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February 22, 2017

AS AMENDED

SENATE BILL NO. 24

By: Allen of the Senate

and

Roberts (Dustin) of the
House

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[ driver licenses - records - inclusions - effective
date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-117, as amended by Section 1, Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2016, Section 6-117), is amended to read as follows:

Section 6-117. A. The Department of Public Safety shall file every application for a driver license or identification card received by the Department and shall maintain suitable indexes containing:

1. All applications denied and on each thereof note the reasons for the denial;

2. All applications granted;

3. The name of every person whose driving privilege has been suspended, revoked, cancelled, or disqualified by the Department and after each such name note the reasons for the action. Any notation

1 of suspension of the driving privilege of a person for reason of
2 nonpayment of a fine shall be removed from the driving record after
3 the person has paid the fine and the driving privilege of the person
4 is reinstated as provided for by law;

5 4. The county of residence, the name, date of birth, and
6 mailing address of each person residing in that county who is
7 eighteen (18) years of age or older, and who is the holder of a
8 current driver license or a current identification card issued by
9 the Department of Public Safety for the purpose of ascertaining
10 names of all persons qualified for jury service as required by
11 Section 18 of Title 38 of the Oklahoma Statutes; and

12 5. The name, driver license number, and mailing address of
13 every person for the purpose of giving notice, if necessary, as
14 required by Section 2-116 of this title.

15 B. The Department shall file all collision reports and
16 abstracts of court records of convictions received by it pursuant to
17 the laws of this state and maintain convenient records of the
18 records and reports or make suitable notations in order that an
19 individual record of a person showing the convictions of the person
20 and the traffic collisions in which the person has been involved
21 shall be readily ascertainable and available for the consideration
22 of the Department of Public Safety upon any application for a driver
23 license or renewal of a driver license and at other suitable times.
24 Any abstract, index or other entry relating to a driving record

1 according to the licensing authority in another state or a province
2 of Canada may be posted upon the driving record of any resident of
3 this state when notice thereof is received by documentation or by
4 electronic transmission. The individual record of a person shall
5 not include any collision reports and abstracts of court records
6 involving a collision in which the person was not issued a citation
7 or if a citation is issued and the person was not convicted.

8 C. 1. The Commissioner and the officers of the Department as
9 the Commissioner may designate are hereby authorized to prepare
10 under the seal of the Department and deliver upon request a copy of
11 any collision report on file with the Department, charging a fee of:

- 12 a. beginning on July 1, 2011, through June 30, 2013,
13 Fifteen Dollars (\$15.00), of which Eight Dollars
14 (\$8.00) shall be deposited by the Commissioner to the
15 credit of the Department of Public Safety Revolving
16 Fund and, in addition to other purposes authorized by
17 law, the expenditures from that fund of monies derived
18 from the Eight Dollars (\$8.00) pursuant to this
19 subparagraph shall be used to fund any Oklahoma
20 Highway Patrol Trooper Academy provided by the
21 Department. Any remaining funds shall be deposited in
22 an account to be utilized exclusively for future
23 expenses directly related to the operation of an
24 Oklahoma Highway Patrol Academy, and

1 b. beginning on July 1, 2013, and any year thereafter,
2 Seven Dollars (\$7.00).

3 However, the Department shall not be required to furnish
4 personal information from the collision report which is contrary to
5 the provisions of the Driver's Privacy Protection Act, 18 United
6 States Code, Sections 2721 through 2725.

7 2. Notwithstanding the provisions of paragraph 1 of this
8 subsection, the Department is authorized to enter into contracts to
9 supply information regarding vehicles reported to be involved in
10 collisions. For each vehicle, the information shall be limited to
11 that which only describes the vehicle and the collision. The
12 Department shall not be required to provide any information
13 regarding the owner or operator of the vehicle or any information
14 which would conflict with Section 2-110 or Section 1109 of this
15 title.

