

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 3421

By: Kerbs

COMMITTEE SUBSTITUTE

[ motor vehicles - driver licenses - motor license

agents - effective date -

emergency - contingent effect ]

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

SECTION 1. AMENDATORY 47 O.S. 2021, 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,  
shall operate any motor vehicle upon a highway in this state unless  
the person has a valid Oklahoma driver license for the class of  
vehicle being operated under the provisions of this title. No  
person shall be permitted to possess more than one valid license at  
any time, except as provided in paragraph 4 of subsection F of this  
section.

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

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

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

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

1 provided, a person eighteen (18) years of age or older may be  
2 licensed to operate a farm vehicle which is required to be placarded  
3 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,  
4 except as provided in subsection F of this section.

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

- 8 a. a restricted Class A commercial license which shall  
9 grant to the licensee the privilege to operate a Class  
10 A or Class B commercial motor vehicle for harvest  
11 purposes or a Class D motor vehicle, or
- 12 b. a restricted Class B commercial license which shall  
13 grant to the licensee the privilege to operate a Class  
14 B commercial motor vehicle for harvest purposes or a  
15 Class D motor vehicle.

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

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

1       D. No person shall operate a motorcycle or motor-driven cycle  
2 without having a valid Class A, B, C or D license with a motorcycle  
3 endorsement. Except as otherwise provided by law, any new applicant  
4 for an original driver license shall be required to successfully  
5 complete a written examination, vision examination and driving  
6 examination for a motorcycle as prescribed by the Department of  
7 Public Safety, and a certified state-approved motorcycle basic rider  
8 course approved by the Department if the applicant is seventeen (17)  
9 years of age or younger to be eligible for a motorcycle endorsement  
10 thereon. The written examination and driving examination for a  
11 motorcycle shall be waived by the Department of Public Safety upon  
12 verification that the person has successfully completed a certified  
13 Motorcycle Safety Foundation rider course approved by the  
14 Department.

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

1 completed a certified Motorcycle Safety Foundation rider course  
2 approved by the Department.

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

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

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

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

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

1 both of which shall be in the possession of the person to whom they  
2 have been issued whenever that person is operating a commercial  
3 motor vehicle as provided in this subsection.

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

11 G. 1. For purposes of this title:

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

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

2. Original Driver License and Identification Card Issuance:

- a. Application for an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card shall be made to the Department of Public Safety.
- b. Department of Public Safety employees shall perform all document recognition and other requirements needed for approval of an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application.
- c. Upon approval of an original REAL ID Compliant or REAL 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
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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

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REAL ID Compliant Class C

Commercial License	\$46.50	\$93.00
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REAL ID Compliant Class D

License	\$38.50	\$77.00
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L. A commercial learner permit may be renewed one time for a period of one hundred eighty (180) days. The cost for the renewed permit shall be the same as for the original permit.

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

1. Five Dollars and fifty cents (\$5.50) of a 4-year license or Eleven Dollars (\$11.00) of an 8-year license 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) of a 4-year license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year license 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;

3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars (\$20.00) of an 8-year license shall be deposited to the Department of Public Safety Revolving Fund for all original or renewal 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 2. This act shall become effective July 1, 2022.

20       SECTION 3. 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

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

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6       58-2-10617       JM       02/17/22

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