

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. 1845

By: Osborn (Leslie)

7 COMMITTEE SUBSTITUTE

8 An Act relating to driver licenses; amending 47 O.S.
9 2011, Section 6-101, as last amended by Section 1,
10 Chapter 180, O.S.L. 2016 (47 O.S. Supp. 2016, Section
11 6-101), which relates to classes of driver licenses;
12 defining terms; requiring certain designs and
13 markings; requiring certain applications be made to
14 the Department of Public Safety; authorizing certain
15 applications to be made to the Department or motor
16 license agents; requiring certain tasks be performed
17 by Department employees; authorizing certain tasks be
18 performed by the Department or motor license agents;
19 providing certain process for obtaining certain
20 driver licenses and identification cards; providing
21 for temporary driver licenses and identification
22 cards; establishing privileges for temporary driver
23 licenses and identification cards; limiting period of
24 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
 identification cards simultaneously; authorizing the

1 promulgation of rules related to replacement of
2 certain identification cards; modifying the fee for
3 issuance, renewal and replacement of identification
4 cards; modifying apportionment of certain fee; making
5 retention of certain fees by motor license agents
6 conditional; clarifying language; amending 47 O.S.
7 2011, Section 6-106, as last amended by Section 1,
8 Chapter 170, O.S.L. 2016 (47 O.S. Supp. 2016, Section
9 6-106), which relates to applications for driver
10 licenses and identification cards; modifying
11 application information required; prohibiting
12 possession of certain multiple licenses or
13 identification cards simultaneously; amending 47 O.S.
14 2011, Section 6-110.3, which relates to prohibiting
15 the implementation of the federal REAL ID Act;
16 modifying legislative finding and statement;
17 eliminating prohibition on REAL ID Act implementation
18 and compliance; eliminating requirement related to
19 retrieval and deletion of certain data; prohibiting
20 the sharing of certain information and data;
21 providing an exception; amending 47 O.S. 2011,
22 Section 6-111, as last amended by Section 1, Chapter
23 214, O.S.L. 2016 (47 O.S. Supp. 2016, Section 6-111),
24 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
fee; clarifying language; clarifying fund name;

1 requiring the offering of certain training and
2 education by the Department of Public Safety;
3 establishing standard for training and education;
4 identifying groups eligible for such training and
5 education; requiring such training and education be
6 offered at no cost; providing for online training and
7 education; providing for in-person education and
8 training; establishing frequency and locations for
9 in-person education and training; defining terms;
10 permitting attendance of education and training
11 regardless of motor license agency location;
12 requiring furnishing without charge certain equipment
13 by the Department of Public Safety; requiring certain
14 option be provided on certain online systems;
15 creating the Public Safety Enhancement Fund;
16 identifying revenue source; providing appropriation
17 authority; stating purpose for such appropriation;
18 providing for codification; and declaring an
19 emergency.

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

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

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

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

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

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

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

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

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

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

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

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

15 E. Except as otherwise provided by law, any person who lawfully
16 possesses a valid Oklahoma driver license which is eligible for
17 renewal shall be required to successfully complete a written
18 examination, vision examination, and driving examination for a
19 motorcycle as prescribed by the Department, and a certified state-
20 approved motorcycle basic rider course approved by the Department if
21 the person is seventeen (17) years of age or younger to be eligible
22 for a motorcycle endorsement. The written examination and driving
23 examination for a motorcycle shall be waived by the Department of
24 Public Safety upon verification that the person has successfully

1 completed a certified Motorcycle Safety Foundation rider course
2 approved by the Department.

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

16 2. This commercial learner permit shall be issued for a period
17 as provided in Section 6-115 of this title of one hundred eighty
18 (180) days, which may be renewed one time for an additional one
19 hundred eighty (180) days; provided, such commercial learner permit
20 may be suspended, revoked, canceled, denied or disqualified at the
21 discretion of the Department for violation of the restrictions, for
22 failing to give the required or correct information on the
23 application, or for violation of any traffic laws of this state
24 pertaining to the operation of a motor vehicle. Except as otherwise

1 provided, the lawful possessor of a commercial learner permit who
2 has been issued a commercial learner permit for a minimum of
3 fourteen (14) days may have the restriction requiring an
4 accompanying driver removed by satisfactorily completing a driver's
5 examination; provided, the removal of a restriction shall not
6 authorize the operation of a Class A, B or C commercial motor
7 vehicle if such operation is otherwise prohibited by law.

