

1 ENGROSSED HOUSE  
2 BILL NO. 3000

By: Worthen of the House

3 and

4 Woods of the Senate  
5

6 An Act relating to driving under the influence;  
7 amending 47 O.S. 2021, Section 6-212.5, as amended by  
8 Section 5, Chapter 376, O.S.L. 2022 (47 O.S. Supp.  
9 2023, Section 6-212.5), which relates to the Impaired  
10 Driver Accountability Program; setting certain date;  
11 modifying use and deposit of fees collected;  
12 modifying type of certification required for certain  
13 medical exemption; removing authorization limiting  
14 use of medical exemption; modifying name of  
15 responsible entity; authorizing the Board of Tests  
16 for Alcohol and Drug Influence to promulgate certain  
17 rules; authorizing the charging of certain fees;  
18 prohibiting the licensing of certain providers;  
19 authorizing Board to prescribe certain standards and  
20 conditions; authorizing Board to prescribe and  
21 approve certain education and training; requiring  
22 Board establish certain standards and qualifications;  
23 and providing an effective date.  
24

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 6-212.7 of Title 47, unless  
20 there is created a duplication in numbering, reads as follows:

21 A. There is hereby created the Impaired Driving Prevention  
22 Advisory Committee. The Committee shall be comprised of:

23 1. The Commissioner of Public Safety, or a designee, who shall  
24 act as the Chair;

- 1        2. The Chief of the Oklahoma Highway Patrol, or a designee;
- 2        3. A member appointed by the District Attorneys Council;
- 3        4. A member appointed by the Administrative Office of the
- 4 Courts;
- 5        5. The Director of the Department of Mental Health and
- 6 Substance Abuse Services, or a designee;
- 7        6. The Director of the Oklahoma State Bureau of Investigation,
- 8 or a designee;
- 9        7. The Director of the Board of Tests for Alcohol and Drug
- 10 Influence, or a designee;
- 11        8. The Director of the Oklahoma Highway Safety Office, or a
- 12 designee;
- 13        9. The President of the Oklahoma Association of Chiefs of
- 14 Police, or a designee;
- 15        10. The President of the Oklahoma Sheriff's Association, or a
- 16 designee;
- 17        11. The Chief Executive Officer of Service Oklahoma, or a
- 18 designee;
- 19        12. A member of the Board of Directors of Safety Advocacy For
- 20 Empowerment (SAFE);
- 21        13. A representative designated by a victim advocacy group to
- 22 be selected by the Commissioner of Public Safety;
- 23        14. A member of the Oklahoma House of Representatives appointed
- 24 by the Speaker of the Oklahoma House of Representatives; and

1        15. A member of the Oklahoma State Senate appointed by the  
2 President Pro Tempore of the Oklahoma State Senate.

3        B. The Department of Public Safety shall provide administrative  
4 support necessary for the Committee to accomplish the goals and  
5 objectives assigned by this section.

6        C. The Committee shall meet at the direction of the chair, and  
7 shall meet not less than once a year, but not more than four times a  
8 year. A vice chair shall be elected by the Committee from among its  
9 members. The vice chair shall act as chair of the Committee in the  
10 absence of the chair.

11       D. The Committee is authorized to collect, analyze, and  
12 interpret relevant crash data on impaired driving and associated  
13 traffic crashes. In addition, the Committee is authorized to  
14 review, evaluate, and monitor the impaired driving system of this  
15 state and provide a network of communication and cooperation among  
16 the various stakeholders to coordinate and integrate efforts and  
17 resources to reduce the incidence and severity of impaired driving  
18 crashes.

19       E. The Committee shall annually complete a statewide strategic  
20 plan to reduce the incidents of impaired driving and impaired  
21 driving crashes. The plan shall be submitted no later than December  
22 31 of each year to the Governor, the President Pro Tempore of the  
23 Oklahoma State Senate, and the Speaker of the Oklahoma House of  
24 Representatives.

1 F. Members of the Committee who are otherwise employed by a  
2 state agency or political subdivision shall serve without additional  
3 compensation. Members of the Committee who are otherwise employed  
4 by a state agency or political subdivision shall be entitled to  
5 reimbursement for any actual and necessary traveling expenses in  
6 accordance with the State Travel Reimbursement Act from the  
7 employing agency.

