

1 **SENATE FLOOR VERSION**

2 February 22, 2017

3 ENGROSSED HOUSE
4 BILL NO. 1845

By: McCall, Hall, Osborn
(Leslie) and Inman of the
House

5 and

6 Schulz of the Senate
7

8
9 An Act relating to driver licenses; amending 47 O.S.
10 2011, Section 6-101, as last amended by Section 1,
Chapter 180, O.S.L. 2016 (47 O.S. Supp. 2016, Section
11 6-101), which relates to classes of driver licenses;
defining terms; requiring certain designs and
12 markings; requiring certain applications be made to
the Department of Public Safety; authorizing certain
13 applications to be made to the Department or motor
license agents; requiring certain tasks be performed
14 by Department employees; authorizing certain tasks be
performed by the Department or motor license agents;
15 prohibiting processing of certain applications by
motor license agents; prohibiting the performance of
16 certain tasks by motor license agents related to
certain applications; providing certain process for
17 obtaining certain driver licenses and identification
cards; providing for temporary driver licenses and
18 identification cards; establishing privileges for
temporary driver licenses and identification cards;
19 limiting period of privileges; modifying references;
modifying issuance and renewal fee amounts for
20 certain licenses; providing issuance and renewal fee
amounts for certain licenses; modifying
21 apportionments of certain fees; limiting certain
rulemaking authority; making retention of certain
22 fees by motor license agents conditional; clarifying
language; prohibiting possession of certain multiple
23 licenses or identification cards simultaneously;
authorizing the promulgation of rules related to
24 replacement of certain driver licenses; amending 47
O.S. 2011, Section 6-105.3, as last amended by

1 Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
2 2016, Section 6-105.3), which relates to issuance of
3 identification cards; prohibiting possession of
4 multiple licenses or identification cards
5 simultaneously; authorizing the promulgation of rules
6 related to replacement of certain identification
7 cards; modifying the fee for issuance, renewal and
8 replacement of identification cards; modifying
9 apportionment of certain fee; making retention of
10 certain fees by motor license agents conditional;
11 clarifying language; amending 47 O.S. 2011, Section
12 6-106, as last amended by Section 1, Chapter 170,
13 O.S.L. 2016 (47 O.S. Supp. 2016, Section 6-106),
14 which relates to applications for driver licenses and
15 identification cards; modifying application
16 information required; prohibiting possession of
17 certain multiple licenses or identification cards
18 simultaneously; amending 47 O.S. 2011, Section 6-
19 110.3, which relates to prohibiting the
20 implementation of the federal REAL ID Act; modifying
21 legislative finding and statement; eliminating
22 prohibition on REAL ID Act implementation and
23 compliance; eliminating requirement related to
24 retrieval and deletion of certain data; prohibiting
the sharing of certain information and data;
providing an exception; amending 47 O.S. 2011,
Section 6-111, as last amended by Section 1, Chapter
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 rulemaking
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; requiring the offering of certain training and education by the Department of Public Safety; establishing standard for training and education; identifying groups eligible for such training and education; requiring such training and education be offered at reasonable cost; authorizing in-person training and education under certain conditions; establishing cost of certain training and education; authorizing online training and education under certain conditions; requiring certain equipment be furnished by the Department of Public Safety without charge; authorizing the promulgation of rules; 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 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, and

10 b. "REAL ID Noncompliant Driver License" or
11 "Identification Card" means a driver license or
12 identification card issued by the State of Oklahoma
13 that has not been certified by the United States
14 Department of Homeland Security (USDHS) as being
15 compliant with the requirements of the REAL ID Act. A
16 REAL ID Noncompliant Driver License or Identification
17 Card will be clearly marked on the face indicating
18 that it is not compliant with the federal REAL ID Act
19 and is not acceptable for official federal purposes.
20 The 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 and further provided, no motor license agent shall
13 process an application for a Class A, B or C
14 commercial license.

15 b. Department of Public Safety employees or authorized
16 motor license agents shall perform all document
17 recognition and other requirements needed for approval
18 of a renewal or replacement REAL ID Compliant Driver
19 License or Identification Card application; provided,
20 no motor license agent shall perform such document
21 recognition and other requirements needed for approval
22 of an application for a Class A, B or C commercial
23 license.

