

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1465

By: Echols

AS INTRODUCED

An Act relating to driver licenses; 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 classes of driver licenses; defining terms; requiring certain designs and markings; requiring certain applications be made to the Department of Public safety; requiring certain tasks be performed by Department employees; providing certain process for obtaining certain driver licenses and identification cards; modifying references; modifying issuance and renewal fee amounts for certain licenses; providing issuance and renewal fee amounts for certain licenses; modifying apportionments of certain fees; modifying amount fee from issuance and renewal motor license agents may retain; requiring certain amount be used in certain way; requiring certain annual reporting; clarifying language; prohibiting possession of multiple licenses or identification cards simultaneously; authorizing the promulgation of rules by the Department related to certain subject; amending 47 O.S. 2011, Section 6-105.3, as last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2016, Section 6-105.3), which relates to issuance of identification cards; prohibiting possession of multiple licenses or identification cards simultaneously; modifying the fee for issuance, renewal and replacement of identification cards; modifying apportionment of certain fee; clarifying language; 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 applications for driver licenses and identification cards; modifying

1 application information required; prohibiting  
2 possession of multiple licenses or identification  
3 cards simultaneously; amending 47 O.S. 2011, Section  
4 6-110.3, which relates to prohibiting the  
5 implementation of the federal REAL ID Act; modifying  
6 legislative finding and statement; eliminating  
7 prohibition on REAL ID Act implementation and  
8 compliance; eliminating requirement related to  
9 retrieval and deletion of certain data; prohibiting  
10 the sharing of certain information and data;  
11 providing an exception; amending 47 O.S. 2011,  
12 Section 6-111, as last amended by Section 1, Chapter  
13 214, O.S.L. 2016 (47 O.S. Supp. 2016, Section 6-111),  
14 which relates to the issuance of licenses and  
15 identification cards; modifying information to be  
16 included on driver licenses and identification cards;  
17 clarifying language; amending 47 O.S. 2011, Section  
18 6-114, as last amended by Section 2, Chapter 170,  
19 O.S.L. 2016 (47 O.S. Supp. 2016, Section 6-114),  
20 which relates to replacement driver licenses;  
21 modifying the fee for replacement licenses; modifying  
22 apportionment of certain fee; requiring certain  
23 security measures related to the production of  
24 certain driver licenses and identification cards;  
requiring certain measures during hours of operation;  
requiring certain procedures during nonoperating  
hours; defining term; requiring certain option be  
provided on certain online systems; creating the  
Public Safety Enhancement Fund; identifying revenue  
source; providing appropriation authority; stating  
purpose for such appropriation; regulating the  
storage of certain information related to  
applications for certain driver licenses and  
identification cards; defining term; requiring the  
creation and offering of a certain waiver; requiring  
certain receipt; requiring certain actions be taken  
related to data associated with a waiver applicant;  
prohibiting certain actions related to data  
associated with a waiver applicant; disqualifying  
felons from waiver eligibility; requiring certain  
periodic attestations; authorizing certain compliance  
audits by certain entities; limiting collection of  
data related to certain renewals; providing for  
photoless driver license and identification cards  
under certain conditions; requiring submission to  
certain fingerprinting; requiring deletion of  
fingerprints within certain period; authorizing the

1 promulgation of rules; providing for codification;  
2 and declaring an emergency.

3  
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as  
6 last amended by Section 1, Chapter 180, O.S.L. 2016 (47 O.S. Supp.  
7 2016, Section 6-101), is amended to read as follows:

8 Section 6-101. A. No person, except those hereinafter  
9 expressly exempted in Sections 6-102 and 6-102.1 of this title,  
10 shall operate any motor vehicle upon a highway in this state unless  
11 the person has a valid Oklahoma driver license for the class of  
12 vehicle being operated under the provisions of this title. No  
13 person shall be permitted to possess more than one valid license at  
14 any time, except as provided in paragraph 4 of subsection F of this  
15 section.

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

23 2. No person shall operate a Class B commercial motor vehicle  
24 unless the person is eighteen (18) years of age or older and holds a

1 valid Class B commercial license, except as provided in paragraph 5  
2 of subsection F of this section. Any person holding a valid Class B  
3 commercial license shall be permitted to operate motor vehicles in  
4 Classes B, C and D, except as provided for in paragraph 4 of this  
5 subsection.

