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1 examiners and instructors to submit to a nationwide
2 criminal history check; requiring fees for criminal
3 history check be borne by certain applicants,
4 examiners and instructors; and declaring an
5 emergency.

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

7 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
8 last amended by Section 2, Chapter 314, O.S.L. 2019 (47 O.S. Supp.
9 2020, Section 6-101), is amended to read as follows:

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

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

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

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

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

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

- 1 a. a restricted Class A commercial license which shall
2 grant to the licensee the privilege to operate a Class
3 A or Class B commercial motor vehicle for harvest
4 purposes or a Class D motor vehicle, or
5 b. a restricted Class B commercial license which shall
6 grant to the licensee the privilege to operate a Class
7 B commercial motor vehicle for harvest purposes or a
8 Class D motor vehicle.

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

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

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

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

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

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

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

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

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

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

21 5. After one renewal of a commercial learner permit, as
22 provided in paragraph 2 of this subsection, a commercial permit
23 shall not be renewed again. Any person who has held a commercial
24 learner permit for the initial issuance period and one renewal

1 period shall not be eligible for and the Department shall not issue
2 another renewal of the permit; provided, the person may reapply for
3 a new commercial learner permit, as provided for in this subsection.

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

13 G. 1. For purposes of this title:

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

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

16 2. Original Driver License and Identification Card Issuance:

- 17 a. Application for an original REAL ID Compliant or REAL
18 ID Noncompliant Driver License or Identification Card
19 shall be made to the Department of Public Safety.
20 b. Department of Public Safety employees shall perform
21 all document recognition and other requirements needed
22 for approval of an original REAL ID Compliant or REAL
23 ID Noncompliant Driver License or Identification Card
24 application.

1 c. Upon approval of an original REAL ID Compliant or REAL
2 ID Noncompliant Driver License or Identification Card
3 application, the applicant may take the approved
4 application document to a motor license agent to
5 receive a temporary driver license or identification
6 card.

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

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

22 a. Application for renewal or replacement of a REAL ID
23 Compliant Driver License or Identification Card may be
24 made to the Department of Public Safety or to a motor

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

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

21 c. Upon approval of a renewal or replacement REAL ID
22 Compliant Driver License or Identification Card
23 application, the applicant may receive a temporary
24 driver license or identification card from the

1 Department of Public Safety or an authorized motor
2 license agent.

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

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

19 4. REAL ID Noncompliant Driver License and Identification Card

20 Renewal and Replacement:

21 a. Application for renewal or replacement of a REAL ID
22 Noncompliant Driver License or Identification Card may
23 be made to the Department of Public Safety or to a
24 motor license agent; ~~provided, no motor license agent~~

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

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

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

20 d. A temporary driver license or identification card
21 acquired under the provisions of this paragraph shall
22 afford the holder the privileges otherwise granted by
23 the specific class of driver license or identification
24 card being renewed or replaced for the period of time

1 listed on the temporary driver license or
2 identification card or the period of time prior to the
3 applicant receiving a REAL ID Noncompliant Driver
4 License or Identification Card, whichever time period
5 is shorter.

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

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

20 2. Notwithstanding the provisions of Section 1104 of this
21 title, all monies collected from the fees charged for Class A, B and
22 C commercial licenses pursuant to the provisions of this subsection
23 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:

Class A Commercial Learner Permit	\$56.50
Class A Commercial License	\$56.50
Class B Commercial Learner Permit	\$56.50
Class B Commercial License	\$56.50
Class C Commercial License	\$46.50
Class D License	\$38.50

K. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Compliant 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:

REAL ID Compliant Class A Commercial Learner Permit	\$56.50
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1	REAL ID Compliant Class A Commercial License	\$56.50
2	REAL ID Compliant Class B Commercial Learner Permit	\$56.50
3	REAL ID Compliant Class B Commercial License	\$56.50
4	REAL ID Compliant Class C Commercial License	\$46.50
5	REAL ID Compliant Class D License	\$38.50

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

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

12 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
13 the Trauma Care Assistance Revolving Fund created in Section 1-
14 2530.9 of Title 63 of the Oklahoma Statutes;

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

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

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

1 5. Two Dollars (\$2.00) of the fee provided for in subsection J
2 of this section related to the issuance or renewal of a driver
3 license by a motor license agent that does not process approved
4 applications or renewals for REAL ID Compliant Driver Licenses and
5 Identification Cards shall be deposited, in addition to the amount
6 authorized by paragraph 4 of this subsection, to the State Public
7 Safety Fund created in Section 2-147 of this title.

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

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

13 Age 62	\$21.25
14 Age 63	\$17.50
15 Age 64	\$13.75
16 Age 65	-0-

17 P. No person who has been honorably discharged from active
18 service in any branch of the Armed Forces of the United States or
19 Oklahoma National Guard and who has been certified by the United
20 States Department of Veterans Affairs, its successor, or the Armed
21 Forces of the United States to be a disabled veteran in receipt of
22 compensation at the one-hundred-percent rate for a permanent
23 disability sustained through military action or accident resulting
24 from disease contracted while in such active service and registered

1 with the veterans registry created by the Oklahoma Department of
2 Veterans Affairs shall be charged a fee for the issuance or renewal
3 of an Oklahoma driver license; provided, that if a veteran has been
4 previously exempt from a fee pursuant to this subsection, no
5 registration with the veterans registry shall be required.