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

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

17 e. For purposes of this title, an application for a REAL
18 ID Compliant Driver License or Identification Card by
19 an individual with a valid Oklahoma-issued driver
20 license or identification card shall be considered a
21 renewal of a REAL ID Compliant Driver License or
22 Identification Card.

23 4. REAL ID Noncompliant Driver License and Identification Card

24 Renewal and Replacement:

- 1 a. Application for renewal or replacement of a REAL ID
2 Noncompliant Driver License or Identification Card may
3 be made to the Department of Public Safety or to a
4 motor license agent; provided, no motor license agent
5 shall process an application for a Class A, B or C
6 commercial license.
- 7 b. Department of Public Safety employees or motor license
8 agents shall perform all document recognition and
9 other requirements needed for approval of a renewal or
10 replacement REAL ID Noncompliant Driver License or
11 Identification Card application; provided, no motor
12 license agent shall perform such document recognition
13 and other requirements needed for approval of an
14 application for a Class A, B or C commercial license.
- 15 c. Upon approval of a renewal or replacement REAL ID
16 Noncompliant Driver License or Identification Card
17 application, the applicant may receive a temporary
18 driver license or identification card from the
19 Department of Public Safety or a motor license agent.
- 20 d. A temporary driver license or identification card
21 acquired under the provisions of this paragraph shall
22 afford the holder the privileges otherwise granted by
23 the specific class of driver license or identification
24 card being renewed or replaced for the period of time

1 listed on the temporary driver license or
2 identification card or the period of time prior to the
3 applicant receiving a REAL ID Noncompliant Driver
4 License or Identification Card, whichever time period
5 is shorter.

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

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

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

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

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

12	Class A Commercial Learner Permit	\$51.50 <u>\$56.50</u>
13	Class A Commercial License	\$51.50 <u>\$56.50</u>
14	Class B Commercial Learner Permit	\$51.50 <u>\$56.50</u>
15	Class B Commercial License	\$51.50 <u>\$56.50</u>
16	Class C Commercial License	\$41.50 <u>\$46.50</u>
17	Class D License	\$33.50 <u>\$38.50</u>

18 K. In addition to any fee charged pursuant to the provisions of
19 subsection H of this section, the fee charged for the issuance or
20 renewal of a REAL ID Compliant Driver License shall be in accordance
21 with the following schedule; provided, that any applicant who has a
22 CDL Learner Permit shall be charged only the replacement fee for the
23 issuance of the license:

24	<u>REAL ID Compliant Class A Commercial Learner Permit</u>	<u>\$56.50</u>
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1	<u>REAL ID Compliant Class A Commercial License</u>	<u>\$56.50</u>
2	<u>REAL ID Compliant Class B Commercial Learner Permit</u>	<u>\$56.50</u>
3	<u>REAL ID Compliant Class B Commercial License</u>	<u>\$56.50</u>
4	<u>REAL ID Compliant Class C Commercial License</u>	<u>\$46.50</u>
5	<u>REAL ID Compliant Class D License</u>	<u>\$38.50</u>

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

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

12 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
13 the Trauma Care Assistance Revolving Fund created in Section 1-
14 2530.9 of Title 63 of the Oklahoma Statutes;

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

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

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

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

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

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

13 Age 62	\$21.25
14 Age 63	\$17.50
15 Age 64	\$13.75
16 Age 65	-0-

17 ~~L.~~ P. No person who has been honorably discharged from active
18 service in any branch of the Armed Forces of the United States or
19 Oklahoma National Guard and who has been certified by the United
20 States Department of Veterans Affairs, its successor, or the Armed
21 Forces of the United States to be a disabled veteran in receipt of
22 compensation at the one-hundred-percent rate for a permanent
23 disability sustained through military action or accident resulting
24 from disease contracted while in such active service shall be

1 charged a fee for the issuance or renewal of an Oklahoma driver
2 license.