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

21 4. A commercial learner permit shall be issued by the
22 Department as a separate and unique document which shall be valid
23 only in conjunction with a valid Oklahoma driver license or
24 provisional driver license pursuant to Section 6-212 of this title,

1 both of which shall be in the possession of the person to whom they
2 have been issued whenever that person is operating a commercial
3 motor vehicle as provided in this subsection.

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

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

20 G. 1. For purposes of this title:

21 a. "REAL ID Compliant Driver License or Identification
22 Card" means a driver license or identification card
23 issued by the State of Oklahoma that has been
24 certified by the United States Department of Homeland

1 Security (USDHS) as compliant with the requirements of
2 the REAL ID Act of 2005, Public Law No. 109-13. A
3 REAL ID Compliant Driver License or Identification
4 Card and the process through which it is issued
5 incorporate a variety of security measures designed to
6 protect the integrity and trustworthiness of the
7 license or card. A REAL ID Compliant Driver License
8 or Identification Card will be clearly marked on the
9 face indicating that it is a compliant document.

10 b. "REAL ID Noncompliant Driver License or Identification
11 Card" means a driver license or identification card
12 issued by the State of Oklahoma that has not been
13 certified by the United States Department of Homeland
14 Security (USDHS) as being compliant with the
15 requirements of the REAL ID Act. A REAL ID
16 Noncompliant Driver License or Identification Card
17 will be clearly marked on the face indicating that it
18 is not compliant with the federal REAL ID Act and is
19 not acceptable for official federal purposes. The
20 driver license or identification card will have a
21 unique design or color indicator that clearly
22 distinguishes it from a compliant license or card.

23 2. Original Driver License and Identification Card Issuance:
24

- 1 a. Application for an original REAL ID Compliant or REAL
2 ID Noncompliant Driver License or Identification Card
3 shall be made to the Department of Public Safety.
- 4 b. Department of Public Safety employees shall perform
5 all document recognition and other requirements needed
6 for approval of an original REAL ID Compliant or REAL
7 ID Noncompliant Driver License or Identification Card
8 application.
- 9 c. Upon approval of an original REAL ID Compliant or REAL
10 ID Noncompliant Driver License or Identification Card
11 application, the applicant may take the approved
12 application document to a motor license agent to
13 receive a temporary driver license or identification
14 card.
- 15 d. The motor license agent shall process the approved
16 REAL ID Compliant or REAL ID Noncompliant Driver
17 License or Identification Card application and upon
18 payment shall provide the applicant a temporary driver
19 license or identification card. A temporary driver
20 license or identification card shall afford the holder
21 the privileges otherwise granted by the specific class
22 of driver license or identification card, for the
23 period of time listed on the temporary driver license
24 or identification card or the period of time prior to

1 the applicant receiving a REAL ID Compliant or REAL ID
2 Noncompliant Driver License or Identification Card,
3 whichever time period is shorter.

4 3. REAL ID Compliant Driver License and Identification Card

5 Renewal and Replacement:

- 6 a. Application for renewal or replacement of a REAL ID
7 Compliant Driver License or Identification Card may be
8 made to the Department of Public Safety or to a motor
9 license agent, provided such motor license agent is
10 authorized to process application for REAL ID
11 Compliant Driver Licenses and Identification Cards.
- 12 b. Department of Public Safety employees or authorized
13 motor license agents shall perform all document
14 recognition and other requirements needed for approval
15 of a renewal or replacement REAL ID Compliant Driver
16 License or Identification Card application.
- 17 c. Upon approval of a renewal or replacement REAL ID
18 Compliant Driver License or Identification Card
19 application, the applicant may receive a temporary
20 driver license or identification card from the
21 Department of Public Safety, or an authorized motor
22 license agent.
- 23 d. A temporary driver license or identification card
24 acquired under the provisions of this paragraph shall

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

9 e. For purposes of this title, an application for a REAL
10 ID Compliant Driver License or Identification Card, by
11 an individual with a valid Oklahoma-issued driver
12 license or identification card shall be considered a
13 renewal of a REAL ID Compliant Driver License or
14 Identification Card.

15 4. REAL ID Noncompliant Driver License and Identification Card

16 Renewal and Replacement:

17 a. Application for renewal or replacement of a REAL ID
18 Noncompliant Driver License or Identification Card may
19 be made to the Department of Public Safety or to a
20 motor license agent.

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

1 replacement REAL ID Noncompliant Driver License or
2 Identification Card application.

