

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3421 By: Kerbs and Hill of the House
3
and
4
Hall of the Senate
5
6

7 [motor vehicles - driver licenses - motor license
8 agents - effective date -
9 emergency - contingent effect]
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11

12 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert
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14 "An Act relating to motor vehicles; amending 47 O.S.
2021, Section 6-101, which relates to driver
15 licenses; modifying entity to which application is
required to be submitted; providing certain payments
16 for motor license agents; providing an effective
date; declaring an emergency; and providing for
17 certain contingent effect.
18

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

20 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-101, is
21 amended to read as follows:

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

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

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

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

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

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
24

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 G. 1. For purposes of this title:

18 a. "REAL ID Compliant Driver License" or "Identification
19 Card" means a driver license or identification card
20 issued by the State of Oklahoma that has been
21 certified by the United States Department of Homeland
22 Security (USDHS) as compliant with the requirements of
23 the REAL ID Act of 2005, Public Law No. 109-13. A
24 REAL ID Compliant Driver License or Identification

1 Card and the process through which it is issued
2 incorporate a variety of security measures designed to
3 protect the integrity and trustworthiness of the
4 license or card. A REAL ID Compliant Driver License
5 or Identification Card will be clearly marked on the
6 face indicating that it is a compliant document, and
7 b. "REAL ID Noncompliant Driver License" or
8 "Identification Card" means a driver license or
9 identification card issued by the State of Oklahoma
10 that has not been certified by the United States
11 Department of Homeland Security (USDHS) as being
12 compliant with the requirements of the REAL ID Act. A
13 REAL ID Noncompliant Driver License or Identification
14 Card will be clearly marked on the face indicating
15 that it is not compliant with the federal REAL ID Act
16 and is not acceptable for official federal purposes.
17 The driver license or identification card will have a
18 unique design or color indicator that clearly
19 distinguishes it from a compliant license or card.

20 2. Original Driver License and Identification Card Issuance:

21 a. Application for an original REAL ID Compliant or REAL
22 ID Noncompliant Driver License or Identification Card
23 shall be made to the Department of Public Safety
24 through December 31, 2022. Beginning January 1, 2023,

1 application for an original REAL ID Compliant Driver
2 License or Identification Card may be made to Service
3 Oklahoma or a licensed operator provided such licensed
4 operator is authorized to process application for REAL
5 ID Compliant Driver Licenses and Identification Cards.
6 Application for a REAL ID Noncompliant Driver License
7 or Identification Card shall be made to Service
8 Oklahoma.

9 b. Department of Public Safety employees shall perform
10 all document recognition and other requirements needed
11 for approval of an original REAL ID Compliant or REAL
12 ID Noncompliant Driver License or Identification Card
13 application through December 31, 2022. Beginning
14 January 1, 2023, Service Oklahoma employees or
15 authorized licensed operators shall perform all
16 document recognition and other requirements needed for
17 approval of an original REAL ID Compliant Driver
18 License or Identification Card application. Service
19 Oklahoma employees shall perform all document
20 recognition and other requirements needed for approval
21 of a REAL ID Noncompliant Driver License or
22 Identification Card application.

23 c. Upon approval of an original REAL ID Compliant or REAL
24 ID Noncompliant Driver License or Identification Card

1 application, the applicant may take the approved
2 application document to a motor license agent to
3 receive a temporary driver license or identification
4 card.

- 5 d. The motor license agent shall process the approved
6 REAL ID Compliant or REAL ID Noncompliant Driver
7 License or Identification Card application and upon
8 payment shall provide the applicant a temporary driver
9 license or identification card. A temporary driver
10 license or identification card shall afford the holder
11 the privileges otherwise granted by the specific class
12 of driver license or identification card for the
13 period of time listed on the temporary driver license
14 or identification card or the period of time prior to
15 the applicant receiving a REAL ID Compliant or REAL ID
16 Noncompliant Driver License or Identification Card,
17 whichever time period is shorter.

18 3. REAL ID Compliant Driver License and Identification Card

19 Renewal and Replacement:

- 20 a. Application for renewal or replacement of a REAL ID
21 Compliant Driver License or Identification Card may be
22 made to the Department of Public Safety or to a motor
23 license agent; provided, such motor license agent is
24 authorized to process application for REAL ID

1 Compliant Driver Licenses and Identification Cards. A
2 motor license agent may process the voluntary
3 downgrade of a REAL ID Compliant Commercial Driver
4 License to any lower class license upon request of the
5 licensee; provided, no additional endorsements or
6 restrictions are placed on the license.

