

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1408

By: Pfeiffer

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8                               COMMITTEE SUBSTITUTE

9                   An Act relating to motor vehicles; amending 47 O.S.  
10                   2021, Section 6-111, which relates to driver  
11                   licenses; adding requirements for certain licenses;  
12                   defining term; providing an effective date; and  
13                   declaring an emergency.

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

15                   SECTION 1.           AMENDATORY           47 O.S. 2021, Section 6-111, is  
16 amended to read as follows:

17                   Section 6-111. A. 1. The Department of Public Safety shall,  
18 upon payment of the required fee, issue to every applicant  
19 qualifying therefor a Class A, B, C or D driver license or  
20 identification card as applied for, which license or card shall bear  
21 thereon a distinguishing alphanumeric identification assigned to the  
22 licensee or cardholder, date of issuance and date of expiration of  
23 the license or card, the full legal name, signature or computerized  
24 signature, date of birth, residence address, unless specified as an  
exception in the Code of Federal Regulations per 6 C.F.R., Section

1 37.17, sex, a computerized color image of the licensee or cardholder  
2 taken in accordance with Department rules and security features as  
3 determined by the Department. The image shall depict a full front  
4 unobstructed view of the entire face of the licensee or cardholder;  
5 provided, a commercial learner permit shall not bear the image of  
6 the licensee. When any person is issued both a driver license and  
7 an identification card, the Department shall ensure the information  
8 on both the license and the card are the same, unless otherwise  
9 provided by law.

10 2. A driver license or identification card issued by the  
11 Department on or after March 1, 2004, shall bear thereon the county  
12 of residence of the licensee or cardholder.

13 3. The Department may cancel the distinguishing number, when  
14 that distinguishing number is another person's Social Security  
15 number, assign a new distinguishing alphanumeric identification, and  
16 issue a new license or identification card without charge to the  
17 licensee or cardholder.

18 4. The Department may promulgate rules for inclusion of the  
19 height and a brief description of the licensee or cardholder on the  
20 face of the card or license identifying the licensee or cardholder  
21 as deaf or hard-of-hearing.

22 5. It is unlawful for any person to apply, adhere, or otherwise  
23 attach to a driver license or identification card any decal,  
24 sticker, label, or other attachment. Any law enforcement officer is

1 authorized to remove and dispose of any unlawful decal, sticker,  
2 label, or other attachment from the driver license of a person. The  
3 law enforcement officer, the employing agency of the officer, the  
4 Department of Public Safety, and the State of Oklahoma shall be  
5 immune from any liability for any loss suffered by the licensee,  
6 cardholder, or the owner of the decal, sticker, label, or other  
7 attachment caused by the removal and destruction of the decal,  
8 sticker, label, or other attachment.

9 6. The Department of Public Safety may develop by rule a  
10 procedure which complies with the provisions of subsection G of  
11 Section 6-101 of this title whereby a person may apply for a renewal  
12 or replacement Oklahoma Class D license or Oklahoma identification  
13 card.

14 B. 1. The Department may issue or authorize the issuance of a  
15 temporary permit or license to an applicant for a driver license  
16 permitting such applicant to operate a motor vehicle while the  
17 Department is completing its investigation and determination of all  
18 facts relative to such applicant's privilege to receive a license,  
19 or while a permanent driver license is being produced and delivered  
20 to the applicant. Such permit or license must be in the immediate  
21 possession of the driver while operating a motor vehicle, and it  
22 shall be invalid when the applicant's permanent driver license has  
23 been issued and delivered or for good cause has been refused.

24

1        2. The Department may issue or authorize the issuance of a  
2 temporary identification card to an applicant, permitting the holder  
3 the privileges otherwise granted by identification cards, while a  
4 permanent driver license is being provided and delivered to the  
5 applicant. Such card shall be invalid when the applicant's  
6 permanent identification card has been issued and delivered, or for  
7 good cause has been refused.

8        C. 1. The Department may issue a restricted commercial driver  
9 license to drivers eighteen (18) years of age or older for any of  
10 the following specific farm-related service industries:

- 11            a. farm retail outlets and suppliers,
- 12            b. agri-chemical businesses,
- 13            c. custom harvesters, and
- 14            d. livestock feeders.

15        The applicant shall ~~hold~~ have held a valid ~~Oklahoma~~ driver  
16 license for at least one (1) year. Applicants with more than two  
17 (2) years of driving experience shall have a good driving record for  
18 the most recent two (2) years and shall meet all the requirements  
19 for a commercial driver license. The restricted commercial driver  
20 license shall not exceed ~~a total of one hundred eighty (180) days~~  
21 ~~within any twelve-month period~~ the maximum total days that federal  
22 law allows. Applicants for the restricted commercial driver license  
23 shall be exempt from the knowledge and skills test. Application of  
24

1 the restricted commercial driver license does not have to be used in  
2 consecutive days; use of permit shall be declared at application.

