

1 ENGROSSED HOUSE
2 BILL NO. 1059

By: Boles, Davis, Talley, West
(Josh), Manger, Kerbs, Lowe
(Dick), Frix, Boatman,
Mize, Lawson, Russ, West
(Tammy), Baker, Crosswhite
Hader, Roberts (Eric),
Sims, Caldwell (Trey),
Patzkowsky and Roe of the
House

and

Garvin of the Senate

11 An Act relating to motor vehicles; amending 47 O.S.
12 2011, Section 6-101, as last amended by Section 2,
13 Chapter 314, O.S.L. 2019 (47 O.S. Supp. 2020, Section
14 6-101), which relates to class requirements for motor
15 vehicles; deleting provision allowing certain permit
16 holders to take certain skills examination without
17 training; allowing motor license agents to process
18 certain voluntary license downgrade; deleting
19 language disallowing motor license agents to perform
20 document recognition and other requirements for
21 certain licenses; amending 47 O.S. 2011, Section 6-
22 105.3, as last amended by Section 2, Chapter 1,
23 O.S.L. 2017 (47 O.S. Supp. 2020, Section 6-105.3),
24 which relates to the issuance of identification
cards; allowing motor license agents to issue certain
identification cards; requiring licensee comply with
certain documentation requirements; restricting the
number of application and possession for certain
identification card; amending 47 O.S. 2011, Section
6-110, as last amended by Section 1, Chapter 395,
O.S.L. 2019 (47 O.S. Supp. 2020, Section 6-110),
which relates to the examination of applicants;
modifying certain fee; requiring certain applicants,
examiners and instructors to submit to a nationwide
criminal history check; requiring fees for criminal
history check be borne by certain applicants,

1 examiners and instructors; and declaring an
2 emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
6 last amended by Section 2, Chapter 314, O.S.L. 2019 (47 O.S. Supp.
7 2020, Section 6-101), is amended to read as follows:

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

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

23 2. No person shall operate a Class B commercial motor vehicle
24 unless the person is eighteen (18) years of age or older and holds a

1 valid Class B commercial license, except as provided in paragraph 5
2 of subsection F of this section. Any person holding a valid Class B
3 commercial license shall be permitted to operate motor vehicles in
4 Classes B, C and D, except as provided for in paragraph 4 of this
5 subsection.

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

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

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

23 a. a restricted Class A commercial license which shall
24 grant to the licensee the privilege to operate a Class

1 A or Class B commercial motor vehicle for harvest
2 purposes or a Class D motor vehicle, or

3 b. a restricted Class B commercial license which shall
4 grant to the licensee the privilege to operate a Class
5 B commercial motor vehicle for harvest purposes or a
6 Class D motor vehicle.

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

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

15 D. No person shall operate a motorcycle or motor-driven cycle
16 without having a valid Class A, B, C or D license with a motorcycle
17 endorsement. Except as otherwise provided by law, any new applicant
18 for an original driver license shall be required to successfully
19 complete a written examination, vision examination, and driving
20 examination for a motorcycle as prescribed by the Department of
21 Public Safety, and a certified state-approved motorcycle basic rider
22 course approved by the Department if the applicant is seventeen (17)
23 years of age or younger to be eligible for a motorcycle endorsement
24 thereon. The written examination and driving examination for a

1 motorcycle shall be waived by the Department of Public Safety upon
2 verification that the person has successfully completed a certified
3 Motorcycle Safety Foundation rider course approved by the
4 Department.

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

17 F. 1. Any person eighteen (18) years of age or older may apply
18 for a restricted Class A, B or C commercial learner permit. The
19 Department, after the applicant has passed all parts of the
20 examination for a Class D license and has successfully passed all
21 parts of the examination for a Class A, B or C commercial license
22 other than the driving examination, may issue to the applicant a
23 commercial learner permit which shall entitle the person having
24 immediate lawful possession of the commercial learner permit and a

1 valid Oklahoma driver license or provisional driver license pursuant
2 to Section 6-212 of this title to operate a Class A, B or C
3 commercial motor vehicle upon the public highways solely for the
4 purpose of behind-the-wheel training in accordance with rules
5 promulgated by the Department.