7 b. Department of Public Safety employees or authorized
8 motor license agents shall perform all document
9 recognition and other requirements needed for approval
10 of a renewal or replacement REAL ID Compliant Driver
11 License or Identification Card application.

12 c. Upon approval of a renewal or replacement REAL ID
13 Compliant Driver License or Identification Card
14 application, the applicant may receive a temporary
15 driver license or identification card from the
16 Department of Public Safety or an authorized motor
17 license agent.

18 d. A temporary driver license or identification card
19 acquired under the provisions of this paragraph shall
20 afford the holder the privileges otherwise granted by
21 the specific class of driver license or identification
22 card being renewed or replaced for the period of time
23 listed on the temporary driver license or
24 identification card or the period of time prior to the

1 applicant receiving a REAL ID Compliant Driver License
2 or Identification Card, whichever time period is
3 shorter.

- 4 e. For purposes of this title, an application for a REAL
5 ID Compliant Driver License or Identification Card by
6 an individual with a valid Oklahoma-issued driver
7 license or identification card shall be considered a
8 renewal of a REAL ID Compliant Driver License or
9 Identification Card.

10 4. REAL ID Noncompliant Driver License and Identification Card

11 Renewal and Replacement:

- 12 a. Application for renewal or replacement of a REAL ID
13 Noncompliant Driver License or Identification Card may
14 be made to the Department of Public Safety or to a
15 motor license agent. A motor license agent may
16 process the voluntary downgrade of a REAL ID
17 Noncompliant Commercial Driver License to any lower
18 class license upon request of the licensee; provided,
19 no additional endorsements or restrictions are added
20 to the license.
- 21 b. Department of Public Safety employees or motor license
22 agents shall perform all document recognition and
23 other requirements needed for approval of a renewal or
24

1 replacement REAL ID Noncompliant Driver License or
2 Identification Card application.

3 c. Upon approval of a renewal or replacement REAL ID
4 Noncompliant Driver License or Identification Card
5 application, the applicant may receive a temporary
6 driver license or identification card from the
7 Department of Public Safety or a motor license agent.

8 d. A temporary driver license or identification card
9 acquired under the provisions of this paragraph shall
10 afford the holder the privileges otherwise granted by
11 the specific class of driver license or identification
12 card being renewed or replaced for the period of time
13 listed on the temporary driver license or
14 identification card or the period of time prior to the
15 applicant receiving a REAL ID Noncompliant Driver
16 License or Identification Card, whichever time period
17 is shorter.

18 H. 1. The fee charged for an approved application for an
19 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
20 License or an approved application for the addition of an
21 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
22 Noncompliant Driver License shall be assessed in accordance with the
23 following schedule:

24 Class A Commercial Learner Permit \$25.00

1	Class A Commercial License	\$25.00
2	Class B Commercial Learner Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner Permit	\$15.00
5	Class C Commercial License	\$15.00
6	Class D License	\$ 4.00
7	Motorcycle Endorsement	\$ 4.00

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

12 I. The fee charged for any failed examination shall be Four
13 Dollars (\$4.00) for any license classification. Notwithstanding the
14 provisions of Section 1104 of this title, all monies collected from
15 such examination fees pursuant to the provisions of this subsection
16 shall be deposited in the General Revenue Fund of this state.

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

23	License Class	4-year	8-year
24	Class A Commercial Learner Permit	\$56.50	\$113.00

1	Class A Commercial License	\$56.50	\$113.00
2	Class B Commercial Learner Permit	\$56.50	\$113.00
3	Class B Commercial License	\$56.50	\$113.00
4	Class C Commercial Learner Permit	\$46.50	\$93.00
5	Class C Commercial License	\$46.50	\$93.00
6	Class D License	\$38.50	\$77.00

7 K. In addition to any fee charged pursuant to the provisions of
8 subsection H of this section, the fee charged for the issuance or
9 renewal of a REAL ID Compliant Driver License shall be in accordance
10 with the following schedule; provided, that any applicant who has a
11 CDL Learner Permit shall be charged only the replacement fee for the
12 issuance of the license:

