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February 9, 2022

SENATE BILL NO. 1237

By: Dugger of the Senate

and

Talley of the House

An Act relating to driver licenses; amending 47 O.S. 2021, Section 6-119, which relates to physical or mental conditions hazardous to public safety; modifying inclusions; clarifying reporting entities; requiring certain anonymity; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-119, is amended to read as follows:

Section 6-119. A. When the Department of Public Safety has good cause to believe that a licensee or applicant for license to drive a motor vehicle may be afflicted with any physical or mental ailment or condition ~~including~~ which may include, but not be limited to, diabetes which may cause loss of control or partial control, a traumatic brain injury or stroke, or may otherwise be incapable of properly controlling a motor vehicle, or when a licensee's or applicant's accident or violation record indicates the licensee or applicant may be a hazard to public safety, the Department of Public

1 Safety is hereby authorized to require the licensee or applicant to
2 submit to a physical and/or psychological examination as prescribed
3 by the Commissioner based upon recommendations of the ~~State Driver's~~
4 Driver License Medical Advisory Committee or its selected
5 representative, and/or complete a driver improvement school, and/or
6 be examined again as provided by Section 6-110 of this title. All
7 physical and/or mental examinations shall be conducted in the county
8 of the residence of the applicant or licensee or in the nearest
9 county to the applicant or licensee where the examination can be
10 completed. Any driver improvement school or examination as provided
11 by Section 6-110 of this title shall be completed in the same
12 location as other applicants or licensees living in the same county
13 as the applicant or licensee who is required to complete the school
14 or examination. Unless the Department receives a verified written
15 report as provided for in subsection B of this section specifying
16 the need for an examination of the applicant or licensee, persons
17 afflicted by diabetes shall not be required to submit to any
18 additional requirements beyond those requirements for a person not
19 affected by diabetes before receiving a license or a renewal of a
20 license to operate a motor vehicle.

21 B. Every license issued to a person specified in subsection A
22 of this section shall be renewable upon payment of the required fee;
23 provided, the Department of Public Safety has not received a report
24 from a law enforcement officer stating that the person is a hazard

1 to the public safety and should be evaluated pursuant to the
2 provisions of subsection A of this section or a verified medical
3 report from a licensed physician stating that the person is
4 incapable of properly controlling a motor vehicle. If any report,
5 filed by a physician, law enforcement officer, or direct family
6 member indicates that the physical or mental ailment or condition
7 has failed to remain stable or that the condition is progressive to
8 a degree that the person is deemed to be a hazard to the public
9 safety or is incapable of properly controlling a motor vehicle, the
10 Department of Public Safety shall evaluate the person to determine
11 if additional verified medical reports shall be required before
12 issuing or renewing any ~~drivers~~ driver license or during the period
13 a license is valid and shall keep the reporting entity if it is a
14 direct family member anonymous.

15 C. The Department may require any person specified in
16 subsection A of this section to be retested any time prior to such
17 person's application for renewal of a license if the Department
18 receives a written report from any law enforcement officer, a
19 verified report from a licensed physician, or a verified report from
20 such other person authorized by the Department indicating the
21 person's physical or mental ailment or condition has contributed to
22 an accident or has deteriorated since issuance of the license to
23 such a degree the person could lose control or partial control or
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1 may otherwise cause such person to be incapable of properly
2 controlling a motor vehicle.

3 SECTION 2. This act shall become effective November 1, 2022.

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 February 9, 2022 - DO PASS
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