3 ~~M.~~ Q. In accordance with the provisions of subsection G of
4 this section, the Department of Public Safety and the Oklahoma Tax
5 Commission are authorized to promulgate rules for the issuance and
6 renewal of driver licenses authorized pursuant to the provisions of
7 Sections 6-101 through 6-309 of this title; provided, that no such
8 rules applicable to the issuance or renewal of REAL ID Noncompliant
9 Driver Licenses shall create more stringent standards than such
10 rules applicable as of January 1, 2017, unless directly related to a
11 specific change in statutory law concerning standards for REAL ID
12 Noncompliant Driver Licenses. Applications, upon forms approved by
13 the Department of Public Safety, for such licenses shall be handled,
14 in accordance with the provisions of subsection G of this section,
15 by the motor license agents; provided, the Department of Public
16 Safety is authorized to assume these duties in any county of this
17 state. Each motor license agent accepting applications for driver
18 licenses shall receive Four Dollars (\$4.00) to be deducted from the
19 total collected for each license or renewal application accepted; in
20 addition to such amount, each motor license agent that processes
21 approved applications or renewals for REAL ID Compliant Driver
22 Licenses shall receive Two Dollars (\$2.00) to be deducted from the
23 total fee collected under the provisions of subsections J and K of
24 this section for each license or renewal application accepted. The

1 ~~four-dollar fee fees~~ received by the motor license agent, authorized
2 by this subsection, shall be used for operating expenses.

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

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

20 ~~O. S.~~ The Department of Public Safety shall ~~implement a~~
21 ~~procedure whereby~~ retain the images displayed on licenses and
22 identification cards issued pursuant to the provisions of Sections
23 6-101 through 6-309 of this title ~~are maintained by the Department~~
24 ~~to create photographs or computerized images~~ which may be used only:

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

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

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

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

12 T. No person may hold more than one state-issued or territory-
13 issued REAL ID Compliant Driver License or REAL ID Compliant
14 Identification Card from Oklahoma or any other state or territory.
15 The Department shall not issue a REAL ID Compliant Driver License to
16 a person who has been previously issued a REAL ID Compliant Driver
17 License or REAL ID Compliant Identification Card until such license
18 or identification card has been surrendered to the Department by the
19 applicant. The Department may promulgate rules related to the
20 issuance of replacement REAL ID Compliant Driver Licenses in the
21 event of loss or theft.

22 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
23 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
24 2016, Section 6-105.3), is amended to read as follows:

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

18 B. No person shall hold more than one state-issued or
19 territory-issued REAL ID Compliant Driver License or REAL ID
20 Compliant Identification Card, as defined in subsection G of Section
21 6-101 of this title. The Department shall not issue a REAL ID
22 Compliant Identification Card to any applicant who has been
23 previously issued a REAL ID Compliant Driver License or REAL ID
24 Compliant Identification Card unless such license or identification

1 card has been surrendered to the Department by the applicant. The
2 Department may promulgate rules related to the issuance of
3 replacement REAL ID Compliant Identification Cards in the event of
4 loss or theft.

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

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

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

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

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

23 5. a. Two Dollars (\$2.00) of the fee authorized by this
24 subsection related to the issuance, renewal or

1 replacement of an identification card by a motor
2 license agent that does not process approved
3 applications or renewals for REAL ID Compliant Driver
4 Licenses or Identification Cards shall be deposited,
5 in addition to the amount authorized by paragraph 4 of
6 this subsection, to the State Public Safety Fund
7 created in Section 2-147 of this title, or

8 b. Two Dollars (\$2.00) of the fee authorized by this
9 subsection related to the issuance, renewal or
10 replacement of an identification card by a motor
11 license agent that does process approved applications
12 or renewals for REAL ID Compliant Driver Licenses or
13 Identification Cards shall be retained by the motor
14 license agent.

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

21 ~~D.~~ E. When a person makes application for a new identification
22 card, or makes application to renew an identification card, and the
23 person has been convicted of, or received a deferred judgment for,
24 any offense required to register pursuant to the Sex Offenders

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

7 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-106, as
8 last amended by Section 1, Chapter 170, O.S.L. 2016 (47 O.S. Supp.
9 2016, Section 6-106), is amended to read as follows:

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

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

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

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

9 1. Full name;

10 2. Date of birth;

11 3. Sex;

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

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

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

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

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

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

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

9 11. Whether the applicant has:

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

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

14 12. Social Security number.

