

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3421

By: Kerbs

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 6-101, which relates to driver licenses; providing certain payments for motor license agents; providing an effective date; declaring an emergency; and providing for certain contingent effect.

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

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

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

B. 1. No person shall operate a Class A commercial motor vehicle unless the person is eighteen (18) years of age or older and

1 holds a valid Class A commercial license, except as provided in
2 paragraph 5 of this subsection and subsection F of this section.

3 Any person holding a valid Class A commercial license shall be
4 permitted to operate motor vehicles in Classes A, B, C and D, except
5 as provided for in paragraph 4 of this subsection.

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

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

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

1 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
2 except as provided in subsection F of this section.

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

6 a. a restricted Class A commercial license which shall
7 grant to the licensee the privilege to operate a Class
8 A or Class B commercial motor vehicle for harvest
9 purposes or a Class D motor vehicle, or

10 b. a restricted Class B commercial license which shall
11 grant to the licensee the privilege to operate a Class
12 B commercial motor vehicle for harvest purposes or a
13 Class D motor vehicle.

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

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

22 D. No person shall operate a motorcycle or motor-driven cycle
23 without having a valid Class A, B, C or D license with a motorcycle
24 endorsement. Except as otherwise provided by law, any new applicant

1 for an original driver license shall be required to successfully
2 complete a written examination, vision examination and driving
3 examination for a motorcycle as prescribed by the Department of
4 Public Safety, and a certified state-approved motorcycle basic rider
5 course approved by the Department if the applicant is seventeen (17)
6 years of age or younger to be eligible for a motorcycle endorsement
7 thereon. The written examination and driving examination for a
8 motorcycle shall be waived by the Department of Public Safety upon
9 verification that the person has successfully completed a certified
10 Motorcycle Safety Foundation rider course approved by the
11 Department.

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

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

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

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

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

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

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

10 G. 1. For purposes of this title:

11 a. "REAL ID Compliant Driver License" or "Identification
12 Card" means a driver license or identification card
13 issued by the State of Oklahoma that has been
14 certified by the United States Department of Homeland
15 Security (USDHS) as compliant with the requirements of
16 the REAL ID Act of 2005, Public Law No. 109-13. A
17 REAL ID Compliant Driver License or Identification
18 Card and the process through which it is issued
19 incorporate a variety of security measures designed to
20 protect the integrity and trustworthiness of the
21 license or card. A REAL ID Compliant Driver License
22 or Identification Card will be clearly marked on the
23 face indicating that it is a compliant document, and
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b. "REAL ID Noncompliant Driver License" or "Identification Card" means a driver license or identification card issued by the State of Oklahoma that has not been certified by the United States Department of Homeland Security (USDHS) as being compliant with the requirements of the REAL ID Act. A REAL ID Noncompliant Driver License or Identification Card will be clearly marked on the face indicating that it is not compliant with the federal REAL ID Act and is not acceptable for official federal purposes. The driver license or identification card will have a unique design or color indicator that clearly distinguishes it from a compliant license or card.

2. Original Driver License and Identification Card Issuance:

- a. Application for an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card shall be made to the Department of Public Safety.
- b. Department of Public Safety employees shall perform all document recognition and other requirements needed for approval of an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application.
- c. Upon approval of an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card

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
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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
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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

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

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

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

License Class	4-year	8-year
Class A Commercial Learner Permit	\$56.50	\$113.00

1	Class A Commercial License	\$56.50	\$113.00
2	Class B Commercial Learner Permit	\$56.50	\$113.00
3	Class B Commercial License	\$56.50	\$113.00
4	Class C Commercial Learner Permit	\$46.50	\$93.00
5	Class C Commercial License	\$46.50	\$93.00
6	Class D License	\$38.50	\$77.00

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

13	License Class	4-year	8-year
14	REAL ID Compliant Class A		
15	Commercial Learner Permit	\$56.50	\$113.00
16	REAL ID Compliant Class A		
17	Commercial License	\$56.50	\$113.00
18	REAL ID Compliant Class B		
19	Commercial Learner Permit	\$56.50	\$113.00
20	REAL ID Compliant Class B		
21	Commercial License	\$56.50	\$113.00
22	REAL ID Compliant Class C		
23	Commercial Learner Permit	\$46.50	\$93.00

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1 REAL ID Compliant Class C

2 Commercial License \$46.50 \$93.00

3 REAL ID Compliant Class D

4 License \$38.50 \$77.00

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

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

11 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
12 Eleven Dollars (\$11.00) of an 8-year license 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) of a 4-year
16 license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year
17 license shall be deposited to the Department of Public Safety
18 Computer Imaging System Revolving Fund to be used solely for the
19 purpose of administration and maintenance of the computerized
20 imaging system of the Department;

21 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
22 (\$20.00) of an 8-year license shall be deposited to the Department
23 of Public Safety Revolving Fund for all original or renewal
24 issuances of licenses; and

1 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars
2 (\$6.00) of an 8-year license shall be deposited to the State Public
3 Safety Fund created in Section 2-147 of this title.

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

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

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

14 P. No person who has been honorably discharged from active
15 service in any branch of the Armed Forces of the United States or
16 Oklahoma National Guard and who has been certified by the United
17 States Department of Veterans Affairs, its successor or the Armed
18 Forces of the United States to be a disabled veteran in receipt of
19 compensation at the one-hundred-percent rate for a permanent
20 disability sustained through military action or accident resulting
21 from disease contracted while in such active service and registered
22 with the veterans registry created by the Oklahoma Department of
23 Veterans Affairs shall be charged a fee for the issuance,
24 replacement or renewal of an Oklahoma driver license; provided, that

1 if a veteran has been previously exempt from a fee pursuant to this
2 subsection, no registration with the veterans registry shall be
3 required.

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

1 Upon the effective date of this act, through May 31, 2023, each
2 motor license agent accepting driver license applications for one-
3 hundred-percent disabled veterans and for individuals sixty-five
4 (65) years of age or older shall receive Six Dollars (\$6.00) for a
5 4-year driver license or Twelve Dollars (\$12.00) for an 8-year
6 driver license to be deducted from the daily motor license agent
7 receipts. The fees received by the motor license agent, authorized
8 by this subsection, shall be used for operating expenses.

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

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

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

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

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

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

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

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

1 T. No person may hold more than one state-issued or territory-
2 issued REAL ID Compliant Driver License or REAL ID Compliant
3 Identification Card from Oklahoma or any other state or territory.
4 The Department shall not issue a REAL ID Compliant Driver License to
5 a person who has been previously issued a REAL ID Compliant Driver
6 License or REAL ID Compliant Identification Card until such license
7 or identification card has been surrendered to the Department by the
8 applicant. The Department may promulgate rules related to the
9 issuance of replacement REAL ID Compliant Driver Licenses in the
10 event of loss or theft.

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

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

20 SECTION 3. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.
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1 SECTION 4. The provisions of this act shall be contingent upon
2 the enactment of the provisions of House Bill No. ____ of the 2nd
3 Session of the 58th Oklahoma Legislature and shall not become
4 operative as law otherwise.

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