3 c. Upon approval of a renewal or replacement REAL ID
4 Noncompliant Driver License or Identification Card
5 application, the applicant may receive a temporary
6 driver license or identification card from the
7 Department of Public Safety, or a motor license agent.

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

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

24 Class A Commercial Learner Permit \$25.00

1	Class A Commercial License	\$25.00
2	Class B Commercial Learner Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner Permit	\$15.00
5	Class C Commercial License	\$15.00
6	Class D License	\$ 4.00
7	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.

~~F.~~ 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	\$51.50 <u>\$56.50</u>
Class A Commercial License	\$51.50 <u>\$56.50</u>

1	Class B Commercial Learner Permit	\$51.50	<u>\$56.50</u>
2	Class B Commercial License	\$51.50	<u>\$56.50</u>
3	Class C Commercial License	\$41.50	<u>\$46.50</u>
4	Class D License	\$33.50	<u>\$38.50</u>

5 K. In addition to any fee charged pursuant to the provisions of
6 subsection H of this section, the fee charged for the issuance or
7 renewal of a REAL ID Compliant Driver License shall be in accordance
8 with the following schedule; provided, that any applicant who has a
9 CDL Learner Permit shall be charged only the replacement fee for the
10 issuance of the license:

11	<u>REAL ID Compliant Class A Commercial Learner Permit</u>	<u>\$56.50</u>
12	<u>REAL ID Compliant Class A Commercial License</u>	<u>\$56.50</u>
13	<u>REAL ID Compliant Class B Commercial Learner Permit</u>	<u>\$56.50</u>
14	<u>REAL ID Compliant Class B Commercial License</u>	<u>\$56.50</u>
15	<u>REAL ID Compliant Class C Commercial License</u>	<u>\$46.50</u>
16	<u>REAL ID Compliant Class D License</u>	<u>\$38.50</u>

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

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

1 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
2 the Trauma Care Assistance Revolving Fund created in Section 1-
3 2530.9 of Title 63 of the Oklahoma Statutes;

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

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

12 4. Two Dollars (\$2.00) of the fee provided for in subsection J
13 of this section related to the issuance or renewal of a driver
14 license by a motor license agent that does not process approved
15 applications or renewals for REAL ID Compliant Driver License and
16 Identification Cards, shall be deposited to the State Public Safety
17 Fund created in Section 2-147 of this title.

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

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

23 Age 62	\$21.25
24 Age 63	\$17.50

Age 64 \$13.75

Age 65 -0-

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

~~M.~~ The Q. In accordance with the provisions of subsection G of this section, the Department of Public Safety and the Oklahoma Tax Commission are authorized to promulgate rules for the issuance and renewal of driver licenses authorized pursuant to the provisions of Sections 6-101 through 6-309 of this title; provided, that no such rules applicable to the issuance or renewal of REAL ID Noncompliant Driver Licenses shall create more stringent standards than such rules applicable as of January 1, 2017, unless directly related to a specific change in statutory law concerning standards for REAL ID Noncompliant Driver Licenses. Applications, upon forms approved by the Department of Public Safety, for such licenses shall be handled, in accordance with the provisions of subsection G of this section,

1 by the motor license agents; provided, the Department of Public
2 Safety is authorized to assume these duties in any county of this
3 state. Each motor license agent accepting applications for driver
4 licenses shall receive Four Dollars (\$4.00) to be deducted from the
5 total collected for each license or renewal application accepted; in
6 addition to such amount, each motor license agent that processes
7 approved applications or renewals for REAL ID Compliant Driver
8 Licenses, shall receive Two Dollars (\$2.00) to be deducted from the
9 total fee collected under the provisions of subsections J and K of
10 this section, for each license or renewal application accepted. The
11 ~~four-dollar fee fees~~ received by the motor license agent, authorized
12 by this subsection, shall be used for operating expenses.

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

20 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
21 collected pursuant to this section shall be paid by the Tax
22 Commission to the State Treasurer to be deposited each fiscal year
23 under the provisions of this section to the credit of the Department
24 of Public Safety Restricted Revolving Fund for the purpose of the

1 Statewide Law Enforcement Communications System. All other monies
2 collected in excess of Five Hundred Sixty Thousand Dollars
3 (\$560,000.00) each fiscal year shall be apportioned as provided in
4 Section 1104 of this title, except as otherwise provided in this
5 section.