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

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

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

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

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

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

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

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

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

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

21 G. A person shall not apply for or possess more than one state-
22 issued or territory-issued REAL ID Compliant Driver License or
23 Identification Card pursuant to the provisions of Section 6-101 of
24 this title. A valid and unexpired Oklahoma driver license shall

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

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

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

16 Section 6-110.3 A. ~~1.~~ The Legislature finds that the
17 enactment into law by the United States Congress of the federal REAL
18 ID Act of 2005, Public Law Number 109-13, is ~~inimical to the~~
19 ~~security and well-being of the people of Oklahoma, will cause~~
20 ~~approximately Eight Million Dollars (\$8,000,000.00) in added expense~~
21 ~~and inconvenience to our state, and was adopted by the United States~~
22 ~~Congress in violation of~~ an action that individual Oklahomans should
23 have an option to refuse under the principles of federalism
24 contained in the Tenth Amendment to the United States Constitution.

1 ~~2. B. The State of Oklahoma shall not participate in the~~
2 ~~implementation of the REAL ID Act of 2005. The Department of Public~~
3 ~~Safety is hereby directed not to implement the provisions of the~~
4 ~~REAL ID Act of 2005 and to report to the Governor and the~~
5 ~~Legislature any attempt by agencies or agents of the United States~~
6 ~~Department of Homeland Security to secure the implementation of the~~
7 ~~REAL ID Act of 2005 through the operations of that or any other~~
8 ~~state department.~~

9 ~~B. No department or agency of the state charged with motor~~
10 ~~vehicle registration or operation, the issuance or renewal of driver~~
11 ~~licenses, or the issuance or renewal of any identification cards~~
12 ~~shall collect, obtain, or retain any data in connection with~~
13 ~~activities related to complying with the REAL ID Act of 2005.~~

14 ~~C. Any biometric data previously collected, obtained, or~~
15 ~~retained in connection with motor vehicle registration or operation,~~
16 ~~the issuance or renewal of driver licenses, or the issuance or~~
17 ~~renewal of any identification cards by any department or agency of~~
18 ~~this state charged with those activities shall be retrieved and~~
19 ~~deleted from any and all databases. The provisions of this~~
20 ~~subsection shall not apply to any data collected, obtained or~~
21 ~~retained for a purpose other than complying with the REAL ID Act of~~
22 ~~2005~~ offer its citizens the option of choosing a Compliant Driver
23 License or Identification Card or a Noncompliant Driver License or
24 Identification Card.

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

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

7 1. Facial feature pattern characteristics;

8 2. Voice data used for comparing live speech with a previously
9 created speech model of a person's voice;

10 3. Iris recognition data containing color or texture patterns
11 or codes;

12 4. Retinal scans, reading through the pupil to measure blood
13 vessels lining the retina;

14 5. Behavior characteristics of a handwritten signature, such as
15 shape, speed, pressure, pen angle, or sequence;

16 6. Fingerprints, palm prints, and other methods for measuring
17 or recording ridge pattern or fingertip characteristics;

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

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

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

22 SECTION 5. AMENDATORY 47 O.S. 2011, Section 6-111, as
23 last amended by Section 1, Chapter 214, O.S.L. 2016 (47 O.S. Supp.
24 2016, Section 6-111), is amended to read as follows:

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

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

22 3. The Department may cancel the distinguishing number, when
23 that distinguishing number is another person's Social Security
24 number, assign a new distinguishing alphanumeric identification, and

1 issue a new license or identification card without charge to the
2 licensee or cardholder.

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

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

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

23 B. 1. The Department may issue or authorize the issuance of a
24 temporary permit or license to an applicant for a driver license

1 permitting such applicant to operate a motor vehicle while the
2 Department is completing its investigation and determination of all
3 facts relative to such applicant's privilege to receive a license,
4 or while a permanent driver license is being produced and delivered
5 to the applicant. Such permit or license must be in the immediate
6 possession of the driver while operating a motor vehicle, and it
7 shall be invalid when the applicant's permanent driver license has
8 been issued and delivered or for good cause has been refused.

