

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1390

By: Bergstrom

4  
5  
6 AS INTRODUCED

7 An Act relating to commercial driver licenses;  
8 amending 47 O.S. 2021, Section 6-101, which relates  
9 to driver license fees; requiring a fee for certain  
10 examinations; modifying applicability of the fee  
11 charged for failed examinations; amending 47 O.S.  
12 2021, Section 6-110, which relates to examination of  
13 applicants; authorizing the Department of Public  
14 Safety to collect a skills testing fee; providing  
15 certain notice requirement; providing certain  
16 opportunity for test passage; and providing an  
17 effective date.

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

19 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-101, is  
20 amended to read as follows:

21 Section 6-101. A. No person, except those hereinafter  
22 expressly exempted in Sections 6-102 and 6-102.1 of this title,  
23 shall operate any motor vehicle upon a highway in this state unless  
24 the person has a valid Oklahoma driver license for the class of  
25 vehicle being operated under the provisions of this title. No  
26 person shall be permitted to possess more than one valid license at  
27 any time, except as provided in paragraph 4 of subsection F of this  
28 section.

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

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

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

21 4. No person under twenty-one (21) years of age shall be  
22 licensed to operate any motor vehicle which is required to be  
23 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,  
24 subpart F, except as provided in subsection F of this section;

1 provided, a person eighteen (18) years of age or older may be  
2 licensed to operate a farm vehicle which is required to be placarded  
3 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,  
4 except as provided in subsection F of this section.

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

- 8 a. a restricted Class A commercial license which shall  
9 grant to the licensee the privilege to operate a Class  
10 A or Class B commercial motor vehicle for harvest  
11 purposes or a Class D motor vehicle, or  
12 b. a restricted Class B commercial license which shall  
13 grant to the licensee the privilege to operate a Class  
14 B commercial motor vehicle for harvest purposes or a  
15 Class D motor vehicle.

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

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

1 D. No person shall operate a motorcycle or motor-driven cycle  
2 without having a valid Class A, B, C or D license with a motorcycle  
3 endorsement. Except as otherwise provided by law, any new applicant  
4 for an original driver license shall be required to successfully  
5 complete a written examination, vision examination and driving  
6 examination for a motorcycle as prescribed by the Department of  
7 Public Safety, and a certified state-approved motorcycle basic rider  
8 course approved by the Department if the applicant is seventeen (17)  
9 years of age or younger to be eligible for a motorcycle endorsement  
10 thereon. The written examination and driving examination for a  
11 motorcycle shall be waived by the Department of Public Safety upon  
12 verification that the person has successfully completed a certified  
13 Motorcycle Safety Foundation rider course approved by the  
14 Department.

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

1 completed a certified Motorcycle Safety Foundation rider course  
2 approved by the Department.

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

16 2. This commercial learner permit shall be issued for a period  
17 as provided in Section 6-115 of this title of one hundred eighty  
18 (180) days, which may be renewed one time for an additional one  
19 hundred eighty (180) days; provided, such commercial learner permit  
20 may be suspended, revoked, canceled, denied or disqualified at the  
21 discretion of the Department for violation of the restrictions, for  
22 failing to give the required or correct information on the  
23 application or for violation of any traffic laws of this state  
24 pertaining to the operation of a motor vehicle. Except as otherwise

1 provided, the lawful possessor of a commercial learner permit who  
2 has been issued a commercial learner permit for a minimum of  
3 fourteen (14) days may have the restriction requiring an  
4 accompanying driver removed by satisfactorily completing a driver's  
5 examination; provided, the removal of a restriction shall not  
6 authorize the operation of a Class A, B or C commercial motor  
7 vehicle if such operation is otherwise prohibited by law.

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

21 4. A commercial learner permit shall be issued by the  
22 Department as a separate and unique document which shall be valid  
23 only in conjunction with a valid Oklahoma driver license or  
24 provisional driver license pursuant to Section 6-212 of this title,

1 both of which shall be in the possession of the person to whom they  
2 have been issued whenever that person is operating a commercial  
3 motor vehicle as provided in this subsection.

4 5. After one renewal of a commercial learner permit, as  
5 provided in paragraph 2 of this subsection, a commercial permit  
6 shall not be renewed again. Any person who has held a commercial  
7 learner permit for the initial issuance period and one renewal  
8 period shall not be eligible for and the Department shall not issue  
9 another renewal of the permit; provided, the person may reapply for  
10 a new commercial learner permit, as provided for in this subsection.