6 2. This commercial learner permit shall be issued for a period
7 as provided in Section 6-115 of this title of one hundred eighty
8 (180) days, which may be renewed one time for an additional one
9 hundred eighty (180) days; provided, such commercial learner permit
10 may be suspended, revoked, canceled, denied or disqualified at the
11 discretion of the Department for violation of the restrictions, for
12 failing to give the required or correct information on the
13 application, or for violation of any traffic laws of this state
14 pertaining to the operation of a motor vehicle. Except as otherwise
15 provided, the lawful possessor of a commercial learner permit who
16 has been issued a commercial learner permit for a minimum of
17 fourteen (14) days may have the restriction requiring an
18 accompanying driver removed by satisfactorily completing a driver's
19 examination; provided, the removal of a restriction shall not
20 authorize the operation of a Class A, B or C commercial motor
21 vehicle if such operation is otherwise prohibited by law.

22 3. No person shall apply for and the Department shall not issue
23 an original Class A, B or C driver license until the person has been
24 issued a commercial learner permit and held the permit for at least

1 fourteen (14) days. Any person who currently holds a Class B or C
2 license and who wishes to apply for another class of commercial
3 driver license shall be required to apply for a commercial learner
4 permit and to hold the permit for at least fourteen (14) days before
5 applying for the Class A or B license, as applicable. Any person
6 who currently holds a Class A, B or C license and who wishes to add
7 an endorsement or remove a restriction for which a skills
8 examination is required shall be required to apply for a commercial
9 learner permit and to hold the permit for at least fourteen (14)
10 days before applying for the endorsement.

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

18 5. After one renewal of a commercial learner permit, as
19 provided in paragraph 2 of this subsection, a commercial permit
20 shall not be renewed again. Any person who has held a commercial
21 learner permit for the initial issuance period and one renewal
22 period shall not be eligible for and the Department shall not issue
23 another renewal of the permit; provided, the person may reapply for
24 a new commercial learner permit, as provided for in this subsection.

~~6. Enrollment in or successful completion of a commercial driver training school shall not be required for any commercial learner permit applicant who requests a skills examination for a Class A, B or C license, nor shall any student enrolled in a commercial driver training school be prohibited from taking a skills examination for a Class A, B or C license upon request with a Department of Public Safety examiner regardless of whether the person has completed the course, is still enrolled in the course to be completed or has voluntarily withdrawn from the course.~~

G. 1. For purposes of this title:

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

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~~;~~
2 ~~and further provided, no motor license agent shall~~
3 ~~process an application for a Class A, B or C~~
4 ~~commercial license. A motor license agent may process~~
5 ~~the voluntary downgrade of a REAL ID Compliant~~
6 ~~Commercial Driver License to any lower class license~~
7 ~~upon request of the licensee; provided, no additional~~
8 ~~endorsements or restrictions are placed on the~~
9 ~~license.~~

10 b. Department of Public Safety employees or authorized
11 motor license agents shall perform all document
12 recognition and other requirements needed for approval
13 of a renewal or replacement REAL ID Compliant Driver
14 License or Identification Card application; ~~provided,~~
15 ~~no motor license agent shall perform such document~~
16 ~~recognition and other requirements needed for approval~~
17 ~~of an application for a Class A, B or C commercial~~
18 ~~license.~~

19 c. Upon approval of a renewal or replacement REAL ID
20 Compliant Driver License or Identification Card
21 application, the applicant may receive a temporary
22 driver license or identification card from the
23 Department of Public Safety or an authorized motor
24 license agent.

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

11 e. For purposes of this title, an application for a REAL
12 ID Compliant Driver License or Identification Card by
13 an individual with a valid Oklahoma-issued driver
14 license or identification card shall be considered a
15 renewal of a REAL ID Compliant Driver License or
16 Identification Card.

17 4. REAL ID Noncompliant Driver License and Identification Card
18 Renewal and Replacement:

19 a. Application for renewal or replacement of a REAL ID
20 Noncompliant Driver License or Identification Card may
21 be made to the Department of Public Safety or to a
22 motor license agent; ~~provided, no motor license agent~~
23 ~~shall process an application for a Class A, B or C~~
24 ~~commercial license.~~ A motor license agent may process

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

5 b. Department of Public Safety employees or motor license
6 agents shall perform all document recognition and
7 other requirements needed for approval of a renewal or
8 replacement REAL ID Noncompliant Driver License or
9 Identification Card application; ~~provided, no motor~~
10 ~~license agent shall perform such document recognition~~
11 ~~and other requirements needed for approval of an~~
12 ~~application for a Class A, B or C commercial license.~~

13 c. Upon approval of a renewal or replacement REAL ID
14 Noncompliant Driver License or Identification Card
15 application, the applicant may receive a temporary
16 driver license or identification card from the
17 Department of Public Safety or a motor 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 Noncompliant Driver
2 License or Identification Card, whichever time period
3 is shorter.

