SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT	No.	
COMMITTEE AMENDMENT	Ĺ	
	o. 1591, by the atta	(Date) ached floor substitute for the title, enacting Submitted by: Senator Brooks
I hereby grant permission for the fl	loor substitute to b	e adopted.
CHI IN		
Senator Paxton, Chair (required) Senator Weaver Senator Allen		Senator Dahm Senator David Senator Jeoh Marcy Service Senator Jeoh
Senator Brooks Senator Coleman		Senator Matthews Senator Rader Senator Rogers
Senator Treat, President Pro Temp	оте	Senator McCortney, Majority Floor Leader
Note: Public Safety committee ma	iority requires sev	en (7) members' signatures.
Brooks-PW-FS-SB1591 3/8/2022 9:59 AM		λλ
(Floor Amendments Only) Date	and Time Filed:	3-8-22 1:34 pm
Untimely	Amendment Cy	cle Extended Secondary Amendment

1 STATE OF OKLAHOMA 2 2nd Session of the 58th Legislature (2022) 3 FLOOR SUBSTITUTE SENATE BILL NO. 1591 By: Brooks of the Senate 4 5 and Pae of the House 6 7 8 9 FLOOR SUBSTITUTE An Act relating to driver licenses; amending 21 O.S. 10 2021, Section 1550.42, which relates to entities authorized to print identification documents; 11 clarifying language; removing certain limitation; removing certain exceptions; removing certain license 12 renewal requirement; removing certain presumption; removing certain application; removing certain 13 exemption; amending 26 O.S. 2021, Section 4-109.3, which relates to motor vehicle licensing agencies and 14 voter registration; prohibiting voter registration services from being provided to certain applicants 15 and licensees; amending 47 O.S. 2021, Section 6-101,

which relates to class requirements for driver 16 licenses and fees; creating certain fee; amending 47 O.S. 2021, Section 6-103, which relates to persons 17 not to be licensed; updating statutory references; modifying preclusion; requiring certain documents be 18 presented to allow for the issuance of driver licenses to aliens; amending 47 O.S. 2021, Section 6-19 106, which relates to application for license; providing an acceptable form of proof of identity; 20 allowing for certain information to be provided by an applicant; updating statutory reference; providing 21 certain preclusions; amending 47 O.S. 2021, Section 6-114, which relates to replacement driver licenses; 22 removing certain requirements and replacement period limitations for aliens; amending 47 O.S. 2021, 23 Section 6-115, which relates to issuance, expiration,

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and renewal of driver licenses; modifying certain

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limitations for certain applicants or licensees; requiring certain applicants provide additional specific documentation; amending 47 O.S. 2021, Section 6-122, which relates to renewal by mail; modifying certain exceptions; requiring the Department of Public Safety to provide certain notation of status; prohibiting voter registration services from being provided to certain applicants and licensees; providing for codification; and providing an effective date.

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

9 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1550.42, is 10 amended to read as follows:

Section 1550.42. A. The following entities may create, publish or otherwise manufacture an identification document, identification card, or identification certificate and may possess an engraved plate or other such device for the printing of such identification; provided, the name of the issuing entity shall be clearly printed upon the face of the identification:

- Businesses, companies, corporations, service organizations and federal, state and local governmental agencies for employee identification which is designed to identify the bearer as an employee;
- 2. Businesses, companies, corporations and service 21 organizations for customer identification which is designed to 22 identify the bearer as a customer or member;

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3. Federal, state and local government agencies for purposes authorized or required by law or any legitimate purpose consistent with the duties of such an agency, including, but not limited to, voter identification cards, driver licenses, nondriver identification cards, passports, birth certificates and social security cards;

- 4. Any public school or state or private educational institution, as defined by Sections 1-106, 21-101 or 3102 of Title 70 of the Oklahoma Statutes, to identify the bearer as an administrator, faculty member, student or employee;
- 5. Any professional organization or labor union to identify the bearer as a member of the professional organization or labor union; and
- 6. Businesses, companies or corporations which manufacture medical-alert identification for the wearer thereof.
- B. All identification documents as provided for in paragraph 3 or 4 of subsection A of this section shall be issued only to United States citizens, nationals and legal permanent resident aliens.
- C. The provisions of subsection B of this section shall not apply when an applicant presents, in person, valid documentary evidence of:
- 1. A valid, unexpired immigrant or nonimmigrant visa status for admission into the United States;

2. A pending or approved application for asylum in the United States;

- 3. Admission into the United States in refugee status;
- 4. A pending or approved application for temporary protected status in the United States;
 - 5. Approved deferred action status; or

