

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SUBCOMMITTEE RECOMMENDATION
FOR ENGROSSED

SENATE BILL NO. 1600

By: Hall of the Senate

and

Kerbs of the House

SUBCOMMITTEE RECOMMENDATION

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 6-101, which relates to driver licenses; providing for certain application method; providing for certain retention of fees; updating references; and declaring an emergency.

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

1 any time, except as provided in paragraph 4 of subsection F of this
2 section.

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

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

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

23 4. No person under twenty-one (21) years of age shall be
24 licensed to operate any motor vehicle which is required to be

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

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

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

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

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

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

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

1 for a motorcycle endorsement. The written examination and driving
2 examination for a motorcycle shall be waived by the Department of
3 Public Safety upon verification that the person has successfully
4 completed a certified Motorcycle Safety Foundation rider course
5 approved by the Department.

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

19 2. This commercial learner permit shall be issued for a period
20 as provided in Section 6-115 of this title of one hundred eighty
21 (180) days, which may be renewed one time for an additional one
22 hundred eighty (180) days; provided, such commercial learner permit
23 may be suspended, revoked, canceled, denied or disqualified at the
24 discretion of the Department for violation of the restrictions, for

1 failing to give the required or correct information on the
2 application or for violation of any traffic laws of this state
3 pertaining to the operation of a motor vehicle. Except as otherwise
4 provided, the lawful possessor of a commercial learner permit who
5 has been issued a commercial learner permit for a minimum of
6 fourteen (14) days may have the restriction requiring an
7 accompanying driver removed by satisfactorily completing a driver's
8 examination; provided, the removal of a restriction shall not
9 authorize the operation of a Class A, B or C commercial motor
10 vehicle if such operation is otherwise prohibited by law.

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

24

1 4. A commercial learner permit shall be issued by the
2 Department as a separate and unique document which shall be valid
3 only in conjunction with a valid Oklahoma driver license or
4 provisional driver license pursuant to Section 6-212 of this title,
5 both of which shall be in the possession of the person to whom they
6 have been issued whenever that person is operating a commercial
7 motor vehicle as provided in this subsection.

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

15 G. 1. For purposes of this title:

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

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

18 2. Original Driver License and Identification Card Issuance:

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

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

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

21 c. Upon approval of an original REAL ID Compliant or REAL
22 ID Noncompliant Driver License or Identification Card
23 application, the applicant may take the approved
24 application document to a motor license agent to

1 receive a temporary driver license or identification
2 card.

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

16 3. REAL ID Compliant Driver License and Identification Card

17 Renewal and Replacement:

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

1 downgrade of a REAL ID Compliant Commercial Driver
2 License to any lower class license upon request of the
3 licensee; provided, no additional endorsements or
4 restrictions are placed on the license.

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

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

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

1 or Identification Card, whichever time period is
2 shorter.

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

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

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

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

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

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

Class A Commercial Learner Permit	\$25.00
Class A Commercial License	\$25.00
Class B Commercial Learner Permit	\$15.00

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

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

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

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

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

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

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

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

24

1 REAL ID Compliant Class D

2 License \$38.50 \$77.00

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

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

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

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

19 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
20 (\$20.00) of an 8-year license shall be deposited to the Department
21 of Public Safety Revolving Fund for all original or renewal
22 issuances of licenses; and
23
24

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:

9		4-year	8-year
10	Age 62	\$21.25	\$42.50
11	Age 63	\$17.50	\$35.00
12	Age 64	\$13.75	\$27.50
13	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 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 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.

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
Commission to the State Treasurer to be deposited each fiscal year
under the provisions of this section to the credit of the Department
of Public Safety Restricted Revolving Fund for the purpose of the
Statewide Law Enforcement Communications System. All other monies
collected in excess of Five Hundred Sixty Thousand Dollars

1 (\$560,000.00) each fiscal year shall be apportioned as provided in
2 Section 1104 of this title, except as otherwise provided in this
3 section.

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

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

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

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

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

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

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

19 SECTION 2. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

23

24 58-2-11249 AQH 04/05/22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24