8 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-205.1, as  
9 last amended by Section 19, Chapter 310, O.S.L. 2023 (47 O.S. Supp.  
10 2023, Section 6-205.1), is amended to read as follows:

11 Section 6-205.1 A. The driving privilege of a person who is  
12 convicted of any offense as provided in paragraph 2 of subsection A  
13 of Section 6-205 of this title, or a person who has refused to  
14 submit to a test or tests as provided in Section 753 of this title,  
15 or a person whose alcohol concentration is subject to the provisions  
16 of Section 754 of this title, except as provided by subsection F of  
17 Section 6-212.5 of this title, shall be revoked or denied by Service  
18 Oklahoma for the following period, as applicable:

19 1. The first license revocation pursuant to paragraph 2 of  
20 subsection A of Section 6-205 of this title or Section 753 or 754 of  
21 this title, within ten (10) years preceding the date of arrest  
22 relating thereto, shall be for a period of no less than one hundred  
23 eighty (180) days and until the person completes the Impaired Driver  
24 Accountability Program in accordance with the rules of the Board of

1 Tests for Alcohol and Drug Influence. ~~The period of revocation and~~  
2 ~~the Impaired Driver Accountability Program shall run concurrently~~  
3 ~~and each shall be for no less than one hundred eighty (180) days;~~

4 2. A revocation pursuant to paragraph 2 of subsection A of  
5 Section 6-205 of this title or Section 753 or 754 of this title  
6 shall be for a period of no less than one (1) year and until the  
7 person completes the Impaired Driver Accountability Program in  
8 accordance with the rules of the Board of Tests for Alcohol and Drug  
9 Influence, if within ten (10) years preceding the date of arrest  
10 relating thereto, as shown by the records of Service Oklahoma:

11 a. a prior revocation commenced pursuant to paragraph 2  
12 or 6 of subsection A of Section 6-205 of this title or  
13 Section 753 or 754 of this title or current enrollment  
14 in or previous completion of the Impaired Driver  
15 Accountability Program, or

16 b. the record of the person reflects a prior conviction  
17 in another jurisdiction which did not result in a  
18 revocation of Oklahoma driving privileges, for a  
19 violation substantially similar to paragraph 2 of  
20 subsection A of Section 6-205 of this title, and the  
21 person was not a resident or a licensee of Oklahoma at  
22 the time of the offense resulting in the conviction.  
23  
24

1 ~~The period of revocation and the Impaired Driver Accountability~~  
2 ~~Program shall run concurrently and each shall be for no less than~~  
3 ~~one (1) year;~~

4 3. A revocation pursuant to paragraph 2 of subsection A of  
5 Section 6-205 of this title or Section 753 or 754 of this title  
6 shall be for a period of no less than two (2) years and until the  
7 person completes the Impaired Driver Accountability Program in  
8 accordance with the rules of the Board of Tests for Alcohol and Drug  
9 Influence, if within ten (10) years preceding the date of arrest  
10 relating thereto, as shown by the records of Service Oklahoma:

11 a. two or more prior revocations commenced pursuant to  
12 paragraph 2 or 6 of subsection A of Section 6-205 of  
13 this title or Section 753 or 754 of this title,

14 b. two or more current enrollments in or previous  
15 completions of the Impaired Driver Accountability  
16 Program,

17 c. the record of the person reflects two or more prior  
18 convictions in another jurisdiction which did not  
19 result in a revocation of Oklahoma driving privileges,  
20 for a violation substantially similar to paragraph 2  
21 of subsection A of Section 6-205 of this title, and  
22 the person was not a resident or a licensee of  
23 Oklahoma at the time of the offense resulting in the  
24 conviction, or

1           d.    any combination of two or more prior revocations,  
2                current enrollments in or previous completions of the  
3                Impaired Driver Accountability Program, or convictions  
4                as described in subparagraphs a, b, and c of this  
5                paragraph.

6 ~~The period of revocation and the Impaired Driver Accountability~~  
7 ~~Program shall run concurrently and each shall be for no less than~~  
8 ~~two (2) years; or~~

9           4.    The revocation of the driving privilege of any person under  
10                Section 6-205, 6-205.1, 753, or 754 of this title shall not run  
11                concurrently with any other revocation of driving privilege under  
12                Section 6-205, 6-205.1, 753, or 754 of this title resulting from a  
13                different incident.