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

12 4. No person under twenty-one (21) years of age shall be  
13 licensed to operate any motor vehicle which is required to be  
14 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,  
15 subpart F, except as provided in subsection F of this section;  
16 provided, a person eighteen (18) years of age or older may be  
17 licensed to operate a farm vehicle which is required to be placarded  
18 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,  
19 except as provided in subsection F of this section.

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

23 a. a restricted Class A commercial license which shall  
24 grant to the licensee the privilege to operate a Class

1           A or Class B commercial motor vehicle for harvest  
2           purposes or a Class D motor vehicle, or

3           b.    a restricted Class B commercial license which shall  
4                grant to the licensee the privilege to operate a Class  
5                B commercial motor vehicle for harvest purposes or a  
6                Class D motor vehicle.

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

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

15          D.   No person shall operate a motorcycle or motor-driven cycle  
16          without having a valid Class A, B, C or D license with a motorcycle  
17          endorsement. Except as otherwise provided by law, any new applicant  
18          for an original driver license shall be required to successfully  
19          complete a written examination, vision examination, and driving  
20          examination for a motorcycle as prescribed by the Department of  
21          Public Safety, and a certified state-approved motorcycle basic rider  
22          course approved by the Department if the applicant is seventeen (17)  
23          years of age or younger to be eligible for a motorcycle endorsement  
24          thereon. The written examination and driving examination for a

1 motorcycle shall be waived by the Department of Public Safety upon  
2 verification that the person has successfully completed a certified  
3 Motorcycle Safety Foundation rider course approved by the  
4 Department.

5 E. Except as otherwise provided by law, any person who lawfully  
6 possesses a valid Oklahoma driver license which is eligible for  
7 renewal shall be required to successfully complete a written  
8 examination, vision examination, and driving examination for a  
9 motorcycle as prescribed by the Department, and a certified state-  
10 approved motorcycle basic rider course approved by the Department if  
11 the person is seventeen (17) years of age or younger to be eligible  
12 for a motorcycle endorsement. The written examination and driving  
13 examination for a motorcycle shall be waived by the Department of  
14 Public Safety upon verification that the person has successfully  
15 completed a certified Motorcycle Safety Foundation rider course  
16 approved by the Department.

17 F. 1. Any person eighteen (18) years of age or older may apply  
18 for a restricted Class A, B or C commercial learner permit. The  
19 Department, after the applicant has passed all parts of the  
20 examination for a Class D license and has successfully passed all  
21 parts of the examination for a Class A, B or C commercial license  
22 other than the driving examination, may issue to the applicant a  
23 commercial learner permit which shall entitle the person having  
24 immediate lawful possession of the commercial learner permit and a

1 valid Oklahoma driver license or provisional driver license pursuant  
2 to Section 6-212 of this title to operate a Class A, B or C  
3 commercial motor vehicle upon the public highways solely for the  
4 purpose of behind-the-wheel training in accordance with rules  
5 promulgated by the Department.

6 2. This commercial learner permit shall be issued for a period  
7 as provided in Section 6-115 of this title of one hundred eighty  
8 (180) days, which may be renewed one time for an additional one  
9 hundred eighty (180) days; provided, such commercial learner permit  
10 may be suspended, revoked, canceled, denied or disqualified at the  
11 discretion of the Department for violation of the restrictions, for  
12 failing to give the required or correct information on the  
13 application, or for violation of any traffic laws of this state  
14 pertaining to the operation of a motor vehicle. Except as otherwise  
15 provided, the lawful possessor of a commercial learner permit who  
16 has been issued a commercial learner permit for a minimum of  
17 fourteen (14) days may have the restriction requiring an  
18 accompanying driver removed by satisfactorily completing a driver's  
19 examination; provided, the removal of a restriction shall not  
20 authorize the operation of a Class A, B or C commercial motor  
21 vehicle if such operation is otherwise prohibited by law.

22 3. No person shall apply for and the Department shall not issue  
23 an original Class A, B or C driver license until the person has been  
24 issued a commercial learner permit and held the permit for at least

1 fourteen (14) days. Any person who currently holds a Class B or C  
2 license and who wishes to apply for another class of commercial  
3 driver license shall be required to apply for a commercial learner  
4 permit and to hold the permit for at least fourteen (14) days before  
5 applying for the Class A or B license, as applicable. Any person  
6 who currently holds a Class A, B or C license and who wishes to add  
7 an endorsement or remove a restriction for which a skills  
8 examination is required shall be required to apply for a commercial  
9 learner permit and to hold the permit for at least fourteen (14)  
10 days before applying for the endorsement.

