

An Act

ENROLLED SENATE
BILL NO. 623

By: Hall of the Senate

and

Kerbs of the House

An Act relating to Service Oklahoma; amending 22 O.S. 2021, Sections 171.3, 471.6, as amended by Section 5, Chapter 277, O.S.L. 2022, 983, as amended by Section 5, Chapter 350, O.S.L. 2022, 991a, as amended by Section 2, Chapter 469, O.S.L. 2021, 1111.2, 1115.1, 1115.1A, and 1115.5 (22 O.S. Supp. 2022, Sections 471.6 and 983), which relate to custody of persons subject to immigration detainer request, final eligibility hearing, suspension of driving privileges, sentencing powers of the court, failure to appear for arraignment, release on personal recognizance, release on personal recognizance for traffic violation, and Department of Public Safety powers and duties relative to suspension of driving privilege; revising references; amending 42 O.S. 2021, Sections 90, 91, and 91A, which relate to notice preparers to register and liens on certain personal property for service; modifying references; amending Section 6, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 3-106), which relates to the Service Oklahoma Revolving Fund; creating a Petty Cash Fund; providing for purposes; prohibiting certain purchase; authorizing creation of forms, systems and procedures; amending 47 O.S. 2021, Sections 6-101, as last amended by Section 37, Chapter 282, O.S.L. 2022, 6-105, as amended by Section 42, Chapter 282, O.S.L. 2022, 6-110, as amended by Section 49, Chapter 282, O.S.L. 2022, 6-111, as last amended by Section 53, Chapter 282, O.S.L. 2022, 6-113, 6-116, as amended by Section 56, Chapter 282, O.S.L. 2022, 6-205.1, as amended by Section 1, Chapter 376, O.S.L. 2022, 6-211, as last

amended by Section 2, Chapter 376, O.S.L. 2022, 156.1, 752, 753, as amended by Section 6, Chapter 376, O.S.L. 2022, 754, as amended by Section 7, Chapter 376, O.S.L. 2022, 761, 802, 803, 804, 805, 806, 1109, as amended by Section 121, Chapter 282, O.S.L. 2022, 1135.5, as last amended by Section 164, Chapter 282, O.S.L. 2022, and 1140, as amended by Section 174, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Sections 6-101, 6-105, 6-110, 6-111, 6-116, 6-205.1, 6-211, 753, 754, 1109, 1135.5, and 1140), which relate to class requirements for driver licenses, graduated Class D licenses, examination of applicants, issuance of license or identification card, restricted licenses, notice of change of address or name, periods of revocation, right of appeal to district court, use of state-owned vehicles, administration of tests, refusal to submit to test, seizure of licenses, operation of motor vehicle while impaired, administration and enforcement of human trafficking information, school license, instructor's license, license fees, suspension or revocation of license, confidentiality of information, special license plates, and qualifications to locate and operate Service Oklahoma locations; modifying period of certain permit; authorizing certain application processing and document recognition; allowing certain fee retention; requiring certain national criminal history record check; requiring certain driving record; setting certain time for notification and replacement; authorizing certain use of state owned vehicles; modifying inclusions; modifying certain number of plates required; requiring certain residency; allowing certain sell or transfer; requiring certain guidelines and requirements; defining terms; modifying references; amending 63 O.S. 2021, Section 1-229.13, which relates to furnishing of tobacco or vapor products to persons under 21; modifying references; amending 68 O.S. 2021, Section 118, which relates to written estimates; modifying responsible entity; amending 70 O.S. 2021, Section 19-115, which relates to coordinator of driver education programs;

modifying references; amending 75 O.S. 2021, Section 250.4, which relates to compliance with the Administrative Procedures Act; modifying inclusions; repealing 47 O.S. 2021, Section 2-106, as amended by Section 28, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 2-106), which relates to the Driver License Services Division; repealing 47 O.S. 2021, Section 1114.2, as amended by Section 131, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1114.2), which relates to residency requirements for licensed operators; providing an effective date; and declaring an emergency.

SUBJECT: Service Oklahoma

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 171.3, is amended to read as follows:

Section 171.3. A. A law enforcement agency that has custody of a person who is subject to an immigration detainer request issued by the United States Immigration and Customs Enforcement shall:

1. Comply with, honor and fulfill any request made in the immigration detainer request provided by the United States Immigration and Customs Enforcement; and

2. Inform the person identified in the immigration detainer request that he or she is being held pursuant to an immigration detainer request issued by the United States Immigration and Customs Enforcement.

B. A law enforcement agency shall not be required to perform a duty imposed by subsection A of this section with respect to a person who has provided proof that the person is a citizen of the United States. Such proof may include:

1. An Oklahoma driver license or identification card issued by ~~the Department of Public Safety~~ Service Oklahoma on or after November 1, 2007; or

2. State- or federal government-issued identification.

C. As used in this section:

1. "Immigration detainer request" means a federal government request to a local entity to maintain temporary custody of an alien, including a United States Department of Homeland Security Form I-247 document or a similar successor form; and

2. "Law enforcement agency" means any state, county or municipal agency or department which maintains custody of persons accused of, charged with or convicted of any criminal offense. This term includes, but shall not be limited to, peace officers, sheriffs, deputy sheriffs, jailers, correctional officers, agents, employees or contractors of a law enforcement agency.

SECTION 2. AMENDATORY 22 O.S. 2021, Section 471.6, as amended by Section 5, Chapter 277, O.S.L. 2022 (22 O.S. Supp. 2022, Section 471.6), is amended to read as follows:

Section 471.6. A. The drug court judge shall conduct a hearing as required by subsection F of Section 471.4 of this title to determine final eligibility by considering:

1. Whether the offender voluntarily consents to the program requirements;

2. Whether to accept the offender based upon the findings and recommendations of the drug court investigation authorized by Section 471.4 of this title;

3. Whether there is a written plea agreement, and if so, whether the terms and conditions of the written negotiated plea between the district attorney, the defense attorney and the offender are appropriate and consistent with the penalty provisions and conditions of other similar cases;

4. Whether there is an appropriate treatment program available to the offender and whether there is a recommended treatment plan; and

5. Any information relevant to determining eligibility; provided, however, an offender shall not be denied admittance to any drug court program based upon an inability to pay court costs or other costs or fees.

B. At the hearing to determine final eligibility for the drug court program, the judge shall not grant any admission of any offender to the program when:

1. The required treatment plan and plea agreement have not been completed;

2. The program funding or availability of treatment has been exhausted;

3. The treatment program or drug court team is unwilling to accept the offender;

4. The offender does not meet the presumptive eligibility criteria of the program; or

5. The offender is inappropriate for admission to the program, in the discretion of the judge.

C. At the final eligibility hearing, if evidence is presented that was not discovered by the drug court investigation, the district attorney or the defense attorney may make an objection and may ask the court to withdraw the plea agreement previously negotiated. The court shall determine whether to proceed and overrule the objection, to sustain the objection and transfer the case for traditional criminal prosecution or to require further negotiations of the plea or punishment provisions. The decision of the judge for or against eligibility and admission shall be final.

D. When the court accepts the treatment plan with the written plea agreement, the offender, upon entering the plea as agreed by the parties, shall be ordered and escorted immediately into the program. The offender must have voluntarily signed the necessary

court documents before the offender may be admitted to treatment. The court documents shall include:

1. Waiver of the offender's rights to speedy trial;

2. A written plea agreement which sets forth the offense charged, the penalty to be imposed for the offense in the event of a breach of the agreement and the penalty to be imposed, if any, in the event of a successful completion of the treatment program; provided, however, incarceration shall be prohibited when the offender completes the treatment program;

3. A written treatment plan which is subject to modification at any time during the program; and

4. A written performance contract requiring the offender to enter the treatment program as directed by the court and participate until completion, withdrawal or removal by the court.

E. If admission into the drug court program is denied, the criminal case shall be returned to the traditional criminal docket and shall proceed as provided for any other criminal case.

F. At the time an offender is admitted to the drug court program, any bail or undertaking on behalf of the offender shall be exonerated.

G. The period of time during which an offender may participate in the active treatment portion of the drug court program shall be not less than six (6) months nor more than twenty-four (24) months and may include a period of supervision not less than six (6) months nor more than one (1) year following the treatment portion of the program. The period of supervision may be extended by order of the court for not more than six (6) months. No treatment dollars shall be expended on the offender during the extended period of supervision. If the court orders that the period of supervision shall be extended, the drug court judge, district attorney, the attorney for the offender and the supervising staff for the drug court program shall evaluate the appropriateness of continued supervision on a quarterly basis. All participating treatment providers shall be certified by the Department of Mental Health and Substance Abuse Services and shall be selected and evaluated for

performance-based effectiveness annually by the Department of Mental Health and Substance Abuse Services. Treatment programs shall be designed to be completed within twelve (12) months and shall have relapse prevention and evaluation components.

H. The drug court judge shall order the offender to pay court costs, treatment costs, drug testing costs, a program user fee not to exceed Twenty Dollars (\$20.00) per month and necessary supervision fees, unless the offender is indigent. The drug court judge shall establish a schedule for the payment of costs and fees. The cost for treatment, drug testing and supervision shall be set by the treatment and supervision providers respectively and made part of the court's order for payment. User fees shall be set by the drug court judge within the maximum amount authorized by this subsection and payable directly to the court clerk for the benefit and administration of the drug court program. Treatment, drug testing and supervision costs shall be paid to the respective providers. The court clerk shall collect all other costs and fees ordered and deposit such costs and fees with the county treasurer in a drug court fund created and administered pursuant to subsection I of Section 471.1 of this title. The remaining user fees shall be remitted to the State Treasurer by the court clerk for deposit in the Department of Mental Health and Substance Abuse Services' Drug Abuse Education and Treatment Revolving Fund established pursuant to Section 2-503.2 of Title 63 of the Oklahoma Statutes. Court orders for costs and fees pursuant to this subsection shall not be limited for purposes of collection to the maximum term of imprisonment for which the offender could have been imprisoned for the offense, nor shall any court order for costs and fees be limited by any term of probation, parole, supervision, treatment or extension thereof. Court orders for costs and fees shall remain an obligation of the offender until fully paid; provided, however, once the offender has successfully completed the drug court program, the drug court judge shall have the discretion to expressly waive all or part of the costs and fees provided for in this subsection if, in the opinion of the drug court judge, continued payment of the costs and fees by the offender would create a financial hardship for the offender. Offenders who have not fully paid all costs and fees pursuant to court order but who have otherwise successfully completed the drug court program shall not be counted as an active drug court participant for purposes of drug court contracts or program participant numbers.