14           B.   The driving privilege of a person who is convicted of any  
15                offense as provided in paragraph 3 or 6 of subsection A of Section  
16                6-205 of this title shall be revoked or denied by Service Oklahoma  
17                for the following period, as applicable:

18           1.    The first license revocation shall be for one hundred eighty  
19                (180) days, which shall be modified upon request; provided, any  
20                modification under this paragraph shall apply to Class D driver  
21                licenses only;

22           2.    A revocation shall be for a period of one (1) year if within  
23                ten (10) years preceding the date of arrest relating thereto, as  
24                shown by the records of Service Oklahoma:

- 1           a.    a prior revocation commenced pursuant to paragraph 2,  
2                    3  or 6 of subsection A of Section 6-205 of this  
3                    title, or Section 753 or 754 of this title,  
4           b.    a prior revocation commenced pursuant to paragraph 2,  
5                    3  or 6 of subsection A of Section 6-205 of this title  
6                    or Section 753 or 754 of this title, or current  
7                    enrollment in or previous completion of the Impaired  
8                    Driver Accountability Program, or  
9           c.    the record of the person reflects a prior conviction  
10                   in another jurisdiction which did not result in a  
11                   revocation of Oklahoma driving privileges, for a  
12                   violation substantially similar to paragraph 2, 3  or  
13                   6 of subsection A of Section 6-205 of this title, and  
14                   the person was not a resident or a licensee of  
15                   Oklahoma at the time of the offense resulting in the  
16                   conviction.

17 Such period shall not be modified; or

18        3.    A revocation shall be for a period of three (3) years if  
19 within ten (10) years preceding the date of arrest relating thereto,  
20 as shown by the records of Service Oklahoma:

- 21           a.    two or more prior revocations commenced pursuant to  
22                   paragraph 2 or 6 of subsection A of Section 6-205 of  
23                   this title, or Section 753 or 754 of this title,  
24



- 1           b.   two or more prior revocations commenced pursuant to  
2           paragraph 2 or 6 of subsection A of Section 6-205 of  
3           this title or Section 753 or 754 of this title, or two  
4           or more current enrollments in or previous completions  
5           of the Impaired Driver Accountability Program,  
6           c.   the record of the person reflects two or more prior  
7           convictions in another jurisdiction which did not  
8           result in a revocation of Oklahoma driving privileges,  
9           for a violation substantially similar to paragraph 2  
10          or 6 of subsection A of Section 6-205 of this title,  
11          and the person was not a resident or licensee of  
12          Oklahoma at the time of the offense resulting in the  
13          conviction, or  
14          d.   any combination of two or more prior revocations,  
15          current enrollments in or previous completions of the  
16          Impaired Driver Accountability Program, or convictions  
17          as described in subparagraphs a and b or c of this  
18          paragraph.

19 Such period shall not be modified.

20       The revocation of the driving privilege of any person under this  
21 subsection shall not run concurrently with any other withdrawal of  
22 driving privilege resulting from a different incident and which  
23 requires the driving privilege to be withdrawn for a prescribed  
24 amount of time. A denial based on a conviction of any offense as

1 provided in paragraph 6 of subsection A of Section 6-205 of this  
2 title shall become effective on the first day the convicted person  
3 is otherwise eligible to apply for and be granted driving privileges  
4 if the person was not eligible to do so at the time of the  
5 conviction.

6 C. For the purposes of this section:

7 1. The term "conviction" includes a juvenile delinquency  
8 adjudication by a court or any notification from a court pursuant to  
9 Section 6-107.1 of this title; and

10 2. The term "revocation" includes a denial of driving  
11 privileges by Service Oklahoma.

12 D. Each period of revocation in subsection A of this section  
13 shall be mandatory and neither Service Oklahoma nor any court shall  
14 grant driving privileges based upon hardship or otherwise for the  
15 duration of that period, except under the Impaired Driver  
16 Accountability Program in accordance with the rules of the Board of  
17 Tests for Alcohol and Drug Influence.

18 E. Any appeal of a revocation or denial of driving privileges  
19 in subsection A of this section shall be governed by Section 6-211  
20 of this title.