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

10	Class A Commercial Learner Permit	\$25.00
11	Class A Commercial License	\$25.00
12	Class B Commercial Learner Permit	\$15.00
13	Class B Commercial License	\$15.00
14	Class C Commercial Learner Permit	\$15.00
15	Class C Commercial License	\$15.00
16	Class D License	\$ 4.00
17	Motorcycle Endorsement	\$ 4.00

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

22 I. The fee charged for any failed examination shall be Four
23 Dollars (\$4.00) for any license classification. Notwithstanding the
24 provisions of Section 1104 of this title, all monies collected from

1 such examination fees pursuant to the provisions of this subsection
2 shall be deposited in the General Revenue Fund of this state.

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

9	Class A Commercial Learner Permit	\$56.50
10	Class A Commercial License	\$56.50
11	Class B Commercial Learner Permit	\$56.50
12	Class B Commercial License	\$56.50
13	Class C Commercial License	\$46.50
14	Class D License	\$38.50

15 K. 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 Compliant Driver License shall be in accordance
18 with the following schedule; provided, that any applicant who has a
19 CDL Learner Permit shall be charged only the replacement fee for the
20 issuance of the license:

21	REAL ID Compliant Class A Commercial Learner Permit	\$56.50
22	REAL ID Compliant Class A Commercial License	\$56.50
23	REAL ID Compliant Class B Commercial Learner Permit	\$56.50
24	REAL ID Compliant Class B Commercial License	\$56.50

1 REAL ID Compliant Class C Commercial License \$46.50

2 REAL ID Compliant Class D License \$38.50

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) shall be deposited to
10 the Trauma Care Assistance Revolving Fund created in Section 1-
11 2530.9 of Title 63 of the Oklahoma Statutes;

12 2. Six Dollars and seventy-five cents (\$6.75) shall be
13 deposited to the Department of Public Safety Computer Imaging System
14 Revolving Fund to be used solely for the purpose of administration
15 and maintenance of the computerized imaging system of the
16 Department;

17 3. Ten Dollars (\$10.00) shall be deposited to the Department of
18 Public Safety Revolving Fund for all original or renewal issuances
19 of licenses;

20 4. Three Dollars (\$3.00) shall be deposited to the State Public
21 Safety Fund created in Section 2-147 of this title; and

22 5. Two Dollars (\$2.00) of the fee provided for in subsection J
23 of this section related to the issuance or renewal of a driver
24 license by a motor license agent that does not process approved

1 applications or renewals for REAL ID Compliant Driver Licenses and
2 Identification Cards shall be deposited, in addition to the amount
3 authorized by paragraph 4 of this subsection, to the State Public
4 Safety Fund created in Section 2-147 of this title.

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

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

10	Age 62	\$21.25
11	Age 63	\$17.50
12	Age 64	\$13.75
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 or renewal
24 of an Oklahoma driver license; provided, that if a veteran has been

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

3 Q. In accordance with the provisions of subsection G of this
4 section, the Department of Public Safety and the Oklahoma Tax
5 Commission are authorized to promulgate rules for the issuance and
6 renewal of driver licenses authorized pursuant to the provisions of
7 Sections 6-101 through 6-309 of this title; provided, that no such
8 rules applicable to the issuance or renewal of REAL ID Noncompliant
9 Driver Licenses shall create more stringent standards than such
10 rules applicable as of January 1, 2017, unless directly related to a
11 specific change in statutory law concerning standards for REAL ID
12 Noncompliant Driver Licenses. Applications, upon forms approved by
13 the Department of Public Safety, for such licenses shall be handled,
14 in accordance with the provisions of subsection G of this section,
15 by the motor license agents; provided, the Department of Public
16 Safety is authorized to assume these duties in any county of this
17 state. Each motor license agent accepting applications for driver
18 licenses shall receive Four Dollars (\$4.00) to be deducted from the
19 total collected for each license or renewal application accepted; in
20 addition to such amount, each motor license agent that processes
21 approved applications or renewals for REAL ID Compliant Driver
22 Licenses shall receive Two Dollars (\$2.00) to be deducted from the
23 total fee collected under the provisions of subsections J and K of
24 this section for each license or renewal application accepted. The

1 fees received by the motor license agent, authorized by this
2 subsection, shall be used for operating expenses.