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

18 5. After one renewal of a commercial learner permit, as  
19 provided in paragraph 2 of this subsection, a commercial permit  
20 shall not be renewed again. Any person who has held a commercial  
21 learner permit for the initial issuance period and one renewal  
22 period shall not be eligible for and the Department shall not issue  
23 another renewal of the permit; provided, the person may reapply for  
24 a new commercial learner permit, as provided for in this subsection.



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

10       G. 1. For purposes of this title:

11           a. "REAL ID Compliant Driver License or Identification  
12           Card" means a driver license or identification card  
13           issued by the State of Oklahoma that has been  
14           certified by the United States Department of Homeland  
15           Security (USDHS) as compliant with the requirements of  
16           the REAL ID Act of 2005, Public Law No. 109-13. A  
17           REAL ID Compliant Driver License or Identification  
18           Card and the process through which it is issued  
19           incorporate a variety of security measures designed to  
20           protect the integrity and trustworthiness of the  
21           license or card. A REAL ID Compliant Driver License  
22           or Identification Card will be clearly marked on the  
23           face indicating that it is a compliant document, and  
24

1        b. "REAL ID Noncompliant Driver License or Identification  
2        Card" means a driver license or identification card  
3        issued by the State of Oklahoma that has not been  
4        certified by the United States Department of Homeland  
5        Security (USDHS) as being compliant with the  
6        requirements of the REAL ID Act. A REAL ID  
7        Noncompliant Driver License or Identification Card  
8        will be clearly marked on the face indicating that it  
9        is not compliant with the federal REAL ID Act and is  
10       not acceptable for official federal purposes. The  
11       driver license or identification card will have a  
12       unique design or color indicator that clearly  
13       distinguishes it from a compliant license or card;

14       2. Application for a REAL ID Compliant Driver License or  
15       Identification Card shall be made to the Department of Public  
16       Safety;

17       3. Department of Public Safety employees shall perform all  
18       document recognition and other requirements needed for approval of a  
19       REAL ID Compliant Driver License or Identification Card application;

20       4. Upon approval of a REAL ID Compliant Driver License or  
21       Identification Card application, the applicant may take the approved  
22       application document to a motor license agent to receive their REAL  
23       ID Compliant Driver License or Identification Card, and  
24

1        5. The motor license agent shall process the approved REAL ID  
2 Compliant Driver License or Identification Card application and upon  
3 payment shall hand the applicant their REAL ID Driver License or  
4 Identification Card.

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

|    |                                   |         |
|----|-----------------------------------|---------|
| 11 | Class A Commercial Learner Permit | \$25.00 |
| 12 | Class A Commercial License        | \$25.00 |
| 13 | Class B Commercial Learner Permit | \$15.00 |
| 14 | Class B Commercial License        | \$15.00 |
| 15 | Class C Commercial Learner Permit | \$15.00 |
| 16 | Class C Commercial License        | \$15.00 |
| 17 | Class D License                   | \$ 4.00 |
| 18 | Motorcycle Endorsement            | \$ 4.00 |

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

23        ~~H.~~ I. The fee charged for any failed examination shall be Four  
24 Dollars (\$4.00) for any license classification. Notwithstanding the

1 provisions of Section 1104 of this title, all monies collected from  
2 such examination fees pursuant to the provisions of this subsection  
3 shall be deposited in the General Revenue Fund of this state.

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

|    |                                   |                    |                |
|----|-----------------------------------|--------------------|----------------|
| 10 | Class A Commercial Learner Permit | <del>\$51.50</del> | <u>\$59.50</u> |
| 11 | Class A Commercial License        | <del>\$51.50</del> | <u>\$59.50</u> |
| 12 | Class B Commercial Learner Permit | <del>\$51.50</del> | <u>\$59.50</u> |
| 13 | Class B Commercial License        | <del>\$51.50</del> | <u>\$59.50</u> |
| 14 | Class C Commercial License        | <del>\$41.50</del> | <u>\$49.50</u> |
| 15 | Class D License                   | <del>\$33.50</del> | <u>\$41.50</u> |

