

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1408 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: John Pfeiffer

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1408

By: Pfeiffer

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 6-111, which relates to driver licenses; adding requirements for certain licenses; defining term; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-111, is amended to read as follows:

Section 6-111. A. 1. The Department of Public Safety shall, upon payment of the required fee, issue to every applicant qualifying therefor a Class A, B, C or D driver license or identification card as applied for, which license or card shall bear thereon a distinguishing alphanumeric identification assigned to the licensee or cardholder, date of issuance and date of expiration of the license or card, the full legal name, signature or computerized signature, date of birth, residence address, unless specified as an exception in the Code of Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized color image of the licensee or cardholder

1 taken in accordance with Department rules and security features as
2 determined by the Department. The image shall depict a full front
3 unobstructed view of the entire face of the licensee or cardholder;
4 provided, a commercial learner permit shall not bear the image of
5 the licensee. When any person is issued both a driver license and
6 an identification card, the Department shall ensure the information
7 on both the license and the card are the same, unless otherwise
8 provided by law.

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

12 3. The Department may cancel the distinguishing number, when
13 that distinguishing number is another person's Social Security
14 number, assign a new distinguishing alphanumeric identification, and
15 issue a new license or identification card without charge to the
16 licensee or cardholder.

17 4. The Department may promulgate rules for inclusion of the
18 height and a brief description of the licensee or cardholder on the
19 face of the card or license identifying the licensee or cardholder
20 as deaf or hard-of-hearing.

21 5. It is unlawful for any person to apply, adhere, or otherwise
22 attach to a driver license or identification card any decal,
23 sticker, label, or other attachment. Any law enforcement officer is
24 authorized to remove and dispose of any unlawful decal, sticker,

1 label, or other attachment from the driver license of a person. The
2 law enforcement officer, the employing agency of the officer, the
3 Department of Public Safety, and the State of Oklahoma shall be
4 immune from any liability for any loss suffered by the licensee,
5 cardholder, or the owner of the decal, sticker, label, or other
6 attachment caused by the removal and destruction of the decal,
7 sticker, label, or other attachment.

8 6. The Department of Public Safety may develop by rule a
9 procedure which complies with the provisions of subsection G of
10 Section 6-101 of this title whereby a person may apply for a renewal
11 or replacement Oklahoma Class D license or Oklahoma identification
12 card.

13 B. 1. The Department may issue or authorize the issuance of a
14 temporary permit or license to an applicant for a driver license
15 permitting such applicant to operate a motor vehicle while the
16 Department is completing its investigation and determination of all
17 facts relative to such applicant's privilege to receive a license,
18 or while a permanent driver license is being produced and delivered
19 to the applicant. Such permit or license must be in the immediate
20 possession of the driver while operating a motor vehicle, and it
21 shall be invalid when the applicant's permanent driver license has
22 been issued and delivered or for good cause has been refused.

23 2. The Department may issue or authorize the issuance of a
24 temporary identification card to an applicant, permitting the holder

1 the privileges otherwise granted by identification cards, while a
2 permanent driver license is being provided and delivered to the
3 applicant. Such card shall be invalid when the applicant's
4 permanent identification card has been issued and delivered, or for
5 good cause has been refused.

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

- 9 a. farm retail outlets and suppliers,
- 10 b. agri-chemical businesses,
- 11 c. custom harvesters, and
- 12 d. livestock feeders.

13 The applicant shall ~~hold~~ have held a valid ~~Oklahoma~~ driver
14 license for at least one (1) year. Applicants with more than two
15 (2) years of driving experience shall have a good driving record for
16 the most recent two (2) years and shall meet all the requirements
17 for a commercial driver license. The restricted commercial driver
18 license shall not exceed ~~a total of one hundred eighty (180) days~~
19 ~~within any twelve-month period~~ the maximum total days that federal
20 law allows. Applicants for the restricted commercial driver license
21 shall be exempt from the knowledge and skills test. Application of
22 the restricted commercial driver license does not have to be used in
23 consecutive days; use of permit shall be declared at application.
24

1 2. "Good driving record" as used in this subsection shall mean
2 an applicant:

3 a. has not had more than one license,

4 b. has not had any license suspended, revoked, or
5 canceled,

6 c. has not had any conviction for any type of
7 disqualifying offenses or serious traffic violations,
8 or

9 d. has not had any conviction for a violation of state or
10 local law relating to motor vehicle traffic control,
11 other than a parking violation, arising in connection
12 with any traffic accident, and has no record of an
13 accident in which he or she was at fault.

