

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2610

By: Tadlock

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. 2017, Section 6-101), which relates to classes of driver licenses; clarifying fee amounts for four-year driver licenses; establishing fee amounts for six-year driver licenses; amending 47 O.S. 2011, Section 6-105.3, as last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp. 2017, Section 6-105.3), which relates to identification cards; clarifying fee amounts for four-year identification cards; establishing fee amounts for six-year identification cards; amending 47 O.S. 2011, Section 6-115, as last amended by Section 3, Chapter 170, O.S.L. 2016 (47 O.S. Supp. 2017, Section 6-115), which relates to the expiration and renewal of driver licenses; authorizing six-year driver licenses; providing certain option to applicants; requiring rules be promulgated for implementation of option; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as last amended by Section 1, Chapter 180, O.S.L. 2016 (47 O.S. Supp. 2017, Section 6-101), is amended to read as follows:

Section 6-101. A. No person, except those hereinafter expressly exempted in Sections 6-102 and 6-102.1 of this title,

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

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

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

21 3. No person shall operate a Class C commercial motor vehicle
22 unless the person is eighteen (18) years of age or older and holds a
23 valid Class C commercial license, except as provided in subsection F
24 of this section. Any person holding a valid Class C commercial

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	\$51.50
Class A Commercial License <u>(4 Year)</u>	\$51.50
<u>Class A Commercial License (6 Year)</u>	<u>\$77.25</u>
Class B Commercial Learner Permit	\$51.50
Class B Commercial License <u>(4 Year)</u>	\$51.50
<u>Class B Commercial License (6 Year)</u>	<u>\$77.25</u>
Class C Commercial License <u>(4 Year)</u>	\$41.50
<u>Class C Commercial License (6 Year)</u>	<u>\$62.25</u>
Class D License <u>(4 Year)</u>	\$33.50
<u>Class D License (6 Year)</u>	<u>\$50.25</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 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.

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

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

Age 62	\$21.25
Age 63	\$17.50
Age 64	\$13.75
Age 65	-0-

L. No person who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor, or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident resulting

1 from disease contracted while in such active service shall be
2 charged a fee for the issuance or renewal of an Oklahoma driver
3 license.

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

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

23 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
24 collected pursuant to this section shall be paid by the Tax

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

9 O. The Department of Public Safety shall implement a procedure
10 whereby images displayed on licenses and identification cards issued
11 pursuant to the provisions of Sections 6-101 through 6-309 of this
12 title are maintained by the Department to create photographs or
13 computerized images which may be used only:

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

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

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

21 The computer system and related equipment acquired for this
22 purpose must conform to industry standards for interoperability and
23 open architecture. The Department of Public Safety may promulgate
24 rules to implement the provisions of this subsection.

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
2 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
3 2017, Section 6-105.3), is amended to read as follows:

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

21 B. No person shall hold more than one state-issued or
22 territory-issued REAL ID Compliant Driver License or REAL ID
23 Compliant Identification Card, as defined in subsection G of Section
24 6-101 of this title. The Department shall not issue a REAL ID

1 Compliant Identification Card to any applicant who has been
2 previously issued a REAL ID Compliant Driver License or REAL ID
3 Compliant Identification Card unless such license or identification
4 card has been surrendered to the Department by the applicant. The
5 Department may promulgate rules related to the issuance of
6 replacement REAL ID Compliant Identification Cards in the event of
7 loss or theft.

8 C. The fee charged for the issuance, renewal, or replacement of
9 a REAL ID Compliant Identification Card shall be Twenty-five Dollars
10 (\$25.00) for a four-year identification card, and Thirty-seven
11 Dollars and fifty cents (\$37.50) for a six-year identification card.
12 The fee charged for the issuance, renewal or replacement of a REAL
13 ID Noncompliant Identification Card pursuant to this section shall
14 be Twenty-five Dollars (\$25.00) for a four-year identification card,
15 and Thirty-seven Dollars and fifty cents (\$37.50) for a six-year
16 identification card; however, no person sixty-five (65) years of age
17 or older shall be charged a fee for an identification card. Of each
18 fee charged pursuant to the provisions of this subsection:

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

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

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

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

5 5. a. Two Dollars (\$2.00) of the fee authorized by this
6 subsection related to the issuance, renewal or
7 replacement of an identification card by a motor
8 license agent that does not process approved
9 applications or renewals for REAL ID Compliant Driver
10 Licenses or Identification Cards shall be deposited,
11 in addition to the amount authorized by paragraph 4 of
12 this subsection, to the State Public Safety Fund
13 created in Section 2-147 of this title, or

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

21 D. The Oklahoma Tax Commission is hereby authorized to
22 reimburse, from funds available to that agency, each motor license
23 agent issuing an identification card to a person sixty-five (65)
24 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 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 subject to registration
10 on the Sex Offender Registry. The cost for such identification card
11 shall be the same as for other identification cards and renewals.