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

|    |  |                |
|----|--|----------------|
| 22 | <u>REAL ID Compliant Class A Commercial Learner Permit</u> | <u>\$59.50</u> |
| 23 | <u>REAL ID Compliant Class A Commercial License</u>        | <u>\$59.50</u> |
| 24 | <u>REAL ID Compliant Class B Commercial Learner Permit</u> | <u>\$59.50</u> |

|   |                |
|---|----------------|
| <u>REAL ID Compliant Class B Commercial License</u> | <u>\$59.50</u> |
|---|----------------|

|  |         |
|--|---------|
| REAL ID Compliant Class C Commercial License | \$49.50 |
|--|---------|

|  |                |
|--|----------------|
| <u>REAL ID Compliant Class D License</u> | <u>\$41.50</u> |
|--|----------------|

L. 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.

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

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 and maintenance of the computerized imaging system of the Department; ~~and~~

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

4. Six Dollars (\$6.00) shall be deposited to the Public Safety Enhancement Fund created in Section 9 of this act, upon the issuance of an original or renewal Oklahoma REAL ID Compliant Driver License or NonCompliant Driver License.

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

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

|                |                                   |
|----------------|-----------------------------------|
| 6       Age 62 | <del>\$21.25</del> <u>\$21.50</u> |
| 7       Age 63 | <del>\$17.50</del> <u>\$17.75</u> |
| 8       Age 64 | <del>\$13.75</del> <u>\$14.00</u> |
| 9       Age 65 | -0-                               |

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

20       ~~M.~~ Q. The Department of Public Safety and the Oklahoma Tax  
21 Commission are authorized to promulgate rules for the issuance and  
22 renewal of driver licenses authorized pursuant to the provisions of  
23 Sections 6-101 through 6-309 of this title. Applications, upon  
24 forms approved by the Department of Public Safety, for such licenses

1 shall be handled by the motor license agents; provided, the  
2 Department of Public Safety is authorized to assume these duties in  
3 any county of this state. Each motor license agent accepting  
4 applications for driver licenses shall receive Four Dollars (\$4.00)  
5 to be deducted from the total collected for each license or renewal  
6 application accepted for a REAL ID Noncompliant Driver License and  
7 Six Dollars (\$6.00) from the total collected for each license or  
8 renewal application accepted for a REAL ID Compliant Driver License.  
9 ~~The four-dollar fee received by the motor license agent~~ Four Dollars  
10 (\$4.00) of the amount authorized in this section shall be used by  
11 the motor license agent for operating expenses. One Dollar and  
12 fifty cents (\$1.50) when applicable shall be deposited in an account  
13 to be used to pay for phone lines that connect with systems operated  
14 by the motor license agent. Motor license agents shall report  
15 annually the cost incurred for each specific phone line, the amount  
16 paid from the account during the year and the ending balance in such  
17 account.

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

1       The next Five Hundred Thousand Dollars (\$500,000.00) of monies  
2 collected pursuant to this section shall be paid by the Tax  
3 Commission to the State Treasurer to be deposited each fiscal year  
4 under the provisions of this section to the credit of the Department  
5 of Public Safety Restricted Revolving Fund for the purpose of the  
6 Statewide Law Enforcement Communications System. All other monies  
7 collected in excess of Five Hundred Sixty Thousand Dollars  
8 (\$560,000.00) each fiscal year shall be apportioned as provided in  
9 Section 1104 of this title, except as otherwise provided in this  
10 section.

11       ~~Ø. S. The~~ Except as prohibited by Section 10 of this act, the  
12 Department of Public Safety shall ~~implement a procedure whereby~~  
13 retain the images displayed on licenses and identification cards  
14 issued pursuant to the provisions of Sections 6-101 through 6-309 of  
15 this title ~~are maintained by the Department to create photographs or~~  
16 ~~computerized images~~ which may be used only:

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

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

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

24



1 The computer system and related equipment acquired for this  
2 purpose must conform to industry standards for interoperability and  
3 open architecture. The Department of Public Safety may promulgate  
4 rules to implement the provisions of this subsection.

5 T. No person may hold more than one state-issued REAL ID  
6 Compliant Driver License or REAL ID Compliant Identification Card  
7 from Oklahoma or any other state. The Department shall not issue a  
8 REAL ID Compliant Driver License to a person who has been previously  
9 issued a REAL ID Compliant Driver License or REAL ID Compliant  
10 Identification Card until such license or identification card has  
11 been surrendered to the Department by the applicant. The Department  
12 may promulgate rules related to the issuance of replacement REAL ID  
13 Compliant Driver Licenses or Identification Cards in the event of  
14 loss or theft.