11 G. 1. For purposes of this title:

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

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

14        2. Original Driver License and Identification Card Issuance:

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

1 application, the applicant may take the approved  
2 application document to a motor license agent to  
3 receive a temporary driver license or identification  
4 card.

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

18 3. REAL ID Compliant Driver License and Identification Card

19 Renewal and Replacement:

- 20 a. Application for renewal or replacement of a REAL ID  
21 Compliant Driver License or Identification Card may be  
22 made to the Department of Public Safety or to a motor  
23 license agent; provided, such motor license agent is  
24 authorized to process application for REAL ID

1 Compliant Driver Licenses and Identification Cards. A  
2 motor license agent may process the voluntary  
3 downgrade of a REAL ID Compliant Commercial Driver  
4 License to any lower class license upon request of the  
5 licensee; provided, no additional endorsements or  
6 restrictions are placed on the license.

7 b. Department of Public Safety employees or authorized  
8 motor license agents shall perform all document  
9 recognition and other requirements needed for approval  
10 of a renewal or replacement REAL ID Compliant Driver  
11 License or Identification Card application.

12 c. Upon approval of a renewal or replacement REAL ID  
13 Compliant Driver License or Identification Card  
14 application, the applicant may receive a temporary  
15 driver license or identification card from the  
16 Department of Public Safety or an authorized motor  
17 license agent.

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

1 applicant receiving a REAL ID Compliant Driver License  
2 or Identification Card, whichever time period is  
3 shorter.

- 4 e. For purposes of this title, an application for a REAL  
5 ID Compliant Driver License or Identification Card by  
6 an individual with a valid Oklahoma-issued driver  
7 license or identification card shall be considered a  
8 renewal of a REAL ID Compliant Driver License or  
9 Identification Card.

10 4. REAL ID Noncompliant Driver License and Identification Card

11 Renewal and Replacement:

- 12 a. Application for renewal or replacement of a REAL ID  
13 Noncompliant Driver License or Identification Card may  
14 be made to the Department of Public Safety or to a  
15 motor license agent. A motor license agent may  
16 process the voluntary downgrade of a REAL ID  
17 Noncompliant Commercial Driver License to any lower  
18 class license upon request of the licensee; provided,  
19 no additional endorsements or restrictions are added  
20 to the license.
- 21 b. Department of Public Safety employees or motor license  
22 agents shall perform all document recognition and  
23 other requirements needed for approval of a renewal or  
24

1 replacement REAL ID Noncompliant Driver License or  
2 Identification Card application.

3 c. Upon approval of a renewal or replacement REAL ID  
4 Noncompliant Driver License or Identification Card  
5 application, the applicant may receive a temporary  
6 driver license or identification card from the  
7 Department of Public Safety or a motor license agent.

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

18 H. 1. The fee charged for an approved application for an  
19 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver  
20 License or an approved application for the addition of an  
21 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID  
22 Noncompliant Driver License shall be assessed in accordance with the  
23 following schedule:

24 Class A Commercial Learner Permit \$25.00  
25

1	Class A Commercial License	\$25.00
2	Class B Commercial Learner Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner Permit	\$15.00
5	Class C Commercial License	\$15.00
6	Class D License	\$ 4.00
7	Motorcycle Endorsement	\$ 4.00

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

12 I. The fee charged for the skills portion of the examination  
13 for a Class A, B, or C commercial license shall be Sixty Dollars  
14 (\$60.00). The fee charged for any failed examination shall be Four  
15 Dollars (\$4.00) for any Class D license ~~classification~~.

16 Notwithstanding the provisions of Section 1104 of this title, all  
17 monies collected from such examination fees pursuant to the  
18 provisions of this subsection shall be deposited in the General  
19 Revenue Fund of this state.