21 SECTION 3. AMENDATORY 47 O.S. 2021, Section 6-212.3, as  
22 amended by Section 4, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2023,  
23 Section 6-212.3), is amended to read as follows:  
24

1       Section 6-212.3 A. 1. Whenever the installation of an  
2 ignition interlock device is allowed or required by law, the person  
3 shall pay a restricted driver license fee of Fifty Dollars (\$50.00).  
4 The restricted driver license and the driving record of the person  
5 shall indicate by an appropriate restriction that the person is only  
6 authorized to operate a vehicle upon which an approved and properly  
7 functioning ignition interlock device is installed.

8       2. The restricted driver license fee authorized by this section  
9 shall be remitted to the State Treasurer to be credited to the  
10 ~~Department of Public Safety Restricted~~ Service Oklahoma Revolving  
11 Fund. All monies accruing to the credit of the ~~Department of Public~~  
12 ~~Safety Restricted~~ Service Oklahoma Revolving Fund from the  
13 restricted driver license fees shall be budgeted and expended solely  
14 for the purpose of administering the provisions of this section.

15       3. The installation of an ignition interlock device, as  
16 required by this section, shall not be construed to authorize the  
17 person to drive unless the person is otherwise eligible to drive.

18       B. Installation of an ignition interlock device shall run  
19 concurrently with a court order, if any, for installation of an  
20 ignition interlock device pursuant to the same conviction.

21       C. Installation of an ignition interlock device pursuant to  
22 participation in the Impaired Driver Accountability Program shall be  
23 credited towards any requirement for the installation of an ignition  
24 interlock device pursuant to any court order requiring the

1 installation of an ignition interlock device arising out of the same  
2 incident.

3 D. The person shall be required to have installed an ignition  
4 interlock device approved by the Board of Tests for Alcohol and Drug  
5 Influence, at his or her own expense, and comply with all provisions  
6 of law regarding ignition interlock devices.

7 E. The ignition interlock device manufacturer shall report  
8 violations, if any, in accordance with the rules of the Board of  
9 Tests for Alcohol and Drug Influence for each ignition interlock  
10 device installed pursuant to this section and Section 6-205.1 of  
11 this title.

12 F. ~~The Department~~ Service Oklahoma shall promulgate rules  
13 necessary to implement and administer the provisions of this  
14 section.

15 SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-212.5, as  
16 amended by Section 5, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2023,  
17 Section 6-212.5), is amended to read as follows:

18 Section 6-212.5 A. The Impaired Driver Accountability Program  
19 (IDAP) established by the Department of Public Safety is hereby  
20 transferred to the Board of Tests for Alcohol and Drug Influence for  
21 impaired driving arrests occurring on or after November 1, 2022.

22 The Board of Tests for Alcohol and Drug Influence shall charge an  
23 administrative fee of One Hundred Fifty Dollars (\$150.00) to each  
24 person entered into IDAP. One Hundred Dollars (\$100.00) of each

1 administrative fee shall be deposited in the General Revenue Fund of  
2 the State Treasury. Twenty-five Dollars (\$25.00) of each  
3 administrative fee shall be deposited in the Department of Public  
4 Safety Restricted Revolving Fund. Twenty-five Dollars (\$25.00) of  
5 each administrative fee shall be deposited in the Board of Tests for  
6 Alcohol and Drug Influence Revolving Fund. The Board of Tests for  
7 Alcohol and Drug Influence shall promulgate rules necessary to  
8 administer the program ~~and such rules as are necessary relating to~~  
9 ~~ignition interlock devices and the providers of such devices,~~  
10 ~~including fees.~~ The IDAP rules shall require, at a minimum:

- 11 1. Installation of an approved ignition interlock device for  
12 the periods set forth in Section 6-205.1 of this title;
- 13 2. A description of ignition interlock violations;
- 14 3. A description of criteria to determine acceptable  
15 participation in the program;
- 16 4. Required violation free periods of no less than ninety (90)  
17 days at the end of each program to demonstrate compliance by the  
18 participant;
- 19 5. Criteria for medical exemptions from ignition interlock  
20 requirements for persons submitting a ~~physician's~~ pulmonologist's  
21 certification indicating the person has a documented medical  
22 condition preventing the person from providing a breath sample of at  
23 least one and two-tenths (1.2) liters. Medical exemptions shall not  
24 be construed to grant the person driving privileges during the