13	License Class	4-year	8-year
14	REAL ID Compliant Class A		
15	Commercial Learner Permit	\$56.50	\$113.00
16	REAL ID Compliant Class A		
17	Commercial License	\$56.50	\$113.00
18	REAL ID Compliant Class B		
19	Commercial Learner Permit	\$56.50	\$113.00
20	REAL ID Compliant Class B		
21	Commercial License	\$56.50	\$113.00
22	REAL ID Compliant Class C		
23	Commercial Learner <u>Learner</u> Permit	\$46.50	\$93.00

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1 REAL ID Compliant Class C

2 Commercial License \$46.50 \$93.00

3 REAL ID Compliant Class D

4 License \$38.50 \$77.00

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

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

11 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
12 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to
13 the Trauma Care Assistance Revolving Fund created in Section 1-
14 2530.9 of Title 63 of the Oklahoma Statutes;

15 2. Six Dollars and seventy-five cents (\$6.75) of a 4-year
16 license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year
17 license shall be deposited to the Department of Public Safety
18 Computer Imaging System Revolving Fund to be used solely for the
19 purpose of administration and maintenance of the computerized
20 imaging system of the Department;

21 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
22 (\$20.00) of an 8-year license shall be deposited to the Department
23 of Public Safety Revolving Fund for all original or renewal
24 issuances of licenses; and

1 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars
2 (\$6.00) of an 8-year license shall be deposited to the State Public
3 Safety Fund created in Section 2-147 of this title.

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

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

	4-year	8-year
Age 62	\$21.25	\$42.50
Age 63	\$17.50	\$35.00
Age 64	\$13.75	\$27.50
Age 65	-0-	

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

1 if a veteran has been previously exempt from a fee pursuant to this
2 subsection, no registration with the veterans registry shall be
3 required.

4 Q. In accordance with the provisions of subsection G of this
5 section, the Department of Public Safety and the Oklahoma Tax
6 Commission are authorized to promulgate rules for the issuance and
7 renewal of driver licenses authorized pursuant to the provisions of
8 Sections 6-101 through 6-309 of this title; provided, that no such
9 rules applicable to the issuance or renewal of REAL ID Noncompliant
10 Driver Licenses shall create more stringent standards than such
11 rules applicable as of January 1, 2017, unless directly related to a
12 specific change in statutory law concerning standards for REAL ID
13 Noncompliant Driver Licenses. Applications, upon forms approved by
14 the Department of Public Safety, for such licenses shall be handled,
15 in accordance with the provisions of subsection G of this section,
16 by the motor license agents; provided, the Department of Public
17 Safety is authorized to assume these duties in any county of this
18 state. Each motor license agent accepting applications for driver
19 licenses shall receive Six Dollars (\$6.00) for a 4-year REAL ID
20 Noncompliant Driver License or Twelve Dollars (\$12.00) for an 8-year
21 REAL ID Noncompliant Driver License or Ten Dollars (\$10.00) for a 4-
22 year REAL ID Compliant Driver License or Twenty Dollars (\$20.00) for
23 an 8-year REAL ID Compliant Driver License to be deducted from the
24 total collected for each license or renewal application accepted.

Beginning July 1, 2022, and ending on May 31, 2023, each motor license agent or licensed operator accepting applications for driver licenses for individuals over the age of sixty-five (65) years or for applications for drivers pursuant to subsection P of this section shall receive Six Dollars (\$6.00) for a 4-year driver license or Twelve Dollars (\$12.00) for an 8-year driver license to be deducted daily by the motor license agent or licensed operator receipts. The amount retained pursuant to this subsection shall not be retained by any state agency. The fees received by the motor license agent, authorized by this subsection, shall be used for operating expenses. For purposes of this subsection, "licensed operator" shall mean an individual who obtains a license from the Service Oklahoma Operator Board to operate a designated Service Oklahoma location and offers third-party fulfillment of designated services to be rendered by Service Oklahoma.