20 J. In addition to any fee charged pursuant to the provisions of  
21 subsection H of this section, the fee charged for the issuance or  
22 renewal of a REAL ID Noncompliant Driver License shall be in  
23 accordance with the following schedule; provided, that any applicant  
24

1 who has a CDL Learner Permit shall be charged only the replacement  
2 fee for the issuance of the license:

3 License Class	4-year	8-year
4 Class A Commercial Learner Permit	\$56.50	\$113.00
5 Class A Commercial License	\$56.50	\$113.00
6 Class B Commercial Learner Permit	\$56.50	\$113.00
7 Class B Commercial License	\$56.50	\$113.00
8 Class C Commercial Learner Permit	\$46.50	\$93.00
9 Class C Commercial License	\$46.50	\$93.00
10 Class D License	\$38.50	\$77.00

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

17 License Class	4-year	8-year
18 REAL ID Compliant Class A		
19 Commercial Learner Permit	\$56.50	\$113.00
20 REAL ID Compliant Class A		
21 Commercial License	\$56.50	\$113.00
22 REAL ID Compliant Class B		
23 Commercial Learner Permit	\$56.50	\$113.00

1	REAL ID Compliant Class B		
2	Commercial License	\$56.50	\$113.00
3	REAL ID Compliant Class C		
4	Commercial Learner Permit	\$46.50	\$93.00
5	REAL ID Compliant Class C		
6	Commercial License	\$46.50	\$93.00
7	REAL ID Compliant Class D		
8	License	\$38.50	\$77.00

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

12 M. Notwithstanding the provisions of Section 1104 of this  
13 title, of each fee charged pursuant to the provisions of subsections  
14 J, K and L of this section:

15 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or  
16 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to  
17 the Trauma Care Assistance Revolving Fund created in Section 1-  
18 2530.9 of Title 63 of the Oklahoma Statutes;

19 2. Six Dollars and seventy-five cents (\$6.75) of a 4-year  
20 license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year  
21 license shall be deposited to the Department of Public Safety  
22 Computer Imaging System Revolving Fund to be used solely for the  
23 purpose of administration and maintenance of the computerized  
24 imaging system of the Department;

1 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars  
2 (\$20.00) of an 8-year license shall be deposited to the Department  
3 of Public Safety Revolving Fund for all original or renewal  
4 issuances of licenses; and

5 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars  
6 (\$6.00) of an 8-year license shall be deposited 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 or renewal of a Class D license or  
12 motorcycle endorsement shall be charged the following prorated fee:

	4-year	8-year
14 Age 62	\$21.25	\$42.50
15 Age 63	\$17.50	\$35.00
16 Age 64	\$13.75	\$27.50
17 Age 65	-0-	

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

1 from disease contracted while in such active service and registered  
2 with the veterans registry created by the Oklahoma Department of  
3 Veterans Affairs shall be charged a fee for the issuance,  
4 replacement or renewal of an Oklahoma driver license; provided, that  
5 if a veteran has been previously exempt from a fee pursuant to this  
6 subsection, no registration with the veterans registry shall be  
7 required.

8 Q. In accordance with the provisions of subsection G of this  
9 section, the Department of Public Safety and the Oklahoma Tax  
10 Commission are authorized to promulgate rules for the issuance and  
11 renewal of driver licenses authorized pursuant to the provisions of  
12 Sections 6-101 through 6-309 of this title; provided, that no such  
13 rules applicable to the issuance or renewal of REAL ID Noncompliant  
14 Driver Licenses shall create more stringent standards than such  
15 rules applicable as of January 1, 2017, unless directly related to a  
16 specific change in statutory law concerning standards for REAL ID  
17 Noncompliant Driver Licenses. Applications, upon forms approved by  
18 the Department of Public Safety, for such licenses shall be handled,  
19 in accordance with the provisions of subsection G of this section,  
20 by the motor license agents; provided, the Department of Public  
21 Safety is authorized to assume these duties in any county of this  
22 state. Each motor license agent accepting applications for driver  
23 licenses shall receive Six Dollars (\$6.00) for a 4-year REAL ID  
24 Noncompliant Driver License or Twelve Dollars (\$12.00) for an 8-year

1 REAL ID Noncompliant Driver License or Ten Dollars (\$10.00) for a 4-  
2 year REAL ID Compliant Driver License or Twenty Dollars (\$20.00) for  
3 an 8-year REAL ID Compliant Driver License to be deducted from the  
4 total collected for each license or renewal application accepted.  
5 The fees received by the motor license agent, authorized by this  
6 subsection, shall be used for operating expenses.

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

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

1 S. The Department of Public Safety shall retain the images  
2 displayed on licenses and identification cards issued pursuant to  
3 the provisions of Sections 6-101 through 6-309 of this title which  
4 may be used only:

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

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

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

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

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

22 T. No person may hold more than one state-issued or territory-  
23 issued REAL ID Compliant Driver License or REAL ID Compliant  
24 Identification Card from Oklahoma or any other state or territory.