I. Notwithstanding any other provision of law, if the driving privileges of the offender have been suspended, revoked, canceled or denied by ~~the Department of Public Safety Service Oklahoma~~ and if the drug court judge determines that no other means of transportation for the offender is available, the drug court judge may enter a written order requiring ~~the Department of Public Safety Service Oklahoma~~ to stay any and all such actions against the Class D driving privileges of the offender; provided, the stay shall not be construed to grant driving privileges to an offender who has not been issued a driver license by ~~the Department~~ Service Oklahoma or whose Oklahoma driver license has expired, in which case the offender shall be required to apply for and be found eligible for a driver license, pass all examinations, if applicable, and pay all statutory driver license issuance or renewal fees. The offender shall provide proof of insurance to the drug court judge prior to the judge ordering a stay of any driver license suspension, revocation, cancellation or denial. When a judge of a drug court enters a stay against an order by ~~the Department of Public Safety Service Oklahoma~~ suspending or revoking the driving privileges of an offender, the time period set in the order by ~~the Department~~ Service Oklahoma for the suspension or revocation shall continue to run during the stay. When an offender has successfully completed the drug court program, the drug court judge shall maintain jurisdiction over the offender's driving privileges for one (1) year after the date on which the offender graduates from the drug court program.

SECTION 3. AMENDATORY 22 O.S. 2021, Section 983, as amended by Section 5, Chapter 350, O.S.L. 2022 (22 O.S. Supp. 2022, Section 983), is amended to read as follows:

Section 983. A. 1. Except in cases provided for in Section 983b of this title, when the judgment and sentence of a court, either in whole or in part, imposes fines, costs, fees, or assessments upon a defendant, the court at the time of sentencing shall require the defendant to complete under oath a form promulgated by the Court of Criminal Appeals that provides current information regarding the financial ability of the defendant to pay.

2. The information to be required on the form shall include, but not be limited to, the individual and household income and living expenses of the defendant, excluding child support and any

monies received from a federal or state government need-based or disability assistance program, the number of dependents, a listing of assets, excluding assets exempt from bankruptcy, child support obligations, health, mental or behavioral health conditions that diminish the ability of the defendant to pay restitution, and additional court-related expenses to be paid by the defendant.

3. For purposes of this section, fines, costs, fees, and assessments shall include all financial obligations imposed by the court or required by law to be paid, excluding restitution or payments to be made other than to the court clerk, and shall be referred to as financial obligations.

B. 1. The court shall order the defendant to appear immediately after sentencing at the office of the court clerk who shall inform the defendant of the total amount of all financial obligations that have been ordered by the court. If the defendant states to the court clerk that he or she is unable to pay the financial obligations immediately, the court clerk, based on the verified information provided by the defendant, shall establish, subject to approval of the court, a monthly installment plan that will cause the financial obligations to be satisfied within no more than seventy-two (72) months, unless extended by the court.

2. The court clerk shall advise the defendant orally and by delivery of a form promulgated by the Court of Criminal Appeals, that:

- a. it is the obligation of the defendant to keep the court clerk informed of the contact information of the defendant until the financial obligations have been paid. Such information shall include the current mailing and physical addresses of the defendant, telephone or cellular phone number of the defendant, and the email address where the defendant may receive notice from the court,
- b. if the defendant is unable to pay the financial obligations ordered by the court immediately or in the installments recommended by the court clerk, the defendant may request a cost hearing for the court to determine the ability of the defendant to pay the

amount due and to request modification of the installment plan, a reduction in the amount owed, or waiver of payment of the amount owed, and

- c. upon any subsequent change in circumstances affecting the ability of the defendant to pay, the defendant may contact the court clerk and request additional cost hearings before the court.

3. An order shall be filed in the case with the approval or disapproval by the court of the payment plan. If the court does not approve the payment plan recommended by the court clerk, the court shall enter its order establishing the payment plan. The defendant shall be notified by certified mail or personal service of the order entered by the court and shall be given the opportunity for a cost hearing.

4. The district court for each county and all municipal courts shall set a regular time and courtroom for cost hearings.

C. If the defendant requests a cost hearing, the court clerk shall set the hearing no later than sixty (60) days after sentencing. In determining the ability of the defendant to pay, the court shall rely on the verified information submitted by the defendant on the form promulgated by the Court of Criminal Appeals and any updates to the information. In addition, the court may make inquiry of the defendant and consider any other evidence or testimony concerning the ability of the defendant to pay.

D. 1. If at the initial cost hearing or any subsequent cost hearing, the court determines that the defendant is unable to immediately pay the financial obligations or the required installments, the court may reduce the amount of the installments, extend the payment plan beyond seventy-two (72) months, or waive payment of all or part of the amount owed. The court may include a financial incentive for accelerated payment. Additionally, the court may order community service in lieu of payment. The defendant shall receive credit for no less than two times the amount of the minimum wage specified pursuant to state law for each hour of community service.

2. If at any time due to a change in conditions the defendant is unable to pay the financial obligations ordered by the court or any installment, the defendant may request an additional cost hearing.

E. If the court determines that a waiver of any of the financial obligations is warranted, the court shall equally apply the same percentage reduction to all fines, costs, fees, and assessments, excluding restitution.

F. 1. If a defendant is delinquent in the payment of financial obligations or an installment by more than sixty (60) days, the court clerk shall notify the court which shall, within ten (10) days thereafter, set a cost hearing for the court to determine if the defendant is able to pay. The hearing shall be set on a date that will allow the court clerk to issue a summons fourteen (14) days prior to the cost hearing.

2. No less than fourteen (14) days prior to the cost hearing, the court clerk shall issue one summons to the defendant to be served by United States mail to the mailing address of the defendant on file in the case, substantially as follows:

SUMMONS

You are ORDERED to appear for a cost hearing at a specified time, place, and date to determine if you are financially able but willfully refuse or neglect to pay the fines, costs, fees, or assessments or an installment due in Case No._____.

You must be present at the hearing.

At any time before the date of the cost hearing, you may contact the court clerk and pay the fines, costs, fees, or assessments or any installment due.

THIS IS NOT AN ARREST WARRANT. However, if you fail to appear for the cost hearing or to make the payment, the court will issue a WARRANT for "FAILURE TO APPEAR-COST HEARING" and refer the case to a court cost compliance liaison which will cause an additional thirty percent (30%) administrative fee to be added to the amount owed.

3. If the defendant fails to appear at the cost hearing or pay the amount due the court shall issue a warrant for FAILURE TO APPEAR—COST HEARING and refer the case to the court cost compliance program as provided in subsection K of this section.

4. Municipal courts, in lieu of mailing the summons provided for in this subsection, may give the defendant personal notice at the time of sentencing of a specific date, time, and place, not less than sixty (60) nor more than one hundred twenty (120) days from the date of sentencing to appear for a cost hearing if the fines, costs, fees, and assessments remain unpaid.

G. If a defendant is found by a law enforcement officer to have an outstanding warrant for FAILURE TO APPEAR—COST HEARING, the law enforcement officer shall release the defendant and issue a citation to appear pursuant to Section 209 of this title. If the defendant fails to appear at the time and place cited by the law enforcement officer, the court may issue a summons or warrant as provided in Section 209 of this title. The provisions of this subsection shall not apply to a municipal court if the municipal court has previously provided personal service to the defendant of an opportunity for a cost hearing.

H. In determining whether the defendant is able to pay delinquent financial obligations or any installments due, the court shall consider the criteria provided in subsection C of this section.

I. Any defendant found guilty of an offense in any court of this state may be imprisoned for nonpayment of his or her financial obligations when the court finds after notice and hearing that the defendant is financially able but willfully refuses or neglects to pay the financial obligations owed. A sentence to pay a fine, cost, fee, or assessment may be converted into a jail sentence only after a hearing and a judicial determination, memorialized of record, that the defendant is able to satisfy the fine, cost, fee, or assessment by payment, but refuses or neglects so to do.

J. In addition, the district court or municipal court, within one hundred twenty (120) days from the date upon which the person was originally ordered to make payment, and if the court finds and memorializes into the record that the defendant is financially able

but willfully refuses to or neglects to pay the fines, costs, fees, or assessments, or an installment due, may send notice of nonpayment of any court ordered fine and costs for a moving traffic violation to ~~the Department of Public Safety Service Oklahoma~~ with a recommendation of suspension of driving privileges of the defendant until the total amount of any fine and costs has been paid. Upon receipt of payment of the total amount of the fine and costs for the moving traffic violation, the court shall send notice thereof to ~~the Department Service Oklahoma~~, if a nonpayment notice was sent as provided for in this subsection. Notices sent to ~~the Department Service Oklahoma~~ shall be on forms or by a method approved by ~~the Department Service Oklahoma~~.

K. All counties of the state shall fully utilize and participate in the court cost compliance program. Cases shall be referred to the court cost compliance program not less than thirty (30) days nor more than sixty (60) days after the defendant fails to appear for a cost hearing unless the defendant pays the amount owed on the financial obligation, or an installment due. When the court refers the case, the updated contact information on file shall be forwarded to a court cost compliance liaison for collection purposes.

L. The Court of Criminal Appeals shall implement procedures, forms, and rules consistent with the provisions of this section for methods of establishing payment plans of fines, costs, fees, and assessments by indigents, which procedures, forms, and rules shall be distributed to all district courts and municipal courts by the Administrative Office of the Courts.