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

The next Five Hundred Thousand Dollars (\$500,000.00) of monies 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 S. The Department of Public Safety shall retain the images
10 displayed on licenses and identification cards issued pursuant to
11 the provisions of Sections 6-101 through 6-309 of this title which
12 may be used only:

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

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

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

20 All agencies approved by the Oklahoma Law Enforcement
21 Telecommunications System (OLETS) or the National Law Enforcement
22 Telecommunications System (NLETS) to receive photographs or
23 computerized images may obtain them through OLETS or through NLETS.

24

1 Photographs or computerized images may be obtained by law
2 enforcement one inquiry at a time.

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

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

17 U. ~~Upon the effective date of this act~~ Beginning May 24, 2021,
18 and ending on April 30, 2023, in addition to the amounts provided in
19 subsection Q of this section, a motor license agent shall receive
20 Five Dollars (\$5.00) for each processed application for a REAL ID
21 Compliant 4-year Driver License and Ten Dollars (\$10.00) for each
22 processed application for a REAL ID Compliant 8-year Driver License.
23 Any additional amounts provided pursuant to this subsection shall
24 not be retained by the Department of Public Safety.

SECTION 2. This act shall become effective July 1, 2022.

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

SECTION 4. The provisions of this act shall be contingent upon the enactment of the provisions of House Bill No. 3419 or Senate Bill No. 1605 of the 2nd Session of the 58th Oklahoma Legislature and shall not become operative as law otherwise."

Passed the Senate the 27th day of April, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2022.

Presiding Officer of the House
of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 3421

By: Kerbs and Hill of the House
and
Hall of the Senate

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5
6 [motor vehicles - driver licenses - motor license
7 agents - effective date -
8 emergency - contingent effect]
9
10

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

12 SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-101, is
13 amended to read as follows:

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

22 B. 1. No person shall operate a Class A commercial motor
23 vehicle unless the person is eighteen (18) years of age or older and
24 holds a valid Class A commercial license, except as provided in

1 paragraph 5 of this subsection and subsection F of this section.

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

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

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

18 4. No person under twenty-one (21) years of age shall be
19 licensed to operate any motor vehicle which is required to be
20 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
21 subpart F, except as provided in subsection F of this section;
22 provided, a person eighteen (18) years of age or older may be
23 licensed to operate a farm vehicle which is required to be placarded
24

1 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
2 except as provided in subsection F of this section.

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

6 a. a restricted Class A commercial license which shall
7 grant to the licensee the privilege to operate a Class
8 A or Class B commercial motor vehicle for harvest
9 purposes or a Class D motor vehicle, or

10 b. a restricted Class B commercial license which shall
11 grant to the licensee the privilege to operate a Class
12 B commercial motor vehicle for harvest purposes or a
13 Class D motor vehicle.

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

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

22 D. No person shall operate a motorcycle or motor-driven cycle
23 without having a valid Class A, B, C or D license with a motorcycle
24 endorsement. Except as otherwise provided by law, any new applicant

1 for an original driver license shall be required to successfully
2 complete a written examination, vision examination and driving
3 examination for a motorcycle as prescribed by the Department of
4 Public Safety, and a certified state-approved motorcycle basic rider
5 course approved by the Department if the applicant is seventeen (17)
6 years of age or younger to be eligible for a motorcycle endorsement
7 thereon. The written examination and driving examination for a
8 motorcycle shall be waived by the Department of Public Safety upon
9 verification that the person has successfully completed a certified
10 Motorcycle Safety Foundation rider course approved by the
11 Department.

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

24

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

14 2. This commercial learner permit shall be issued for a period
15 as provided in Section 6-115 of this title of one hundred eighty
16 (180) days, which may be renewed one time for an additional one
17 hundred eighty (180) days; provided, such commercial learner permit
18 may be suspended, revoked, canceled, denied or disqualified at the
19 discretion of the Department for violation of the restrictions, for
20 failing to give the required or correct information on the
21 application or for violation of any traffic laws of this state
22 pertaining to the operation of a motor vehicle. Except as otherwise
23 provided, the lawful possessor of a commercial learner permit who
24 has been issued a commercial learner permit for a minimum of

1 fourteen (14) days may have the restriction requiring an
2 accompanying driver removed by satisfactorily completing a driver's
3 examination; provided, the removal of a restriction shall not
4 authorize the operation of a Class A, B or C commercial motor
5 vehicle if such operation is otherwise prohibited by law.