16 D. The Department of Public Safety or any motor license agent
17 upon request shall prepare and furnish to any authorized person a
18 Motor Vehicle Report of any person subject to the provisions of the
19 motor vehicle laws of this state. However, the Department shall not
20 be required to furnish personal information from a driving record
21 contrary to the provisions of the Driver's Privacy Protection Act,
22 18 United States Code, Sections 2721 through 2725. The Motor
23 Vehicle Report shall be a summary of the driving record of the
24 person and shall include the enumeration of any motor vehicle

1 collisions, reference to convictions for violations of motor vehicle
2 laws, and any action taken against the privilege of the person to
3 operate a motor vehicle, as shown by the files of the Department for
4 the three (3) years preceding the date of the request. The
5 Department shall not be required to release to any person, in whole
6 or in part and in any format, a driving index, as described in
7 subsection A of this section, except as otherwise provided for by
8 law. For each Motor Vehicle Report furnished by the Department of
9 Public Safety, the Department shall collect the sum of Twenty-five
10 Dollars (\$25.00), Twenty Dollars (\$20.00) of which shall be
11 deposited in the General Revenue Fund and Five Dollars (\$5.00) shall
12 be deposited in the Department of Public Safety Revolving Fund. For
13 each Motor Vehicle Report furnished by a motor license agent, the
14 agent shall collect the sum of Twenty-five Dollars (\$25.00),
15 Eighteen Dollars (\$18.00) of which shall be paid to the Oklahoma Tax
16 Commission for deposit in the General Revenue Fund in the State
17 Treasury, Five Dollars (\$5.00) shall be deposited in the Department
18 of Public Safety Revolving Fund and Two Dollars (\$2.00) of which
19 shall be retained by the motor license agent. Persons sixty-five
20 (65) years of age or older shall not be required to pay a fee for
21 their own Motor Vehicle Report furnished by the Department or a
22 motor license agent. For purposes of this subsection, a Motor
23 Vehicle Report shall include a report which indicates that no
24 driving record is on file with the Department of Public Safety for

1 the information received by the Department in the request for the
2 Motor Vehicle Report.

3 E. The Department of Public Safety may develop procedures
4 whereby an acting agent of an employer or an employer of a person:

5 1. Who has a Class A, B ~~or~~, C or D driver license; and

6 2. Who operates a ~~commercial~~ motor vehicle in the course of his
7 or her employment with the employer, may automatically be notified,
8 pursuant to a fee schedule established by the Department, should the
9 driving record of a person reflect a traffic conviction in any court
10 or an administrative action by the Department which alters the
11 status of the commercial or non-commercial driving privileges of the
12 person, or any other change to the driving status. The notification
13 system shall include electronic delivery of a Motor Vehicle Report
14 at least annually for any employee who is a commercial driver
15 licensee or who operates a commercial motor vehicle, as required by
16 49 C.F.R., Section 391.25, or who operates a non-commercial motor
17 vehicle during the course of business. All monies received by the
18 Commissioner of Public Safety and the officers and employees of the
19 Department pursuant to this subsection shall be deposited in the
20 Department of Public Safety Restricted Revolving Fund; ~~provided, the~~
21 ~~fee received for electronic delivery of a Motor Vehicle Report shall~~
22 ~~be deposited as provided in subsection C of this section.~~ For each
23 Motor Vehicle Report furnished by the Department, through the
24 electronic notification system, the Department shall collect the sum

1 of Twenty-five Dollars (\$25.00); Eighteen Dollars (\$18.00) of which
2 shall be deposited in the General Revenue Fund in the State
3 Treasury. Five Dollars (\$5.00) shall be deposited in the Department
4 of Public Safety Revolving Fund. Two Dollars (\$2.00) shall be
5 retained by the Department or its authorized agent for the purpose
6 of development and maintenance of the electronic notification
7 system.

8 F. The Commissioner is authorized to establish a procedure for
9 reviewing the driving records of state residents who are existing
10 policyholders of any insurance company licensed to operate in this
11 state during specified periods of time and producing a report which
12 identifies the policyholders which have had violation and/or status
13 changes to their driving records during such time period. The
14 Department may sell such report to the insurance company or its
15 agent at a fee to be set by the Department. Any such report sold by
16 the Department shall only consist of information otherwise lawfully
17 obtainable by the insurance company or its agent. The fee shall be
18 sufficient to recover all costs incurred by the Department and
19 insure that there will be no net revenue loss to the state. Such
20 fee shall be deposited in the Department of Public Safety Revolving
21 Fund.

22 G. All monies received by the Commissioner of Public Safety and
23 the officers and employees of the Department shall be remitted to
24

1 the State Treasurer to be credited to the General Revenue Fund in
2 the State Treasury except as otherwise provided for by law.

3 SECTION 2. This act shall become effective November 1, 2017.

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
5 February 22, 2017 - DO PASS AS AMENDED
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