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

10 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
11 collected pursuant to this section shall be paid by the Tax
12 Commission to the State Treasurer to be deposited each fiscal year
13 under the provisions of this section to the credit of the Department
14 of Public Safety Restricted Revolving Fund for the purpose of the
15 Statewide Law Enforcement Communications System. All other monies
16 collected in excess of Five Hundred Sixty Thousand Dollars
17 (\$560,000.00) each fiscal year shall be apportioned as provided in
18 Section 1104 of this title, except as otherwise provided in this
19 section.

20 S. The Department of Public Safety shall retain the images
21 displayed on licenses and identification cards issued pursuant to
22 the provisions of Sections 6-101 through 6-309 of this title which
23 may be used only:
24

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

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

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

8 All agencies approved by the Oklahoma Law Enforcement
9 Telecommunications System (OLETS) or the National Law Enforcement
10 Telecommunications System (NLETS) to receive photographs or
11 computerized images may obtain them through OLETS or through NLETS.
12 Photographs or computerized images may be obtained by law
13 enforcement one inquiry at a time.

14 The computer system and related equipment acquired for this
15 purpose must conform to industry standards for interoperability and
16 open architecture. The Department of Public Safety may promulgate
17 rules to implement the provisions of this subsection.

18 T. No person may hold more than one state-issued or territory-
19 issued REAL ID Compliant Driver License or REAL ID Compliant
20 Identification Card from Oklahoma or any other state or territory.
21 The Department shall not issue a REAL ID Compliant Driver License to
22 a person who has been previously issued a REAL ID Compliant Driver
23 License or REAL ID Compliant Identification Card until such license
24 or identification card has been surrendered to the Department by the

1 applicant. The Department may promulgate rules related to the
2 issuance of replacement REAL ID Compliant Driver Licenses in the
3 event of loss or theft.

4 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
5 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
6 2020, Section 6-105.3), is amended to read as follows:

7 Section 6-105.3 A. In addition to the licenses to operate
8 motor vehicles, the Department of Public Safety may issue cards to
9 Oklahoma residents for purposes of identification only. The
10 identification cards shall be issued, renewed, replaced, canceled
11 and denied in the same manner as driver licenses in this state. A
12 licensee whose record reflects a notation of the person's proof of
13 legal presence, verified by the U.S. Department of Homeland
14 Security, or proof of U.S. citizenship, may obtain a REAL ID
15 Compliant Identification Card or a Noncompliant Identification Card
16 from a motor license agent or the Department of Public Safety,
17 regardless of the status of the license held by the licensee.
18 Provided, the licensee must comply with all REAL ID documentation
19 requirements to obtain a REAL ID Compliant Identification Card. A
20 person shall not apply for or possess more than one state-issued or
21 territory-issued REAL ID Compliant Identification Card pursuant to
22 the provisions of Section 6-101 of this title.

23 The application for an identification card by any person under
24 the age of eighteen (18) years shall be signed and verified by a

1 custodial legal parent or legal guardian, either in person before a
2 person authorized to administer oaths or electronically if
3 completing an online application, or a notarized affidavit signed by
4 a custodial legal parent or legal guardian submitted before a person
5 authorized to administer oaths by the person under the age of
6 eighteen (18) years with the application. Except as otherwise
7 provided in this section, the identification cards shall be valid
8 for a period of four (4) years from the month of issuance; however,
9 the identification cards issued to persons sixty-five (65) years of
10 age or older shall be valid indefinitely from the month of issuance.