3 2. "Good driving record" as used in this subsection shall mean  
4 an applicant:

5 a. has not had more than one license,

6 b. has not had any license suspended, revoked, or  
7 canceled,

8 c. has not had any conviction for any type of  
9 disqualifying offenses or serious traffic violations,  
10 or

11 d. has not had any conviction for a violation of state or  
12 local law relating to motor vehicle traffic control,  
13 other than a parking violation, arising in connection  
14 with any traffic accident, and has no record of an  
15 accident in which he or she was at fault.

16 3. The restricted commercial driver license shall not be valid  
17 for operators of commercial motor vehicles beyond one hundred fifty  
18 (150) miles from the place of business or the farm currently being  
19 served. Such license shall be limited to Class B or C vehicles.  
20 Holders of such licenses who transport hazardous materials which are  
21 required to be placarded shall be limited to the following:

22 a. diesel fuel in quantities of one thousand (1,000)  
23 gallons or less,  
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1           b.    liquid fertilizers in vehicles with total capacities  
2                   of three thousand (3,000) gallons or less, and

3           c.    solid fertilizers that are not mixed with any organic  
4                   substance.

5           No other placarded hazardous materials shall be transported by  
6 holders of such licenses.

7           D.    The Department may issue a non-domiciled commercial learner  
8 permit or a non-domiciled commercial driver license to:

9           1.    An H2A-Temporary Agricultural worker lawfully present in the  
10 United States as indicated on an original, valid and unexpired I-94  
11 immigration status document issued by the United States Customs and  
12 Immigration Service; and

13          2.    A J-1 Exchange Visitor Program participant lawfully present  
14 in the United States as indicated on a valid and unexpired J-1  
15 Visitor Visa issued by the United States Customs and Immigration  
16 Service and who is enrolled in an agricultural education training  
17 program.

18          A person applying for such permit or license must comply with  
19 all testing and licensing requirements in accordance with applicable  
20 federal regulations, state laws and Department rules. The issued  
21 license shall be valid until the expiration of the visa for the non-  
22 domiciled worker. The Department may promulgate rules for the  
23 implementation of the process to carry out the provisions of this  
24 section.

1       E. 1. The Department shall develop a procedure whereby a  
2 person applying for an original, renewal or replacement Class A, B,  
3 C or D driver license or identification card who is required to  
4 register as a convicted sex offender with the Department of  
5 Corrections pursuant to the provisions of the Sex Offenders  
6 Registration Act and who the Department of Corrections designates as  
7 an aggravated or habitual offender pursuant to subsection J of  
8 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a  
9 license or card bearing the words "Sex Offender".

10       2. The Department shall notify every person subject to  
11 registration under the provisions of Section 1-101 et seq. of this  
12 title who holds a current Class A, B, C or D driver license or  
13 identification card that such person is required to surrender the  
14 license or card to the Department within one hundred eighty (180)  
15 days from the date of the notice.

16       3. Upon surrendering the license or card for the reason set  
17 forth in this subsection, application may be made with the  
18 Department for a replacement license or card bearing the words "Sex  
19 Offender".

20       4. Failure to comply with the requirements set forth in such  
21 notice shall result in cancellation of the person's license or card.  
22 Such cancellation shall be in effect for one (1) year, after which  
23 time the person may make application with the Department for a new  
24 license or card bearing the words "Sex Offender". Continued use of

1 a canceled license or card shall constitute a misdemeanor and shall,  
2 upon conviction thereof, be punishable by a fine of not less than  
3 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars  
4 (\$200.00). When an individual is no longer required to register as  
5 a convicted sex offender with the Department of Corrections pursuant  
6 to the provisions of the Sex Offenders Registration Act, the  
7 individual shall be eligible to receive a driver license or  
8 identification card which does not bear the words "Sex Offender".

9 F. Nothing in subsection E of this section shall be deemed to  
10 impose any liability upon or give rise to a cause of action against  
11 any employee, agent or official of the Department of Corrections for  
12 failing to designate a sex offender as an aggravated or habitual  
13 offender pursuant to subsection J of Section 584 of Title 57 of the  
14 Oklahoma Statutes.

15 G. A person subject to an order for the installation of an  
16 ignition interlock device shall be required by the Department to  
17 submit their driver license for a replacement. The replacement  
18 driver license shall bear the words "Interlock Required" and such  
19 designation shall remain on the driver license for the duration of  
20 the order requiring the ignition interlock device. The replacement  
21 license shall be subject to the same expiration and renewal  
22 procedures provided by law. Upon completion of the requirements for  
23 the interlock device, a person may apply for a replacement driver  
24 license.



1 H. The Department shall develop a procedure whereby a person  
2 applying for an original, renewal or replacement Class D driver  
3 license who has been granted modified driving privileges under this  
4 title shall be issued a Class D driver license which identifies the  
5 license as a modified license.

6 SECTION 2. This act shall become effective July 1, 2022.

7 SECTION 3. It being immediately necessary for the preservation  
8 of the public peace, health or safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

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12 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/02/2022 - DO PASS,  
13 As Amended.  
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