12 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-115, as
13 last amended by Section 3, Chapter 170, O.S.L. 2016 (47 O.S. Supp.
14 2017, Section 6-115), is amended to read as follows:

15 Section 6-115. A. Except as otherwise provided in this
16 section, every driver license shall be issued for a period of no
17 more than ~~four (4)~~ six (6) years; provided, if the applicant or
18 licensee is an alien, the license shall be issued for a period which
19 does not exceed the lesser of:

- 20 1. ~~Four (4)~~ Six (6) years; or
- 21 2. The expiration date on the valid documentation authorizing
22 the presence of the applicant or licensee in the United States, as
23 required by paragraph 9 of subsection A of Section 6-103 of this
24 title.

1 B. Except as otherwise provided in this section, the expiration
2 date of an initial license shall be no more than ~~four (4)~~ six (6)
3 years from the last day of the month of issuance or no more than
4 ~~four (4)~~ six (6) years from the last day of the birth month of the
5 applicant immediately preceding the date of issuance, if requested
6 by the applicant.

7 C. Except as otherwise provided in this section, the expiration
8 date of a renewal license shall be:

9 1. For a renewal during the month of expiration, ~~four (4)~~ six
10 (6) years from the last day of the month of expiration of the
11 expiring license or ~~four (4)~~ six (6) years from the last day of the
12 birth month of the licensee immediately preceding the expiration
13 date of the expiring license, if requested by the licensee; or

14 2. For a renewal prior to the month of expiration, as provided
15 by rule of the Department, ~~four (4)~~ six (6) years from the last day
16 of the month of expiration of the current license; provided, no
17 license shall be issued with an expiration date of more than ~~five~~
18 ~~(5)~~ seven (7) years from the date of renewal.

19 D. Notwithstanding the provisions of subsection E of Section
20 1550.42 of Title 21 of the Oklahoma Statutes, any Oklahoma driver
21 license that is not more than one (1) year past the date of
22 expiration provided on the driver license shall be presumed to be a
23 valid form of identification for the purposes of renewing an
24 Oklahoma driver license.

1 E. Except as otherwise provided in this section, every driver
2 license shall be renewable by the licensee upon application to
3 either the Department of Public Safety or a motor license agent,
4 furnishing both primary and secondary proofs of identity, the
5 current mailing address of the person and payment of the required
6 fee, if the person is otherwise eligible for renewal. If the
7 licensee is an alien, the licensee shall appear before a driver
8 license examiner of the Department and, after furnishing primary and
9 secondary proofs of identity as required in this section, shall be
10 issued a renewal driver license for a period which does not exceed
11 the lesser of:

12 1. ~~Four (4)~~ Six (6) years; or

13 2. The expiration date on the valid documentation authorizing
14 the presence of the applicant or licensee in the United States, as
15 required by paragraph 9 of subsection A of Section 6-103 of this
16 title.

17 F. All applicants for renewals of driver licenses who have
18 proven collision records or apparent physical defects may be
19 required to take an examination as specified by the Commissioner of
20 Public Safety.

21 G. When a person makes application for a driver license, or
22 makes application to renew a driver license, and the person has been
23 convicted of, or received a deferred judgment for, any offense
24 required to register pursuant to the Sex Offenders Registration Act,

1 the driver license shall be valid for a period of one (1) year from
2 the month of issuance, but may be renewed yearly during the time the
3 person is registered on the Sex Offender Registry. The cost for
4 such license shall be the same as for other driver licenses and
5 renewals.

6 H. The Department of Public Safety shall promulgate rules
7 prescribing forms of primary and secondary identification acceptable
8 for the renewal of an Oklahoma driver license; provided, however, a
9 valid and unexpired U.S. passport shall be acceptable as both
10 primary and secondary identification.

11 I. Provided that such issuance otherwise complies with the
12 provisions of this section, each applicant shall have the option to
13 apply for a driver license of four (4) years or six (6) years in
14 general length. The Department of Public Safety shall promulgate
15 rules prescribing for the implementation of an optional length
16 driver license.

17 SECTION 4. This act shall become effective November 1, 2018.

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