

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 190

By: Floyd

AS INTRODUCED

An Act relating to REAL ID; creating the REAL ID Compliance Act of 2017; directing the Department of Public Safety to implement provisions; declaring certain intent; directing the Legislature to identify and utilize available federal funds; amending 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), which relates to driver license fees; modifying fees; prohibiting certain possession; 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 identification cards; prohibiting certain possession; modifying fees; amending 47 O.S. 2011, Section 6-106, as last amended by Section 1, Chapter 170, O.S.L. 2016 (47 O.S. Supp. 2016, Section 6-106), which relates to application for license; clarifying language; 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 issuance of license or identification card; modifying procedures; 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 license; modifying fees; repealing 47 O.S. 2011, Section 6-110.3, which relates to noncompliance of the REAL ID Act of 2005; providing for noncodification; providing for codification; and declaring an emergency.

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

2 SECTION 1. NEW LAW A new section of law not to be  
3 codified in the Oklahoma Statutes reads as follows:

4 This act shall be known and may be cited as the "REAL ID  
5 Compliance Act of 2017".

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 6-110.3A of Title 47, unless  
8 there is created a duplication in numbering, reads as follows:

9 The Department of Public Safety is hereby directed to implement  
10 the provisions of the federal REAL ID Act of 2005, Public Law 109-  
11 13. It is the intent of the Oklahoma Legislature that the citizens  
12 of Oklahoma have a secure driver license or identification card that  
13 will allow the continued ability to use this identification for  
14 purposes described in the REAL ID Act of 2005. In an attempt to  
15 offset the expected costs of implementation of compliance of the  
16 federal REAL ID Act of 2005, the Legislature shall work to identify,  
17 make application for and utilize any and all federal monies  
18 available for such purpose.

19 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-101, as  
20 last amended by Section 1, Chapter 180, O.S.L. 2016 (47 O.S. Supp.  
21 2016, Section 6-101), is amended to read as follows:

22 Section 6-101. A. No person, except those hereinafter  
23 expressly exempted in Sections 6-102 and 6-102.1 of this title,  
24 shall operate any motor vehicle upon a highway in this state unless

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 G. 1. The fee charged for an approved application for an  
4 original Oklahoma driver license or an approved application for the  
5 addition of an endorsement to a current valid Oklahoma driver  
6 license shall be assessed in accordance with the following schedule:

7	Class A Commercial Learner Permit	\$25.00
8	Class A Commercial License	\$25.00
9	Class B Commercial Learner Permit	\$15.00
10	Class B Commercial License	\$15.00
11	Class C Commercial Learner Permit	\$15.00
12	Class C Commercial License	\$15.00
13	Class D License	\$ 4.00
14	Motorcycle Endorsement	\$ 4.00

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

19 H. The fee charged for any failed examination shall be Four  
20 Dollars (\$4.00) for any license classification. Notwithstanding the  
21 provisions of Section 1104 of this title, all monies collected from  
22 such examination fees pursuant to the provisions of this subsection  
23 shall be deposited in the General Revenue Fund of this state.

I. In addition to any fee charged pursuant to the provisions of subsection G of this section, the fee charged for the issuance or renewal of an Oklahoma license shall be in accordance with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the issuance of the license:

Class A Commercial Learner Permit	<del>\$51.50</del>	<u>\$63.50</u>
Class A Commercial License	<del>\$51.50</del>	<u>\$63.50</u>
Class B Commercial Learner Permit	<del>\$51.50</del>	<u>\$63.50</u>
Class B Commercial License	<del>\$51.50</del>	<u>\$63.50</u>
Class C Commercial License	<del>\$41.50</del>	<u>\$53.50</u>
Class D License	<del>\$33.50</del>	<u>\$45.50</u>

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

Notwithstanding the provisions of Section 1104 of this title, of each fee charged pursuant to the provisions of this subsection:

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

2. Six Dollars and seventy-five cents (\$6.75) shall be deposited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of administration

1 and maintenance of the computerized imaging system of the  
2 Department; and

3 3. ~~Ten Dollars (\$10.00)~~ Twenty-two Dollars (\$22.00) shall be  
4 deposited to the Department of Public Safety Revolving Fund for all  
5 original or renewal issuances of licenses.