SECTION 4. AMENDATORY 22 O.S. 2021, Section 991a, as amended by Section 2, Chapter 469, O.S.L. 2021, is amended to read as follows:

Section 991a. A. Except as otherwise provided in the Elderly and Incapacitated Victim's Protection Program, when a defendant is convicted of a crime and no death sentence is imposed, the court shall either:

1. Suspend the execution of sentence in whole or in part, with or without probation. The court, in addition, may order the

convicted defendant at the time of sentencing or at any time during the suspended sentence to do one or more of the following:

- a. to provide restitution to the victim as provided by Section 991f et seq. of this title or according to a schedule of payments established by the sentencing court, together with interest upon any pecuniary sum at the rate of twelve percent (12%) per annum, if the defendant agrees to pay such restitution or, in the opinion of the court, if the defendant is able to pay such restitution without imposing manifest hardship on the defendant or the immediate family and if the extent of the damage to the victim is determinable with reasonable certainty,
- b. to reimburse any state agency for amounts paid by the state agency for hospital and medical expenses incurred by the victim or victims, as a result of the criminal act for which such person was convicted, which reimbursement shall be made directly to the state agency, with interest accruing thereon at the rate of twelve percent (12%) per annum,
- c. to engage in a term of community service without compensation, according to a schedule consistent with the employment and family responsibilities of the person convicted,
- d. to pay a reasonable sum into any trust fund established pursuant to the provisions of Sections 176 through 180.4 of Title 60 of the Oklahoma Statutes and which provides restitution payments by convicted defendants to victims of crimes committed within this state wherein such victim has incurred a financial loss,
- e. to confinement in the county jail for a period not to exceed six (6) months,
- f. to confinement as provided by law together with a term of post-imprisonment community supervision for not less than three (3) years of the total term allowed by

law for imprisonment, with or without restitution; provided, however, the authority of this provision is limited to Section 843.5 of Title 21 of the Oklahoma Statutes when the offense involved sexual abuse or sexual exploitation; Sections 681, 741 and 843.1 of Title 21 of the Oklahoma Statutes when the offense involved sexual abuse or sexual exploitation; and Sections 865 et seq., 885, 886, 888, 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1115 and 1123 of Title 21 of the Oklahoma Statutes,

- g. to repay the reward or part of the reward paid by a local certified crime stoppers program and the Oklahoma Reward System. In determining whether the defendant shall repay the reward or part of the reward, the court shall consider the ability of the defendant to make the payment, the financial hardship on the defendant to make the required payment and the importance of the information to the prosecution of the defendant as provided by the arresting officer or the district attorney with due regard for the confidentiality of the records of the local certified crime stoppers program and the Oklahoma Reward System. The court shall assess this repayment against the defendant as a cost of prosecution. The term "certified" means crime stoppers organizations that annually meet the certification standards for crime stoppers programs established by the Oklahoma Crime Stoppers Association to the extent those standards do not conflict with state statutes. The term "court" refers to all municipal and district courts within this state. The "Oklahoma Reward System" means the reward program established by Section 150.18 of Title 74 of the Oklahoma Statutes,
- h. to reimburse the Oklahoma State Bureau of Investigation for costs incurred by that agency during its investigation of the crime for which the defendant pleaded guilty, nolo contendere or was convicted including compensation for laboratory, technical or investigation services performed by the Bureau if, in the opinion of the court, the defendant is able to pay

without imposing manifest hardship on the defendant, and if the costs incurred by the Bureau during the investigation of the defendant's case may be determined with reasonable certainty,

- i. to reimburse the Oklahoma State Bureau of Investigation and any authorized law enforcement agency for all costs incurred by that agency for cleaning up an illegal drug laboratory site for which the defendant pleaded guilty, nolo contendere or was convicted. The court clerk shall collect the amount and may retain five percent (5%) of such monies to be deposited in the Court Clerk's Revolving Fund to cover administrative costs and shall remit the remainder to the Oklahoma State Bureau of Investigation to be deposited in the OSBI Revolving Fund established by Section 150.19a of Title 74 of the Oklahoma Statutes or to the general fund wherein the other law enforcement agency is located,
- j. to pay a reasonable sum to the Crime Victims Compensation Board, created by Section 142.2 et seq. of Title 21 of the Oklahoma Statutes, for the benefit of crime victims,
- k. to reimburse the court fund for amounts paid to court-appointed attorneys for representing the defendant in the case in which the person is being sentenced,
- l. to participate in an assessment and evaluation by an assessment agency or assessment personnel certified by the Department of Mental Health and Substance Abuse Services pursuant to Section 3-460 of Title 43A of the Oklahoma Statutes and, as determined by the assessment, participate in an alcohol and drug substance abuse course or treatment program or both, pursuant to Sections 3-452 and 3-453 of Title 43A of the Oklahoma Statutes, or as ordered by the court,
- m. to be placed in a victims impact panel program, as defined in subsection H of this section, or victim/offender reconciliation program and payment of

a fee to the program of Seventy-five Dollars (\$75.00) as set by the governing authority of the program to offset the cost of participation by the defendant. Provided, each victim/offender reconciliation program shall be required to obtain a written consent form voluntarily signed by the victim and defendant that specifies the methods to be used to resolve the issues, the obligations and rights of each person and the confidentiality of the proceedings. Volunteer mediators and employees of a victim/offender reconciliation program shall be immune from liability and have rights of confidentiality as provided in Section 1805 of Title 12 of the Oklahoma Statutes,

- n. to install, at the expense of the defendant, an ignition interlock device approved by the Board of Tests for Alcohol and Drug Influence. The device shall be installed upon every motor vehicle operated by the defendant, and the court shall require that a notation of this restriction be affixed to the defendant's driver license. The restriction shall remain on the driver license not exceeding two (2) years to be determined by the court. The restriction may be modified or removed only by order of the court and notice of any modification order shall be given to ~~the Department of Public Safety~~ Service Oklahoma. Upon the expiration of the period for the restriction, ~~the Department of Public Safety~~ Service Oklahoma shall remove the restriction without further court order. Failure to comply with the order to install an ignition interlock device or operating any vehicle without a device during the period of restriction shall be a violation of the sentence and may be punished as deemed proper by the sentencing court. As used in this paragraph, "ignition interlock device" means a device that, without tampering or intervention by another person, would prevent the defendant from operating a motor vehicle if the defendant has a blood or breath alcohol concentration of two-hundredths (0.02) or greater,

- o. to be confined by electronic monitoring administered and supervised by the Department of Corrections or a community sentence provider, and payment of a monitoring fee to the supervising authority, not to exceed Three Hundred Dollars (\$300.00) per month. Any fees collected pursuant to this subparagraph shall be deposited with the appropriate supervising authority. Any willful violation of an order of the court for the payment of the monitoring fee shall be a violation of the sentence and may be punished as deemed proper by the sentencing court. As used in this paragraph, "electronic monitoring" means confinement of the defendant within a specified location or locations with supervision by means of an electronic device approved by the Department of Corrections which is designed to detect if the defendant is in the court-ordered location at the required times and which records violations for investigation by a qualified supervisory agency or person,
- p. to perform one or more courses of treatment, education or rehabilitation for any conditions, behaviors, deficiencies or disorders which may contribute to criminal conduct including but not limited to alcohol and substance abuse, mental health, emotional health, physical health, propensity for violence, antisocial behavior, personality or attitudes, deviant sexual behavior, child development, parenting assistance, job skills, vocational-technical skills, domestic relations, literacy, education or any other identifiable deficiency which may be treated appropriately in the community and for which a certified provider or a program recognized by the court as having significant positive impact exists in the community. Any treatment, education or rehabilitation provider required to be certified pursuant to law or rule shall be certified by the appropriate state agency or a national organization,
- q. to submit to periodic testing for alcohol, intoxicating substance or controlled dangerous substances by a qualified laboratory,

- r. to pay a fee or costs for treatment, education, supervision, participation in a program or any combination thereof as determined by the court, based upon the defendant's ability to pay the fees or costs,
- s. to be supervised by a Department of Corrections employee, a private supervision provider or other person designated by the court,
- t. to obtain positive behavior modeling by a trained mentor,
- u. to serve a term of confinement in a restrictive housing facility available in the community,
- v. to serve a term of confinement in the county jail at night or during weekends pursuant to Section 991a-2 of this title or for work release,
- w. to obtain employment or participate in employment-related activities,
- x. to participate in mandatory day reporting to facilities or persons for services, payments, duties or person-to-person contacts as specified by the court,
- y. to pay day fines not to exceed fifty percent (50%) of the net wages earned. For purposes of this paragraph, "day fine" means the offender is ordered to pay an amount calculated as a percentage of net daily wages earned. The day fine shall be paid to the local community sentencing system as reparation to the community. Day fines shall be used to support the local system,
- z. to submit to blood or saliva testing as required by subsection I of this section,
- aa. to repair or restore property damaged by the defendant's conduct, if the court determines the

defendant possesses sufficient skill to repair or restore the property and the victim consents to the repairing or restoring of the property,

- bb. to restore damaged property in kind or payment of out-of-pocket expenses to the victim, if the court is able to determine the actual out-of-pocket expenses suffered by the victim,
- cc. to attend a victim-offender reconciliation program if the victim agrees to participate and the offender is deemed appropriate for participation,
- dd. in the case of a person convicted of prostitution pursuant to Section 1029 of Title 21 of the Oklahoma Statutes, require such person to receive counseling for the behavior which may have caused such person to engage in prostitution activities. Such person may be required to receive counseling in areas including but not limited to alcohol and substance abuse, sexual behavior problems or domestic abuse or child abuse problems,
- ee. in the case of a sex offender sentenced after November 1, 1989, and required by law to register pursuant to the Sex Offender Registration Act, the court shall require the person to comply with sex offender specific rules and conditions of supervision established by the Department of Corrections and require the person to participate in a treatment program designed for the treatment of sex offenders during the period of time while the offender is subject to supervision by the Department of Corrections. The treatment program shall include polygraph examinations specifically designed for use with sex offenders for purposes of supervision and treatment compliance, and shall be administered not less than each six (6) months during the period of supervision. The examination shall be administered by a certified licensed polygraph examiner. The treatment program must be approved by the Department of Corrections or the Department of Mental Health and

Substance Abuse Services. Such treatment shall be at the expense of the defendant based on the defendant's ability to pay,

- ff. in addition to other sentencing powers of the court, the court in the case of a defendant being sentenced for a felony conviction for a violation of Section 2-402 of Title 63 of the Oklahoma Statutes which involves marijuana may require the person to participate in a drug court program, if available. If a drug court program is not available, the defendant may be required to participate in a community sanctions program, if available,
- gg. in the case of a person convicted of any false or bogus check violation, as defined in Section 1541.4 of Title 21 of the Oklahoma Statutes, impose a fee of Twenty-five Dollars (\$25.00) to the victim for each check, and impose a bogus check fee to be paid to the district attorney. The bogus check fee paid to the district attorney shall be equal to the amount assessed as court costs plus Twenty-five Dollars (\$25.00) for each check upon filing of the case in district court. This money shall be deposited in the Bogus Check Restitution Program Fund as established in subsection B of Section 114 of this title. Additionally, the court may require the offender to pay restitution and bogus check fees on any other bogus check or checks that have been submitted to the Bogus Check Restitution Program, and
- hh. any other provision specifically ordered by the court.