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

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

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

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

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

22 T. No person may hold more than one state-issued or territory-
23 issued REAL ID Compliant Driver License or REAL ID Compliant
24 Identification Card from Oklahoma or any other state or territory.

1 The Department shall not issue a REAL ID Compliant Driver License to
2 a person who has been previously issued a REAL ID Compliant Driver
3 License or REAL ID Compliant Identification Card until such license
4 or identification card has been surrendered to the Department by the
5 applicant. The Department may promulgate rules related to the
6 issuance of replacement REAL ID Compliant Driver Licenses in the
7 event of loss or theft.

8 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
9 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
10 2016, Section 6-105.3), is amended to read as follows:

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

1 four (4) years from the month of issuance; however, the
2 identification cards issued to persons sixty-five (65) years of age
3 or older shall be valid indefinitely from the month of issuance.

4 B. No person shall hold more than one state-issued or
5 territory-issued REAL ID Compliant Driver License or REAL ID
6 Compliant Identification Card, as defined in subsection G of Section
7 6-101 of this title. The Department shall not issue a REAL ID
8 Compliant Identification Card to any applicant who has been
9 previously issued a REAL ID Compliant Driver License or REAL ID
10 Compliant Identification Card unless such license or identification
11 card has been surrendered to the Department by the applicant. The
12 Department may promulgate rules related to the issuance of
13 replacement REAL ID Compliant Identification Cards in the event of
14 loss or theft.

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

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

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

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

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

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

22 ~~C.~~ D. The Oklahoma Tax Commission is hereby authorized to
23 reimburse, from funds available to that agency, each motor license
24 agent issuing an identification card to a person sixty-five (65)

1 years of age or older, an amount not to exceed One Dollar (\$1.00)
2 for each card or driver license so issued. The Tax Commission shall
3 develop procedures for claims for reimbursement.

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

14 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-106, as
15 last amended by Section 1, Chapter 170, O.S.L. 2016 (47 O.S. Supp.
16 2016, Section 6-106), is amended to read as follows:

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

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

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

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

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

15 1. Full name;

16 2. Date of birth;

17 3. Sex;

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

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

1 6. Medical information, as determined by the Department, which
2 shall assure the Department that the person is not prohibited from
3 being licensed as provided by paragraph 7 of subsection A of Section
4 6-103 of this title;

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

6 8. A brief description of the applicant, as determined by the
7 Department;

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

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

16 11. Whether the applicant has:

17 a. previously been licensed and, if so, when and by what
18 state or country, and

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

21 12. Social Security number.

22 No person shall request the Department to use the Social Security
23 number of that person as the driver license number. Upon renewal or
24 replacement of any driver license issued after the effective date of

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

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

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

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

22 4. The Department of Public Safety shall notify each commercial
23 driving school of the passage of this section, and each commercial
24

1 driving school shall notify prospective students of its school of
2 the hazardous material endorsement requirement.

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

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

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~~

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

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

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

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

17 e. (1) Two Dollars (\$2.00) of the fee authorized by this
18 paragraph related to the replacement of a driver
19 license by a motor license agent that does not
20 process approved applications or renewals for
21 REAL ID Compliant Driver License or
22 Identification Cards, shall be deposited to the
23 State Public Safety Fund created in Section 2-147
24 of this title, or

1 (2) Two Dollars (\$2.00) of the fee authorized by this
2 paragraph related to the replacement of a driver
3 license by a motor license agent that does
4 process approved applications or renewals for
5 REAL ID Compliant Driver License or
6 Identification Cards shall be retained by the
7 motor license agent.

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

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

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

23 Section 1113.2 A. ~~1-~~ The Executive Director of the Oklahoma
24 Tax Commission shall initiate the reissue of the official vehicle

1 license plates and substitute therefor a new license plate designed
2 by the Oklahoma Tourism and Recreation Department with the approval
3 of the Department of Public Safety.

4 ~~2. a.~~

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

10 ~~b. Eighty percent~~

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

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

17 ~~c. Twenty percent~~

18 b. twenty percent (20%) of all monies collected under the
19 provisions of this ~~paragraph~~ subsection shall be
20 deposited by the Oklahoma Tax Commission to the credit
21 of the Oklahoma Tax Commission ~~Revolving~~ Fund created
22 in Section 221 of Title 62 of the Oklahoma Statutes.