11 B. No person shall hold more than one state-issued or
12 territory-issued REAL ID Compliant Driver License or REAL ID
13 Compliant Identification Card, as defined in subsection G of Section
14 6-101 of this title. The Department shall not issue a REAL ID
15 Compliant Identification Card to any applicant who has been
16 previously issued a REAL ID Compliant Driver License or REAL ID
17 Compliant Identification Card unless such license or identification
18 card has been surrendered to the Department by the applicant. The
19 Department may promulgate rules related to the issuance of
20 replacement REAL ID Compliant Identification Cards in the event of
21 loss or theft.

22 C. The fee charged for the issuance, renewal, or replacement of
23 a REAL ID Compliant Identification Card shall be Twenty-five Dollars
24 (\$25.00). The fee charged for the issuance, renewal or replacement

1 of a REAL ID Noncompliant Identification Card pursuant to this
2 section shall be Twenty-five Dollars (\$25.00); however, no person
3 sixty-five (65) years of age or older shall be charged a fee for an
4 identification card. Of each fee charged pursuant to the provisions
5 of this subsection:

6 1. Seven Dollars (\$7.00) shall be apportioned as provided in
7 Section 1104 of this title;

8 2. Three Dollars (\$3.00) shall be credited to the Department of
9 Public Safety Computer Imaging System Revolving Fund to be used
10 solely for the purpose of the administration and maintenance of the
11 computerized imaging system of the Department;

12 3. Ten Dollars (\$10.00) shall be deposited in the Department of
13 Public Safety Revolving Fund;

14 4. Three Dollars (\$3.00) shall be deposited to the State Public
15 Safety Fund created in Section 2-147 of this title; and

16 5. a. Two Dollars (\$2.00) of the fee authorized by this
17 subsection related to the issuance, renewal or
18 replacement of an identification card by a motor
19 license agent that does not process approved
20 applications or renewals for REAL ID Compliant Driver
21 Licenses or Identification Cards shall be deposited,
22 in addition to the amount authorized by paragraph 4 of
23 this subsection, to the State Public Safety Fund
24 created in Section 2-147 of this title, or

1 b. Two Dollars (\$2.00) of the fee authorized by this
2 subsection related to the issuance, renewal or
3 replacement of an identification card by a motor
4 license agent that does process approved applications
5 or renewals for REAL ID Compliant Driver Licenses or
6 Identification Cards shall be retained by the motor
7 license agent.

8 D. The Oklahoma Tax Commission is hereby authorized to
9 reimburse, from funds available to that agency, each motor license
10 agent issuing an identification card to a person sixty-five (65)
11 years of age or older, an amount not to exceed One Dollar (\$1.00)
12 for each card or driver license so issued. The Tax Commission shall
13 develop procedures for claims for reimbursement.

14 E. When a person makes application for a new identification
15 card, or makes application to renew an identification card, and the
16 person has been convicted of, or received a deferred judgment for,
17 any offense required to register pursuant to the Sex Offenders
18 Registration Act, the identification card shall be valid for a
19 period of one (1) year from the month of issuance, but may be
20 renewed yearly during the time the person is subject to registration
21 on the Sex Offender Registry. The cost for such identification card
22 shall be the same as for other identification cards and renewals.

SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-110, as last amended by Section 1, Chapter 395, O.S.L. 2019 (47 O.S. Supp. 2020, Section 6-110), is amended to read as follows:

Section 6-110. A. 1. The Department of Public Safety shall examine every applicant for an original Class A, B, C or D license and for any endorsements thereon, except as otherwise provided in Section 6-101 et seq. of this title or as provided in paragraph 2 of this subsection or in subsections D and E of this section. The examination shall include a test of the applicant's:

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

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

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

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

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

8 b. an expired driver license that:

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

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

13 3. The Department shall accept skills test results from another
14 state for Class A, B or C license applicants who have successfully
15 completed commercial motor vehicle driver training in that state and
16 successfully passed the skills test in that state; provided, the
17 Department shall not accept skills test results from another state
18 when the applicant has not successfully completed commercial motor
19 vehicle driver training in that state. Nothing in this section
20 shall be construed to prohibit the Department from administering the
21 skills test to any applicant who has successfully completed
22 commercial vehicle driver training in another state.

23 4. All applicants requiring a hazardous materials endorsement
24 shall be required, for the renewal of the endorsement, to

1 successfully complete the examination and to submit to a security
2 threat assessment performed by the Transportation Security
3 Administration of the Department of Homeland Security as required by
4 and pursuant to 49 C.F.R., Part 1572, which shall be used to
5 determine whether the applicant is eligible for renewal of the
6 endorsement pursuant to federal law and regulation.