However, any such order for restitution, community service, payment to a local certified crime stoppers program, payment to the Oklahoma Reward System or confinement in the county jail, or a combination thereof, shall be made in conjunction with probation and shall be made a condition of the suspended sentence.

However, unless under the supervision of the district attorney, the offender shall be required to pay Forty Dollars (\$40.00) per month to the district attorney during the first two (2) years of

probation to compensate the district attorney for the costs incurred during the prosecution of the offender and for the additional work of verifying the compliance of the offender with the rules and conditions of his or her probation. The district attorney may waive any part of this requirement in the best interests of justice. The court shall not waive, suspend, defer or dismiss the costs of prosecution in its entirety. However, if the court determines that a reduction in the fine, costs and costs of prosecution is warranted, the court shall equally apply the same percentage reduction to the fine, costs and costs of prosecution owed by the offender;

2. Impose a fine prescribed by law for the offense, with or without probation or commitment and with or without restitution or service as provided for in this section, Section 991a-4.1 of this title or Section 227 of Title 57 of the Oklahoma Statutes;

3. Commit such person for confinement provided for by law with or without restitution as provided for in this section;

4. Order the defendant to reimburse the Oklahoma State Bureau of Investigation for costs incurred by that agency during its investigation of the crime for which the defendant pleaded guilty, nolo contendere or was convicted including compensation for laboratory, technical or investigation services performed by the Bureau if, in the opinion of the court, the defendant is able to pay without imposing manifest hardship on the defendant, and if the costs incurred by the Bureau during the investigation of the defendant's case may be determined with reasonable certainty;

5. Order the defendant to reimburse the Oklahoma State Bureau of Investigation for all costs incurred by that agency for cleaning up an illegal drug laboratory site for which the defendant pleaded guilty, nolo contendere or was convicted. The court clerk shall collect the amount and may retain five percent (5%) of such monies to be deposited in the Court Clerk's Revolving Fund to cover administrative costs and shall remit the remainder to the Oklahoma State Bureau of Investigation to be deposited in the OSBI Revolving Fund established by Section 150.19a of Title 74 of the Oklahoma Statutes;

6. In the case of nonviolent felony offenses, sentence such person to the Community Service Sentencing Program;

7. In addition to the other sentencing powers of the court, in the case of a person convicted of operating or being in control of a motor vehicle while the person was under the influence of alcohol, other intoxicating substance or a combination of alcohol or another intoxicating substance, or convicted of operating a motor vehicle while the ability of the person to operate such vehicle was impaired due to the consumption of alcohol, require such person:

- a. to participate in an alcohol and drug assessment and evaluation by an assessment agency or assessment personnel certified by the Department of Mental Health and Substance Abuse Services pursuant to Section 3-460 of Title 43A of the Oklahoma Statutes and, as determined by the assessment, participate in an alcohol and drug substance abuse course or treatment program or both, pursuant to Sections 3-452 and 3-453 of Title 43A of the Oklahoma Statutes,
- b. to attend a victims impact panel program, as defined in subsection H of this section, and to pay a fee of Seventy-five Dollars (\$75.00) as set by the governing authority of the program and approved by the court, to the program to offset the cost of participation by the defendant, if in the opinion of the court the defendant has the ability to pay such fee,
- c. to both participate in the alcohol and drug substance abuse course or treatment program, pursuant to subparagraph a of this paragraph and attend a victims impact panel program, pursuant to subparagraph b of this paragraph,
- d. to install, at the expense of the person, an ignition interlock device approved by the Board of Tests for Alcohol and Drug Influence, upon every motor vehicle operated by such person and to require that a notation of this restriction be affixed to the person's driver license at the time of reinstatement of the license. The restriction shall remain on the driver license for

such period as the court shall determine. The restriction may be modified or removed by order of the court and notice of the order shall be given to ~~the Department of Public Safety Service Oklahoma~~. Upon the expiration of the period for the restriction, ~~the Department of Public Safety Service Oklahoma~~ shall remove the restriction without further court order. Failure to comply with the order to install an ignition interlock device or operating any vehicle without such device during the period of restriction shall be a violation of the sentence and may be punished as deemed proper by the sentencing court, or

- e. beginning January 1, 1993, to submit to electronically monitored home detention administered and supervised by the Department of Corrections, and to pay to the Department a monitoring fee, not to exceed Seventy-five Dollars (\$75.00) a month, to the Department of Corrections, if in the opinion of the court the defendant has the ability to pay such fee. Any fees collected pursuant to this subparagraph shall be deposited in the Department of Corrections Revolving Fund. Any order by the court for the payment of the monitoring fee, if willfully disobeyed, may be enforced as an indirect contempt of court;

8. In addition to the other sentencing powers of the court, in the case of a person convicted of prostitution pursuant to Section 1029 of Title 21 of the Oklahoma Statutes, require such person to receive counseling for the behavior which may have caused such person to engage in prostitution activities. Such person may be required to receive counseling in areas including but not limited to alcohol and substance abuse, sexual behavior problems or domestic abuse or child abuse problems;

9. In addition to the other sentencing powers of the court, in the case of a person convicted of any crime related to domestic abuse, as defined in Section 60.1 of this title, the court may require the defendant to undergo the treatment or participate in the counseling services necessary to bring about the cessation of domestic abuse against the victim. The defendant may be required to pay all or part of the cost of the treatment or counseling services;

10. In addition to the other sentencing powers of the court, the court, in the case of a sex offender sentenced after November 1, 1989, and required by law to register pursuant to the Sex Offenders Registration Act, shall require the defendant to participate in a treatment program designed specifically for the treatment of sex offenders, if available. The treatment program will include polygraph examinations specifically designed for use with sex offenders for the purpose of supervision and treatment compliance, provided the examination is administered by a certified licensed polygraph examiner. The treatment program must be approved by the Department of Corrections or the Department of Mental Health and Substance Abuse Services. Such treatment shall be at the expense of the defendant based on the ability of the defendant to pay;

11. In addition to the other sentencing powers of the court, the court, in the case of a person convicted of abuse or neglect of a child, as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, may require the person to undergo treatment or to participate in counseling services. The defendant may be required to pay all or part of the cost of the treatment or counseling services;

12. In addition to the other sentencing powers of the court, the court, in the case of a person convicted of cruelty to animals pursuant to Section 1685 of Title 21 of the Oklahoma Statutes, may require the person to pay restitution to animal facilities for medical care and any boarding costs of victimized animals;

13. In addition to the other sentencing powers of the court, a sex offender who is habitual or aggravated as defined by Section 584 of Title 57 of the Oklahoma Statutes and who is required to register as a sex offender pursuant to the Sex Offenders Registration Act shall be supervised by the Department of Corrections for the duration of the registration period and shall be assigned to a global position monitoring device by the Department of Corrections for the duration of the registration period. The cost of such monitoring device shall be reimbursed by the offender;

14. In addition to the other sentencing powers of the court, in the case of a sex offender who is required by law to register pursuant to the Sex Offenders Registration Act, the court may

prohibit the person from accessing or using any Internet social networking website that has the potential or likelihood of allowing the sex offender to have contact with any child who is under the age of eighteen (18) years;

15. In addition to the other sentencing powers of the court, in the case of a sex offender who is required by law to register pursuant to the Sex Offenders Registration Act, the court shall require the person to register any electronic mail address information, instant message, chat or other Internet communication name or identity information that the person uses or intends to use while accessing the Internet or used for other purposes of social networking or other similar Internet communication; or

16. In addition to the other sentencing powers of the court, and pursuant to the terms and conditions of a written plea agreement, the court may prohibit the defendant from entering, visiting or residing within the judicial district in which the defendant was convicted until after completion of his or her sentence; provided, however, the court shall ensure that the defendant has access to those services or programs for which the defendant is required to participate as a condition of probation. When seeking to enter the prohibited judicial district for personal business not related to his or her criminal case, the defendant shall be required to obtain approval by the court.

B. Notwithstanding any other provision of law, any person who is found guilty of a violation of any provision of Section 761 or 11-902 of Title 47 of the Oklahoma Statutes or any person pleading guilty or nolo contendere for a violation of any provision of such sections shall be ordered to participate in, prior to sentencing, an alcohol and drug assessment and evaluation by an assessment agency or assessment personnel certified by the Department of Mental Health and Substance Abuse Services for the purpose of evaluating the receptivity to treatment and prognosis of the person. The court shall order the person to reimburse the agency or assessor for the evaluation. The fee shall be the amount provided in subsection C of Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation shall be conducted at a certified assessment agency, the office of a certified assessor or at another location as ordered by the court. The agency or assessor shall, within seventy-two (72) hours from the time the person is assessed, submit a written report to the court

for the purpose of assisting the court in its final sentencing determination. No person, agency or facility operating an alcohol and drug substance abuse evaluation program certified by the Department of Mental Health and Substance Abuse Services shall solicit or refer any person evaluated pursuant to this subsection for any treatment program or alcohol and drug substance abuse service in which such person, agency or facility has a vested interest; however, this provision shall not be construed to prohibit the court from ordering participation in or any person from voluntarily utilizing a treatment program or alcohol and drug substance abuse service offered by such person, agency or facility. If a person is sentenced to the custody of the Department of Corrections and the court has received a written evaluation report pursuant to this subsection, the report shall be furnished to the Department of Corrections with the judgment and sentence. Any evaluation report submitted to the court pursuant to this subsection shall be handled in a manner which will keep such report confidential from the general public's review. Nothing contained in this subsection shall be construed to prohibit the court from ordering judgment and sentence in the event the defendant fails or refuses to comply with an order of the court to obtain the evaluation required by this subsection.

C. When sentencing a person convicted of a crime, the court shall first consider a program of restitution for the victim, as well as imposition of a fine or incarceration of the offender. The provisions of paragraph 1 of subsection A of this section shall not apply to defendants being sentenced upon their third or subsequent to their third conviction of a felony or, beginning January 1, 1993, to defendants being sentenced for their second or subsequent felony conviction for violation of Section 11-902 of Title 47 of the Oklahoma Statutes, except as otherwise provided in this subsection. In the case of a person being sentenced for his or her second or subsequent felony conviction for violation of Section 11-902 of Title 47 of the Oklahoma Statutes, the court may sentence the person pursuant to the provisions of paragraph 1 of subsection A of this section if the court orders the person to submit to electronically monitored home detention administered and supervised by the Department of Corrections pursuant to subparagraph e of paragraph 7 of subsection A of this section. Provided, the court may waive these prohibitions upon written application of the district

attorney. Both the application and the waiver shall be made part of the record of the case.

