

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1600

By: Hall

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8 AS INTRODUCED

9 An Act relating to driver licenses; amending 47 O.S.
10 2021, Section 6-101, which relates to driver licenses
11 fees; providing for certain retention of fees; and
12 declaring an emergency.

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

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

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

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

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

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

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

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

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

18 6. No person shall operate a Class D motor vehicle unless the
19 person is sixteen (16) years of age or older and holds a valid Class
20 D license, except as provided for in Section 6-102 or 6-105 of this
21 title. Any person holding a valid Class D license shall be
22 permitted to operate motor vehicles in Class D only.
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1 C. Any person issued a driver license pursuant to this section
2 may exercise the privilege thereby granted upon all streets and
3 highways in this state.

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

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

1 for a motorcycle endorsement. The written examination and driving
2 examination for a motorcycle shall be waived by the Department of
3 Public Safety upon verification that the person has successfully
4 completed a certified Motorcycle Safety Foundation rider course
5 approved by the Department.

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

19 2. This commercial learner permit shall be issued for a period
20 as provided in Section 6-115 of this title of one hundred eighty
21 (180) days, which may be renewed one time for an additional one
22 hundred eighty (180) days; provided, such commercial learner permit
23 may be suspended, revoked, canceled, denied or disqualified at the
24 discretion of the Department for violation of the restrictions, for

1 failing to give the required or correct information on the
2 application or for violation of any traffic laws of this state
3 pertaining to the operation of a motor vehicle. Except as otherwise
4 provided, the lawful possessor of a commercial learner permit who
5 has been issued a commercial learner permit for a minimum of
6 fourteen (14) days may have the restriction requiring an
7 accompanying driver removed by satisfactorily completing a driver's
8 examination; provided, the removal of a restriction shall not
9 authorize the operation of a Class A, B or C commercial motor
10 vehicle if such operation is otherwise prohibited by law.

11 3. No person shall apply for and the Department shall not issue
12 an original Class A, B or C driver license until the person has been
13 issued a commercial learner permit and held the permit for at least
14 fourteen (14) days. Any person who currently holds a Class B or C
15 license and who wishes to apply for another class of commercial
16 driver license shall be required to apply for a commercial learner
17 permit and to hold the permit for at least fourteen (14) days before
18 applying for the Class A or B license, as applicable. Any person
19 who currently holds a Class A, B or C license and who wishes to add
20 an endorsement or remove a restriction for which a skills
21 examination is required shall be required to apply for a commercial
22 learner permit and to hold the permit for at least fourteen (14)
23 days before applying for the endorsement.
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1 4. A commercial learner permit shall be issued by the
2 Department as a separate and unique document which shall be valid
3 only in conjunction with a valid Oklahoma driver license or
4 provisional driver license pursuant to Section 6-212 of this title,
5 both of which shall be in the possession of the person to whom they
6 have been issued whenever that person is operating a commercial
7 motor vehicle as provided in this subsection.

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

15 G. 1. For purposes of this title:

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

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

18 2. Original Driver License and Identification Card Issuance:

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

1 ID Noncompliant Driver License or Identification Card
2 application.

3 c. Upon approval of an original REAL ID Compliant or REAL
4 ID Noncompliant Driver License or Identification Card
5 application, the applicant may take the approved
6 application document to a motor license agent to
7 receive a temporary driver license or identification
8 card.

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

22 3. REAL ID Compliant Driver License and Identification Card

23 Renewal and Replacement:
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- 1 a. Application for renewal or replacement of a REAL ID
2 Compliant Driver License or Identification Card may be
3 made to the Department of Public Safety or to a motor
4 license agent; provided, such motor license agent is
5 authorized to process application for REAL ID
6 Compliant Driver Licenses and Identification Cards. A
7 motor license agent may process the voluntary
8 downgrade of a REAL ID Compliant Commercial Driver
9 License to any lower class license upon request of the
10 licensee; provided, no additional endorsements or
11 restrictions are placed on the license.
- 12 b. Department of Public Safety employees or authorized
13 motor license agents shall perform all document
14 recognition and other requirements needed for approval
15 of a renewal or replacement REAL ID Compliant Driver
16 License or Identification Card application.
- 17 c. Upon approval of a renewal or replacement REAL ID
18 Compliant Driver License or Identification Card
19 application, the applicant may receive a temporary
20 driver license or identification card from the
21 Department of Public Safety or an authorized motor
22 license agent.
- 23 d. A temporary driver license or identification card
24 acquired under the provisions of this paragraph shall

1 afford the holder the privileges otherwise granted by
2 the specific class of driver license or identification
3 card being renewed or replaced for the period of time
4 listed on the temporary driver license or
5 identification card or the period of time prior to the
6 applicant receiving a REAL ID Compliant Driver License
7 or Identification Card, whichever time period is
8 shorter.