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

19 4. A commercial learner permit shall be issued by the
20 Department as a separate and unique document which shall be valid
21 only in conjunction with a valid Oklahoma driver license or
22 provisional driver license pursuant to Section 6-212 of this title,
23 both of which shall be in the possession of the person to whom they
24

1 have been issued whenever that person is operating a commercial
2 motor vehicle as provided in this subsection.

3 5. After one renewal of a commercial learner permit, as
4 provided in paragraph 2 of this subsection, a commercial permit
5 shall not be renewed again. Any person who has held a commercial
6 learner permit for the initial issuance period and one renewal
7 period shall not be eligible for and the Department shall not issue
8 another renewal of the permit; provided, the person may reapply for
9 a new commercial learner permit, as provided for in this subsection.

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

- 15 a. Application for an original REAL ID Compliant or REAL
16 ID Noncompliant Driver License or Identification Card
17 shall be made to the Department of Public Safety.
- 18 b. Department of Public Safety employees shall perform
19 all document recognition and other requirements needed
20 for approval of an original REAL ID Compliant or REAL
21 ID Noncompliant Driver License or Identification Card
22 application.
- 23 c. Upon approval of an original REAL ID Compliant or REAL
24 ID Noncompliant Driver License or Identification Card

1 application, the applicant may take the approved
2 application document to a motor license agent to
3 receive a temporary driver license or identification
4 card.

- 5 d. The motor license agent shall process the approved
6 REAL ID Compliant or REAL ID Noncompliant Driver
7 License or Identification Card application and upon
8 payment shall provide the applicant a temporary driver
9 license or identification card. A temporary driver
10 license or identification card shall afford the holder
11 the privileges otherwise granted by the specific class
12 of driver license or identification card for the
13 period of time listed on the temporary driver license
14 or identification card or the period of time prior to
15 the applicant receiving a REAL ID Compliant or REAL ID
16 Noncompliant Driver License or Identification Card,
17 whichever time period is shorter.

18 3. REAL ID Compliant Driver License and Identification Card

19 Renewal and Replacement:

- 20 a. Application for renewal or replacement of a REAL ID
21 Compliant Driver License or Identification Card may be
22 made to the Department of Public Safety or to a motor
23 license agent; provided, such motor license agent is
24 authorized to process application for REAL ID

1 Compliant Driver Licenses and Identification Cards. A
2 motor license agent may process the voluntary
3 downgrade of a REAL ID Compliant Commercial Driver
4 License to any lower class license upon request of the
5 licensee; provided, no additional endorsements or
6 restrictions are placed on the license.

7 b. Department of Public Safety employees or authorized
8 motor license agents shall perform all document
9 recognition and other requirements needed for approval
10 of a renewal or replacement REAL ID Compliant Driver
11 License or Identification Card application.

12 c. Upon approval of a renewal or replacement REAL ID
13 Compliant Driver License or Identification Card
14 application, the applicant may receive a temporary
15 driver license or identification card from the
16 Department of Public Safety or an authorized motor
17 license agent.

18 d. A temporary driver license or identification card
19 acquired under the provisions of this paragraph shall
20 afford the holder the privileges otherwise granted by
21 the specific class of driver license or identification
22 card being renewed or replaced for the period of time
23 listed on the temporary driver license or
24 identification card or the period of time prior to the

1 applicant receiving a REAL ID Compliant Driver License
2 or Identification Card, whichever time period is
3 shorter.

- 4 e. For purposes of this title, an application for a REAL
5 ID Compliant Driver License or Identification Card by
6 an individual with a valid Oklahoma-issued driver
7 license or identification card shall be considered a
8 renewal of a REAL ID Compliant Driver License or
9 Identification Card.

10 4. REAL ID Noncompliant Driver License and Identification Card
11 Renewal and Replacement:

- 12 a. Application for renewal or replacement of a REAL ID
13 Noncompliant Driver License or Identification Card may
14 be made to the Department of Public Safety or to a
15 motor license agent. A motor license agent may
16 process the voluntary downgrade of a REAL ID
17 Noncompliant Commercial Driver License to any lower
18 class license upon request of the licensee; provided,
19 no additional endorsements or restrictions are added
20 to the license.
- 21 b. Department of Public Safety employees or motor license
22 agents shall perform all document recognition and
23 other requirements needed for approval of a renewal or
24

1 replacement REAL ID Noncompliant Driver License or
2 Identification Card application.