15 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as  
16 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
17 2016, Section 6-105.3), is amended to read as follows:

18 Section 6-105.3 A. In addition to the licenses to operate  
19 motor vehicles, the Department of Public Safety may issue cards to  
20 Oklahoma residents for purposes of identification only. The  
21 identification cards shall be issued, renewed, replaced, canceled  
22 and denied in the same manner as driver licenses in this state. The  
23 application for an identification card by any person under the age  
24 of eighteen (18) years shall be signed and verified by a custodial

1 legal parent or legal guardian, either in person before a person  
2 authorized to administer oaths or electronically if completing an  
3 online application, or a notarized affidavit signed by a custodial  
4 legal parent or legal guardian submitted before a person authorized  
5 to administer oaths by the person under the age of eighteen (18)  
6 years with the application. Except as otherwise provided in this  
7 section, the identification cards shall be valid for a period of  
8 four (4) years from the month of issuance; however, the  
9 identification cards issued to persons sixty-five (65) years of age  
10 or older shall be valid indefinitely from the month of issuance.

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

22 C. The fee charged for the issuance, renewal, or replacement of  
23 ~~an identification card~~ a REAL ID Compliant Identification Card shall  
24 be Twenty-eight Dollars (\$28.00). The fee charged for the issuance,

1 renewal or replacement of a REAL ID Noncompliant Identification Card  
2 pursuant to this section shall be ~~Twenty Dollars (\$20.00)~~ Twenty-  
3 eight Dollars (28.00); however, no person sixty-five (65) years of  
4 age or older shall be charged a fee for an identification card. Of  
5 each fee charged pursuant to the provisions of this subsection:

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

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

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

14 4. Six Dollars (\$6.00) shall be deposited in the Public Safety  
15 Enhancement Fund, created in Section 9 of this act; and

16 5. Two Dollars (\$2.00) shall be retained by the motor license  
17 agent to be used for operating expenses, provided the fee is related  
18 to an application accepted for a REAL ID Compliant Identification  
19 Card.

20 ~~E.~~ D. The Oklahoma Tax Commission is hereby authorized to  
21 reimburse, from funds available to that agency, each motor license  
22 agent issuing an identification card to a person sixty-five (65)  
23 years of age or older, an amount not to exceed One Dollar (\$1.00)

1 for each card or driver license so issued. The Tax Commission shall  
2 develop procedures for claims for reimbursement.

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

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

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

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

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

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

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

14 1. Full name;

15 2. Date of birth;

16 3. Sex;

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

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

23 6. Medical information, as determined by the Department, which  
24 shall assure the Department that the person is not prohibited from

1 being licensed as provided by paragraph 7 of subsection A of Section  
2 6-103 of this title;

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

4 8. A brief description of the applicant, as determined by the  
5 Department;

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

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

14 11. Whether the applicant has:

15 a. previously been licensed and, if so, when and by what  
16 state or country, and

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

19 12. Social Security number.

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

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

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

23 2. If the applicant is applying for an original commercial  
24 driver license in Oklahoma or is transferring a commercial driver

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

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

20 4. The Department of Public Safety shall notify each commercial  
21 driving school of the passage of this section, and each commercial  
22 driving school shall notify prospective students of its school of  
23 the hazardous material endorsement requirement.  
24



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

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

1 F. Whenever the Department receives a request for a driving  
2 record from another licensing jurisdiction, the record shall be  
3 forwarded without charge.

4 G. A person shall not apply for or possess more than one state-  
5 issued or territory-issued REAL ID Compliant Driver License or  
6 Identification Card pursuant to the provisions of Section 6-101 of  
7 this title. A valid and unexpired Oklahoma driver license shall  
8 serve as both primary and secondary proofs of identity whenever  
9 application for ~~an identification card~~ a REAL ID Noncompliant  
10 Identification Card is submitted to the Department. The provisions  
11 of subsection B of Section 1550.42 of Title 21 of the Oklahoma  
12 Statutes shall not apply when issuing an identification card  
13 pursuant to the provisions of this subsection. The Department shall  
14 promulgate rules necessary to implement and administer the  
15 provisions of this subsection.

16 H. A valid and unexpired ~~U.S.~~ United States passport shall  
17 serve as both primary and secondary proofs of identity whenever  
18 application for a driver license or identification card is submitted  
19 to the Department. The Department shall promulgate rules necessary  
20 to implement and administer the provisions of this subsection.