1 The Department shall not issue a REAL ID Compliant Driver License to  
2 a person who has been previously issued a REAL ID Compliant Driver  
3 License or REAL ID Compliant Identification Card until such license  
4 or identification card has been surrendered to the Department by the  
5 applicant. The Department may promulgate rules related to the  
6 issuance of replacement REAL ID Compliant Driver Licenses in the  
7 event of loss or theft.

8 U. ~~Upon the effective date of this act~~ Beginning on May 24,  
9 2021, and ending on April 30, 2023, in addition to the amounts  
10 provided in subsection Q of this section, a motor license agent  
11 shall receive Five Dollars (\$5.00) for each processed application  
12 for a REAL ID Compliant 4-year Driver License and Ten Dollars  
13 (\$10.00) for each processed application for a REAL ID Compliant 8-  
14 year Driver License. Any additional amounts provided pursuant to  
15 this subsection shall not be retained by the Department of Public  
16 Safety.

17 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-110, is  
18 amended to read as follows:

19 Section 6-110. A. 1. The Department of Public Safety shall  
20 establish procedures to ensure every applicant for an original Class  
21 A, B, C or D license and for any endorsements thereon is examined by  
22 the Department, or an approved written examination proctor, except  
23 as otherwise provided in Section 6-101 et seq. of this title or as  
24 provided in paragraph 2 of this subsection or in subsections D and E

1 of this section. The Department is authorized to approve and enter  
2 into agreements with local school districts, the Oklahoma Department  
3 of Career and Technology Education, or institutions of higher  
4 education to act as approved written examination proctors with  
5 regard to any written examination required by this section. The  
6 examination shall include a test of the applicant's:

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

17 The Department of Public Safety may create a knowledge test that may  
18 be taken on the Internet by an applicant applying for a Class D  
19 license.

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

23 2. The Department of Public Safety shall have the authority to  
24 waive the requirement of any part of the examination required in

1 paragraph 1 of this subsection for those applicants whose driving  
2 record meets the standards set by the Department of Public Safety  
3 and surrender either of the following:

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

6 b. an expired driver license that:

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

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

11 3. The Department of Public Safety shall accept skills test  
12 results from another state for Class A, B or C license applicants  
13 who have successfully completed commercial motor vehicle driver  
14 training in that state and successfully passed the skills test in  
15 that state; provided, the Department shall not accept skills test  
16 results from another state when the applicant has not successfully  
17 completed commercial motor vehicle driver training in that state.

18 Nothing in this section shall be construed to prohibit the  
19 Department of Public Safety from administering the skills test to  
20 any applicant who has successfully completed commercial vehicle  
21 driver training in another state.

22 4. All applicants requiring a hazardous materials endorsement  
23 shall be required, for the renewal of the endorsement, to  
24 successfully complete the examination and to submit to a security

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

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

17 6. The Department of Public Safety shall have the authority to  
18 collect a skills testing fee of Sixty Dollars (\$60.00) from each  
19 applicant upon examination appointment scheduling for an Oklahoma  
20 Class A, Class B, or Class C license skills test. Failure of an  
21 applicant to notify the Department at least forty-eight (48) hours  
22 in advance prior to missing an appointment for a skills test, or  
23 provide a written medical excuse from a licensed physician, advanced  
24 registered nurse practitioner or physician's assistant, shall result

1 in the forfeiture of the skills testing fee. An applicant shall be  
2 given three opportunities to pass the skills test before being  
3 deemed to have failed.

4 B. Any person holding a valid Oklahoma Class D license or  
5 provisional driver license pursuant to Section 6-212 of this title  
6 and applying for a Class A, B or C commercial license shall be  
7 required to successfully complete all examinations as required for  
8 the specified class. Failure to submit to the Department of Public  
9 Safety federally required medical certification information pursuant  
10 to 49 C.F.R., Part 391.41 et seq. shall result in an automatic  
11 downgrade of a commercial license to a Class D license. Provided,  
12 however, once the required medical certification information has  
13 been received by the Department of Public Safety, the license shall  
14 be reinstated to the classification of the commercial license prior  
15 to the downgrade and the holder of such a license shall not be  
16 required to reapply.