3 c. Upon approval of a renewal or replacement REAL ID
4 Noncompliant Driver License or Identification Card
5 application, the applicant may receive a temporary
6 driver license or identification card from the
7 Department of Public Safety or a motor license agent.

8 d. A temporary driver license or identification card
9 acquired under the provisions of this paragraph shall
10 afford the holder the privileges otherwise granted by
11 the specific class of driver license or identification
12 card being renewed or replaced for the period of time
13 listed on the temporary driver license or
14 identification card or the period of time prior to the
15 applicant receiving a REAL ID Noncompliant Driver
16 License or Identification Card, whichever time period
17 is shorter.

18 H. 1. The fee charged for an approved application for an
19 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
20 License or an approved application for the addition of an
21 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
22 Noncompliant Driver License shall be assessed in accordance with the
23 following schedule:

24 Class A Commercial Learner Permit \$25.00

1	Class A Commercial License	\$25.00
2	Class B Commercial Learner Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner Permit	\$15.00
5	Class C Commercial License	\$15.00
6	Class D License	\$ 4.00
7	Motorcycle Endorsement	\$ 4.00

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

12 I. The fee charged for any failed examination shall be Four
13 Dollars (\$4.00) for any license classification. Notwithstanding the
14 provisions of Section 1104 of this title, all monies collected from
15 such examination fees pursuant to the provisions of this subsection
16 shall be deposited in the General Revenue Fund of this state.

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

23	License Class	4-year	8-year
24	Class A Commercial Learner Permit	\$56.50	\$113.00

1	Class A Commercial License	\$56.50	\$113.00
2	Class B Commercial Learner Permit	\$56.50	\$113.00
3	Class B Commercial License	\$56.50	\$113.00
4	Class C Commercial Learner Permit	\$46.50	\$93.00
5	Class C Commercial License	\$46.50	\$93.00
6	Class D License	\$38.50	\$77.00

7 K. In addition to any fee charged pursuant to the provisions of
8 subsection H of this section, the fee charged for the issuance or
9 renewal of a REAL ID Compliant Driver License shall be in accordance
10 with the following schedule; provided, that any applicant who has a
11 CDL Learner Permit shall be charged only the replacement fee for the
12 issuance of the license:

13	License Class	4-year	8-year
14	REAL ID Compliant Class A		
15	Commercial Learner Permit	\$56.50	\$113.00
16	REAL ID Compliant Class A		
17	Commercial License	\$56.50	\$113.00
18	REAL ID Compliant Class B		
19	Commercial Learner Permit	\$56.50	\$113.00
20	REAL ID Compliant Class B		
21	Commercial License	\$56.50	\$113.00
22	REAL ID Compliant Class C		
23	Commercial Learner Permit	\$46.50	\$93.00

24

1 REAL ID Compliant Class C

2 Commercial License \$46.50 \$93.00

3 REAL ID Compliant Class D

4 License \$38.50 \$77.00

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

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

11 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
12 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to
13 the Trauma Care Assistance Revolving Fund created in Section 1-
14 2530.9 of Title 63 of the Oklahoma Statutes;

15 2. Six Dollars and seventy-five cents (\$6.75) of a 4-year
16 license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year
17 license shall be deposited to the Department of Public Safety
18 Computer Imaging System Revolving Fund to be used solely for the
19 purpose of administration and maintenance of the computerized
20 imaging system of the Department;

21 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
22 (\$20.00) of an 8-year license shall be deposited to the Department
23 of Public Safety Revolving Fund for all original or renewal
24 issuances of licenses; and

1 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars
2 (\$6.00) of an 8-year license shall be deposited to the State Public
3 Safety Fund created in Section 2-147 of this title.

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

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

	4-year	8-year
Age 62	\$21.25	\$42.50
Age 63	\$17.50	\$35.00
Age 64	\$13.75	\$27.50
Age 65	-0-	

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

1 if a veteran has been previously exempt from a fee pursuant to this
2 subsection, no registration with the veterans registry shall be
3 required.

