rider  
13 course approved by the Department if the applicant is seventeen (17)  
14 years of age or younger to be eligible for a motorcycle endorsement  
15 thereon. The written examination and driving examination for a  
16 motorcycle shall be waived by the Department of Public Safety upon  
17 verification that the person has successfully completed a certified  
18 Motorcycle Safety Foundation rider course approved by the  
19 Department.

20 E. Except as otherwise provided by law, any person who lawfully  
21 possesses a valid Oklahoma driver license which is eligible for  
22 renewal shall be required to successfully complete a written  
23 examination, vision examination, and driving examination for a  
24 motorcycle as prescribed by the Department, and a certified state-

1 approved motorcycle basic rider course approved by the Department if  
2 the person is seventeen (17) years of age or younger to be eligible  
3 for a motorcycle endorsement. The written examination and driving  
4 examination for a motorcycle shall be waived by the Department of  
5 Public Safety upon verification that the person has successfully  
6 completed a certified Motorcycle Safety Foundation rider course  
7 approved by the Department.

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

21 2. This commercial learner permit shall be issued for a period  
22 as provided in Section 6-115 of this title of one hundred eighty  
23 (180) days, which may be renewed one time for an additional one  
24 hundred eighty (180) days; provided, such commercial learner permit

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

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

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

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

17 6. Enrollment in or successful completion of a commercial  
18 driver training school shall not be required for any commercial  
19 learner permit applicant who requests a skills examination for a  
20 Class A, B or C license, nor shall any student enrolled in a  
21 commercial driver training school be prohibited from taking a skills  
22 examination for a Class A, B or C license upon request with a  
23 Department of Public Safety examiner regardless of whether the  
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1 person has completed the course, is still enrolled in the course to  
2 be completed or has voluntarily withdrawn from the course.

3 G. 1. For purposes of this title:

- 4 a. "REAL ID Compliant Driver License or Identification  
5 Card" means a driver license or identification card  
6 issued by the State of Oklahoma that has been  
7 certified by the United States Department of Homeland  
8 Security (USDHS) as compliant with the requirements of  
9 the REAL ID Act of 2005, Public Law No. 109-13. A  
10 REAL ID Compliant Driver License or Identification  
11 Card and the process through which it is issued  
12 incorporate a variety of security measures designed to  
13 protect the integrity and trustworthiness of the  
14 license or card. A REAL ID Compliant Driver License  
15 or Identification Card will be clearly marked on the  
16 face indicating that it is a compliant document, and
- 17 b. "REAL ID Noncompliant Driver License or Identification  
18 Card" means a driver license or identification card  
19 issued by the State of Oklahoma that has not been  
20 certified by the United States Department of Homeland  
21 Security (USDHS) as being compliant with the  
22 requirements of the REAL ID Act. A REAL ID  
23 Noncompliant Driver License or Identification Card  
24 will be clearly marked on the face indicating that it

1 is not compliant with the federal REAL ID Act and is  
2 not acceptable for official federal purposes. The  
3 driver license or identification card will have a  
4 unique design or color indicator that clearly  
5 distinguishes it from a compliant license or card.

6 2. Original Driver License and Identification Card Issuance:

7 a. Application for an original REAL ID Compliant or REAL  
8 ID Noncompliant Driver License or Identification Card  
9 shall be made to the Department of Public Safety.

10 b. Department of Public Safety employees shall perform  
11 all document recognition and other requirements needed  
12 for approval of an original REAL ID Compliant or REAL  
13 ID Noncompliant Driver License or Identification Card  
14 application.

15 c. Upon approval of an original REAL ID Compliant or REAL  
16 ID Noncompliant Driver License or Identification Card  
17 application, the applicant may take the approved  
18 application document to a motor license agent to  
19 receive a temporary driver license or identification  
20 card.

21 d. The motor license agent shall process the approved  
22 REAL ID Compliant or REAL ID Noncompliant Driver  
23 License or Identification Card application and upon  
24 payment shall provide the applicant a temporary driver

1 license or identification card. A temporary driver  
2 license or identification card shall afford the holder  
3 the privileges otherwise granted by the specific class  
4 of driver license or identification card for the  
5 period of time listed on the temporary driver license  
6 or identification card or the period of time prior to  
7 the applicant receiving a REAL ID Compliant or REAL ID  
8 Noncompliant Driver License or Identification Card,  
9 whichever time period is shorter.

10 3. REAL ID Compliant Driver License and Identification Card

11 Renewal and Replacement:

12 a. Application for renewal or replacement of a REAL ID  
13 Compliant Driver License or Identification Card may be  
14 made to the Department of Public Safety or to a motor  
15 license agent; provided, such motor license agent is  
16 authorized to process application for REAL ID  
17 Compliant Driver Licenses and Identification Cards;  
18 and further provided, no motor license agent shall  
19 process an application for a Class A, B or C  
20 commercial license.

21 b. Department of Public Safety employees or authorized  
22 motor license agents shall perform all document  
23 recognition and other requirements needed for approval  
24 of a renewal or replacement REAL ID Compliant Driver

1           License or Identification Card application; provided,  
2           no motor license agent shall perform such document  
3           recognition and other requirements needed for approval  
4           of an application for a Class A, B or C commercial  
5           license.