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

1 Licenses shall receive Two Dollars (\$2.00) to be deducted from the
2 total fee collected under the provisions of subsections J and K of
3 this section for each license or renewal application accepted. The
4 fees received by the motor license agent, authorized by this
5 subsection, shall be used for operating expenses.

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

13 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
14 collected pursuant to this section shall be paid by the Tax
15 Commission to the State Treasurer to be deposited each fiscal year
16 under the provisions of this section to the credit of the Department
17 of Public Safety Restricted Revolving Fund for the purpose of the
18 Statewide Law Enforcement Communications System. All other monies
19 collected in excess of Five Hundred Sixty Thousand Dollars
20 (\$560,000.00) each fiscal year shall be apportioned as provided in
21 Section 1104 of this title, except as otherwise provided in this
22 section.

23 S. The Department of Public Safety shall retain the images
24 displayed on licenses and identification cards issued pursuant to

1 the provisions of Sections 6-101 through 6-309 of this title which
2 may be used only:

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

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

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

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

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

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

1 License or REAL ID Compliant Identification Card until such license
2 or identification card has been surrendered to the Department by the
3 applicant. The Department may promulgate rules related to the
4 issuance of replacement REAL ID Compliant Driver Licenses in the
5 event of loss or theft.

6 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
7 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
8 2020, Section 6-105.3), is amended to read as follows:

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

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

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

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

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

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

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

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

19 5. a. Two Dollars (\$2.00) of the fee authorized by this
20 subsection related to the issuance, renewal or
21 replacement of an identification card by a motor
22 license agent that does not process approved
23 applications or renewals for REAL ID Compliant Driver
24 Licenses or Identification Cards shall be deposited,

1 in addition to the amount authorized by paragraph 4 of
2 this subsection, to the State Public Safety Fund
3 created in Section 2-147 of this title, or

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

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

17 E. When a person makes application for a new identification
18 card, or makes application to renew an identification card, and the
19 person has been convicted of, or received a deferred judgment for,
20 any offense required to register pursuant to the Sex Offenders
21 Registration Act, the identification card shall be valid for a
22 period of one (1) year from the month of issuance, but may be
23 renewed yearly during the time the person is subject to registration
24

1 on the Sex Offender Registry. The cost for such identification card
2 shall be the same as for other identification cards and renewals.

3 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-110, as
4 last amended by Section 1, Chapter 395, O.S.L. 2019 (47 O.S. Supp.
5 2020, Section 6-110), is amended to read as follows:

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

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

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

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

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

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

11 b. an expired driver license that:

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

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

16 3. The Department shall accept skills test results from another
17 state for Class A, B or C license applicants who have successfully
18 completed commercial motor vehicle driver training in that state and
19 successfully passed the skills test in that state; provided, the
20 Department shall not accept skills test results from another state
21 when the applicant has not successfully completed commercial motor
22 vehicle driver training in that state. Nothing in this section
23 shall be construed to prohibit the Department from administering the
24

1 skills test to any applicant who has successfully completed
2 commercial vehicle driver training in another state.

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

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

21 B. Any person holding a valid Oklahoma Class D license or
22 provisional driver license pursuant to Section 6-212 of this title
23 and applying for a Class A, B or C commercial license shall be
24 required to successfully complete all examinations as required for

1 the specified class. Failure to submit to the Department federally
2 required medical certification information pursuant to 49 C.F.R.,
3 Part 391.41 et seq. shall result in an automatic downgrade of a
4 commercial license to a Class D license. Provided, however, once
5 the required medical certification information has been received by
6 the Department, the license shall be reinstated to the
7 classification of the commercial license prior to the downgrade and
8 the holder of such a license shall not be required to reapply.

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

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

23 2. The Department of Public Safety shall adopt a curriculum of
24 required courses and training to be offered to applicants who are

1 qualified to apply to be a designated examiner. The courses and
2 training for certification shall meet the same standards as required
3 for driver examiners of the Department of Public Safety.

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

23 4. A designated examiner may charge a fee ~~of no more than~~
24 ~~Twenty-five Dollars (\$25.00)~~ for each Class D driving skills

1 examination given, whether the person being examined passes or fails
2 the examination.

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

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

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

1 examination. All designated examiners must successfully have
2 completed the courses and training as outlined in paragraph 2 of
3 this subsection.

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

9 3. The Department shall ~~conduct on an annual basis a complete~~
10 ~~nationwide~~ require each third-party examiner applicant and
11 commercial school driver education instructor applicant to submit to
12 an electronic national criminal history background record check on
13 ~~each third-party examiner and a complete nationwide criminal history~~
14 ~~background check on each third-party examiner applicant pursuant to~~
15 Section 150.9 of Title 74 of the Oklahoma Statutes. On or before
16 December 1, 2022, the Department shall require each third-party
17 examiner or commercial school driver education instructor to submit
18 to an electronic national criminal history record check pursuant to
19 Section 150.9 of Title 74 of the Oklahoma Statutes. The fees for
20 the background check shall be borne by the third-party examiner, or
21 third-party examiner applicant, commercial school driver education
22 instructor or commercial school driver education instructor
23 applicant.
24

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

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

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

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

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

13 SECTION 4. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

17
18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/09/2021 -
19 DO PASS, As Amended and Coauthored.
20
21
22
23
24