

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1203

By: Casey

6 AS INTRODUCED

7 An Act relating to driver licenses; amending 47 O.S.
8 2011, Section 6-110, as last amended by Section 29,
Chapter 210, O.S.L. 2016 (47 O.S. Supp. 2016, Section
9 6-110), which relates to driver license examinations;
10 clarifying authority of certified designated
examiners to administer driving skills examination to
11 certain individuals; requiring certain lists be
created; requiring publication on certain website;
12 requiring display at exam sites; and providing an
effective date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-110, as
17 last amended by Section 29, Chapter 210, O.S.L. 2016 (47 O.S. Supp.
18 2016, Section 6-110), is amended to read as follows:

19 Section 6-110. A. 1. The Department of Public Safety shall
20 examine every applicant for an original Class A, B, C or D license
21 and for any endorsements thereon, except as otherwise provided in
22 Section 6-101 et seq. of this title or as provided in paragraph 2 of
23 this subsection or in subsection D of this section. The examination
24 shall include a test of the applicant's:

- a. eyesight,
- b. ability to read and understand highway signs regulating, warning and directing traffic,
- c. knowledge of the traffic laws of this state, including a portion on bicycle and motorcycle safety, and
- d. ability, by actual demonstration, to exercise ordinary and reasonable control in the operation of a motor vehicle. The actual demonstration shall be conducted in the type of motor vehicle for the class of driver license being applied for.

The Department may create a knowledge test that may be taken on the Internet by an applicant applying for a Class D license.

Any licensee seeking to apply for a driver license of another class which is not covered by the licensee's current driver license shall be considered an applicant for an original license for that class.

2. The Department of Public Safety shall have the authority to waive the requirement of any part of the examination required in paragraph 1 of this subsection for those applicants whose driving record meets the standards set by the Department of Public Safety and surrenders either of the following:

- a. a valid unexpired driver license issued by any state or country for the same type or types of vehicles, or
- b. an expired driver license that:

- 1 (1) is not expired more than six (6) months past the
2 expiration date listed on the driver license, and
3 (2) is not a Class A, B or C commercial driver
4 license or commercial driver license permit.

5 3. The Department shall accept skills test results from another
6 state for Class A, B or C license applicants who have successfully
7 completed commercial motor vehicle driver training in that state and
8 successfully passed the skills test in that state; provided, the
9 Department shall not accept skills test results from another state
10 when the applicant has not successfully completed commercial motor
11 vehicle driver training in that state. Nothing in this section
12 shall be construed to prohibit the Department from administering the
13 skills test to any applicant who has successfully completed
14 commercial vehicle driver training in another state.

15 4. All applicants requiring a hazardous materials endorsement
16 shall be required, for the renewal of the endorsement, to
17 successfully complete the examination and to submit to a security
18 threat assessment performed by the Transportation Security
19 Administration of the Department of Homeland Security as required by
20 and pursuant to 49 C.F.R., Part 1572, which shall be used to
21 determine whether the applicant is eligible for renewal of the
22 endorsement pursuant to federal law and regulation.

23 5. The Department of Public Safety shall give the complete
24 examination as provided for in this section within thirty (30) days

1 from the date the application is received, and the examination shall
2 be given at a location within one hundred (100) miles of the
3 residence of the applicant. The Department shall make every effort
4 to make the examination locations and times convenient for
5 applicants. The Department shall consider giving the examination at
6 various school sites if the district board of education for the
7 district in which the site is located agrees and if economically
8 feasible and practicable.

9 B. Any person holding a valid Oklahoma Class D license or
10 provisional driver license pursuant to Section 6-212 of this title
11 and applying for a Class A, B or C commercial license shall be
12 required to successfully complete all examinations as required for
13 the specified class. Failure to submit to the Department federally
14 required medical certification information pursuant to 49 C.F.R.,
15 Part 391.41 et seq. shall result in an automatic downgrade of a
16 commercial license to a Class D license. Provided, however, once
17 the required medical certification information has been received by
18 the Department, the license shall be reinstated to the
19 classification of the commercial license prior to the downgrade and
20 the holder of such a license shall not be required to reapply.

21 C. Except as provided in subsection E of Section 6-101 of this
22 title, any person holding a valid Oklahoma Class A, B or C
23 commercial license shall, upon time for renewal thereof, be entitled
24 to a Class D license without any type of testing or examination,

1 except for any endorsements thereon as otherwise provided for by
2 Section 6-110.1 of this title.

3 D. 1. Any certified driver education instructor who is
4 currently an operator or an employee of a commercial driver training
5 school in this state or any driver education instructor employed by
6 any school district in this state shall be eligible to apply to be a
7 designated examiner of the Department of Public Safety for the
8 purposes of administering the Class D driving skills portion of the
9 Oklahoma driving examination to any person who has not previously
10 been a student of the instructor but has successfully completed the
11 eyesight examination as provided for in this section, and who has
12 been issued a learner permit as provided for in Section 6-105 of
13 this title, regardless as to whether the person participated in a
14 driver education course, as defined in Section 6-105 of this title.

15 2. The Department of Public Safety shall adopt a curriculum of
16 required courses and training to be offered to applicants who are
17 qualified to apply to be a designated examiner. The courses and
18 training for certification shall meet the same standards as required
19 for driver examiners of the Department of Public Safety.

20 3. Each person applying to be a designated examiner shall be
21 required to pay an initial designated examiner certification fee of
22 One Thousand Dollars (\$1,000.00). Upon successful completion of
23 training prescribed by paragraph 2 of this subsection, the person
24 shall be required to pay an annual designated examiner certification

1 fee of Five Hundred Dollars (\$500.00). If an applicant for the
2 designated examiner program is employed by an Oklahoma public school
3 system that offers driver education, and he or she administers the
4 skills test only to students enrolled in a public school driver
5 education program, the certification fee may be waived by the
6 Department. Each designated examiner certification shall expire on
7 the last day of the calendar year and may be renewed upon
8 application to the Department of Public Safety. The designated
9 examiner certification fees collected by the Department pursuant to
10 this subsection shall be deposited to the credit of the Department
11 of Public Safety Restricted Revolving Fund to be used for the
12 purposes of this subsection. No designated examiner certification
13 fee shall be refunded in the event that certification is denied,
14 suspended or revoked.

15 4. A designated examiner may charge a fee of no more than
16 Twenty-five Dollars (\$25.00) for each Class D driving skills
17 examination given, whether the person being examined passes or fails
18 the examination.

19 5. The Department shall conduct an annual complete nationwide
20 criminal history background check on each designated examiner and a
21 complete nationwide criminal history background check on each
22 designated examiner applicant. The fees for the background check
23 shall be borne by the designated examiner or designated examiner
24 applicant.

1 6. The Department of Public Safety shall publish and maintain
2 on the website of the Department of Public Safety a current list of
3 certified designated examiners with corresponding contact
4 information, by county, provided any certified designated examiner
5 and their contact information shall be omitted from such list at the
6 examiner's request.

7 7. Each driver license exam site shall display a current list
8 of certified designated examiners with corresponding contact
9 information, located in the same county as such exam site, provided
10 any certified designated examiner and their contact information
11 shall be omitted from such list at the examiner's request.

12 8. The Department of Public Safety shall promulgate rules to
13 implement and administer the provisions of this subsection.

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

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