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

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

11	Age 62	\$21.25
12	Age 63	\$17.50
13	Age 64	\$13.75
14	Age 65	-0-

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

1 M. The Department of Public Safety and the Oklahoma Tax  
2 Commission are authorized to promulgate rules for the issuance and  
3 renewal of driver licenses authorized pursuant to the provisions of  
4 Sections 6-101 through 6-309 of this title. Applications, upon  
5 forms approved by the Department of Public Safety, for such licenses  
6 shall be handled by the motor license agents; provided, the  
7 Department of Public Safety is authorized to assume these duties in  
8 any county of this state. Each motor license agent accepting  
9 applications for driver licenses shall receive Four Dollars (\$4.00)  
10 to be deducted from the total collected for each license or renewal  
11 application accepted. The four-dollar fee received by the motor  
12 license agent shall be used for operating expenses.

13 N. Notwithstanding the provisions of Section 1104 of this title  
14 and subsection M of this section and except as provided in  
15 subsections G and I 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 O. The Department of Public Safety shall ~~implement a procedure~~  
7 ~~whereby~~ retain images displayed on licenses and identification cards  
8 issued pursuant to the provisions of Sections 6-101 through 6-309 of  
9 this title ~~are maintained by the Department to create photographs or~~  
10 ~~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 P. No person may hold more than one state-issued driver license  
23 from Oklahoma or any other state. The Department may promulgate  
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1 rules to address the issue of replacement in the event of loss or  
2 theft.

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

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

23 B. No person may hold more than one state-issued identification  
24 card from Oklahoma or any other state. The Department may

1 promulgate rules to address the issue of replacement in the event of  
2 loss or theft.

3 C. The fee charged for the issuance, renewal, or replacement of  
4 an identification card pursuant to this section shall be ~~Twenty~~  
5 ~~Dollars (\$20.00)~~ Thirty-two Dollars (\$32.00); however, no person  
6 sixty-five (65) years of age or older shall be charged a fee for an  
7 identification card. Of each fee charged pursuant to the provisions  
8 of this subsection:

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

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

15 3. ~~Ten Dollars (\$10.00)~~ Twenty-two Dollars (\$22.00) shall be  
16 deposited in the Department of Public Safety Revolving Fund.

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

23 ~~D.~~ E. When a person makes application for a new identification  
24 card, or makes application to renew an identification card, and the

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

9 SECTION 5. AMENDATORY 47 O.S. 2011, Section 6-106, as  
10 last amended by Section 1, Chapter 170, O.S.L. 2016 (47 O.S. Supp.  
11 2016, Section 6-106), is amended to read as follows:

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

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

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

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

11 1. Full name;

12 2. Date of birth;

13 3. Sex;

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

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

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

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

1        8. A brief description of the applicant, as determined by the  
2 Department;

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

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

11        11. Whether the applicant has:

12            a. previously been licensed and, if so, when and by what  
13 state or country, and

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

16        12. Social Security number.

17 No person shall request the Department to use the Social Security  
18 number of that person as the driver license number. Upon renewal or  
19 replacement of any driver license issued after ~~the effective date of~~  
20 ~~this act~~ July 1, 2001, the licensee shall advise the Department or  
21 the motor license agent if the present driver license number of the  
22 licensee is the Social Security number of the licensee. If the  
23 driver license number is the Social Security number, the Department  
24

1 or the motor license agent shall change the driver license number to  
2 a computer-generated alphanumeric identification.

3 C. 1. In addition to the requirements of subsections A and B  
4 of this section, every applicant for a commercial driver license who  
5 is subject to the requirements of 49 C.F.R., Part 391, and is  
6 applying for an original, renewal, or replacement license, and every  
7 person who, upon the ~~effective date of this act~~ May 8, 2012, is  
8 currently the holder of a commercial driver license and is subject  
9 to the requirements of 49 C.F.R., Part 391, and who does not apply  
10 for a renewal or replacement license prior to January 30, 2014,  
11 shall submit to the Department and maintain with the Department a  
12 current approved medical examination certificate signed by a  
13 licensed physician authorized to perform and approve medical  
14 examination certifications. The Department shall adopt rules  
15 ~~regarding procedures~~ for maintaining medical examination  
16 certificates pursuant to the requirements in 49 C.F.R., Parts 383  
17 and 384. Any commercial driver licensee subject to the requirements  
18 of this paragraph who fails to maintain on file with the Department  
19 a current, approved medical examination certificate shall have the  
20 driving privileges of the person downgraded to a Class D driver  
21 license by the Department.