1 ~~revocation. Medical exemptions under this paragraph are only~~  
2 ~~authorized for revocations imposed in accordance with paragraph 1 of~~  
3 ~~subsection A of Section 6-205.1 of this title;~~

4 6. Criteria for granting employer exceptions to ignition  
5 interlock requirements in vehicles owned or leased by the employer.  
6 Employer exceptions under this paragraph shall not be construed to  
7 relieve the person from completing the Impaired Driver  
8 Accountability Program. Employer exceptions under this paragraph  
9 are only authorized for revocations imposed in accordance with  
10 paragraph 1 of subsection A of Section 6-205.1 of this title; and

11 7. Criteria for granting affordability accommodations to  
12 persons on public assistance programs or whose family income is at  
13 or below one hundred fifty percent (150%) of the federal poverty  
14 level.

15 B. Upon successful completion of the program, in accordance  
16 with the rules of the Board of Tests for Alcohol and Drug Influence,  
17 the person will be provided a completion certificate. Upon  
18 presentation of the IDAP completion certificate and documentation  
19 required by Section 6-212.2 of this title and payment of the  
20 required statutory fees, ~~the Department~~ Service Oklahoma will  
21 reinstate the driving privileges of the person, if otherwise  
22 eligible.

23 C. The Board is authorized to promulgate rules necessary to  
24 regulate ignition interlock devices and the providers of such

1 devices, which shall be subject to suspension or revocation in  
2 accordance with the rules promulgated by the Board. The Board is  
3 authorized to charge appropriate fees for operations incidental to  
4 its required duties and responsibilities. No interlock provider  
5 utilizing a lease, clause, or contractual agreement that authorizes  
6 the provider to impound, physically immobilize, or seize a vehicle  
7 for outstanding debts or arrears may be licensed by the Board.

8 D. The Board is authorized to prescribe uniform standards and  
9 conditions for, and to approve satisfactory methods, procedures,  
10 techniques, devices, equipment, and records for ignition interlock  
11 device performance and data.

12 E. The Board is authorized to prescribe and approve the  
13 requisite education and training for the performance of ignition  
14 interlock services. The Board shall establish standards and  
15 ascertain the qualifications and competence of individuals who  
16 provide ignition interlock services and to issue permits to such  
17 individuals and service centers which shall be subject to suspension  
18 or revocation in accordance with the rules promulgated by the Board.

19 F. The driving record of a person subject to revocation under  
20 the provisions of Section 753 or 754 of this title contained in  
21 paragraph 1 of subsection A of Section 6-205.1 of this title,  
22 excluding those subject to revocation under the provisions of  
23 paragraph 2 of subsection A of Section 6-205 of this title who  
24 enrolls in IDAP in accordance with this paragraph shall be updated

1 to indicate completion of IDAP without revocation, provided the  
2 following requirements are satisfied:

3 1. At the time of the arrest, the person was a holder of a  
4 Class D driver license and was not driving or in actual physical  
5 control of a commercial motor vehicle;

6 2. The Board of Tests for Alcohol and Drug Influence receives  
7 the request for IDAP participation and payment of the program  
8 administration fee as set forth in this section within thirty (30)  
9 calendar days from the date of the arrest;

10 3. The person is otherwise eligible for driving privileges in  
11 Oklahoma on the date he or she enrolls in IDAP;

12 4. The person provides proof of enrollment in IDAP to Service  
13 Oklahoma and obtains a restricted driver license pursuant to Section  
14 6-212.3 of this title prior to the revocation taking effect;

15 5. The person provides proof of completion of IDAP to Service  
16 Oklahoma;

17 6. The person has complied with the reinstatement requirements  
18 set forth in Section 6-212 of this title, including the payment of  
19 any necessary fees;

20 7. The person provides proof of completion of the alcohol and  
21 drug assessment and evaluation required by Section 6-212.2 of this  
22 title; and

23 8. The person enrolling in IDAP in accordance to the provisions  
24 of this subsection shall waive the right to file an appeal pursuant



1 to Section 6-211 of this title regarding the arrest related to the  
2 IDAP enrollment.

3 SECTION 5. This act shall become effective November 1, 2024.

4 Passed the House of Representatives the 7th day of March, 2024.

5

6

7

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

8

9 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2024.

10

11

12

\_\_\_\_\_  
Presiding Officer of the Senate

13

14

15

16

17

18

19

20

21

22

23

24