14 3. The restricted commercial driver license shall not be valid
15 for operators of commercial motor vehicles beyond one hundred fifty
16 (150) miles from the place of business or the farm currently being
17 served. Such license shall be limited to Class B or C vehicles.
18 Holders of such licenses who transport hazardous materials which are
19 required to be placarded shall be limited to the following:

20 a. diesel fuel in quantities of one thousand (1,000)
21 gallons or less,

22 b. liquid fertilizers in vehicles with total capacities
23 of three thousand (3,000) gallons or less, and
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1 c. solid fertilizers that are not mixed with any organic
2 substance.

3 No other placarded hazardous materials shall be transported by
4 holders of such licenses.

5 D. The Department may issue a non-domiciled commercial learner
6 permit or a non-domiciled commercial driver license to:

7 1. An H2A-Temporary Agricultural worker lawfully present in the
8 United States as indicated on an original, valid and unexpired I-94
9 immigration status document issued by the United States Customs and
10 Immigration Service; and

11 2. A J-1 Exchange Visitor Program participant lawfully present
12 in the United States as indicated on a valid and unexpired J-1
13 Visitor Visa issued by the United States Customs and Immigration
14 Service and who is enrolled in an agricultural education training
15 program.

16 A person applying for such permit or license must comply with
17 all testing and licensing requirements in accordance with applicable
18 federal regulations, state laws and Department rules. The issued
19 license shall be valid until the expiration of the visa for the non-
20 domiciled worker. The Department may promulgate rules for the
21 implementation of the process to carry out the provisions of this
22 section.

23 E. 1. The Department shall develop a procedure whereby a
24 person applying for an original, renewal or replacement Class A, B,

1 C or D driver license or identification card who is required to
2 register as a convicted sex offender with the Department of
3 Corrections pursuant to the provisions of the Sex Offenders
4 Registration Act and who the Department of Corrections designates as
5 an aggravated or habitual offender pursuant to subsection J of
6 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
7 license or card bearing the words "Sex Offender".

8 2. The Department shall notify every person subject to
9 registration under the provisions of Section 1-101 et seq. of this
10 title who holds a current Class A, B, C or D driver license or
11 identification card that such person is required to surrender the
12 license or card to the Department within one hundred eighty (180)
13 days from the date of the notice.

14 3. Upon surrendering the license or card for the reason set
15 forth in this subsection, application may be made with the
16 Department for a replacement license or card bearing the words "Sex
17 Offender".

18 4. Failure to comply with the requirements set forth in such
19 notice shall result in cancellation of the person's license or card.
20 Such cancellation shall be in effect for one (1) year, after which
21 time the person may make application with the Department for a new
22 license or card bearing the words "Sex Offender". Continued use of
23 a canceled license or card shall constitute a misdemeanor and shall,
24 upon conviction thereof, be punishable by a fine of not less than

1 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
2 (\$200.00). When an individual is no longer required to register as
3 a convicted sex offender with the Department of Corrections pursuant
4 to the provisions of the Sex Offenders Registration Act, the
5 individual shall be eligible to receive a driver license or
6 identification card which does not bear the words "Sex Offender".

7 F. Nothing in subsection E of this section shall be deemed to
8 impose any liability upon or give rise to a cause of action against
9 any employee, agent or official of the Department of Corrections for
10 failing to designate a sex offender as an aggravated or habitual
11 offender pursuant to subsection J of Section 584 of Title 57 of the
12 Oklahoma Statutes.

13 G. A person subject to an order for the installation of an
14 ignition interlock device shall be required by the Department to
15 submit their driver license for a replacement. The replacement
16 driver license shall bear the words "Interlock Required" and such
17 designation shall remain on the driver license for the duration of
18 the order requiring the ignition interlock device. The replacement
19 license shall be subject to the same expiration and renewal
20 procedures provided by law. Upon completion of the requirements for
21 the interlock device, a person may apply for a replacement driver
22 license.

23 H. The Department shall develop a procedure whereby a person
24 applying for an original, renewal or replacement Class D driver

1 license who has been granted modified driving privileges under this
2 title shall be issued a Class D driver license which identifies the
3 license as a modified license.

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

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

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10 58-2-10686 JBH 02/22/22

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