9 2. The Department may issue or authorize the issuance of a
10 temporary identification card to an applicant, permitting the holder
11 the privileges otherwise granted by identification cards, while a
12 permanent driver license is being provided and delivered to the
13 applicant. Such card shall be invalid when the applicant's
14 permanent identification card has been issued and delivered, or for
15 good cause has been refused.

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

- 19 a. farm retail outlets and suppliers,
- 20 b. agri-chemical businesses,
- 21 c. custom harvesters, and
- 22 d. livestock feeders.

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

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

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

- 9 a. diesel fuel in quantities of one thousand (1,000)
10 gallons or less,
- 11 b. liquid fertilizers in vehicles with total capacities
12 of three thousand (3,000) gallons or less, and
- 13 c. solid fertilizers that are not mixed with any organic
14 substance.

15 No other placarded hazardous materials shall be transported by
16 holders of such licenses.

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

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

23 2. A J-1 Exchange Visitor Program participant lawfully present
24 in the United States as indicated on a valid and unexpired J-1

1 Visitor Visa issued by the United States Customs and Immigration
2 Service and who is enrolled in an agricultural education training
3 program.

4 A person applying for such permit or license must comply with
5 all testing and licensing requirements in accordance with applicable
6 federal regulations, state laws and Department rules. The issued
7 license shall be valid until the expiration of the visa for the non-
8 domiciled worker. The Department may promulgate rules for the
9 implementation of the process to carry out the provisions of this
10 section.

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

20 2. The Department shall notify every person subject to
21 registration under the provisions of Section 1-101 et seq. of this
22 title who holds a current Class A, B, C or D driver license or
23 identification card that such person is required to surrender the
24

1 license or card to the Department within one hundred eighty (180)
2 days from the date of the notice.

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

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

20 F. Nothing in subsection E of this section shall be deemed to
21 impose any liability upon or give rise to a cause of action against
22 any employee, agent or official of the Department of Corrections for
23 failing to designate a sex offender as an aggravated or habitual
24

1 offender pursuant to subsection J of Section 584 of Title 57 of the
2 Oklahoma Statutes.

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

13 H. The Department shall develop a procedure whereby a person
14 applying for an original, renewal or replacement Class D driver
15 license who has been granted modified driving privileges under this
16 title shall be issued a Class D driver license which identifies the
17 license as a modified license.

18 SECTION 6. AMENDATORY 47 O.S. 2011, Section 6-114, as
19 last amended by Section 2, Chapter 170, O.S.L. 2016 (47 O.S. Supp.
20 2016, Section 6-114), is amended to read as follows:

21 Section 6-114. A. 1. In the event that a driver license is
22 lost, destroyed or requires the updating of any information,
23 restriction or endorsement displayed thereon, the person to whom
24 such license was issued may obtain a replacement thereof pursuant to

1 the provisions of subsection G of Section 6-101 of this title, and
2 upon payment of the required fee ~~and by furnishing both primary and~~
3 ~~secondary proofs of identity to the Department of Public Safety. If~~
4 ~~application is made at a motor license agency or subagency, the~~
5 ~~agent or subagent shall immediately verify the identity of the~~
6 ~~person, by means of both primary and secondary proofs of identity,~~
7 ~~and the eligibility of the person by contacting the Department for~~
8 ~~verification and approval.~~ If the person is an alien, the person
9 shall appear before a driver license examiner of the Department and,
10 after furnishing primary and secondary proofs of identity as
11 required in this section, shall be issued a replacement driver
12 license for a period which does not exceed the lesser of:

- 13 a. the expiration date of the license being replaced, or
- 14 b. the expiration date on the valid documentation
- 15 authorizing the presence of the person in the United
- 16 States, as required by paragraph 9 of subsection A of
- 17 Section 6-103 of this title.