4 Q. In accordance with the provisions of subsection G of this
5 section, the Department of Public Safety and the Oklahoma Tax
6 Commission are authorized to promulgate rules for the issuance and
7 renewal of driver licenses authorized pursuant to the provisions of
8 Sections 6-101 through 6-309 of this title; provided, that no such
9 rules applicable to the issuance or renewal of REAL ID Noncompliant
10 Driver Licenses shall create more stringent standards than such
11 rules applicable as of January 1, 2017, unless directly related to a
12 specific change in statutory law concerning standards for REAL ID
13 Noncompliant Driver Licenses. Applications, upon forms approved by
14 the Department of Public Safety, for such licenses shall be handled,
15 in accordance with the provisions of subsection G of this section,
16 by the motor license agents; provided, the Department of Public
17 Safety is authorized to assume these duties in any county of this
18 state. Each motor license agent accepting applications for driver
19 licenses shall receive Six Dollars (\$6.00) for a 4-year REAL ID
20 Noncompliant Driver License or Twelve Dollars (\$12.00) for an 8-year
21 REAL ID Noncompliant Driver License or Ten Dollars (\$10.00) for a 4-
22 year REAL ID Compliant Driver License or Twenty Dollars (\$20.00) for
23 an 8-year REAL ID Compliant Driver License to be deducted from the
24 total collected for each license or renewal application accepted.

1 Upon the effective date of this act, through May 31, 2023, each
2 motor license agent accepting driver license applications for one-
3 hundred-percent disabled veterans and for individuals sixty-five
4 (65) years of age or older shall receive Six Dollars (\$6.00) for a
5 4-year driver license or Twelve Dollars (\$12.00) for an 8-year
6 driver license to be deducted from the daily motor license agent
7 receipts. The fees received by the motor license agent, authorized
8 by this subsection, shall be used for operating expenses.

9 R. Notwithstanding the provisions of Section 1104 of this title
10 and subsection Q of this section and except as provided in
11 subsections H and M of this section, the first Sixty Thousand
12 Dollars (\$60,000.00) of all monies collected pursuant to this
13 section shall be paid by the Oklahoma Tax Commission to the State
14 Treasurer to be deposited in the General Revenue Fund of the State
15 Treasury.

16 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
17 collected pursuant to this section shall be paid by the Tax
18 Commission to the State Treasurer to be deposited each fiscal year
19 under the provisions of this section to the credit of the Department
20 of Public Safety Restricted Revolving Fund for the purpose of the
21 Statewide Law Enforcement Communications System. All other monies
22 collected in excess of Five Hundred Sixty Thousand Dollars
23 (\$560,000.00) each fiscal year shall be apportioned as provided in
24

1 Section 1104 of this title, except as otherwise provided in this
2 section.

3 S. The Department of Public Safety shall retain the images
4 displayed on licenses and identification cards issued pursuant to
5 the provisions of Sections 6-101 through 6-309 of this title which
6 may be used only:

7 1. By a law enforcement agency for purposes of criminal
8 investigations, missing person investigations or any law enforcement
9 purpose which is deemed necessary by the Commissioner of Public
10 Safety;

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

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

14 All agencies approved by the Oklahoma Law Enforcement
15 Telecommunications System (OLETS) or the National Law Enforcement
16 Telecommunications System (NLETS) to receive photographs or
17 computerized images may obtain them through OLETS or through NLETS.
18 Photographs or computerized images may be obtained by law
19 enforcement one inquiry at a time.

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

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

11 U. Upon the effective date of this act and ending on April 30,
12 2023, in addition to the amounts provided in subsection Q of this
13 section, a motor license agent shall receive Five Dollars (\$5.00)
14 for each processed application for a REAL ID Compliant 4-year Driver
15 License and Ten Dollars (\$10.00) for each processed application for
16 a REAL ID Compliant 8-year Driver License. Any additional amounts
17 provided pursuant to this subsection shall not be retained by the
18 Department of Public Safety.

19 SECTION 6. This act shall become effective July 1, 2022.

20 SECTION 7. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

24

SECTION 8. The provisions of this act shall be contingent upon the enactment of the provisions of House Bill No. 3419 or Senate Bill No. 1605 of the 2nd Session of the 58th Oklahoma Legislature and shall not become operative as law otherwise.

Passed the House of Representatives the 8th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2022.

Presiding Officer of the Senate