6           c. Upon approval of a renewal or replacement REAL ID  
7           Compliant Driver License or Identification Card  
8           application, the applicant may receive a temporary  
9           driver license or identification card from the  
10           Department of Public Safety or an authorized motor  
11           license agent.

12           d. A temporary driver license or identification card  
13           acquired under the provisions of this paragraph shall  
14           afford the holder the privileges otherwise granted by  
15           the specific class of driver license or identification  
16           card being renewed or replaced for the period of time  
17           listed on the temporary driver license or  
18           identification card or the period of time prior to the  
19           applicant receiving a REAL ID Compliant Driver License  
20           or Identification Card, whichever time period is  
21           shorter.

22           e. For purposes of this title, an application for a REAL  
23           ID Compliant Driver License or Identification Card by  
24           an individual with a valid Oklahoma-issued driver

1 license or identification card shall be considered a  
2 renewal of a REAL ID Compliant Driver License or  
3 Identification Card.

4 4. REAL ID Noncompliant Driver License and Identification Card

5 Renewal and Replacement:

- 6 a. Application for renewal or replacement of a REAL ID  
7 Noncompliant Driver License or Identification Card may  
8 be made to the Department of Public Safety or to a  
9 motor license agent; provided, no motor license agent  
10 shall process an application for a Class A, B or C  
11 commercial license.
- 12 b. Department of Public Safety employees or motor license  
13 agents shall perform all document recognition and  
14 other requirements needed for approval of a renewal or  
15 replacement REAL ID Noncompliant Driver License or  
16 Identification Card application; provided, no motor  
17 license agent shall perform such document recognition  
18 and other requirements needed for approval of an  
19 application for a Class A, B or C commercial license.
- 20 c. Upon approval of a renewal or replacement REAL ID  
21 Noncompliant Driver License or Identification Card  
22 application, the applicant may receive a temporary  
23 driver license or identification card from the  
24 Department of Public Safety or a motor license agent.

d. A temporary driver license or identification card acquired under the provisions of this paragraph shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card being renewed or replaced for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Noncompliant Driver License or Identification Card, whichever time period is shorter.

H. 1. The fee charged for an approved application for an original Oklahoma ~~driver license~~ REAL ID Compliant or REAL ID Noncompliant Driver License or an approved application for the addition of an endorsement to a current valid Oklahoma ~~driver license~~ REAL ID Compliant or REAL ID Noncompliant Driver License shall be assessed in accordance with the following schedule:

Class A Commercial Learner Permit	\$25.00
Class A Commercial License	\$25.00
Class B Commercial Learner Permit	\$15.00
Class B Commercial License	\$15.00
Class C Commercial Learner Permit	\$15.00
Class C Commercial License	\$15.00
Class D License	\$ 4.00
Motorcycle Endorsement	\$ 4.00

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

~~H.~~ I. 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.~~ J. In addition to any fee charged pursuant to the provisions of subsection ~~G~~ H of this section, the fee charged for the issuance or renewal of ~~an Oklahoma license~~ a REAL ID Noncompliant Driver 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	<del>\$51.50</del>	<u>\$56.50</u>
Class A Commercial License	<del>\$51.50</del>	<u>\$56.50</u>
Class B Commercial Learner Permit	<del>\$51.50</del>	<u>\$56.50</u>
Class B Commercial License	<del>\$51.50</del>	<u>\$56.50</u>
Class C Commercial License	<del>\$41.50</del>	<u>\$46.50</u>
Class D License	<del>\$33.50</del>	<u>\$38.50</u>

K. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Compliant Driver License shall be in accordance



1 with the following schedule; provided, that any applicant who has a  
2 CDL Learner Permit shall be charged only the replacement fee for the  
3 issuance of the license:

4	<u>REAL ID Compliant Class A Commercial Learner Permit</u>	<u>\$56.50</u>
5	<u>REAL ID Compliant Class A Commercial License</u>	<u>\$56.50</u>
6	<u>REAL ID Compliant Class B Commercial Learner Permit</u>	<u>\$56.50</u>
7	<u>REAL ID Compliant Class B Commercial License</u>	<u>\$56.50</u>
8	<u>REAL ID Compliant Class C Commercial License</u>	<u>\$46.50</u>
9	<u>REAL ID Compliant Class D License</u>	<u>\$38.50</u>

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

13 M. Notwithstanding the provisions of Section 1104 of this  
14 title, of each fee charged pursuant to the provisions of ~~this~~  
15 ~~subsection~~ subsections J, K and L of this section:

16 1. Five Dollars and fifty cents (\$5.50) shall be deposited to  
17 the Trauma Care Assistance Revolving Fund created in Section 1-  
18 2530.9 of Title 63 of the Oklahoma Statutes;

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

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

4        4. Three Dollars (\$3.00) shall be deposited to the State Public  
5 Safety Fund created in Section 2-147 of this title; and

6        5. Two Dollars (\$2.00) of the fee provided for in subsection J  
7 of this section related to the issuance or renewal of a driver  
8 license by a motor license agent that does not process approved  
9 applications or renewals for REAL ID Compliant Driver License and  
10 Identification Cards, shall be deposited, in addition to the amount  
11 authorized by paragraph 4 of this subsection, to the State Public  
12 Safety Fund created in Section 2-147 of this title.

