

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 610

By: Bergstrom of the Senate

and

6 Frix of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to commercial driver licenses;
11 amending 47 O.S. 2011, Section 6-110, as last amended
12 by Section 29, Chapter 210, O.S.L. 2016 (47 O.S.
13 Supp. 2018, Section 6-110), which relates to
14 examination of applicants; allowing certain
15 requirements; permitting certain forfeiture; and
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-110, as
19 last amended by Section 29, Chapter 210, O.S.L. 2016 (47 O.S. Supp.
20 2018, Section 6-110), is amended to read as follows:

21 Section 6-110. A. 1. The Department of Public Safety shall
22 examine every applicant for an original Class A, B, C or D license
23 and for any endorsements thereon, except as otherwise provided in
24 Section 6-101 et seq. of this title or as provided in paragraph 2 of

1 this subsection or in subsection D of this section. The examination
2 shall include a test of the applicant's:

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

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

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

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

- 23 a. a valid unexpired driver license issued by any state
24 or country for the same type or types of vehicles, or

1 b. an expired driver license that:

2 (1) is not expired more than six (6) months past the
3 expiration date listed on the driver license, and

4 (2) is not a Class A, B or C commercial driver
5 license or commercial driver license permit.

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

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

1 5. The Department of Public Safety shall give the complete
2 examination as provided for in this section within thirty (30) days
3 from the date the application is received, and the examination shall
4 be given at a location within one hundred (100) miles of the
5 residence of the applicant. The Department shall make every effort
6 to make the examination locations and times convenient for
7 applicants. The Department shall consider giving the examination at
8 various school sites if the district board of education for the
9 district in which the site is located agrees and if economically
10 feasible and practicable.

11 6. The Department of Public Safety shall have the authority to
12 collect a skills testing fee of Sixty Dollars (\$60.00) from each
13 applicant upon examination appointment scheduling for an Oklahoma
14 Class A, Class B or Class C license skills test. Failure of an
15 applicant to notify the Department at least forty-eight (48) hours
16 in advance prior to missing an appointment for a skills test, or
17 provide a written medical excuse from a licensed physician, advanced
18 registered nurse practitioner or physician's assistant, shall result
19 in the forfeiture of the skills testing fee. An applicant shall be
20 given three opportunities to pass the skills test before being
21 deemed to have failed.

22 B. Any person holding a valid Oklahoma Class D license or
23 provisional driver license pursuant to Section 6-212 of this title
24 and applying for a Class A, B or C commercial license shall be

1 required to successfully complete all examinations as required for
2 the specified class. Failure to submit to the Department federally
3 required medical certification information pursuant to 49 C.F.R.,
4 Part 391.41 et seq. shall result in an automatic downgrade of a
5 commercial license to a Class D license. Provided, however, once
6 the required medical certification information has been received by
7 the Department, the license shall be reinstated to the
8 classification of the commercial license prior to the downgrade and
9 the holder of such a license shall not be required to reapply.

10 C. Except as provided in subsection E of Section 6-101 of this
11 title, any person holding a valid Oklahoma Class A, B or C
12 commercial license shall, upon time for renewal thereof, be entitled
13 to a Class D license without any type of testing or examination,
14 except for any endorsements thereon as otherwise provided for by
15 Section 6-110.1 of this title.

16 D. 1. Any certified driver education instructor who is
17 currently an operator or an employee of a commercial driver training
18 school in this state or any driver education instructor employed by
19 any school district in this state shall be eligible to apply to be a
20 designated examiner of the Department of Public Safety for the
21 purposes of administering the Class D driving skills portion of the
22 Oklahoma driving examination to any person who has not previously
23 been a student of the instructor.

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1 2. The Department of Public Safety shall adopt a curriculum of
2 required courses and training to be offered to applicants who are
3 qualified to apply to be a designated examiner. The courses and
4 training for certification shall meet the same standards as required
5 for driver examiners of the Department of Public Safety.

6 3. Each person applying to be a designated examiner shall be
7 required to pay an initial designated examiner certification fee of
8 One Thousand Dollars (\$1,000.00). Upon successful completion of
9 training prescribed by paragraph 2 of this subsection, the person
10 shall be required to pay an annual designated examiner certification
11 fee of Five Hundred Dollars (\$500.00). If an applicant for the
12 designated examiner program is employed by an Oklahoma public school
13 system that offers driver education, and he or she administers the
14 skills test only to students enrolled in a public school driver
15 education program, the certification fee may be waived by the
16 Department. Each designated examiner certification shall expire on
17 the last day of the calendar year and may be renewed upon
18 application to the Department of Public Safety. The designated
19 examiner certification fees collected by the Department pursuant to
20 this subsection shall be deposited to the credit of the Department
21 of Public Safety Restricted Revolving Fund to be used for the
22 purposes of this subsection. No designated examiner certification
23 fee shall be refunded in the event that certification is denied,
24 suspended or revoked.

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

5 5. The Department shall conduct an annual complete nationwide
6 criminal history background check on each designated examiner and a
7 complete nationwide criminal history background check on each
8 designated examiner applicant. The fees for the background check
9 shall be borne by the designated examiner or designated examiner
10 applicant.

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

13 SECTION 2. This act shall become effective in accordance with
14 the provisions of Section 58 of Article V of the Oklahoma
15 Constitution.

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