D. When sentencing a person convicted of a crime, the judge shall consider any victim impact statements if submitted to the jury, or the judge in the event a jury is waived.

E. Probation, for purposes of subsection A of this section, is a procedure by which a defendant found guilty of a crime, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, is released by the court subject to conditions imposed by the court and subject to supervision by the Department of Corrections, a private supervision provider or other person designated by the court. Such supervision shall be initiated upon an order of probation from the court, and shall not exceed two (2) years, unless a petition alleging a violation of any condition of deferred judgment or seeking revocation of the suspended sentence is filed during the supervision, or as otherwise provided by law. In the case of a person convicted of a sex offense, supervision shall begin immediately upon release from incarceration or if parole is granted and shall not be limited to two (2) years. Provided further, any supervision provided for in this section may be extended for a period not to exceed the expiration of the maximum term or terms of the sentence upon a determination by the court or the Division of Probation and Parole of the Department of Corrections that the best interests of the public and the release will be served by an extended period of supervision.

F. The Department of Corrections, or such other agency as the court may designate, shall be responsible for the monitoring and administration of the restitution and service programs provided for by subparagraphs a, c and d of paragraph 1 of subsection A of this section, and shall ensure that restitution payments are forwarded to the victim and that service assignments are properly performed.

G. 1. The Department of Corrections is hereby authorized, subject to funds available through appropriation by the Legislature, to contract with counties for the administration of county Community Service Sentencing Programs.

2. Any offender eligible to participate in the Program pursuant to this section shall be eligible to participate in a county

Program; provided, participation in county-funded Programs shall not be limited to offenders who would otherwise be sentenced to confinement with the Department of Corrections.

3. The Department shall establish criteria and specifications for contracts with counties for such Programs. A county may apply to the Department for a contract for a county-funded Program for a specific period of time. The Department shall be responsible for ensuring that any contracting county complies in full with specifications and requirements of the contract. The contract shall set appropriate compensation to the county for services to the Department.

4. The Department is hereby authorized to provide technical assistance to any county in establishing a Program, regardless of whether the county enters into a contract pursuant to this subsection. Technical assistance shall include appropriate staffing, development of community resources, sponsorship, supervision and any other requirements.

5. The Department shall annually make a report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House on the number of such Programs, the number of participating offenders, the success rates of each Program according to criteria established by the Department and the costs of each Program.

H. As used in this section:

1. "Ignition interlock device" means a device that, without tampering or intervention by another person, would prevent the defendant from operating a motor vehicle if the defendant has a blood or breath alcohol concentration of two-hundredths (0.02) or greater;

2. "Electronically monitored home detention" means incarceration of the defendant within a specified location or locations with monitoring by means of a device approved by the Department of Corrections that detects if the person leaves the confines of any specified location; and

3. "Victims impact panel program" means a program conducted by a corporation registered with the Secretary of State in Oklahoma for

the sole purpose of operating a victims impact panel program. The program shall include live presentations from presenters who will share personal stories with participants about how alcohol, drug abuse, the operation of a motor vehicle while using an electronic communication device or the illegal conduct of others has personally impacted the lives of the presenters. A victims impact panel program shall be attended by persons who have committed the offense of driving, operating or being in actual physical control of a motor vehicle while under the influence of alcohol or other intoxicating substance, operating a motor vehicle while the ability of the person to operate such vehicle was impaired due to the consumption of alcohol or any other substance or operating a motor vehicle while using an electronic device or by persons who have been convicted of furnishing alcoholic beverage to persons under twenty-one (21) years of age, as provided in Sections 6-101 and 6-120 of Title 37A of the Oklahoma Statutes. Persons attending a victims impact panel program shall be required to pay a fee of Seventy-five Dollars (\$75.00) to the provider of the program. A certificate of completion shall be issued to the person upon satisfying the attendance and fee requirements of the victims impact panel program. The certificate of completion shall contain the business identification number of the program provider. A certified assessment agency, certified assessor or provider of an alcohol and drug substance abuse course shall be prohibited from providing a victims impact panel program and shall further be prohibited from having any proprietary or pecuniary interest in a victims impact panel program. The provider of the victims impact panel program shall carry general liability insurance and maintain an accurate accounting of all business transactions and funds received in relation to the victims impact panel program. Beginning October 1, 2020, and each October 1 thereafter, the provider of the victims impact panel program shall provide to the District Attorneys Council the following:

- a. proof of registration with the Oklahoma Secretary of State,
- b. proof of general liability insurance,
- c. end-of-year financial statements prepared by a certified public accountant,

- d. a copy of federal income tax returns filed with the Internal Revenue Service,
- e. a registration fee of One Thousand Dollars (\$1,000.00). The registration fee shall be deposited in the District Attorneys Council Revolving Fund created in Section 215.28 of Title 19 of the Oklahoma Statutes, and
- f. a statement certifying that the provider of the victims impact panel program has complied with all of the requirements set forth in this paragraph.

I. A person convicted of a felony offense or receiving any form of probation for an offense in which registration is required pursuant to the Sex Offenders Registration Act, shall submit to deoxyribonucleic acid (DNA) testing for law enforcement identification purposes in accordance with Section 150.27 of Title 74 of the Oklahoma Statutes and the rules promulgated by the Oklahoma State Bureau of Investigation for the OSBI Combined DNA Index System (CODIS) Database. Subject to the availability of funds, any person convicted of a misdemeanor offense of assault and battery, domestic abuse, stalking, possession of a controlled substance prohibited under the Uniform Controlled Dangerous Substances Act, outraging public decency, resisting arrest, escape or attempting to escape, eluding a police officer, Peeping Tom, pointing a firearm, threatening an act of violence, breaking and entering a dwelling place, destruction of property, negligent homicide or causing a personal injury accident while driving under the influence of any intoxicating substance, or any alien unlawfully present under federal immigration law, upon arrest, shall submit to DNA testing for law enforcement identification purposes in accordance with Section 150.27 of Title 74 of the Oklahoma Statutes and the rules promulgated by the Oklahoma State Bureau of Investigation for the OSBI Combined DNA Index System (CODIS) Database. Any defendant sentenced to probation shall be required to submit to testing within thirty (30) days of sentencing either to the Department of Corrections or to the county sheriff or other peace officer as directed by the court. Defendants who are sentenced to a term of incarceration shall submit to testing in accordance with Section 530.1 of Title 57 of the Oklahoma Statutes, for those defendants who enter the custody of the Department of

Corrections or to the county sheriff, for those defendants sentenced to incarceration in a county jail. Convicted individuals who have previously submitted to DNA testing under this section and for whom a valid sample is on file in the OSBI Combined DNA Index System (CODIS) Database at the time of sentencing shall not be required to submit to additional testing. Except as required by the Sex Offenders Registration Act, a deferred judgment does not require submission to DNA testing.

Any person who is incarcerated in the custody of the Department of Corrections after July 1, 1996, and who has not been released before January 1, 2006, shall provide a blood or saliva sample prior to release. Every person subject to DNA testing after January 1, 2006, whose sentence does not include a term of confinement with the Department of Corrections shall submit a blood or saliva sample. Every person subject to DNA testing who is sentenced to unsupervised probation or otherwise not supervised by the Department of Corrections shall submit for blood or saliva testing to the sheriff of the sentencing county.

J. Samples of blood or saliva for DNA testing required by subsection I of this section shall be taken by employees or contractors of the Department of Corrections, peace officers, or the county sheriff or employees or contractors of the sheriff's office. The individuals shall be properly trained to collect blood or saliva samples. Persons collecting blood or saliva for DNA testing pursuant to this section shall be immune from civil liabilities arising from this activity. All collectors of DNA samples shall ensure the collection of samples are mailed to the Oklahoma State Bureau of Investigation within ten (10) days of the time the subject appears for testing or within ten (10) days of the date the subject comes into physical custody to serve a term of incarceration. All collectors of DNA samples shall use sample kits provided by the OSBI and procedures promulgated by the OSBI. Persons subject to DNA testing who are not received at the Lexington Assessment and Reception Center shall be required to pay a fee of Fifteen Dollars (\$15.00) to the agency collecting the sample for submission to the OSBI Combined DNA Index System (CODIS) Database. Any fees collected pursuant to this subsection shall be deposited in the revolving account or the service fee account of the collection agency or department.

K. When sentencing a person who has been convicted of a crime that would subject that person to the provisions of the Sex Offenders Registration Act, neither the court nor the district attorney shall be allowed to waive or exempt such person from the registration requirements of the Sex Offenders Registration Act.

SECTION 5. AMENDATORY 22 O.S. 2021, Section 1111.2, is amended to read as follows:

Section 1111.2. The arresting officer shall indicate on the citation the date of the arraignment, and the defendant shall appear in person or by counsel at the stated time and place for arraignment. If the defendant fails to appear in court in person or by counsel for arraignment on the charge against him, or fails to arrange with the court within the time designated on the citation for a future appearance, the cash bail, if cash bail has been deposited by the defendant, shall be forfeited. If a license to operate a motor vehicle has been deposited under subsection (b) of Section 1111 of this title, the court clerk shall immediately forward to ~~the Department of Public Safety~~ Service Oklahoma the operator's license attached to an official notification form furnished by ~~the Department of Public Safety~~ Service Oklahoma, advising that the defendant failed to appear; in addition, on motion of the district attorney, the court shall issue a bench warrant for the arrest of the defendant. If a license has been deposited under subsection (a) of Section 1111 of this title and the out-of-state defendant's personal check is not honored, the court clerk shall immediately forward to ~~the Department of Public Safety~~ Service Oklahoma the license stating that the check has not been honored. If bail has been forfeited, on motion of the district attorney, the court shall issue a bench warrant. Provided, however, that bail forfeiture shall not be construed as a plea of guilty or admission in any civil action that may thereafter arise by reason of said occurrence.