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

15        ~~K.~~ O. 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.~~ P. 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~~ Q. In accordance with the provisions of subsection G of  
9 this section, the Department of Public Safety and the Oklahoma Tax  
10 Commission are authorized to promulgate rules for the issuance and  
11 renewal of driver licenses authorized pursuant to the provisions of  
12 Sections 6-101 through 6-309 of this title; provided, that no such  
13 rules applicable to the issuance or renewal of REAL ID Noncompliant  
14 Driver Licenses shall create more stringent standards than such  
15 rules applicable as of January 1, 2017, unless directly related to a  
16 specific change in statutory law concerning standards for REAL ID  
17 Noncompliant Driver Licenses. Applications, upon forms approved by  
18 the Department of Public Safety, for such licenses shall be handled,  
19 in accordance with the provisions of subsection G of this section,  
20 by the motor license agents; provided, the Department of Public  
21 Safety is authorized to assume these duties in any county of this  
22 state. Each motor license agent accepting applications for driver  
23 licenses shall receive Four Dollars (\$4.00) to be deducted from the  
24 total collected for each license or renewal application accepted; in

1 addition to such amount, each motor license agent that processes  
2 approved applications or renewals for REAL ID Compliant Driver  
3 Licenses shall receive Two Dollars (\$2.00) to be deducted from the  
4 total fee collected under the provisions of subsections J and K of  
5 this section, for each license or renewal application accepted. The  
6 ~~four-dollar fee~~ fees received by the motor license agent, authorized  
7 by this subsection, shall be used for operating expenses.

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

15 The next Five Hundred Thousand Dollars (\$500,000.00) of monies  
16 collected pursuant to this section shall be paid by the Tax  
17 Commission to the State Treasurer to be deposited each fiscal year  
18 under the provisions of this section to the credit of the Department  
19 of Public Safety Restricted Revolving Fund for the purpose of the  
20 Statewide Law Enforcement Communications System. All other monies  
21 collected in excess of Five Hundred Sixty Thousand Dollars  
22 (\$560,000.00) each fiscal year shall be apportioned as provided in  
23 Section 1104 of this title, except as otherwise provided in this  
24 section.

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

6       1. By a law enforcement agency for purposes of criminal  
7 investigations, missing person investigations, or any law  
8 enforcement purpose which is deemed necessary by the Commissioner of  
9 Public Safety;

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

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

13       The computer system and related equipment acquired for this  
14 purpose must conform to industry standards for interoperability and  
15 open architecture. The Department of Public Safety may promulgate  
16 rules to implement the provisions of this subsection.

17       T. No person may hold more than one state-issued or territory-  
18 issued REAL ID Compliant Driver License or REAL ID Compliant  
19 Identification Card from Oklahoma or any other state or territory.  
20 The Department shall not issue a REAL ID Compliant Driver License to  
21 a person who has been previously issued a REAL ID Compliant Driver  
22 License or REAL ID Compliant Identification Card until such license  
23 or identification card has been surrendered to the Department by the  
24 applicant. The Department may promulgate rules related to the

1 issuance of replacement REAL ID Compliant Driver Licenses in the  
2 event of loss or theft.

3 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as  
4 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
5 2016, Section 6-105.3), is amended to read as follows:

6 Section 6-105.3 A. In addition to the licenses to operate  
7 motor vehicles, the Department of Public Safety may issue cards to  
8 Oklahoma residents for purposes of identification only. The  
9 identification cards shall be issued, renewed, replaced, canceled  
10 and denied in the same manner as driver licenses in this state. The  
11 application for an identification card by any person under the age  
12 of eighteen (18) years shall be signed and verified by a custodial  
13 legal parent or legal guardian, either in person before a person  
14 authorized to administer oaths or electronically if completing an  
15 online application, or a notarized affidavit signed by a custodial  
16 legal parent or legal guardian submitted before a person authorized  
17 to administer oaths by the person under the age of eighteen (18)  
18 years with the application. Except as otherwise provided in this  
19 section, the identification cards shall be valid for a period of  
20 four (4) years from the month of issuance; however, the  
21 identification cards issued to persons sixty-five (65) years of age  
22 or older shall be valid indefinitely from the month of issuance.

23 B. No person shall hold more than one state-issued or  
24 territory-issued REAL ID Compliant Driver License or REAL ID

1 Compliant Identification Card, as defined in subsection G of Section  
2 6-101 of this title. The Department shall not issue a REAL ID  
3 Compliant Identification Card to any applicant who has been  
4 previously issued a REAL ID Compliant Driver License or REAL ID  
5 Compliant Identification Card unless such license or identification  
6 card has been surrendered to the Department by the applicant. The  
7 Department may promulgate rules related to the issuance of  
8 replacement REAL ID Compliant Identification Cards in the event of  
9 loss or theft.