18 2. The cost of a replacement license shall be ~~Twenty Dollars~~
19 ~~(\$20.00)~~ Twenty-five Dollars (\$25.00), of which:

- 20 a. Two Dollars (\$2.00) shall be apportioned as provided
- 21 in Section 1104 of this title,
- 22 b. Three Dollars (\$3.00) shall be remitted to the State
- 23 Treasurer to be credited to the General Revenue Fund,
- 24 and

1 c. Five Dollars (\$5.00) shall be credited to the
2 Department of Public Safety Computer Imaging System
3 Revolving Fund to be used solely for the purpose of
4 administering and maintaining the computer imaging
5 system of the Department, ~~and~~

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

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

11 f. (1) Two Dollars (\$2.00) of the fee authorized by this
12 paragraph related to the replacement of a driver
13 license by a motor license agent that does not
14 process approved applications or renewals for
15 REAL ID Compliant Driver Licenses or
16 Identification Cards shall be deposited, in
17 addition to the amount authorized by subparagraph
18 e of this paragraph, to the State Public Safety
19 Fund created in Section 2-147 of this title, or

20 (2) 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
23 process approved applications or renewals for
24 REAL ID Compliant Driver Licenses or

1 Identification Cards shall be retained by the
2 motor license agent.

3 3. The Department shall promulgate rules prescribing forms of
4 primary and secondary identification acceptable for replacement of
5 an Oklahoma driver license; provided, however, a valid and unexpired
6 U.S. passport shall be acceptable as both primary and secondary
7 identification.

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

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

18 Section 1113.2 A. ~~1-~~ The Executive Director of the Oklahoma
19 Tax Commission shall initiate the reissue of the official vehicle
20 license plates and substitute therefor a new license plate designed
21 by the Oklahoma Tourism and Recreation Department with the approval
22 of the Department of Public Safety.

23 ~~2-~~ ~~a-~~

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

6 ~~b. Eighty percent~~

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

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

13 ~~c. Twenty percent~~

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

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

23 ~~B. C.~~ In addition to the monies apportioned by Section 1104 of
24 this title, the following amounts of monies shall be placed to the

1 credit of the Oklahoma Tax Commission ~~Revolving~~ Fund for the purpose
2 of conducting a new general issue of license plates commencing
3 January 1, 2017:

4 1. For the fiscal year beginning July 1, 2016, and ending June
5 30, 2017, the first One Million Eight Hundred Thousand Dollars
6 (\$1,800,000.00) collected or received by the Tax Commission pursuant
7 to the registration of vehicles as provided by the Oklahoma Vehicle
8 License and Registration Act; and

9 2. For the fiscal year beginning July 1, 2017, and ending June
10 30, 2018, the first Two Million Dollars (\$2,000,000.00) collected or
11 received by the Tax Commission pursuant to the registration of
12 vehicles as provided by the Oklahoma Vehicle License and
13 Registration Act.

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

1 previously issued Oklahoma general issue license plate currently
2 displayed on their vehicle.

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

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

17 ~~F.~~ G. The license plates shall be issued with identification
18 numbers and letters in a color that provides a distinct contrast
19 with a light-colored background in the plate identification area.
20 All license plates and decals shall be made with reflectorized
21 material as a background to the letters, numbers and characters
22 displayed thereon. The reflectorized material shall be of such a
23 nature as to provide effective and dependable brightness during the
24 service period for which the license plate or decal is issued.

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

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

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

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

21 1. At reasonable cost to motor license agents and motor license
22 agency employees seeking authorization to participate in the REAL ID
23 Compliant Driver License and Identification Card issuance, renewal
24 and replacement process; and

1 2. On a regular basis as the Department of Public Safety
2 determines necessary and compliant in accordance with the Department
3 of Homeland Security:

4 a. at on-site locations located or rotating throughout
5 the state, which shall not exceed four (4) hours in
6 duration and shall cost no more than Fifty Dollars
7 (\$50.00) to the motor license agents and motor license
8 agent employees, and

9 b. through an American Association of Motor Vehicle
10 Administrators (AAMVA) on-line resource that is
11 approved by the Department of Homeland Security.

12 C. Every motor license agent seeking authorization to process
13 approved applications or renewals for REAL ID Compliant Driver
14 Licenses or Identification Cards shall be furnished all equipment
15 required for such processing by the Department of Public Safety
16 without charge to the motor license agent.

17 D. The Department of Public Safety shall promulgate rules as
18 necessary to implement the provisions of this section.

19 SECTION 9. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
24 February 22, 2017 - DO PASS