23 3. Beginning July 1, 2017, all monies collected under the
24 provisions of this subsection shall be deposited by the Oklahoma Tax

1 Commission to the credit of the State Public Safety Fund created in
2 Section 2-147 of this title.

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

8 1. For the fiscal year beginning July 1, 2016, and ending June
9 30, 2017, the first One Million Eight Hundred Thousand Dollars
10 (\$1,800,000.00) collected or received by the Tax Commission pursuant
11 to the registration of vehicles as provided by the Oklahoma Vehicle
12 License and Registration Act; and

13 2. For the fiscal year beginning July 1, 2017, and ending June
14 30, 2018, the first Two Million Dollars (\$2,000,000.00) collected or
15 received by the Tax Commission pursuant to the registration of
16 vehicles as provided by the Oklahoma Vehicle License and
17 Registration Act.

18 ~~C.~~ D. Subject to the Oklahoma Tax Commission ~~Revolving~~ Fund
19 receiving credit for the funds referenced in subsection ~~B~~ C of this
20 section, the Executive Director shall devise a numbering system
21 suitable for a new general issue of license plates commencing
22 January 1, 2017. Unless otherwise provided by the Oklahoma Vehicle
23 License and Registration Act, new license plates will be issued to
24 all registrants applying for an original or renewal registration on

1 or after January 1, 2017, and will continue until all previously
2 issued license plates have been replaced. Upon receipt of the new
3 general issue license plate, registrants shall replace any
4 previously issued Oklahoma general issue license plate currently
5 displayed on their vehicle.

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

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

20 ~~F.~~ G. The license plates shall be issued with identification
21 numbers and letters in a color that provides a distinct contrast
22 with a light-colored background in the plate identification area.
23 All license plates and decals shall be made with reflectorized
24 material as a background to the letters, numbers and characters

1 displayed thereon. The reflectorized material shall be of such a
2 nature as to provide effective and dependable brightness during the
3 service period for which the license plate or decal is issued.

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

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

14 A. The Department of Public Safety shall offer or make
15 available training and education for motor license agents and motor
16 license agency employees, so that such agents and employees shall be
17 able to achieve and maintain compliance with the requirements of the
18 REAL ID Act of 2005, Public Law No. 109-13, related to such motor
19 license agents' and motor license agency employees' ability to be
20 authorized participants in the REAL ID Compliant Driver License and
21 Identification Card issuance, renewal and replacement process.

22 B. The training and education required by subsection A of this
23 section shall be offered or made available at no cost to motor
24 license agents and motor license agency employees seeking

1 authorization to participate in the REAL ID Compliant Driver License
2 and Identification Card issuance, renewal and replacement process.

3 C. Forty (40) hours of the training and education required by
4 subsection A of this section shall be offered or made available
5 online.

6 D. Four (4) hours of the training and education required by
7 subsection A of this section shall be offered in-person as follows:

8 1. Training and education shall be provided monthly; and

9 2. Training and education shall be provided at rotating
10 locations over a continuing twelve-month cycle as follows:

11 a. during months one, five and nine such training and
12 education shall take place at a location in Oklahoma
13 County,

14 b. during months three, seven and eleven such training
15 and education shall take place at a location in Tulsa
16 County,

17 c. during months two and eight such training and
18 education shall take place at a location in the
19 southwestern region of the state. For purposes of
20 this subparagraph, "southwestern region" includes the
21 counties of Beckham, Harmon, Greer, Jackson, Washita,
22 Kiowa, Tillman, Caddo, Comanche, Cotton, Stephens,
23 Jefferson, Murray, Carter and Love,
24

1 d. during months four and ten such training and education
2 shall take place at a location in the northwestern
3 region of the state. For purposes of this
4 subparagraph, "northwestern region" includes the
5 counties of Cimarron, Texas, Beaver, Harper, Ellis,
6 Roger Mills, Woods, Woodward, Dewey, Custer, Alfalfa,
7 Major and Blaine, and

8 e. during months six and twelve such training and
9 education shall take place at a location in the
10 southeastern region of the state. For purposes of
11 this subparagraph, "southeastern region" includes the
12 counties of Pontotoc, Johnston, Marshall, Hughes,
13 Coal, Atoka, Bryan, Pittsburg, Pushmataha, Choctaw,
14 Haskell, Latimer, LeFlore and McCurtain.

15 E. Motor license agents and motor license agency employees
16 shall be permitted to attend training and education at any in-person
17 location, regardless of the location of their motor license agency.

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

23 SECTION 9. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3
4 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/09/2017 - DO PASS,
5 As Amended.
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