10 C. The fee charged for the issuance, renewal, or replacement of  
11 ~~an identification card~~ a REAL ID Compliant Identification Card shall  
12 be Twenty-five Dollars (\$25.00). The fee charged for the issuance,  
13 renewal or replacement of a REAL ID Noncompliant Identification Card  
14 pursuant to this section shall be ~~Twenty Dollars (\$20.00)~~ Twenty-  
15 five Dollars (\$25.00); however, no person sixty-five (65) years of  
16 age or older shall be charged a fee for an identification card. Of  
17 each fee charged pursuant to the provisions of this subsection:

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

20 2. Three Dollars (\$3.00) shall be credited to the Department of  
21 Public Safety Computer Imaging System Revolving Fund to be used  
22 solely for the purpose of the administration and maintenance of the  
23 computerized imaging system of the Department; ~~and~~

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

3        4. Three Dollars (\$3.00) shall be deposited to the State Public  
4 Safety Fund created in Section 2-147 of this title; and

5        5. a. Two Dollars (\$2.00) of the fee authorized by this  
6 subsection related to the issuance, renewal or  
7 replacement of an identification card by a motor  
8 license agent that does not process approved  
9 applications or renewals for REAL ID Compliant Driver  
10 License or Identification Cards, shall be deposited,  
11 in addition to the amount authorized by paragraph 4 of  
12 this subsection, to the State Public Safety Fund  
13 created in Section 2-147 of this title, or

14        b. Two Dollars (\$2.00) of the fee authorized by this  
15 subsection related to the issuance, renewal or  
16 replacement of an identification card by a motor  
17 license agent that does process approved applications  
18 or renewals for REAL ID Compliant Driver License or  
19 Identification Cards, shall be retained by the motor  
20 license agent.

21        ~~C.~~ D. The Oklahoma Tax Commission is hereby authorized to  
22 reimburse, from funds available to that agency, each motor license  
23 agent issuing an identification card to a person sixty-five (65)  
24 years of age or older, an amount not to exceed One Dollar (\$1.00)



1 for each card or driver license so issued. The Tax Commission shall  
2 develop procedures for claims for reimbursement.

3 ~~D.~~ E. When a person makes application for a new identification  
4 card, or makes application to renew an identification card, and the  
5 person has been convicted of, or received a deferred judgment for,  
6 any offense required to register pursuant to the Sex Offenders  
7 Registration Act, the identification card shall be valid for a  
8 period of one (1) year from the month of issuance, but may be  
9 renewed yearly during the time the person is ~~registered~~ subject to  
10 registration on the Sex Offender Registry. The cost for such  
11 identification card shall be the same as for other identification  
12 cards and renewals.

13 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-106, as  
14 last amended by Section 1, Chapter 170, O.S.L. 2016 (47 O.S. Supp.  
15 2016, Section 6-106), is amended to read as follows:

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

19 2. Every original, renewal, or replacement application for a  
20 driver license or identification card made by a male applicant who  
21 is at least sixteen (16) but less than twenty-six (26) years of age  
22 shall include a statement that by submitting the application, the  
23 applicant is consenting to registration with the Selective Service  
24 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 subsections G and H of this  
7 section, every applicant for a driver license or identification card  
8 shall provide to the Department at the time of application both  
9 primary and secondary proofs of identity. The Department shall  
10 promulgate rules prescribing forms of primary and secondary  
11 identification acceptable for an original Oklahoma driver license.

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

14 1. Full name;

15 2. Date of birth;

16 3. Sex;

17 4. ~~Residence address or mailing address and~~ Address of  
18 principal residence and county of such residence ~~to be displayed~~  
19 which shall be referenced on the license;

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

23 6. Medical information, as determined by the Department, which  
24 shall assure the Department that the person is not prohibited from

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.

20 No person shall request the Department to use the Social Security  
21 number of that person as the driver license number. Upon renewal or  
22 replacement of any driver license issued after the effective date of  
23 this act, the licensee shall advise the Department or the motor  
24 license agent if the present driver license number of the licensee

1 is the Social Security number of the licensee. If the driver  
2 license number is the Social Security number, the Department or the  
3 motor license agent shall change the driver license number to a  
4 computer-generated alphanumeric identification.

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

23 2. If the applicant is applying for an original commercial  
24 driver license in Oklahoma or is transferring a commercial driver

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

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

20 4. The Department of Public Safety shall notify each commercial  
21 driving school of the passage of this section, and each commercial  
22 driving school shall notify prospective students of its school of  
23 the hazardous material endorsement requirement.  
24

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

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

23

24

1 F. Whenever the Department receives a request for a driving  
2 record from another licensing jurisdiction, the record shall be  
3 forwarded without charge.

4 G. A person shall not apply for or possess more than one state-  
5 issued or territory-issued REAL ID Compliant Driver License or  
6 Identification Card pursuant to the provisions of Section 6-101 of  
7 this title. A valid and unexpired Oklahoma driver license shall  
8 serve as both primary and secondary proofs of identity whenever  
9 application for ~~an identification card~~ a REAL ID Noncompliant  
10 Identification Card is submitted to the Department. The provisions  
11 of subsection B of Section 1550.42 of Title 21 of the Oklahoma  
12 Statutes shall not apply when issuing an identification card  
13 pursuant to the provisions of this subsection. The Department shall  
14 promulgate rules necessary to implement and administer the  
15 provisions of this subsection.

16 H. A valid and unexpired U.S. passport shall serve as both  
17 primary and secondary proofs of identity whenever application for a  
18 driver license or identification card is submitted to the  
19 Department. The Department shall promulgate rules necessary to  
20 implement and administer the provisions of this subsection.