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

17 B. Any person holding a valid Oklahoma Class D license or
18 provisional driver license pursuant to Section 6-212 of this title
19 and applying for a Class A, B or C commercial license shall be
20 required to successfully complete all examinations as required for
21 the specified class. Failure to submit to the Department federally
22 required medical certification information pursuant to 49 C.F.R.,
23 Part 391.41 et seq. shall result in an automatic downgrade of a
24 commercial license to a Class D license. Provided, however, once

1 the required medical certification information has been received by
2 the Department, the license shall be reinstated to the
3 classification of the commercial license prior to the downgrade and
4 the holder of such a license shall not be required to reapply.

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

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

19 2. The Department of Public Safety shall adopt a curriculum of
20 required courses and training to be offered to applicants who are
21 qualified to apply to be a designated examiner. The courses and
22 training for certification shall meet the same standards as required
23 for driver examiners of the Department of Public Safety.

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

20 4. A designated examiner may charge a fee ~~of no more than~~
21 ~~Twenty-five Dollars (\$25.00)~~ for each Class D driving skills
22 examination given, whether the person being examined passes or fails
23 the examination.
24

1 5. The Department shall ~~conduct an annual complete nationwide~~
2 require each designated examiner applicant and driver education
3 instructor applicant to submit to an electronic national criminal
4 history background record check on each designated examiner and a
5 ~~complete nationwide criminal history background check on each~~
6 ~~designated examiner applicant~~ pursuant to Section 150.9 of Title 74
7 of the Oklahoma Statutes. On or before December 1, 2022, the
8 Department shall require each designated examiner and driver
9 education instructor to submit to an electronic national criminal
10 history record check pursuant to Section 150.9 of Title 74 of the
11 Oklahoma Statutes. The fees for the background check shall be borne
12 by the designated examiner ~~or,~~ designated examiner applicant, driver
13 education instructor or driver education instructor applicant.

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

16 E. 1. Upon application and approval of the Commissioner of the
17 Department of Public Safety, any public or private commercial truck
18 driving school that has or maintains a program instructing students
19 for a Class A, B or C license in the State of Oklahoma shall be
20 authorized to hire or employ designated examiners approved by the
21 Department of Public Safety to be third-party examiners of the Class
22 A, B or C driving skills portion of the Oklahoma driving
23 examination. All designated examiners must successfully have
24

1 completed the courses and training as outlined in paragraph 2 of
2 this subsection.

3 2. The Department of Public Safety shall adopt a curriculum of
4 required courses and training to be offered to third-party
5 examiners. The courses and training for certification shall meet
6 the same standards as required for commercial driver examiners of
7 the Department of Public Safety.

8 3. The Department shall ~~conduct on an annual basis a complete~~
9 ~~nationwide~~ require each third-party examiner applicant and
10 commercial school driver education instructor applicant to submit to
11 an electronic national criminal history background record check on
12 ~~each third-party examiner and a complete nationwide criminal history~~
13 ~~background check on each third-party examiner applicant pursuant to~~
14 Section 150.9 of Title 74 of the Oklahoma Statutes. On or before
15 December 1, 2022, the Department shall require each third-party
16 examiner or commercial school driver education instructor to submit
17 to an electronic national criminal history record check pursuant to
18 Section 150.9 of Title 74 of the Oklahoma Statutes. The fees for
19 the background check shall be borne by the third-party examiner ~~or,~~
20 third-party examiner applicant, commercial school driver education
21 instructor or commercial school driver education instructor
22 applicant.

23 F. The Department of Public Safety shall promulgate rules no
24 later than December 15, 2019, to:

1. Implement and administer the provisions of this section based on requirements set forth in Section 383.75 of Title 49 of the Code of Federal Regulations;

2. Establish a process to inform any school or examiner, who has been denied, within forty-five (45) days from the denial;

3. Create an appeal process for any school or examiner denied;
and

4. If the initial application for approval was denied, limit the number of times an individual school or individual examiner applicant may reapply in a calendar year to two reapplications.

SECTION 4. 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.

Passed the House of Representatives the 23rd day of February, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the day of , 2021.

Presiding Officer of the Senate