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- 6. A pending application for adjustment of status to legal permanent residence status or conditional resident status. Upon approval, the applicant may be issued an identification document provided for in paragraph 3 or 4 of subsection A of this section. Such identification document shall be valid only during the period of time of the authorized stay of the applicant in the United States or, if there is no definite end to the period of authorized stay, a period of one (1) year. Any identification document issued pursuant to the provisions of this subsection shall clearly indicate that it is temporary and shall state the date that the identification document expires. Such identification document may be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the identification document has been extended by the United States Citizenship and Immigration Services or other authorized agency of the United States Department of Homeland Security.
- D. The provisions of subsection B of this section shall not apply to an identification document described in paragraph 4 of

subsection A of this section that is only valid for use on the campus or facility of that educational institution and includes a statement of such restricted validity clearly and conspicuously printed upon the face of the identification document.

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E. Any driver license issued to a person who is not a United States citizen, national or legal permanent resident alien for which an application has been made for renewal, duplication or reissuance shall be presumed to have been issued in accordance with the provisions of subsection C of this section; provided that, at the time the application is made, the driver license has not expired, or been cancelled, suspended or revoked. The requirements of subsection C of this section shall apply, however, to a renewal, duplication or reissuance if the Department of Public Safety is notified by a local, state or federal government agency of information in the possession of the agency indicating a reasonable suspicion that the individual seeking such renewal, duplication or reissuance is present in the United States in violation of law. The provisions of this subsection shall not apply to United States citizens, nationals or legal permanent resident aliens.

SECTION 2. AMENDATORY 26 O.S. 2021, Section 4-109.3, is amended to read as follows:

Section 4-109.3. A. When a qualified elector applies for issuance or renewal of an Oklahoma driver license, or issuance of a state identification card issued pursuant to Section 6-105 of Title

47 of the Oklahoma Statutes, he or she shall be provided voter registration services as required by the National Voter Registration Act. Any applicant or licensee providing an individual tax identification number to the Department of Public Safety or a motor license agent pursuant to Section 6-106 of Title 47 of the Oklahoma Statutes shall not be provided voter registration services. All completed paper voter registration applications shall be transmitted by the agency accepting the application at the close of business each week to the State Election Board in preaddressed, postage prepaid envelopes provided by the State Election Board. If a person registers or declines to register to vote, the office at which the person submits the voter registration application or the fact that the person declined to register shall remain confidential and will be used only for voter registration purposes.

B. A change of address for an Oklahoma driver license or state identification card submitted by a registered voter shall also serve as a change of address for voter registration purposes if the new address is within the same county where the voter is registered to vote. If the new address is outside the county where the voter is currently registered to vote, the voter shall be sent a notice and application with instructions for registering to vote at the new address. A change of address for an Oklahoma driver license or state identification card shall not be used to update a voter

- registration address if the registrant states in writing that the change of address is not for voter registration purposes.
- C. Motor license agents shall receive fifty cents (\$0.50) per valid paper voter registration application or application for change in voter registration taken by themselves and employees of the motor license agent's office taken at the agent's office, payable by the State Election Board.
- D. The Oklahoma Tax Commission shall notify the Secretary of the State Election Board of motor license agent appointments. The Oklahoma Department of Public Safety shall notify the Secretary of the State Election Board of motor license agents qualified to issue driver licenses.
- E. The Secretary of the State Election Board is authorized to develop with the Department of Public Safety a system to electronically transmit voter registration applications from motor license agencies to the State Election Board or county election boards. Such system shall be consistent with the requirements for electronic submission of voter registration applications provided in Section 4-109.4 of this title.
- F. The Secretary of the State Election Board shall promulgate rules and procedures to implement the requirements of this section.
- 22 SECTION 3. 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.

- B. 1. No person shall operate a Class A commercial motor vehicle unless the person is eighteen (18) years of age or older and holds a valid Class A commercial license, except as provided in paragraph 5 of this subsection and subsection F of this section.

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

valid Class C commercial license, except as provided in subsection F

of this section. Any person holding a valid Class C commercial

license shall be permitted to operate motor vehicles in Classes C

and D, except as provided for in paragraph 4 of this subsection.