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

23 D. 1. Any certified driver education instructor who is  
24 currently an operator or an employee of a commercial driver training

1 school in this state or any driver education instructor employed by  
2 any school district in this state shall be eligible to apply to be a  
3 designated examiner of the Department of Public Safety for the  
4 purposes of administering the Class D driving skills portion of the  
5 Oklahoma driving examination to any person who has been issued a  
6 learner permit.

7 2. The Department of Public Safety shall adopt a curriculum of  
8 required courses and training to be offered to applicants who are  
9 qualified to apply to be a designated examiner. The courses and  
10 training for certification shall meet the same standards as required  
11 for driver examiners of the Department of Public Safety.

12 3. Each person applying to be a designated examiner shall be  
13 required to pay an initial designated examiner certification fee of  
14 One Thousand Dollars (\$1,000.00). Upon successful completion of  
15 training prescribed by paragraph 2 of this subsection, the person  
16 shall be required to pay an annual designated examiner certification  
17 fee of Five Hundred Dollars (\$500.00). If an applicant for the  
18 designated examiner program is employed by an Oklahoma public school  
19 system that offers driver education, and he or she administers the  
20 skills test only to students enrolled in a public school driver  
21 education program, the certification fee may be waived by the  
22 Department of Public Safety. Each designated examiner certification  
23 shall expire on the last day of the calendar year and may be renewed  
24 upon application to the Department of Public Safety. The designated

1 examiner certification fees collected by the Department of Public  
2 Safety pursuant to this subsection shall be deposited to the credit  
3 of the Department of Public Safety Restricted Revolving Fund to be  
4 used for the purposes of this subsection. No designated examiner  
5 certification fee shall be refunded in the event that certification  
6 is denied, suspended or revoked.

7 4. A designated examiner may charge a fee for each Class D  
8 driving skills examination given, whether the person being examined  
9 passes or fails the examination.

10 5. The Department of Public Safety shall conduct an annual  
11 complete nationwide criminal history background check on each  
12 designated examiner and a complete nationwide criminal history  
13 background check on each designated examiner applicant. The fees  
14 for the background check shall be borne by the designated examiner  
15 or designated examiner 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  
19 Public Safety, any public or private commercial truck driving school  
20 that has or maintains a program instructing students for a Class A,  
21 B or C license, public transit agency or state, county or municipal  
22 government agency in this state shall be authorized to hire or  
23 employ designated examiners approved by the Department of Public  
24 Safety to be third-party examiners of the Class A, B or C driving

1 skills portion of the Oklahoma driving examination. All designated  
2 examiners must successfully have completed the courses and training  
3 as outlined in paragraph 2 of this subsection. The Department of  
4 Public Safety shall be required to approve at least one public  
5 transit agency that has or maintains a program instructing students  
6 for a Class A, B or C license to hire or employ third-party  
7 examiners pursuant to this section. It shall be permissible for any  
8 public transit agency operating in the State of Oklahoma to utilize  
9 the third-party examiners hired or employed by a public transit  
10 agency approved by the Department.

11 2. The Department of Public Safety shall adopt a curriculum of  
12 required courses and training to be offered to third-party  
13 examiners. The courses and training for certification shall meet  
14 the same standards as required for commercial driver examiners of  
15 the Department of Public Safety.

16 3. The Department of Public Safety shall require each third-  
17 party examiner applicant and commercial school driver education  
18 instructor applicant to submit to an electronic national criminal  
19 history record check pursuant to Section 150.9 of Title 74 of the  
20 Oklahoma Statutes. On or before December 1, 2022, the Department  
21 shall require each third-party examiner or commercial school driver  
22 education instructor to submit to an electronic national criminal  
23 history record check pursuant to Section 150.9 of Title 74 of the  
24 Oklahoma Statutes. The fees for the background check shall be borne

1 by the third-party examiner, third-party examiner applicant,  
2 commercial school driver education instructor or commercial school  
3 driver education instructor applicant.

4 F. The Department of Public Safety shall promulgate rules no  
5 later than December 15, 2021, to:

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

9 2. Establish a process to inform any school, public transit  
10 agency, examiner, or state, county or municipal government agency,  
11 who has been denied, within forty-five (45) days from the denial;

12 3. Create an appeal process for any school, public transit  
13 agency, examiner, or state, county or municipal government agency  
14 denied; and

15 4. If the initial application for approval was denied, limit  
16 the number of times an individual school, public transit agency,  
17 individual examiner applicant, or state, county or municipal  
18 government agency may reapply in a calendar year to two  
19 reapplications.

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