22 2. If the applicant is applying for an original commercial  
23 driver license in Oklahoma or is transferring a commercial driver  
24 license from another state to Oklahoma, the Department shall review

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

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

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

23 D. In addition to the requirements of subsections A and B of  
24 this section, every applicant shall be given an option on the

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

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

21 F. Whenever the Department receives a request for a driving  
22 record from another licensing jurisdiction, the record shall be  
23 forwarded without charge.

24

1       G. A valid and unexpired Oklahoma driver license shall serve as  
2 both primary and secondary proofs of identity whenever application  
3 for an identification card is submitted to the Department. The  
4 provisions of subsection B of Section 1550.42 of Title 21 of the  
5 Oklahoma Statutes shall not apply when issuing an identification  
6 card pursuant to the provisions of this subsection. The Department  
7 shall 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 6.       AMENDATORY       47 O.S. 2011, Section 6-111, as  
15 last amended by Section 1, Chapter 214, O.S.L. 2016 (47 O.S. Supp.  
16 2016, Section 6-111), is amended to read as follows:

17       Section 6-111. A. 1. The Department of Public Safety shall,  
18 upon payment of the required fee, issue to every applicant  
19 qualifying therefor a Class A, B, C or D driver license or  
20 identification card as applied for, which license or card shall bear  
21 thereon a distinguishing alphanumeric identification assigned to the  
22 licensee or cardholder, date of issuance and date of expiration of  
23 the license or card, the full legal name, signature or computerized  
24 signature, date of birth, principal residence address, unless

1 specified as an exception in the Code of Federal Regulations per 6  
2 C.F.R., Section 37.17, sex, a color photograph or computerized color  
3 image of the licensee or cardholder taken in accordance with  
4 Department rules and security features as determined by the  
5 Department. The ~~photograph or~~ image shall depict a full front  
6 unobstructed view of the entire face of the licensee or cardholder;  
7 provided, a commercial learner permit shall not bear the ~~photograph~~  
8 ~~or~~ image of the licensee. When any person is issued both a driver  
9 license and an identification card, the Department shall ensure the  
10 information on both the license and the card are the same, unless  
11 otherwise provided by law.

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

15 3. The Department may cancel the distinguishing number, when  
16 that distinguishing number is another person's Social Security  
17 number, assign a new distinguishing alphanumeric identification, and  
18 issue a new license or identification card without charge to the  
19 licensee or cardholder.

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

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

12        6. The Department of Public Safety may develop by rule an  
13 alternative procedure whereby a person may apply for a renewal or  
14 replacement Oklahoma Class D license or Oklahoma identification  
15 card.

16        B. The Department may issue a temporary permit to an applicant  
17 for a driver license permitting such applicant to operate a motor  
18 vehicle while the Department is completing its investigation and  
19 determination of all facts relative to such applicant's privilege to  
20 receive a license. Such permit must be in the immediate possession  
21 of the driver while operating a motor vehicle, and it shall be  
22 invalid when the applicant's driver license has been issued or for  
23 good cause has been refused.

24

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.
- 24

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 7. 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 upon  
10 payment of the required fee and by furnishing both primary and  
11 secondary proofs of identity to the Department of Public Safety. If  
12 application is made at a motor license agency or subagency, the  
13 agent or subagent shall immediately verify the identity of the  
14 person, by means of both primary and secondary proofs of identity,  
15 and the eligibility of the person by contacting the Department for  
16 verification and approval. If the person is an alien, the person  
17 shall appear before a driver license examiner of the Department and,  
18 after furnishing primary and secondary proofs of identity as  
19 required in this section, shall be issued a replacement driver  
20 license for a period which does not exceed the lesser of:

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

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)~~ Thirty-two Dollars (\$32.00), of which Two Dollars (\$2.00)  
5 shall be apportioned as provided in Section 1104 of this title,  
6 Three Dollars (\$3.00) shall be remitted to the State Treasurer to be  
7 credited to the General Revenue Fund, and Five Dollars (\$5.00) shall  
8 be credited to the Department of Public Safety Computer Imaging  
9 System Revolving Fund to be used solely for the purpose of  
10 administering and maintaining the computer imaging system of the  
11 Department, and ~~Ten Dollars (\$10.00)~~ Twenty-two Dollars (\$22.00) to  
12 the Revolving Fund of the Department of Public Safety.

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

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

1       SECTION 8.       REPEALER       47 O.S. 2011, Section 6-110.3, is  
2 hereby repealed.

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

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