- 4. No person under twenty-one (21) years of age shall be licensed to operate any motor vehicle which is required to be placarded for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F, except as provided in subsection F of this section; provided, a person eighteen (18) years of age or older may be licensed to operate a farm vehicle which is required to be placarded for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F, except as provided in subsection F of this section.
- 5. A person at least seventeen (17) years of age who successfully completes all examinations required by law may be issued by the Department:
 - a. a restricted Class A commercial license which shall grant to the licensee the privilege to operate a Class A or Class B commercial motor vehicle for harvest purposes or a Class D motor vehicle, or
 - b. a restricted Class B commercial license which shall grant to the licensee the privilege to operate a Class B commercial motor vehicle for harvest purposes or a Class D motor vehicle.

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

- C. Any person issued a driver license pursuant to this section may exercise the privilege thereby granted upon all streets and highways in this state.
- D. No person shall operate a motorcycle or motor-driven cycle without having a valid Class A, B, C or D license with a motorcycle endorsement. Except as otherwise provided by law, any new applicant for an original driver license shall be required to successfully complete a written examination, vision examination and driving examination for a motorcycle as prescribed by the Department of Public Safety, and a certified state-approved motorcycle basic rider course approved by the Department if the applicant is seventeen (17) years of age or younger to be eligible for a motorcycle endorsement thereon. The written examination and driving examination for a motorcycle shall be waived by the Department of Public Safety upon verification that the person has successfully completed a certified Motorcycle Safety Foundation rider course approved by the Department.
- E. Except as otherwise provided by law, any person who lawfully possesses a valid Oklahoma driver license which is eligible for

renewal shall be required to successfully complete a written examination, vision examination and driving examination for a motorcycle as prescribed by the Department, and a certified state-approved motorcycle basic rider course approved by the Department if the person is seventeen (17) years of age or younger to be eligible for a motorcycle endorsement. The written examination and driving examination for a motorcycle shall be waived by the Department of Public Safety upon verification that the person has successfully completed a certified Motorcycle Safety Foundation rider course approved by the Department.

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

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

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3. No person shall apply for and the Department shall not issue an original Class A, B or C driver license until the person has been issued a commercial learner permit and held the permit for at least fourteen (14) days. Any person who currently holds a Class B or C license and who wishes to apply for another class of commercial driver license shall be required to apply for a commercial learner permit and to hold the permit for at least fourteen (14) days before applying for the Class A or B license, as applicable. Any person

- who currently holds a Class A, B or C license and who wishes to add an endorsement or remove a restriction for which a skills examination is required shall be required to apply for a commercial learner permit and to hold the permit for at least fourteen (14) days before applying for the endorsement.
 - 4. A commercial learner permit shall be issued by the Department as a separate and unique document which shall be valid only in conjunction with a valid Oklahoma driver license or provisional driver license pursuant to Section 6-212 of this title, both of which shall be in the possession of the person to whom they have been issued whenever that person is operating a commercial motor vehicle as provided in this subsection.
 - 5. After one renewal of a commercial learner permit, as provided in paragraph 2 of this subsection, a commercial permit shall not be renewed again. Any person who has held a commercial learner permit for the initial issuance period and one renewal period shall not be eligible for and the Department shall not issue another renewal of the permit; provided, the person may reapply for a new commercial learner permit, as provided for in this subsection.
 - 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

- 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 application, the applicant may take the approved application document to a motor license agent to receive a temporary driver license or identification card.
- d. The motor license agent shall process the approved

 REAL ID Compliant or REAL ID Noncompliant Driver

 License or Identification Card application and upon

 payment shall provide the applicant a temporary driver

 license or identification card. A temporary driver

 license or identification card shall afford the holder

 the privileges otherwise granted by the specific class

 of driver license or identification card 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 Compliant or REAL ID

Noncompliant Driver License or Identification Card,

whichever time period is shorter.

3. REAL ID Compliant Driver License and Identification Card Renewal and Replacement:

- a. Application for renewal or replacement of a REAL ID

 Compliant Driver License or Identification Card may be made to the Department of Public Safety or to a motor license agent; provided, such motor license agent is authorized to process application for REAL ID

 Compliant Driver Licenses and Identification Cards. A motor license agent may process the voluntary downgrade of a REAL ID Compliant Commercial Driver License to any lower class license upon request of the licensee; provided, no additional endorsements or restrictions are placed on the license.
- b. Department of Public Safety employees or authorized motor license agents shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application.
- c. Upon approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application, the applicant may receive a temporary

driver license or identification card from the

Department of Public Safety or an authorized 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 Compliant Driver License or Identification Card, whichever time period is shorter.
- e. For purposes of this title, an application for a REAL ID Compliant Driver License or Identification Card by an individual with a valid Oklahoma-issued driver license or identification card shall be considered a renewal of a REAL ID Compliant Driver License or Identification Card.
- 4. REAL ID Noncompliant Driver License and Identification Card Renewal and Replacement:
 - a. Application for renewal or replacement of a REAL ID

 Noncompliant Driver License or Identification Card may

 be made to the Department of Public Safety or to a

motor license agent. A motor license agent may

process the voluntary downgrade of a REAL ID

Noncompliant Commercial Driver License to any lower

class license upon request of the licensee; provided,

no additional endorsements or restrictions are added

to the license.