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

23 Section 6-110.3 A. ~~1.~~ The Legislature finds that the  
24 enactment into law by the United States Congress of the federal REAL

1 ID Act of 2005, Public Law Number 109-13, is ~~inimical to the~~  
2 ~~security and well-being of the people of Oklahoma, will cause~~  
3 ~~approximately Eight Million Dollars (\$8,000,000.00) in added expense~~  
4 ~~and inconvenience to our state, and was adopted by the United States~~  
5 ~~Congress in violation of~~ an action that individual Oklahomans should  
6 have an option to refuse under the principles of federalism  
7 contained in the Tenth Amendment to the United States Constitution.

8 ~~2. B. The State of Oklahoma shall not participate in the~~  
9 ~~implementation of the REAL ID Act of 2005. The Department of Public~~  
10 ~~Safety is hereby directed not to implement the provisions of the~~  
11 ~~REAL ID Act of 2005 and to report to the Governor and the~~  
12 ~~Legislature any attempt by agencies or agents of the United States~~  
13 ~~Department of Homeland Security to secure the implementation of the~~  
14 ~~REAL ID Act of 2005 through the operations of that or any other~~  
15 ~~state department.~~

16 ~~B. No department or agency of the state charged with motor~~  
17 ~~vehicle registration or operation, the issuance or renewal of driver~~  
18 ~~licenses, or the issuance or renewal of any identification cards~~  
19 ~~shall collect, obtain, or retain any data in connection with~~  
20 ~~activities related to complying with the REAL ID Act of 2005.~~

21 ~~C. Any biometric data previously collected, obtained, or~~  
22 ~~retained in connection with motor vehicle registration or operation,~~  
23 ~~the issuance or renewal of driver licenses, or the issuance or~~  
24 ~~renewal of any identification cards by any department or agency of~~

1 ~~this state charged with those activities shall be retrieved and~~  
2 ~~deleted from any and all databases. The provisions of this~~  
3 ~~subsection shall not apply to any data collected, obtained or~~  
4 ~~retained for a purpose other than complying with the REAL ID Act of~~  
5 2005 offer its citizens the option of choosing a Compliant Driver  
6 License or Identification Card or a Noncompliant Driver License or  
7 Identification Card.

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

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

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

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

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

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

5        SECTION 5.        AMENDATORY        47 O.S. 2011, Section 6-111, as  
6 last amended by Section 1, Chapter 214, O.S.L. 2016 (47 O.S. Supp.  
7 2016, Section 6-111), is amended to read as follows:

8        Section 6-111. A. 1. The Department of Public Safety shall,  
9 upon payment of the required fee, issue to every applicant  
10 qualifying therefor a Class A, B, C or D driver license or  
11 identification card as applied for, which license or card shall bear  
12 thereon a distinguishing alphanumeric identification assigned to the  
13 licensee or cardholder, date of issuance and date of expiration of  
14 the license or card, the full legal name, signature or computerized  
15 signature, date of birth, residence address, unless specified as an  
16 exception in the Code of Federal Regulations per 6 C.F.R., Section  
17 37.17, sex, a ~~color photograph~~ or computerized color image of the  
18 licensee or cardholder taken in accordance with Department rules and  
19 security features as determined by the Department. The ~~photograph~~  
20 ~~or~~ image shall depict a full front unobstructed view of the entire  
21 face of the licensee or cardholder; provided, a commercial learner  
22 permit shall not bear the ~~photograph~~ or image of the licensee. When  
23 any person is issued both a driver license and an identification  
24

1 card, the Department shall ensure the information on both the  
2 license and the card are the same, unless otherwise provided by law.

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

6 3. The Department may cancel the distinguishing number, when  
7 that distinguishing number is another person's Social Security  
8 number, assign a new distinguishing alphanumeric identification, and  
9 issue a new license or identification card without charge to the  
10 licensee or cardholder.

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

15 5. It is unlawful for any person to apply, adhere, or otherwise  
16 attach to a driver license or identification card any decal,  
17 sticker, label, or other attachment. Any law enforcement officer is  
18 authorized to remove and dispose of any unlawful decal, sticker,  
19 label, or other attachment from the driver license of a person. The  
20 law enforcement officer, the employing agency of the officer, the  
21 Department of Public Safety, and the State of Oklahoma shall be  
22 immune from any liability for any loss suffered by the licensee,  
23 cardholder, or the owner of the decal, sticker, label, or other  
24

1 attachment caused by the removal and destruction of the decal,  
2 sticker, label, or other attachment.