SECTION 6. AMENDATORY 22 O.S. 2021, Section 1115.1, is amended to read as follows:

Section 1115.1. A. In addition to other provisions of law for posting bail, any person, whether a resident of this state or a nonresident, who is arrested by a law enforcement officer solely for a misdemeanor violation of a state traffic law or municipal traffic

ordinance, shall be released by the arresting officer upon personal recognizance if:

1. The arrested person has been issued a valid license to operate a motor vehicle by this state, another state jurisdiction within the United States, which is a participant in the Nonresident Violator Compact or any party jurisdiction of the Nonresident Violator Compact;

2. The arresting officer is satisfied as to the identity of the arrested person;

3. The arrested person signs a written promise to appear as provided for on the citation, unless the person is unconscious or injured and requires immediate medical treatment as determined by a treating physician; and

4. The violation does not constitute:

- a. a felony, or
- b. negligent homicide, or
- c. driving or being in actual physical control of a motor vehicle while impaired or under the influence of alcohol or other intoxicating substances, unless the person is unconscious or injured and requires immediate medical treatment as determined by a treating physician, or
- d. eluding or attempting to elude a law enforcement officer, or
- e. operating a motor vehicle without having been issued a valid driver license, or while the driving privilege and driver license is under suspension, revocation, denial or cancellation, or
- f. an arrest based upon an outstanding warrant, or
- g. a traffic violation coupled with any offense stated in subparagraphs a through f of this paragraph.

B. If the arrested person is eligible for release on personal recognizance as provided for in subsection A of this section, then the arresting officer shall:

1. Designate the traffic charge;
2. Record information from the arrested person's driver license on the citation form, including the name, address, date of birth, personal description, type of driver license, driver license number, issuing state, and expiration date;
3. Record the motor vehicle make, model and tag information;
4. Record the date and time on the citation on which, or before which, the arrested person promises to contact, pay, or appear at the court, as applicable to the court; and
5. Permit the arrested person to sign a written promise to contact, pay, or appear at the court, as provided for in the citation.

The arresting officer shall then release the person upon personal recognizance based upon the signed promise to appear. The citation shall contain a written notice to the arrested person that release upon personal recognizance based upon a signed written promise to appear for arraignment is conditional and that failure to timely appear for arraignment shall result in the suspension of the arrested person's driving privilege and driver license in this state, or in the nonresident's home state pursuant to the Nonresident Violator Compact.

C. The court, or the court clerk as directed by the court, may continue or reschedule the date and time of arraignment upon request of the arrested person or the attorney for that person. If the arraignment is continued or rescheduled, the arrested person shall remain on personal recognizance and written promise to appear until such arraignment, in the same manner and with the same consequences as if the continued or rescheduled arraignment was entered on the citation by the arresting officer and signed by the defendant. An arraignment may be continued or rescheduled more than one time. Provided, however, the court shall require an arraignment to be had

within a reasonable time. It shall remain the duty of the defendant to appear for arraignment unless the citation is satisfied as provided for in subsection D of this section.

D. A defendant released upon personal recognizance may elect to enter a plea of guilty or nolo contendere to the violation charged at any time before the defendant is required to appear for arraignment by indicating such plea on the copy of the citation furnished to the defendant or on a legible copy thereof, together with the date of the plea and signature. The defendant shall be responsible for assuring full payment of the fine and costs to the appropriate court clerk. Payment of the fine and costs may be made by personal, cashier's, traveler's, certified or guaranteed bank check, postal or commercial money order, or other form of payment approved by the court in an amount prescribed as bail for the offense. Provided, however, the defendant shall not use currency for payment by mail. If the defendant has entered a plea of guilty or nolo contendere as provided for in this subsection, such plea shall be accepted by the court and the amount of the fine and costs shall be:

1. As prescribed in Section 1115.3 of this title as bail for the violation; or

2. In case of a municipal violation, as prescribed by municipal ordinance for the violation charged; or

3. In the absence of such law or ordinance, then as prescribed by the court.

E. 1. If, pursuant to the provisions of subsection D of this section, the defendant does not timely elect to enter a plea of guilty or nolo contendere and fails to timely appear for arraignment, the court may issue a warrant for the arrest of the defendant and the municipal or district court clerk, within one hundred twenty (120) calendar days from the date the citation was issued by the arresting officer, shall notify ~~the Department of Public Safety~~ Service Oklahoma that:

- a. the defendant was issued a traffic citation and released upon personal recognizance after signing a

written promise to appear for arraignment as provided for in the citation,

- b. the defendant has failed to appear for arraignment without good cause shown,
- c. the defendant has not posted bail, paid a fine, or made any other arrangement with the court to satisfy the citation, and
- d. the citation has not been satisfied as provided by law.

Additionally, the court clerk shall request ~~the Department of Public Safety~~ Service Oklahoma to either suspend the defendant's driving privilege and driver license to operate a motor vehicle in this state, or notify the defendant's home state and request suspension of the defendant's driving privilege and driver license in accordance with the provisions of the Nonresident Violator Compact. Such notice and request shall be on a form approved or furnished by ~~the Department of Public Safety~~ Service Oklahoma.

2. The court clerk shall not process the notification and request provided for in paragraph 1 of this subsection if, with respect to such charges:

- a. the defendant was arraigned, posted bail, paid a fine, was jailed, or otherwise settled the case, or
- b. the defendant was not released upon personal recognizance upon a signed written promise to appear as provided for in this section or if released, was not permitted to remain on such personal recognizance for arraignment, or
- c. the violation relates to parking or standing, or
- d. a period of one hundred twenty (120) calendar days or more has elapsed from the date the citation was issued by the arresting officer.

F. Following receipt of the notice and request from the court clerk for driving privilege and driver license suspension as provided for in subsection E of this section, ~~the Department of Public Safety Service Oklahoma~~ shall proceed as provided for in Section 1115.5 of this title.

G. The municipal or district court clerk shall maintain a record of each request for driving privilege and driver license suspension submitted to ~~the Department of Public Safety Service Oklahoma~~ pursuant to the provisions of this section. When the court or court clerk receives appropriate bail or payment of the fine and costs, settles the citation, makes other arrangements with the defendant, or otherwise closes the case, the court clerk shall furnish proof thereof to such defendant, if the defendant personally appears, or shall mail such proof by first class mail, postage prepaid, to the defendant at the address noted on the citation or at such other address as is furnished by the defendant. Additionally, the court or court clerk shall notify the home jurisdiction of the defendant as listed on the citation, if such jurisdiction is a member of the Nonresident Violator Compact, and shall, in all other cases, notify ~~the Department Service Oklahoma~~, of the resolution of the case. The form of proof and the procedures for notification shall be approved by ~~the Department of Public Safety Service Oklahoma~~. Provided, however, the court or court clerk's failure to furnish such proof or notice in the manner provided for in this subsection shall in no event create any civil liability upon the court, the court clerk, the State of Oklahoma or any political subdivision thereof, or any state department or agency or any employee thereof but duplicate proof shall be furnished to the person entitled thereto upon request.

SECTION 7. AMENDATORY 22 O.S. 2021, Section 1115.1A, is amended to read as follows:

Section 1115.1A. A. In addition to other provisions of law for posting bail, any person, whether a resident of this state or a nonresident, who is arrested by a law enforcement officer solely for a misdemeanor violation of a state traffic law or municipal traffic ordinance, shall be released by the arresting officer upon personal recognizance if:

1. The arrested person has been issued a valid license to operate a motor vehicle by this state, another state jurisdiction within the United States, which is a participant in the Nonresident Violator Compact or any party jurisdiction of the Nonresident Violator Compact;

2. The arresting officer is satisfied as to the identity of the arrested person and certifies the date and time and the location of the violation, as evidenced by the electronic signature of the officer;

3. The arrested person acknowledges, as evidenced by the electronic signature of the person, a written promise to appear as provided for on the citation, unless the person is unconscious or injured and requires immediate medical treatment as determined by a treating physician; and

4. The violation does not constitute:

- a. a felony,
- b. negligent homicide,
- c. driving or being in actual physical control of a motor vehicle while impaired or under the influence of alcohol or other intoxicating substances, unless the person is unconscious or injured and requires immediate medical treatment as determined by a treating physician,
- d. eluding or attempting to elude a law enforcement officer,
- e. operating a motor vehicle without having been issued a valid driver license or while the driving privilege and driver license is under suspension, revocation, denial or cancellation,
- f. an arrest based upon an outstanding warrant, or
- g. a traffic violation coupled with any offense stated in subparagraphs a through f of this paragraph.

B. If the arrested person is eligible for release on personal recognizance as provided for in subsection A of this section, then the arresting officer shall on the citation:

1. Designate the traffic charge;

2. Record information from the driver license of the arrested person on the citation form, including the name, address, date of birth, physical description, type of driver license, driver license number, issuing state, and expiration date;

3. Record the motor vehicle make, model and tag information;

4. Record the date and time on which, or before which, the arrested person promises, as evidenced by the electronic signature of the person, to contact, pay, or appear at the court, as applicable to the court;

5. Record the electronic signature of the arrested person which shall serve as evidence and acknowledgment of a promise to contact, pay, or appear at the court, as provided for in the citation; and

6. Record the electronic signature of the arrested person which shall serve as evidence to certify the date and time and the location that the arrested person was served with a copy of the citation and notice to appear,

after which, the arresting officer shall then release the person upon personal recognizance based upon the acknowledged promise to appear. The citation shall contain a written notice to the arrested person that release upon personal recognizance based upon an acknowledged promise to appear, as evidenced by the electronic signature of the person, for arraignment is conditional and that failure to timely appear for arraignment shall result in the suspension of the driving privilege and driver license of the arrested person in this state, or in the home state of the nonresident pursuant to the Nonresident Violator Compact.

C. The court, or the court clerk as directed by the court, may continue or reschedule the date and time of arraignment at the discretion of the court or upon request of the arrested person or

the attorney for that person. If the arraignment is continued or rescheduled, the arrested person shall remain on personal recognizance and acknowledged promise to appear until such arraignment, in the same manner and with the same consequences as if the continued or rescheduled arraignment was entered on the citation by the arresting officer and electronically signed by the defendant. An arraignment may be continued or rescheduled more than one time. Provided, however, the court shall require an arraignment to be had within a reasonable time. It shall remain the duty of the defendant to appear for arraignment unless the citation is satisfied as provided for in subsection D of this section.