- b. Department of Public Safety employees or motor license agents shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Noncompliant Driver License or 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

1	Lic	cense or	Identification	Card,	whichever	time	period
2	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:

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

- 2. Notwithstanding the provisions of Section 1104 of this title, all monies collected from the fees charged for Class A, B and C commercial licenses pursuant to the provisions of this subsection shall be deposited in the General Revenue Fund of this state.
- I. The fee charged for any failed examination shall be Four Dollars (\$4.00) for any license classification. Notwithstanding the provisions of Section 1104 of this title, all monies collected from

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

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

9	License Class	4-year	8-year
10	Class A Commercial Learner Permit	\$56.50	\$113.00
11	Class A Commercial License	\$56.50	\$113.00
12	Class B Commercial Learner Permit	\$56.50	\$113.00
13	Class B Commercial License	\$56.50	\$113.00
14	Class C Commercial Learner Permit	\$46.50	\$93.00
15	Class C Commercial License	\$46.50	\$93.00
16	Class D License	\$38.50	\$77.00
17	Class D License - ITIN	\$50.00	

In addition to the cost of the issuance or renewal of a Class D License as provided in this subsection, an applicant or licensee providing an individual tax identification number (ITIN) shall pay an additional Fifty Dollars (\$50.00) for a total cost of Eighty-eight Dollars and fifty cents (\$88.50).

K. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or

1	renewal of a REAL ID Compliant Driver License shall be in accordance			
2	with the following schedule; provided, that any applicant who has a			
3	CDL Learner Permit shall be charged only the replacement fee for the			
4	issuance of the license:			
5	License Class 4-year 8-year			
6	REAL ID Compliant Class A			
7	Commercial Learner Permit \$56.50 \$113.00			
8	REAL ID Compliant Class A			
9	Commercial License \$56.50 \$113.00			
10	REAL ID Compliant Class B			
11	Commercial Learner Permit \$56.50 \$113.00			
12	REAL ID Compliant Class B			
13	Commercial License \$56.50 \$113.00			
14	REAL ID Compliant Class C			
15	Commercial Leaner <u>Learner</u> Permit \$46.50 \$93.00			
16	REAL ID Compliant Class C			
17	Commercial License \$46.50 \$93.00			
18	REAL ID Compliant Class D			
19	License \$38.50 \$77.00			
20	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.

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- 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
- 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars (\$6.00) of an 8-year license shall be deposited to the State Public Safety Fund created in Section 2-147 of this title.
- N. All original and renewal driver licenses shall expire as provided in Section 6-115 of this title.

O. Any person sixty-two (62) years of age or older during the calendar year of issuance or renewal of a Class D license or 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-	

P. No person who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident resulting from disease contracted while in such active service and registered with the veterans registry created by the Oklahoma Department of Veterans Affairs shall be charged a fee for the issuance, replacement or renewal of an Oklahoma driver license; provided, that if a veteran has been previously exempt from a fee pursuant to this subsection, no registration with the veterans registry shall be required.

Q. In accordance with the provisions of subsection G of this section, the Department of Public Safety and the Oklahoma Tax

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

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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.
- 5 The next Five Hundred Thousand Dollars (\$500,000.00) of monies collected pursuant to this section shall be paid by the Tax 6 Commission to the State Treasurer to be deposited each fiscal year 7 under the provisions of this section to the credit of the Department 9 of Public Safety Restricted Revolving Fund for the purpose of the 10 Statewide Law Enforcement Communications System. All other monies collected in excess of Five Hundred Sixty Thousand Dollars 11 12 (\$560,000.00) each fiscal year shall be apportioned as provided in 13 Section 1104 of this title, except as otherwise provided in this section. 14
 - S. The Department of Public Safety shall retain the images displayed on licenses and identification cards issued pursuant to the provisions of Sections 6-101 through 6-309 of this title which may be used only:

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- 1. By a law enforcement agency for purposes of criminal investigations, missing person investigations or any law enforcement purpose which is deemed necessary by the Commissioner of Public Safety;
- 2. By the driver licensing agency of another state for its official purpose; and

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

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

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

- T. No person may hold more than one state-issued or territory-issued REAL ID Compliant Driver License or REAL ID Compliant Identification Card from Oklahoma or any other state or territory. The Department shall not issue a REAL ID Compliant Driver License to a person who has been previously issued a REAL ID Compliant Driver License or REAL ID Compliant Identification Card until such license or identification card has been surrendered to the Department by the applicant. The Department may promulgate rules related to the issuance of replacement REAL ID Compliant Driver Licenses in the event of loss or theft.
- U. Upon the effective date of this act and ending on April 30, 2023, in addition to the amounts provided in subsection Q of this section, a motor license agent shall receive Five Dollars (\$5.00)

for each processed application for a REAL ID Compliant 4-year Driver
License and Ten Dollars (\$10.00) for each processed application for
a REAL ID Compliant 8-year Driver License. Any additional amounts
provided pursuant to this subsection shall not be retained by the
Department of Public Safety.

SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-103, is amended to read as follows:

Section 6-103. A. Except as otherwise provided by law, the Department of Public Safety shall not issue a driver license to:

- 1. Any person who is under eighteen (18) years of age, except that the Department may issue a Class D license to any person who attains sixteen (16) years of age on or after August 15, 2000, and meets the requirements of Sections Section 6-105 and 6-107.3 of this title;
- 2. Any unemancipated person who is under eighteen (18) years of age and whose custodial legal parent or legal guardian does not approve the issuance of a license as required by Section 6-110.2 of this title or objects to the issuance of a license or permit by filing an objection pursuant to Section 6-103.1 of this title;
- 3. Any person whose driving privilege has been suspended, revoked, canceled or denied in this state or any other state or country until the driving privilege has been reinstated by the state or country withdrawing the privilege;

4. Any person who is classified as an excessive user of alcohol, any other intoxicating substance, or a combination of alcohol and any other intoxicating substance, and inimical to public safety, in accordance with rules promulgated by the Department, until all requirements granting or reinstating driving privileges are met, including, but not limited to, abstinence from the use of alcohol, any other intoxicating substance, or any combination of alcohol and any other intoxicating substance for a minimum of either twelve (12) months or eighteen (18) months, as determined by OAC 595:10-5, immediately preceding application for or application for reinstatement of driving privileges;

- 5. Any person who is required by Section 6-101 et seq. of this title to take an examination, unless the person shall have successfully passed the examination;
- 6. Any person who is required under the laws of this state to deposit proof of financial responsibility and who has not deposited such proof;
- 7. Any person who is physically deformed or who is afflicted with any mental disease or physical condition that would impair the driving ability of the person or when the Commissioner of Public Safety, from information concerning the person or from the records and reports on file in the Department of Public Safety, determines that the operation of a motor vehicle by such person on the highways would be inimical to public safety or welfare;

8. Any person who is a nonresident, as defined in Section 1-137 of this title;

- 9. Any alien unless such person presents valid documentation of identity and either: an authorization for presence in the United States issued pursuant to the laws of the United States. provided that no license shall be issued to any alien whose documentation indicates the alien is a current visitor or is not eligible to establish residency; or proof of having filed a state tax return for the most recent tax year; or
- 10. Any person who possesses a valid license to operate a motor vehicle issued by another state until the other state license has been surrendered.
- B. Any applicant who is denied a license under the provisions of subsection A of this section shall have the right to an appeal as provided in Section 6-211 of this title.
- SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-106, is amended to read as follows:
- Section 6-106. A. 1. Every application for a driver license or identification card shall be made by the applicant upon a form furnished by the Department of Public Safety.
- 2. Every original, renewal, or replacement application for a driver license or identification card made by a male applicant who is at least sixteen (16) but less than twenty-six (26) years of age shall include a statement that by submitting the application, the

- applicant is consenting to registration with the Selective Service
 System. The pertinent information from the application shall be
 forwarded by the Department to the Data Management Center of the
 Selective Service System in order to register the applicant as
 required by law with the Selective Service System. Any applicant
 refusing to sign the consent statement shall be denied a driver
 license or identification card.
 - 3. Except as provided for in subsections G and H of this section, every applicant for a driver license or identification card shall provide to the Department at the time of application a document showing proof of identity. A valid passport or passport card issued by the applicant's country of citizenship shall be an acceptable form of proof of identity. The Department shall promulgate rules prescribing forms of primary and secondary identification acceptable for an original Oklahoma driver license.
 - B. Every applicant for a driver license shall provide the following information:
 - 1. Full name;
- 19 2. Date of birth;
- 20 3. Sex;

