

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1237

By: Dugger

AS INTRODUCED

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 Safety is hereby authorized to require the licensee or applicant to

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

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

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

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

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

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