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

7 B. The Department may issue a temporary permit to an applicant  
8 for a driver license permitting such applicant to operate a motor  
9 vehicle while the Department is completing its investigation and  
10 determination of all facts relative to such applicant's privilege to  
11 receive a license. Such permit must be in the immediate possession  
12 of the driver while operating a motor vehicle, and it shall be  
13 invalid when the applicant's driver license has been issued or for  
14 good cause has been refused.

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

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

22 The applicant shall hold a valid Oklahoma driver license and  
23 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 upon

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

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

17 2. The cost of a replacement license shall be ~~Twenty Dollars~~  
18 ~~(\$20.00)~~ Twenty-eight Dollars (\$28.00), of which:

- 19 a. Two Dollars (\$2.00) shall be apportioned as provided  
20 in Section 1104 of this title,
- 21 b. Three Dollars (\$3.00) shall be remitted to the State  
22 Treasurer to be credited to the General Revenue Fund,  
23 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.    Six Dollars (\$6.00) shall be credited to the Public  
9                    Safety Enhancement Fund created in Section 9 of this  
10                   act, and

11       f.    Two Dollars (\$2.00) shall be retained by the motor  
12                   license agent to be used for operating expenses  
13                   provided the fee is related to an application accepted  
14                   for a REAL ID Compliant Driver License.

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

20       B.    Any person desiring to add or remove an endorsement or  
21           endorsements or a restriction or restrictions to any existing driver  
22           license, when authorized by the Department of Public Safety, shall  
23           obtain a replacement license with ~~said~~ the endorsement or  
24           endorsements or ~~said~~ the restriction or restrictions change thereon

1 and shall be charged the fee for a replacement license as provided  
2 in subsection A of this section.

3 SECTION 7. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 6-110.5 of Title 47, unless  
5 there is created a duplication in numbering, reads as follows:

6 To ensure the physical security of tag agencies regarding the  
7 production of a REAL ID Compliant Driver License or Identification  
8 Card, the following security measures shall be observed:

9 1. During operating hours:

- 10 a. when the public has access to a building where REAL ID  
11 Compliant Driver Licenses or Identification Cards are  
12 produced, the motor license agent or an employee must  
13 be present at all times where equipment related to the  
14 production of REAL ID Compliant Driver Licenses or  
15 Identification Cards is located,
- 16 b. the motor license agent or an employee shall control  
17 and restrict access by all other individuals to the  
18 area where equipment related to the production of REAL  
19 ID Compliant Driver Licenses or Identification Cards  
20 is operated,
- 21 c. the motor license agent or an employee shall prohibit  
22 any unauthorized person from operating equipment  
23 related to the production of REAL ID Compliant Driver  
24 Licenses or Identification Cards,

- 1           d.    access to and operation of equipment related to the  
2                   production of REAL ID Compliant Driver Licenses or  
3                   Identification Cards must be limited to individuals  
4                   with private passwords and finger image authorization,  
5                   thus preventing instant unauthorized access to such  
6                   equipment, and
- 7           e.    all documents and materials used in the production of  
8                   REAL ID Compliant Driver Licenses and Identification  
9                   Cards shall be properly loaded in the related  
10                  equipment used to produce such licenses and cards or  
11                  in a locked qualifying safe;

12       2.   During nonoperating hours:

- 13           a.    when the public does not have access to the building  
14                   where REAL ID Compliant Driver Licenses or  
15                   Identification Cards are produced, a working,  
16                   monitored security system utilizing an alarm shall be  
17                   utilized in an effort to provide physical security of  
18                   the location and equipment. Yearly, a signed  
19                   affidavit shall be provided to the Department of  
20                   Public Safety by the motor license agent, attesting  
21                   compliance with the provisions of this subparagraph  
22                   and providing the name of the monitoring company  
23                   associated with the security system,

1           b.    all documents and materials used in the production of  
2               REAL ID Compliant Driver Licenses and Identification  
3               Cards shall be stored in a locked qualifying safe,

4       3.    For purposes of this subsection, a "qualifying safe":

5           a.   shall be in excess of two hundred fifty (250) pounds  
6               in weight or anchored to a permanent fixture to  
7               prevent removal, and

8           b.   shall be equipped with a functional combination lock,  
9               a functional key lock or both.