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4. Address of principal residence and county of such residence which shall be referenced on the REAL ID Compliant Driver License or Identification Card; proof of principal residency, as prescribed by rules promulgated by the Department, documenting provided address;

- 5. Current and complete mailing address to be maintained by the Department for the purpose of giving notice, if necessary, as required by Section 2-116 of this title;
- 6. Medical information, as determined by the Department, which shall assure the Department that the person is not prohibited from being licensed as provided by paragraph 7 of subsection A of Section 6-103 of this title;
 - 7. Whether the applicant is deaf or hard-of-hearing;
- 8. A brief description of the applicant, as determined by the Department;
- 9. Whether the applicant has previously been licensed, and, if so, when and by what state or country, and whether any license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal;
- 10. Whether the applicant is an alien eligible to be considered for licensure and is not prohibited from licensure pursuant to paragraph 9 of subsection A of Section 6-103 of this title;
 - 11. Whether the applicant has:

- a. previously been licensed and, if so, when and by what state or country, and
- b. held more than one license at the same time during the immediately preceding ten (10) years; and

number issued by the United States Internal Revenue Service.

No person shall request the Department to use the Social Security number of that person as the driver license number. Upon renewal or replacement of any driver license issued after the effective date of this act July 1, 2001, the licensee shall advise the Department or the motor license agent if the present driver license number of the licensee is the Social Security number of the licensee. If the driver license number is the Social Security number, the Department or the motor license agent shall change the driver license number to a computer-generated alphanumeric identification. An applicant providing an individual tax identification number shall not be eligible to be issued a commercial driver license or a voter identification card.

C. 1. In addition to the requirements of subsections A and B of this section, every applicant for a commercial driver license who is subject to the requirements of 49 C.F.R., Part 391, and is applying for an original, renewal, or replacement license, and every person who, upon or after May 8, 2012, is currently the holder of a commercial driver license and is subject to the requirements of 49 C.F.R., Part 391, and who does not apply for a renewal or replacement license prior to January 30, 2014, shall submit to the Department and maintain with the Department a current approved medical examination certificate signed by a licensed physician

authorized to perform and approve medical examination certifications. The Department shall adopt rules for maintaining medical examination certificates pursuant to the requirements in 49 C.F.R., Parts 383 and 384. Any commercial driver licensee subject to the requirements of this paragraph who fails to maintain on file with the Department a current, approved medical examination certificate shall have the driving privileges of the person downgraded to a Class D driver license by the Department.

- 2. If the applicant is applying for an original commercial driver license in Oklahoma or is transferring a commercial driver license from another state to Oklahoma, the Department shall review the driving record of the applicant in other states for the immediately preceding ten (10) years, unless the record review has already been performed by the Department. As a result of the review, if it is determined by the Department that the applicant is subject to a period of disqualification as prescribed by Section 6-205.2 of this title which has not yet been imposed, the Department shall impose the period of disqualification and the applicant shall serve the period of disqualification before a commercial driver license is issued to the applicant; provided, nothing in this paragraph shall be construed to prevent the issuance of a Class D driver license to the applicant.
- 3. If the applicant has or is applying for a hazardous material endorsement, the applicant shall submit to a security threat

assessment performed by the Transportation Security Administration of the Department of Homeland Security as required by and pursuant to 49 C.F.R., Part 1572, which shall be used to determine whether the applicant is eligible for the endorsement pursuant to federal law and regulation.

- 4. The Department of Public Safety shall notify each commercial driving school of the passage of this section, and each commercial driving school shall notify prospective students of its school of the hazardous material endorsement requirement.
- D. In addition to the requirements of subsections A and B of this section, every applicant shall be given an option on the application for issuance of a driver license or identification card or renewal pursuant to Section 6-115 of this title to provide an emergency contact person. The emergency contact information requested may include full name, address, and phone number. The emergency contact information shall be maintained by the Department and shall be used by the Department and law enforcement for emergency purposes only. A person listed as an emergency contact may request to be removed at any time. Any update to a change of name, address, or phone number may be made by the applicant listing the emergency contact person or by the person listed as the emergency contact.
- E. Whenever application is received from a person previously licensed in another jurisdiction, the Department shall request a

- copy of the driving record from the other jurisdiction and,
 effective September 1, 2005, from all other jurisdictions in which
 the person was licensed within the immediately previous ten (10)
 years. When received, the driving record shall become a part of the
 driving record of the person in this state with the same force and
 effect as though entered on the driver's record in this state in the
 original instance.
 - F. Whenever the Department receives a request for a driving record from another licensing jurisdiction, the record shall be forwarded without charge.