21 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-110.3, is  
22 amended to read as follows:

23 Section 6-110.3 A. ~~1-~~ The Legislature finds that the  
24 enactment into law by the United States Congress of the federal REAL

1 ID Act of 2005, Public Law Number 109-13, is ~~inimical to the~~  
2 ~~security and well-being of the people of Oklahoma, will cause~~  
3 ~~approximately Eight Million Dollars (\$8,000,000.00) in added expense~~  
4 ~~and inconvenience to our state, and was adopted by the United States~~  
5 ~~Congress in violation of~~ an action that individual Oklahomans should  
6 have an option to refuse under the principles of federalism  
7 contained in the Tenth Amendment to the United States Constitution.

8 ~~2. B. The State of Oklahoma shall not participate in the~~  
9 ~~implementation of the REAL ID Act of 2005. The Department of Public~~  
10 ~~Safety is hereby directed not to implement the provisions of the~~  
11 ~~REAL ID Act of 2005 and to report to the Governor and the~~  
12 ~~Legislature any attempt by agencies or agents of the United States~~  
13 ~~Department of Homeland Security to secure the implementation of the~~  
14 ~~REAL ID Act of 2005 through the operations of that or any other~~  
15 ~~state department.~~

16 ~~B. No department or agency of the state charged with motor~~  
17 ~~vehicle registration or operation, the issuance or renewal of driver~~  
18 ~~licenses, or the issuance or renewal of any identification cards~~  
19 ~~shall collect, obtain, or retain any data in connection with~~  
20 ~~activities related to complying with the REAL ID Act of 2005.~~

21 ~~C. Any biometric data previously collected, obtained, or~~  
22 ~~retained in connection with motor vehicle registration or operation,~~  
23 ~~the issuance or renewal of driver licenses, or the issuance or~~  
24 ~~renewal of any identification cards by any department or agency of~~



1 ~~this state charged with those activities shall be retrieved and~~  
2 ~~deleted from any and all databases. The provisions of this~~  
3 ~~subsection shall not apply to any data collected, obtained or~~  
4 ~~retained for a purpose other than complying with the REAL ID Act of~~  
5 2005 offer its citizens the option of choosing a Compliant Driver  
6 License or Identification Card or a Noncompliant Driver License or  
7 Identification Card.

8 C. The State of Oklahoma shall not share its citizens' personal  
9 information or biometric data with the federal government directly,  
10 except as a result of compliance with the REAL ID Act of 2005,  
11 Public Law Number 109-13.

12 D. For purposes of this section, "biometric data" includes, but  
13 is not limited to:

- 14 1. Facial feature pattern characteristics;
- 15 2. Voice data used for comparing live speech with a previously  
16 created speech model of a person's voice;
- 17 3. Iris recognition data containing color or texture patterns  
18 or codes;
- 19 4. Retinal scans, reading through the pupil to measure blood  
20 vessels lining the retina;
- 21 5. Behavior characteristics of a handwritten signature, such as  
22 shape, speed, pressure, pen angle, or sequence;
- 23 6. Fingerprints, palm prints, and other methods for measuring  
24 or recording ridge pattern or fingertip characteristics;

1        7. Keystroke dynamics, measuring pressure applied to key pads;

2        8. Hand geometry, measuring hand characteristics, including the  
3 shape and length of fingers, in three (3) dimensions; and

4        9. Deoxyribonucleic acid (DNA) and/or ribonucleic acid (RNA).

5        SECTION 5.        AMENDATORY        47 O.S. 2011, Section 6-111, as  
6 last amended by Section 1, Chapter 214, O.S.L. 2016 (47 O.S. Supp.  
7 2016, Section 6-111), is amended to read as follows:

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

1 card, the Department shall ensure the information on both the  
2 license and the card are the same, unless otherwise provided by law.

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

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

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

15 5. It is unlawful for any person to apply, adhere, or otherwise  
16 attach to a driver license or identification card any decal,  
17 sticker, label, or other attachment. Any law enforcement officer is  
18 authorized to remove and dispose of any unlawful decal, sticker,  
19 label, or other attachment from the driver license of a person. The  
20 law enforcement officer, the employing agency of the officer, the  
21 Department of Public Safety, and the State of Oklahoma shall be  
22 immune from any liability for any loss suffered by the licensee,  
23 cardholder, or the owner of the decal, sticker, label, or other  
24

1 attachment caused by the removal and destruction of the decal,  
2 sticker, label, or other attachment.

3 6. The Department of Public Safety may develop by rule ~~an~~  
4 alternative a procedure, which complies with the provisions of  
5 subsection G of Section 6-101 of this title, whereby a person may  
6 apply for a renewal or replacement Oklahoma Class D license or  
7 Oklahoma identification card.

8 B. 1. The Department may issue or authorize the issuance of a  
9 temporary permit or license to an applicant for a driver license  
10 permitting such applicant to operate a motor vehicle while the  
11 Department is completing its investigation and determination of all  
12 facts relative to such applicant's privilege to receive a license,  
13 or while a permanent driver license is being produced and delivered  
14 to the applicant. Such permit or license must be in the immediate  
15 possession of the driver while operating a motor vehicle, and it  
16 shall be invalid when the applicant's permanent driver license has  
17 been issued and delivered or for good cause has been refused.

18 2. The Department may issue or authorize the issuance of a  
19 temporary identification card to an applicant, permitting the holder  
20 the privileges otherwise granted by identification cards, while a  
21 permanent driver license is being provided and delivered to the  
22 applicant. Such card shall be invalid when the applicant's  
23 permanent identification card has been issued and delivered, or for  
24 good cause has been refused.