D. A defendant released upon personal recognizance may elect to enter a plea of guilty or nolo contendere to the violation charged at any time before the defendant is required to appear for arraignment by indicating such plea on the copy of the citation furnished to the defendant or on a legible copy, together with the date of the plea and signature of the defendant, or such plea may be entered by the defendant using an electronic method provided by the court for such purposes, either through the website of the court or otherwise. The defendant shall be responsible for assuring full payment of the fine and costs to the appropriate court clerk. Payment of the fine and costs may be made by personal, cashier's, traveler's, certified or guaranteed bank check, postal or commercial money order, or other form of payment approved by the court in an amount prescribed as bail for the offense. Provided, however, the defendant shall not use currency for payment by mail. Payment of the fine and costs which is not accompanied by a written plea of guilty or nolo contendere shall constitute a plea of nolo contendere entered by the defendant as allowed by law, and shall function as a written, dated and signed citation form acceptable to the court. A plea of guilty or nolo contendere as provided for in this subsection shall be accepted by the court and the amount of the fine and costs shall be:

1. As prescribed in Section 1115.3 of this title as bail for the violation;

2. In case of a municipal violation, as prescribed by municipal ordinance for the violation charged; or

3. In the absence of such law or ordinance, then as prescribed by the court.

E. 1. If, pursuant to the provisions of subsection D of this section, the defendant does not timely elect to enter a plea of guilty or nolo contendere and fails to timely appear for arraignment, the court may issue a warrant for the arrest of the defendant. The municipal or district court clerk, within one hundred twenty (120) calendar days from the date the citation was issued by the arresting officer, shall notify ~~the Department of Public Safety~~ Service Oklahoma that:

- a. the defendant was issued a traffic citation and released upon personal recognizance after acknowledging a written promise to appear for arraignment as provided for in the citation,
- b. the defendant has failed to appear for arraignment without good cause shown,
- c. the defendant has not posted bail, paid a fine, or made any other arrangement with the court to satisfy the citation, and
- d. the citation has not been satisfied as provided by law.

Additionally, the court clerk shall request ~~the Department of Public Safety~~ Service Oklahoma to either suspend the driving privilege and driver license of the defendant to operate a motor vehicle in this state, or notify the home state of the defendant and request suspension of the driving privilege and driver license of the defendant in accordance with the provisions of the Nonresident Violator Compact. The notice and request shall be on a form approved or furnished by ~~the Department of Public Safety~~ Service Oklahoma.

2. The court clerk shall not process the notification and request provided for in paragraph 1 of this subsection if, with respect to such charges:

- a. the defendant was arraigned, posted bail, paid a fine, was jailed, or otherwise settled the case,
- b. the defendant was not released upon personal recognizance upon an acknowledged written promise to appear as provided for in this section or if released, was not permitted to remain on such personal recognizance for arraignment,
- c. the violation relates to parking or standing, or
- d. a period of one hundred twenty (120) calendar days or more has elapsed from the date the citation was issued by the arresting officer.

F. Following receipt of the notice and request from the court clerk for driving privilege and driver license suspension as provided for in subsection E of this section, ~~the Department of Public Safety~~ Service Oklahoma shall proceed as provided for in Section 1115.5 of this title.

G. The municipal or district court clerk shall maintain a record of each request for driving privilege and driver license suspension submitted to ~~the Department of Public Safety~~ Service Oklahoma pursuant to the provisions of this section. When the court or court clerk receives appropriate bail or payment of the fine and costs, settles the citation, makes other arrangements with the defendant, or otherwise closes the case, the court clerk shall furnish proof thereof to the defendant, if the defendant personally appears, or shall mail such proof by first-class mail, postage prepaid, to the defendant at the address noted on the citation or at such other address as is furnished by the defendant or by email if the defendant has furnished an email address for such purposes. Additionally, the court or court clerk shall notify the home jurisdiction of the defendant as listed on the citation, if such jurisdiction is a member of the Nonresident Violator Compact, and shall, in all other cases, notify ~~the Department~~ Service Oklahoma of the resolution of the case. The form of proof and the procedures for notification shall be approved by ~~the Department of Public Safety~~ Service Oklahoma. Provided however, failure by the court or court clerk to furnish such proof or notice in the manner provided for in this subsection shall in no event create any civil liability

upon the court, the court clerk, the State of Oklahoma or any political subdivision thereof, or any state department or agency or any employee thereof but duplicate proof shall be furnished to the person entitled to such proof or notice upon request.

H. For purposes of this section, "electronic signature" shall have the same meaning as defined in Section 15-102 of Title 12A of the Oklahoma Statutes.

SECTION 8. AMENDATORY 22 O.S. 2021, Section 1115.5, is amended to read as follows:

Section 1115.5. A. 1. Following receipt of notification and a request for driving privilege suspension from a municipal or district court clerk as provided for in Section 1115.1 of this title or Section 1 of this act, ~~the Department of Public Safety~~ Service Oklahoma shall:

- a. suspend the privilege of the person to operate a motor vehicle in this state; or
- b. request suspension of the driving privilege of the person in the state which issued the license as provided by the Nonresident Violator Compact.

A person whose license is subject to suspension pursuant to this section may avoid the effective date of the suspension or, if suspended, shall be eligible for reinstatement, if otherwise eligible, upon meeting the requirements of subsection C of this section.

2. ~~The Department of Public Safety~~ Service Oklahoma may decline to initiate such suspension action if the request is discovered to be improper or questionable.

3. ~~The Department~~ Service Oklahoma shall not be required to issue more than one suspension of the driving privilege of a person in the event multiple requests for suspensions are received from a court clerk based upon the failure of the person to appear at a particular time and date on multiple charges.

B. Following receipt of a request from another jurisdiction for the suspension of the driving privilege of an Oklahoma resident as provided by the Nonresident Violator Compact, ~~the Department of Public Safety Service Oklahoma~~, if the request appears to be valid, shall initiate suspension of the privilege of the person to operate a motor vehicle in this state. If suspended, such suspension shall remain in effect until the person meets the requirements of subsection C of this section.

C. 1. A person whose license is subject to suspension in this state pursuant to the provisions of this section may avoid the effective date of suspension, or if suspended in this state, shall be eligible for reinstatement, if otherwise eligible, upon:

- a. making application therefore to ~~the Department of Public Safety Service Oklahoma~~, and
- b. showing proof from the court or court clerk that the person has entered an appearance in the case which was the basis for the suspension action and was released by the court as provided for by the Nonresident Violator Compact or consistent provisions, and
- c. submitting with the application the fees, as provided for in Section 6-212 of Title 47 of the Oklahoma Statutes. The fees shall be remitted to the State Treasurer to be credited to the General Revenue Fund of the State Treasury;

2. Upon reinstatement, ~~the Department of Public Safety Service Oklahoma~~ may remove any record of the suspension and reinstatement as provided for in this section from the file of the individual licensee and maintain an internal record of the suspension and reinstatement for fiscal and other purposes.

D. Any person whose driving privilege is suspended or subject to suspension in this state pursuant to the provisions of this section, at any time, may informally present specific reasons or documentation to ~~the Department of Public Safety Service Oklahoma~~ to show that such suspension may be unwarranted. ~~The Department of Public Safety Service Oklahoma~~ may stay the suspension or suspension action pending receipt of further information or documentation from

the person or from the jurisdiction requesting such suspension, or pending review of the record, or other inquiry. If ~~the Department of Public Safety Service Oklahoma~~ determines the suspension is unwarranted, the suspension action shall be withdrawn or vacated without the requirement of a processing fee and a reinstatement fee and ~~the Department of Public Safety Service Oklahoma~~ shall accordingly notify the jurisdiction which requested the suspension. If, however, the request for suspension appears valid, ~~the Department of Public Safety Service Oklahoma~~ shall proceed with suspension of the driving privilege of the person and the person shall have the right to appeal as provided for by Section 6-211 of Title 47 of the Oklahoma Statutes. Provided, however, the court shall not consider modification, but shall either sustain or vacate the order of suspension of ~~the Department of Public Safety Service Oklahoma~~ based upon the records on file with ~~the Department of Public Safety Service Oklahoma~~, the law and other relevant evidence.

SECTION 9. AMENDATORY 42 O.S. 2021, Section 90, is amended to read as follows:

Section 90. A person or persons charging a fee for the preparation or assistance in preparation of notices required by Chapter 2 of Title 42 of the Oklahoma Statutes, other than a person licensed under Title 5 of the Oklahoma Statutes, shall register with and submit a fifty-dollar annual fee to ~~the Oklahoma Tax Commission Service Oklahoma~~; provided, however, such requirements shall not apply to a lawful possessor or employee of a lawful possessor of the property for which such notices are issued. All documentation related to notices prepared by a person required to register pursuant to this section shall include the name of the person. A penalty of One Hundred Dollars (\$100.00) shall be imposed upon a person who prepares or assists in the preparation of notices in violation of the requirements of this section. ~~The Oklahoma Tax Commission~~ Service Oklahoma shall promulgate rules to effectuate the requirements of this section.

SECTION 10. AMENDATORY 42 O.S. 2021, Section 91, is amended to read as follows:

Section 91.

- A. 1. a. This section applies to every vehicle, all-terrain vehicle, utility vehicle, manufactured home, motorcycle, boat, outboard motor, or trailer that has a certificate of title issued by ~~the Oklahoma Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in the State of Oklahoma, except as otherwise provided in subsection D of this section. This section does not apply to farm equipment as defined in Section 91.2 of this title. The items of personal property to which this section applies are collectively referred to as "Section 91 Personal Property". If personal property is apparently covered both by this section and by Sections 191 through 200 of this title, the procedures set out in this section shall apply instead of Sections 191 through 200 of this title.
- b. Salvage pools as defined in Section 591.2 of Title 47 of the Oklahoma Statutes and class AA licensed wrecker services taking possession of a vehicle pursuant to an agreement with or at the direction of, or dispatched by, a state or local law enforcement or government agency, or pursuant to the abandoned vehicle renewal provisions of Section 954A of Title 47 of the Oklahoma Statutes, shall not be subject to the provisions of this section, but shall be subject to the provisions of Section 91A of this title. Unless otherwise provided by this subparagraph, class AA licensed wrecker services performing consensual tows shall be subject to the provisions of this section.

2. Any person who, while lawfully in possession of an article of Section 91 Personal Property, renders any service to the owner thereof by furnishing storage, rental space, material, labor or skill for the protection, improvement, safekeeping, towing, right to occupy space, storage or carriage thereof, has a special lien thereon, dependent on possession, for the compensation, if any, which is due to such person from the owner for such service.