- G. A person shall not apply for or possess more than one state-issued or territory-issued REAL ID Compliant Driver License or Identification Card pursuant to the provisions of Section 6-101 of this title. A valid and unexpired Oklahoma driver license shall serve as both primary and secondary proofs of identity whenever application for a REAL ID Noncompliant Identification Card is submitted to the Department. The provisions of subsection B of Section 1550.42 of Title 21 of the Oklahoma Statutes shall not apply when issuing an identification card pursuant to the provisions of this subsection. The Department shall promulgate rules necessary to implement and administer the provisions of this subsection.
- H. A valid and unexpired U.S. passport shall serve as both primary and secondary proofs of identity whenever application for a driver license or identification card is submitted to the

1 Department. The Department shall promulgate rules necessary to implement and administer the provisions of this subsection. SECTION 6. 47 O.S. 2021, Section 6-114, is 3 AMENDATORY amended to read as follows: 4 5 Section 6-114. A. 1. In the event that a driver license is lost, destroyed or requires the updating of any information, 6 restriction or endorsement displayed thereon, the person to whom 7 such license was issued may obtain a replacement thereof pursuant to 9 the provisions of subsection G of Section 6-101 of this title, and 10 upon payment of the required fee. If the person is an alien, the

person shall appear before a driver license examiner of the

Department and, after furnishing primary and secondary proofs of

identity as required in this section, shall be issued a replacement

14 driver license for a period which does not exceed the lesser of:

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b. the expiration date on the valid documentation

authorizing the presence of the person in the United

States, as required by paragraph 9 of subsection A of

Section 6-103 of this title.

a. the expiration date of the license being replaced, or

- 2. The cost of a replacement license shall be Twenty-five Dollars (\$25.00), of which:
 - a. Two Dollars (\$2.00) shall be apportioned as provided in Section 1104 of this title,

- b. Three Dollars (\$3.00) shall be remitted to the State
 Treasurer to be credited to the General Revenue Fund,
- c. Five Dollars (\$5.00) shall be credited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of administering and maintaining the computer imaging system of the Department,
- d. Ten Dollars (\$10.00) shall be credited to the Revolving Fund of the Department of Public Safety,
- e. Three Dollars (\$3.00) shall be deposited to the State

 Public Safety Fund created in Section 2-147 of this

 title, and
- f. (1) Two Dollars (\$2.00) of the fee authorized by this paragraph related to the replacement of a driver license by a motor license agent that does not process approved applications or renewals for REAL ID Compliant Driver Licenses or Identification Cards shall be deposited, in addition to the amount authorized by subparagraph e of this paragraph, to the State Public Safety Fund created in Section 2-147 of this title, or
 - (2) Two Dollars (\$2.00) of the fee authorized by this paragraph related to the replacement of a driver license by a motor license agent that does

process approved applications or renewals for

REAL ID Compliant Driver Licenses or

Identification Cards shall be retained by the

motor license agent.

- 3. The Department shall promulgate rules prescribing forms of primary and secondary identification acceptable for replacement of an Oklahoma driver license; provided, however, a valid and unexpired U.S. passport shall be acceptable as both primary and secondary identification.
- B. Any person desiring to add or remove an endorsement or endorsements or a restriction or restrictions to any existing driver license, when authorized by the Department of Public Safety, shall obtain a replacement license with the endorsement or endorsements or the restriction or restrictions change thereon and shall be charged the fee for a replacement license as provided in subsection A of this section.
- 17 SECTION 7. AMENDATORY 47 O.S. 2021, Section 6-115, is amended to read as follows:
 - Section 6-115. A. Except as otherwise provided in this section, every driver license shall be issued for a period of either four (4) years or eight (8) years; provided, if the applicant or licensee is an alien provides an individual tax identification number pursuant to Section 6-106 of this title, the license shall be

issued for a period which does not exceed the lesser of: four (4) years.