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

- 4 a. farm retail outlets and suppliers,
- 5 b. agri-chemical businesses,
- 6 c. custom harvesters, and
- 7 d. livestock feeders.

8 The applicant shall hold a valid Oklahoma driver license and  
9 shall meet all the requirements for a commercial driver license.

10 The restricted commercial driver license shall not exceed a total of  
11 one hundred eighty (180) days within any twelve-month period.

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

- 18 a. diesel fuel in quantities of one thousand (1,000)  
19 gallons or less,
- 20 b. liquid fertilizers in vehicles with total capacities  
21 of three thousand (3,000) gallons or less, and
- 22 c. solid fertilizers that are not mixed with any organic  
23 substance.

1       No other placarded hazardous materials shall be transported by  
2 holders of such licenses.

3       D.   The Department may issue a non-domiciled commercial learner  
4 permit or a non-domiciled commercial driver license to:

5       1.   An H2A-Temporary Agricultural worker lawfully present in the  
6 United States as indicated on an original, valid and unexpired I-94  
7 immigration status document issued by the United States Customs and  
8 Immigration Service; and

9       2.   A J-1 Exchange Visitor Program participant lawfully present  
10 in the United States as indicated on a valid and unexpired J-1  
11 Visitor Visa issued by the United States Customs and Immigration  
12 Service and who is enrolled in an agricultural education training  
13 program.

14       A person applying for such permit or license must comply with  
15 all testing and licensing requirements in accordance with applicable  
16 federal regulations, state laws and Department rules. The issued  
17 license shall be valid until the expiration of the visa for the non-  
18 domiciled worker. The Department may promulgate rules for the  
19 implementation of the process to carry out the provisions of this  
20 section.

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

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

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

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

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

1 a convicted sex offender with the Department of Corrections pursuant  
2 to the provisions of the Sex Offenders Registration Act, the  
3 individual shall be eligible to receive a driver license or  
4 identification card which does not bear the words "Sex Offender".

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

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

21 H. The Department shall develop a procedure whereby a person  
22 applying for an original, renewal or replacement Class D driver  
23 license who has been granted modified driving privileges under this  
24



1 title shall be issued a Class D driver license which identifies the  
2 license as a modified license.

3 SECTION 6. AMENDATORY 47 O.S. 2011, Section 6-114, as  
4 last amended by Section 2, Chapter 170, O.S.L. 2016 (47 O.S. Supp.  
5 2016, Section 6-114), is amended to read as follows:

6 Section 6-114. A. 1. In the event that a driver license is  
7 lost, destroyed or requires the updating of any information,  
8 restriction or endorsement displayed thereon, the person to whom  
9 such license was issued may obtain a replacement thereof pursuant to  
10 the provisions of subsection G of Section 6-101 of this title, and  
11 upon payment of the required fee and by furnishing both primary and  
12 secondary proofs of identity to the Department of Public Safety. If  
13 application is made at a motor license agency or subagency, the  
14 agent or subagent shall immediately verify the identity of the  
15 person, by means of both primary and secondary proofs of identity,  
16 and the eligibility of the person by contacting the Department for  
17 verification and approval. If the person is an alien, the person  
18 shall appear before a driver license examiner of the Department and,  
19 after furnishing primary and secondary proofs of identity as  
20 required in this section, shall be issued a replacement driver  
21 license for a period which does not exceed the lesser of:

- 22 a. the expiration date of the license being replaced, or
- 23 b. the expiration date on the valid documentation
- 24 authorizing the presence of the person in the United

1 States, as required by paragraph 9 of subsection A of  
2 Section 6-103 of this title.

3 2. The cost of a replacement license shall be ~~Twenty Dollars~~  
4 ~~(\$20.00)~~ Twenty-five Dollars (\$25.00), of which:

5 a. Two Dollars (\$2.00) shall be apportioned as provided  
6 in Section 1104 of this title,

7 b. Three Dollars (\$3.00) shall be remitted to the State  
8 Treasurer to be credited to the General Revenue Fund,  
9 and

10 c. Five Dollars (\$5.00) shall be credited to the  
11 Department of Public Safety Computer Imaging System  
12 Revolving Fund to be used solely for the purpose of  
13 administering and maintaining the computer imaging  
14 system of the Department, and

15 d. Ten Dollars (\$10.00) shall be credited to the  
16 Revolving Fund of the Department of Public Safety,

17 e. Three Dollars (\$3.00) shall be deposited to the State  
18 Public Safety Fund created in Section 2-147 of this  
19 title, and

20 f. (1) Two Dollars (\$2.00) of the fee authorized by this  
21 paragraph related to the replacement of a driver  
22 license by a motor license agent that does not  
23 process approved applications or renewals for  
24 REAL ID Compliant Driver License or

1                   Identification Cards, shall be deposited, in  
2                   addition to the amount authorized by subparagraph  
3                   e of this paragraph, to the State Public Safety  
4                   Fund created in Section 2-147 of this title, or  
5                   (2) Two Dollars (\$2.00) of the fee authorized by this  
6                   paragraph related to the replacement of a driver  
7                   license by a motor license agent that does  
8                   process approved applications or renewals for  
9                   REAL ID Compliant Driver License or  
10                   Identification Cards shall be retained by the  
11                   motor license agent.