10       SECTION 8.       NEW LAW       A new section of law to be codified  
11       in the Oklahoma Statutes as Section 6-110.6 of Title 47, unless  
12       there is created a duplication in numbering, reads as follows:

13       Any online system related to the issuance or renewal of driver  
14       licenses or identification cards shall include an option whereby  
15       each individual may select the motor license agent they desire for  
16       the processing of their individual issuance or renewal.

17       SECTION 9.       NEW LAW       A new section of law to be codified  
18       in the Oklahoma Statutes as Section 34.105 of Title 62, unless there  
19       is created a duplication in numbering, reads as follows:

20       A.   There is hereby created a fund to be known as the "Public  
21       Safety Enhancement Fund". The fund shall consist of the funds  
22       apportioned to the fund by Sections 6-101, 6-105.3 and 6-114 of  
23       Title 47 of the Oklahoma Statutes.



1       B. The Legislature shall appropriate funds from the Public  
2 Safety Enhancement Fund for the purpose of enhancing public safety  
3 in the state of Oklahoma.

4       SECTION 10.       NEW LAW       A new section of law to be codified  
5 in the Oklahoma Statutes as Section 6-110.7 of Title 47, unless  
6 there is created a duplication in numbering, reads as follows:

7       A. Personally identifiable information required to be provided  
8 during the application process for a REAL ID Noncompliant Driver  
9 License or Identification Card shall be stored in a separate and  
10 siloed database from REAL ID Compliant Driver License and  
11 Identification Card information.

12       B. 1. For purposes of this section, "personally identifiable  
13 information" means:

- 14           a. the individual's full legal name,
- 15           b. the individual's date of birth,
- 16           c. the individual's gender,
- 17           d. the individual's driver license or identification card  
18             number,
- 19           e. biometric data including digital facial photographs,  
20             facial biometrics, finger images, and minutia data,
- 21           f. the individuals address of principal residence,
- 22           g. the individual's signature.

23       2. For purposes of this section, "personally identifiable  
24 information" shall not mean an individual's social security number.

1 C. The Department of Public Safety shall create and offer to  
2 applicants for REAL ID Noncompliant Driver Licenses and  
3 Identification Cards a biometric data waiver.

4 D. Upon the acceptance of a completed biometric data waiver the  
5 Department:

6 1. Shall provide a paper receipt to the waiver applicant  
7 acknowledging acceptance of the completed biometric data waiver;

8 2. Shall delete all data as described in subparagraph e of  
9 paragraph 1 of subsection B of this section and any duplications of  
10 such data, related to the waiver applicant, within ninety (90) days  
11 of collection;

12 3. Shall not utilize any data described in subparagraph e of  
13 paragraph 1 of subsection B of this section, related to the waiver  
14 applicant, for any purpose other than the performance of background  
15 checks, to determine if the applicant is currently licensed under  
16 another name;

17 4. Shall not provide any data described in subparagraph e of  
18 paragraph 1 of subsection B of this section, related to the waiver  
19 applicant, to any third party entity for the purpose of performing  
20 criminal background checks;

21 5. Shall not provide any data described in subparagraph e of  
22 paragraph 1 of subsection B of this section, related to the waiver  
23 applicant, to any court, governmental entity or law enforcement  
24 agency without a valid warrant.

1 E. Applicants with felony convictions shall be disqualified  
2 from submitting the waiver described in subsection C of this  
3 section.

4 F. To insure compliance with the provisions of this section,  
5 the Department shall:

6 1. Attest compliance to the provisions of this section, not  
7 less than every six (6) months, and

8 2. Be subject to compliance audits related to the provisions of  
9 this section by the State Chief Information Officer and the Office  
10 of the State Auditor and Inspector.

11 G. No applicant for renewal of a REAL ID Noncompliant Driver  
12 License or Identification Card shall be required to provide  
13 additional data as described in subparagraph e of paragraph 1 of  
14 subsection B of this section, provided such applicant can produce  
15 the valid REAL ID Noncompliant Driver License or Identification Card  
16 the applicant is seeking to renew.

17 H. The Department shall issue a REAL ID Noncompliant Driver  
18 License or Identification Card that lacks a photo to an otherwise  
19 qualified applicant who requests an exemption from such photo for  
20 religious reasons. The application process for such a driver  
21 license or identification card shall require the fingerprinting of  
22 each of the applicant's index fingers, provided such data and any  
23 duplications of such data shall be deleted within ninety (90) days  
24 of collections.

1 I. The Department of Public Safety shall promulgate rules as  
2 necessary to implement the provisions of this section

3 SECTION 11. 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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