1. Four (4) years or eight (8) years; or

- 2. The expiration date on the valid documentation authorizing the presence of the applicant or licensee in the United States, as required by paragraph 9 of subsection A of Section 6-103 of this title.
- B. Except as otherwise provided in this section, the expiration date of an initial license shall be no more than either four (4) years or eight (8) years from the last day of the month of issuance or no more than either four (4) years or eight (8) years from the last day of the birth month of the applicant immediately preceding the date of issuance, if requested by the applicant.
- C. Except as otherwise provided in this section, the expiration date of a renewal license shall be:
- 1. For a renewal during the month of expiration, either four (4) years or eight (8) years from the last day of the month of expiration of the expiring license or either four (4) or eight (8) years from the last day of the birth month of the licensee immediately preceding the expiration date of the expiring license, if requested by the licensee; or
- 22 2. For a renewal prior to the month of expiration, as provided
 23 by rule of the Department, either four (4) or eight (8) years from
 24 the last day of the month of expiration of the current license;

provided, no license shall be issued with an expiration date of more
than five (5) years from the date of renewal on a four (4) year
license or nine (9) years from the date of renewal on an eight (8)
year license.

- D. Notwithstanding the provisions of subsection E of Section 1550.42 of Title 21 of the Oklahoma Statutes, any Oklahoma driver license that is not more than one (1) year past the date of expiration provided on the driver license shall be presumed to be a valid form of identification for the purposes of renewing an Oklahoma driver license.
- E. Except as otherwise provided in this section, every driver license shall be renewable by the licensee upon application to either the Department of Public Safety or a motor license agent, furnishing the current mailing address of the person and payment of the required fee, if the person is otherwise eligible for renewal. If the licensee is an alien applicant that was previously issued a driver license after having provided proof of filing a state tax return pursuant to subsection A of Section 6-103 of this title and an individual tax identification number pursuant to subsection B of Section 6-106 of this title, then the licensee shall appear before a driver license examiner of the Department and shall be issued a renewal driver license for a period which does not exceed the lesser of:

1. Four (4) years or eight (8) years; or

2. The expiration date on the valid documentation authorizing the presence of the applicant or licensee in the United States, as required by paragraph 9 of subsection A of Section 6-103 of this title or a motor license agent, whereupon he or she shall provide proof of having filed a state tax return for each year between the date of issuance of the license and for the year prior to the expiration of the license.

- F. All applicants for renewals of driver licenses who have proven collision records or apparent physical defects may be required to take an examination as specified by the Commissioner of Public Safety.
- G. When a person makes application for a driver license, or makes application to renew a driver license, and the person has been convicted of, or received a deferred judgment for, any offense required to register pursuant to the Sex Offenders Registration Act, the driver license shall be valid for a period of one (1) year from the month of issuance, but may be renewed yearly during the time the person is registered on the Sex Offender Registry. Notwithstanding any other provision of law, the cost for such license shall be the same as for other driver licenses and renewals.
- H. The Department of Public Safety shall promulgate rules prescribing forms of identification acceptable for the renewal of an Oklahoma driver license.

SECTION 8. AMENDATORY 47 O.S. 2021, Section 6-122, is amended to read as follows:

Section 6-122. The Department of Public Safety may develop procedures whereby driver licenses issued under the provisions of Section 6-101 et seq. of this title may be renewed or replaced by the applicant by mail or online except for licenses to be renewed or replaced by aliens by applicants having previously provided proof of having filed a state tax return and an individual tax identification number as prescribed by subsection E of Section 6-115 of this title. Any license issued pursuant to this section shall be valid for a period as prescribed in Section 6-115 of this title. The Department shall not renew or replace a license by mail or online unless the immediately preceding issuance, renewal or replacement was done in person by the applicant.

Provided, any person or the spouse or dependent of a person:

- 1. Who is on active duty with the Armed Forces of the United States; or
- 2. Who is currently employed as a civilian contractor with the Armed Forces of the United States,

living outside of Oklahoma and having a valid class D driver license

21 issued by the State of Oklahoma, requiring no material change, may

22 apply for no more than three consecutive renewals or replacement of

such license by mail or online, in accordance with Department rules.

A fourth consecutive renewal or replacement must be done in person.

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SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-125 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. The Department of Public Safety shall make space available in the upper left-hand corner of the front of a driver license
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in the upper left-hand corner of the front of a driver license issued to an applicant that provided an individual tax identification number, for the letters "N.R.", which shall be designed by the Department and shall serve as a notation of status as a non-resident of the United States.

B. An applicant or licensee who provides an individual tax identification number to the Department of Public Safety or a motor license agent shall be prohibited from receiving voter registration services as described in subsection A of Section 4-109.3 of Title 26 of the Oklahoma Statutes.

SECTION 10. This act shall become effective November 1, 2022.

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