12           3. The Department shall promulgate rules prescribing forms of  
13 primary and secondary identification acceptable for replacement of  
14 an Oklahoma driver license; provided, however, a valid and unexpired  
15 U.S. passport shall be acceptable as both primary and secondary  
16 identification.

17           B. Any person desiring to add or remove an endorsement or  
18 endorsements or a restriction or restrictions to any existing driver  
19 license, when authorized by the Department of Public Safety, shall  
20 obtain a replacement license with ~~said~~ the endorsement or  
21 endorsements or ~~said~~ the restriction or restrictions change thereon  
22 and shall be charged the fee for a replacement license as provided  
23 in subsection A of this section.

1       SECTION 7.       AMENDATORY       47 O.S. 2011, Section 1113.2, as  
2 amended by Section 1, Chapter 359, O.S.L. 2016 (47 O.S. Supp. 2016,  
3 Section 1113.2), is amended to read as follows:

4       Section 1113.2 A. ~~1.~~ The Executive Director of the Oklahoma  
5 Tax Commission shall initiate the reissue of the official vehicle  
6 license plates and substitute therefor a new license plate designed  
7 by the Oklahoma Tourism and Recreation Department with the approval  
8 of the Department of Public Safety.

9       ~~2. a.~~

10       B. 1. In addition to all other vehicle registration fees  
11 specified by law, beginning July 1, 2016, ~~through June 30, 2017,~~  
12 there is levied and there shall be paid to the Oklahoma Tax  
13 Commission a fee of Five Dollars (\$5.00) upon every vehicle to be  
14 registered.

15       ~~b. Eighty percent~~

16       2. Beginning July 1, 2016, and ending June 30, 2017:

17       a. eighty percent (80%) of all monies collected under the  
18 provisions of this ~~paragraph~~ subsection shall be  
19 deposited by the Oklahoma Tax Commission in the State  
20 Treasury to the credit of the State Public Safety Fund  
21 created in Section ~~2~~ 2-147 of this ~~act.~~ title, and

22       ~~c. Twenty percent~~

23       b. twenty percent (20%) of all monies collected under the  
24 provisions of this ~~paragraph~~ subsection shall be

1 deposited by the Oklahoma Tax Commission to the credit  
2 of the Oklahoma Tax Commission ~~Revolving~~ Fund created  
3 in Section 221 of Title 62 of the Oklahoma Statutes.

4 3. Beginning July 1, 2017, all monies collected under the  
5 provisions of this subsection shall be deposited by the Oklahoma Tax  
6 Commission to the credit of the State Public Safety Fund created in  
7 Section 2-147 of this title.

8 ~~B.~~ C. In addition to the monies apportioned by Section 1104 of  
9 this title, the following amounts of monies shall be placed to the  
10 credit of the Oklahoma Tax Commission ~~Revolving~~ Fund for the purpose  
11 of conducting a new general issue of license plates commencing  
12 January 1, 2017:

13 1. For the fiscal year beginning July 1, 2016, and ending June  
14 30, 2017, the first One Million Eight Hundred Thousand Dollars  
15 (\$1,800,000.00) collected or received by the Tax Commission pursuant  
16 to the registration of vehicles as provided by the Oklahoma Vehicle  
17 License and Registration Act; and

18 2. For the fiscal year beginning July 1, 2017, and ending June  
19 30, 2018, the first Two Million Dollars (\$2,000,000.00) collected or  
20 received by the Tax Commission pursuant to the registration of  
21 vehicles as provided by the Oklahoma Vehicle License and  
22 Registration Act.

23 ~~C.~~ D. Subject to the Oklahoma Tax Commission ~~Revolving~~ Fund  
24 receiving credit for the funds referenced in subsection ~~B~~ C of this

1 section, the Executive Director shall devise a numbering system  
2 suitable for a new general issue of license plates commencing  
3 January 1, 2017. Unless otherwise provided by the Oklahoma Vehicle  
4 License and Registration Act, new license plates will be issued to  
5 all registrants applying for an original or renewal registration on  
6 or after January 1, 2017, and will continue until all previously  
7 issued license plates have been replaced. Upon receipt of the new  
8 general issue license plate, registrants shall replace any  
9 previously issued Oklahoma general issue license plate currently  
10 displayed on their vehicle.

11 ~~D.~~ E. The Tax Commission shall have the authority to promulgate  
12 any rules necessary to implement such a new general issue.

13 ~~E.~~ F. Except for vehicles registered pursuant to the provisions  
14 of Section 1120 of this title and certain official special license  
15 plates, the new license plate design provided for in subsection A of  
16 this section shall be a part of all license plates issued on or  
17 after January 1, 2017. The Oklahoma Tax Commission may establish  
18 procedures for the purpose of allowing current registrants to  
19 reserve their present general issue or personalized license plate  
20 numbers for a fee of Fifteen Dollars (\$15.00), provided payment of  
21 the fees is received by the Tax Commission on or before November 1,  
22 2016. The fees shall be deposited into the Oklahoma Tax Commission  
23 Reimbursement Fund for the purpose of conducting the new general  
24 issue of license plates.

1       ~~F.~~ G. The license plates shall be issued with identification  
2 numbers and letters in a color that provides a distinct contrast  
3 with a light-colored background in the plate identification area.  
4 All license plates and decals shall be made with reflectorized  
5 material as a background to the letters, numbers and characters  
6 displayed thereon. The reflectorized material shall be of such a  
7 nature as to provide effective and dependable brightness during the  
8 service period for which the license plate or decal is issued.