- 9 e. For purposes of this title, an application for a REAL
10 ID Compliant Driver License or Identification Card by
11 an individual with a valid Oklahoma-issued driver
12 license or identification card shall be considered a
13 renewal of a REAL ID Compliant Driver License or
14 Identification Card.

15 4. REAL ID Noncompliant Driver License and Identification Card
16 Renewal and Replacement:

- 17 a. Application for renewal or replacement of a REAL ID
18 Noncompliant Driver License or Identification Card may
19 be made to the Department of Public Safety or to a
20 motor license agent. A motor license agent may
21 process the voluntary downgrade of a REAL ID
22 Noncompliant Commercial Driver License to any lower
23 class license upon request of the licensee; provided,
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1 no additional endorsements or restrictions are added
2 to the license.

3 b. Department of Public Safety employees or motor license
4 agents shall perform all document recognition and
5 other requirements needed for approval of a renewal or
6 replacement REAL ID Noncompliant Driver License or
7 Identification Card application.

8 c. Upon approval of a renewal or replacement REAL ID
9 Noncompliant Driver License or Identification Card
10 application, the applicant may receive a temporary
11 driver license or identification card from the
12 Department of Public Safety or a motor license agent.

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

23 H. 1. The fee charged for an approved application for an
24 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver

License or an approved application for the addition of an endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver License shall be assessed in accordance with the following schedule:

Class A Commercial Learner Permit	\$25.00
Class A Commercial License	\$25.00
Class B Commercial Learner Permit	\$15.00
Class B Commercial License	\$15.00
Class C Commercial Learner Permit	\$15.00
Class C Commercial License	\$15.00
Class D License	\$ 4.00
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

1 accordance with the following schedule; provided, that any applicant
2 who has a CDL Learner Permit shall be charged only the replacement
3 fee for the issuance of the license:

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

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

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

REAL ID Compliant Class B

Commercial License	\$56.50	\$113.00
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REAL ID Compliant Class C

Commercial Learner Permit	\$46.50	\$93.00
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REAL ID Compliant Class C

Commercial License	\$46.50	\$93.00
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REAL ID Compliant Class D

License	\$38.50	\$77.00
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L. A commercial learner permit may be renewed one time for a period of one hundred eighty (180) days. The cost for the renewed permit shall be the same as for the original permit.

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

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

2. Six Dollars and seventy-five cents (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year license shall be deposited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of administration and maintenance of the computerized 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 Beginning July 1, 2022, and ending on May 31, 2023, each motor
6 license agent or licensed operator accepting applications for driver
7 licenses for individuals over the age of sixty-five (65) years or
8 for applications for drivers pursuant to subsection P of this
9 section shall receive Six Dollars (\$6.00) for a 4-year driver
10 license or Twelve Dollars (\$12.00) for an 8-year driver license to
11 be deducted daily by the motor license agent or licensed operator
12 receipts. The amount retained pursuant to this subsection shall not
13 be retained by any state agency. The fees received by the motor
14 license agent, authorized by this subsection, shall be used for
15 operating expenses.

16 R. Notwithstanding the provisions of Section 1104 of this title
17 and subsection Q of this section and except as provided in
18 subsections H and M of this section, the first Sixty Thousand
19 Dollars (\$60,000.00) of all monies collected pursuant to this
20 section shall be paid by the Oklahoma Tax Commission to the State
21 Treasurer to be deposited in the General Revenue Fund of the State
22 Treasury.

23 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
24 collected pursuant to this section shall be paid by the Tax

1 Commission to the State Treasurer to be deposited each fiscal year
2 under the provisions of this section to the credit of the Department
3 of Public Safety Restricted Revolving Fund for the purpose of the
4 Statewide Law Enforcement Communications System. All other monies
5 collected in excess of Five Hundred Sixty Thousand Dollars
6 (\$560,000.00) each fiscal year shall be apportioned as provided in
7 Section 1104 of this title, except as otherwise provided in this
8 section.

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

13 1. By a law enforcement agency for purposes of criminal
14 investigations, missing person investigations or any law enforcement
15 purpose which is deemed necessary by the Commissioner of Public
16 Safety;

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

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

20 All agencies approved by the Oklahoma Law Enforcement
21 Telecommunications System (OLETS) or the National Law Enforcement
22 Telecommunications System (NLETS) to receive photographs or
23 computerized images may obtain them through OLETS or through NLETS.
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1 Photographs or computerized images may be obtained by law
2 enforcement one inquiry at a time.

3 The computer system and related equipment acquired for this
4 purpose must conform to industry standards for interoperability and
5 open architecture. The Department of Public Safety may promulgate
6 rules to implement the provisions of this subsection.

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

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

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.
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