9       ~~G.~~ H. In furtherance of the public safety of Oklahoma drivers,  
10 the Department of Public Safety may request that the Oklahoma Tax  
11 Commission initiate subsequent reissues of the official vehicle  
12 license plate. Provided however, such request shall not occur more  
13 frequently than five (5) years following the most recent reissue.  
14 Upon such request and subject to the Tax Commission receiving the  
15 necessary funds the Tax Commission shall initiate the reissue.

16       SECTION 8.       NEW LAW       A new section of law to be codified  
17 in the Oklahoma Statutes as Section 6-110.5 of Title 47, unless  
18 there is created a duplication in numbering, reads as follows:

19       A. The Department of Public Safety shall offer or make  
20 available training and education for motor license agents and motor  
21 license agency employees, so that such agents and employees shall be  
22 able to achieve and maintain compliance with the requirements of the  
23 REAL ID ACT of 2005, Public Law No. 109-13, related to such motor  
24 license agents' and motor license agency employees' ability to be

1 authorized participants in the REAL ID Compliant Driver License and  
2 Identification Card issuance, renewal and replacement process.

3 B. The training and education required by subsection A of this  
4 section shall be offered or made available:

5 1. At reasonable cost to motor license agents and motor license  
6 agency employees seeking authorization to participate in the REAL ID  
7 Compliant Driver License and Identification Card issuance, renewal  
8 and replacement process; and

9 2. On a regular basis as the Department of Public Safety  
10 determines necessary and compliant:

11 a. at on-site locations located or rotating throughout  
12 the state,

13 b. through an on-line resource, or

14 c. through a combination of on-site locations and on-line  
15 resources.

16 C. Every motor license agent seeking authorization to process  
17 approved applications or renewals for REAL ID Compliant Driver  
18 License or Identification Cards shall be furnished all equipment  
19 required for such processing by the Department of Public Safety  
20 without charge to the motor license agent.

21 D. The Department of Public Safety shall promulgate rules as  
22 necessary to implement the provisions of this section.  
23  
24



SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-110.6 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Personally identifiable information required to be provided during the application process for a REAL ID Noncompliant Driver License or Identification Card shall be stored in a separate and siloed database from REAL ID Compliant Driver License and Identification Card information.

B. 1. For purposes of this section, "personally identifiable information" means:

- a. the individual's full legal name,
- b. the individual's date of birth,
- c. the individual's gender,
- d. the individual's driver license or identification card number,
- e. biometric data including digital facial photographs, facial biometrics, finger images, and minutia data,
- f. the individuals address of principal residence,
- g. the individual's signature.

2. For purposes of this section, "personally identifiable information" shall not mean an individual's social security number.

C. The Department of Public Safety shall create and offer to applicants for REAL ID Noncompliant Driver Licenses and Identification Cards a biometric data waiver.

1 D. Upon the acceptance of a completed biometric data waiver the  
2 Department:

3 1. Shall provide a paper receipt to the waiver applicant  
4 acknowledging acceptance of the completed biometric data waiver;

5 2. Shall delete all data as described in subparagraph e of  
6 paragraph 1 of subsection B of this section and any duplications of  
7 such data, related to the waiver applicant, within ninety (90) days  
8 of collection;

9 3. Shall not utilize any data described in subparagraph e of  
10 paragraph 1 of subsection B of this section, related to the waiver  
11 applicant, for any purpose other than the performance of background  
12 checks, to determine if the applicant is currently licensed under  
13 another name;

14 4. Shall not provide any data described in subparagraph e of  
15 paragraph 1 of subsection B of this section, related to the waiver  
16 applicant, to any third-party entity for the purpose of performing  
17 any type of background checks;

18 5. Shall not provide any data described in subparagraph e of  
19 paragraph 1 of subsection B of this section, related to the waiver  
20 applicant, to any court, governmental entity or law enforcement  
21 agency without a valid warrant.

22 E. Applicants with felony convictions shall be disqualified  
23 from submitting the waiver described in subsection C of this  
24 section.

1 F. To insure compliance with the provisions of this section,  
2 the Department shall:

3 1. Attest compliance to the provisions of this section not less  
4 than every six (6) months, and

5 2. Be subject to compliance audits once a year related to the  
6 provisions of this section by the State Chief Information Officer  
7 and the Office of the State Auditor and Inspector.

8 G. No applicant for renewal of a REAL ID Noncompliant Driver  
9 License or Identification Card shall be required to provide  
10 additional data as described in subparagraph e of paragraph 1 of  
11 subsection B of this section, provided such applicant can produce  
12 the valid REAL ID Noncompliant Driver License or Identification Card  
13 the applicant is seeking to renew.

14 H. The Department shall issue a REAL ID Noncompliant Driver  
15 License or Identification Card that lacks a photo to an otherwise  
16 qualified applicant who requests an exemption from such photo for  
17 religious reasons. The application process for such a driver  
18 license of identification card shall require the fingerprinting of  
19 each of the applicant's index fingers; provided, such data and any  
20 duplications of such data shall be deleted within ninety (90) days  
21 of collections.

22 I. The Department of Public Safety shall promulgate rules as  
23 necessary to implement the provisions of this section.  
24

SECTION 10. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/01/2017 - DO PASS,  
As Amended.