3. This special lien shall be subordinate to any perfected security interest unless the claimant complies with the requirements of this section. Failure to comply with any requirements of this

section shall result in denial of any title application and cause the special lien to be subordinate to any perfected lien. Upon such denial, the applicant shall be entitled to one resubmission of the title application within fifteen (15) business days of receipt of the denial, and proceed to comply with the requirements of this section. In the event of a denial, the Notice of Possessory Lien and the Notice of Sale may be mailed on the same day in separate envelopes and storage charges shall only be charged from the date of resubmission. "Failure to comply" includes, but is not limited to:

- a. failure to timely provide additional documentation supporting or verifying any entry on submitted forms as requested by ~~the Tax Commission~~ Service Oklahoma, including but not limited to United States Postal Service proof of return receipt requested such as Form 3811 or United States Postal Service electronic equivalent,
- b. failure to provide the documentation supporting lawful possession as defined in paragraph 3 of subsection H of this section,
- c. claimant or the agent being other than the individual who provided the service giving rise to the special lien, as in paragraph 2 of this subsection,
- d. claimant not being in possession of the vehicle,
- e. notice of lien not filed in accordance with paragraph 4 of this subsection, or
- f. foreclosure notification and proceedings not accomplished in accordance with paragraph 6 of this section.

4. Any person claiming the special lien provided in paragraph 2 of this subsection shall mail a notice of such lien, no later than sixty (60) days after the first services are rendered, by regular, first-class United States mail, and by certified mail, return receipt requested, to all interested parties who reside at separate locations. If services provided are pursuant to a contract primarily for the purpose of storage or rental of space, the

beginning date of the sixty-day period provided in the previous sentence shall be the first day of the first period or partial period for which rental or storage charges remain unpaid. The notice shall be in writing and shall contain, but not be limited to, the following:

- a. a statement that the notice is a Notice of Possessory Lien,
- b. the complete legal name, physical and mailing address, and telephone number of the claimant,
- c. the complete legal name, physical and mailing address of the person who requested that the claimant render service to the owner by furnishing material, labor or skill, storage, or rental space, or the date the property was abandoned if the claimant did not render any other service,
- d. a description of the article of personal property, including a photograph if the property is Section 91 Personal Property, and the complete physical and mailing address of the location of the article of personal property,
- e. an itemized statement describing the date or dates the labor or services were performed and material furnished, and the charges claimed for each item, the totals of which shall equal the total compensation claimed,
- f. a statement by the claimant that the materials, labor or skill furnished, or arrangement for storage or rental of space, was authorized by the owner of the personal property and was in fact provided or performed, and written proof of authority to perform the work, labor or service, or that the property was abandoned by the owner if the claimant did not render any other service, and that storage or rental fees will accrue as allowed by law, and

- g. the signature of the claimant which shall be notarized and, if applicable, the signature of the claimant's attorney. If the claimant is a business, then the name of the contact person representing the business must be shown. In place of an original signature and notary seal, a digital or electronic signature or seal shall be accepted.

5. For services rendered or vehicles abandoned on or after November 1, 2005, storage charges or charges for rental of space , unless agreed to by contract as part of an overall transaction or arrangement that was primarily for the purpose of storage of the Section 91 Personal Property or rental of space, may only be assessed beginning with the day that the Notice of Possessory Lien is mailed as evidenced by certified mail. Provided, however, in the case of contractual charges incurred for storage or rental of space in an overall transaction primarily for the purpose of storage or rental, charges subject to the special lien may only be assessed beginning with a date not more than sixty (60) days prior to the day that the Notice of Possessory Lien is mailed, and shall accrue only at the regular periodic rate for storage or rental as provided in the contract, adjusted for partial periods of storage or rental. The maximum allowable compensation for storage shall not exceed the fees established by the Corporation Commission for nonconsensual tows.

6. The lien may be foreclosed by a sale of such personal property upon the notice and in the manner following: The Notice of Sale shall be in writing and shall contain, but not be limited to:

- a. a statement that the notice is a Notice of Sale,
- b. the names of all interested parties known to the claimant,
- c. a description of the property to be sold, including a photograph if the property is Section 91 Personal Property and if the condition of such property has materially changed since the mailing of Notice of Possessory Lien required pursuant to paragraph 4 of this subsection,

- d. a notarized statement of the nature of the work, labor or service performed, material furnished, or storage or rental of space, and the date thereof, and the name of the person who authorized the work, labor or service performed, or the storage or rental arrangement, and written proof of authority to perform the work, labor or service, or that the property was abandoned if the claimant did not render any other service,
- e. the date, time, and exact physical location of sale,
- f. the name, complete physical address, mailing address, and telephone number of the party foreclosing such lien. If the claimant is a business, then the name of the contact person representing the business must be shown. In place of an original signature and notary seal, a digital or electronic signature or seal shall be accepted, and
- g. itemized charges which shall equal the total compensation claimed.

7. Such Notice of Sale shall be posted in two public places in the county where the property is to be sold at least ten (10) days before the time therein specified for such sale, and a copy of the notice shall be mailed to all interested parties at their last-known post office address by regular, first-class United States mail and by certified mail, return receipt requested, at least ten (10) days before the date of the sale. If the item of personal property is a manufactured home, notice shall also be sent by certified mail to the county treasurer and to the county assessor of the county where the manufactured home is located.

8. Interested parties shall include all owners of the article of personal property as indicated by the certificate of title issued by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in the State of Oklahoma; lien debtors, if any, other than the owners; any lienholder whose lien is noted on the face of the certificate of title; and any other person having any interest in the article of personal property, of whom the claimant has actual notice.

9. Any interested party shall be permitted to inspect and verify the services rendered by the claimant prior to the sale of the article of personal property during normal business hours. The lienholder shall be allowed to retrieve the Section 91 Personal Property without being required to bring the title into the lienholder's name, if the lienholder provides proof it is a lienholder and any payment due the claimant for lawful charges where the claimant has complied with the requirements of this section. Upon the release of personal property to an insurer or representative of the insurer, wrecker operators shall be exempt from all liability and shall be held harmless for any losses or claims of loss.

10. The claimant or any other person may in good faith become a purchaser of the property sold.

11. Proceedings for foreclosure under this act shall be commenced no sooner than ten (10) days and no later than thirty (30) days after the Notice of Possessory Lien has been mailed as evidenced by certified mail. The date actually sold shall be within sixty (60) days from the date of the Notice of Sale as evidenced by certified mail.

B. 1. a. Any person who is induced by means of a check or other form of written order for immediate payment of money to deliver up possession of an article of personal property on which the person has a special lien created by subsection A of this section, which check or other written order is dishonored, or is not paid when presented, shall have a lien for the amount thereof upon the personal property.

b. The person claiming such lien shall, within thirty (30) days from the date of dishonor of the check or other written order for payment of money, file in the office of the county clerk of the county in which the property is situated a sworn statement that:

(1) the check or other written order for immediate payment of money, copy thereof being attached, was received for labor, material or supplies for

producing or repairing an article of personal property, or for other specific property-related services covered by this section,

- (2) the check or other written order was not paid, and
- (3) the uttering of the check or other written order constituted the means for inducing the person, one possessed of a special lien created by subsection A of this section upon the described article of personal property, to deliver up the article of personal property.

- 2. a. Any person who renders service to the owner of an article of personal property by furnishing storage, rental space, material, labor, or skill for the protection, improvement, safekeeping, towing, right to occupy space, storage, or carriage thereof shall have a special lien on such property pursuant to this section if such property is removed from the person's possession, without such person's written consent or without payment for such service.
- b. The person claiming such lien shall, within five (5) days of such nonauthorized removal, file in the office of the county clerk of the county in which the property is located, a sworn statement including:
 - (1) that services were rendered on or in relation to the article of personal property by the person claiming such lien,
 - (2) that the property was in the possession of the person claiming the lien but such property was removed without his or her written consent,
 - (3) an identifying description of the article of personal property on which the service was rendered, and

- (4) that the debt for the services rendered on or in relation to the article of personal property was not paid. Provided, if the unpaid total amount of the debt for services rendered on or in relation to the article of personal property is unknown, an approximated amount of the debt due and owing shall be included in the sworn statement but such approximated debt may be amended within thirty (30) days of such filing to reflect the actual amount of the debt due and owing.

3. The enforcement of the lien shall be within sixty (60) days after filing the lien in the manner provided by law for enforcing the lien of a security agreement and provided that the lien shall not affect the rights of innocent, intervening purchasers without notice.

C. If the person who renders service to the owner of an article of personal property to which this section applies relinquishes or loses possession of the article due to circumstances described in subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of subsection B of this section, the person claiming the lien shall be entitled to possession of the article until the amount due is paid, unless the article is possessed by a person who became a bona fide purchaser. Entitlement to possession shall be in accordance with the following:

1. The claimant may take possession of an article pursuant to this subsection only if the person obligated under the contract for services has signed an acknowledgement of receipt of a notice that the article may be subject to repossession. The notice and acknowledgement pursuant to this subsection shall be:

- a. in writing and separate from the written contract for services, or
- b. printed on the written contract for services, credit agreement or other document which displays the notice in bold-faced, capitalized and underlined type, or is separated from surrounding written material so as to be conspicuous with a separate signature line;

2. The claimant may require the person obligated under the contract for services to pay the costs of repossession as a condition for reclaiming the article only to the extent of the reasonable fair market value of the services required to take possession of the article;

3. The claimant shall not transfer to a third party or to a person who performs repossession services, a check, money order, or credit card transaction that is received as payment for services with respect to an article and that is returned to the claimant because of insufficient funds or no funds, because the person writing the check, issuing the money order, or credit cardholder has no account or because the check, money order, or credit card account has been closed. A person violating this paragraph shall be guilty of a misdemeanor; and

4. An article that is repossessed pursuant to this subsection shall be promptly delivered to the location where the services were performed. The article shall remain at the services location at all times until the article is lawfully returned to the record owner or a lienholder or is disposed of pursuant to this section.

D. 1. If a vehicle, all-terrain vehicle, utility vehicle, manufactured home, motorcycle, boat, outboard motor, or trailer has a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in the State of Oklahoma, but there is no active lien recorded on the certificate of title, Section 91A of this title will apply instead of this section. Likewise, if there is an active lien recorded on the certificate of title but the lien is over fifteen (15) years old and the property is not a manufactured home, Section 91A of this title will apply instead of this section.

2. If personal property that otherwise would be covered by this section has been registered by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in the State of Oklahoma, and there is a lien of record but no certificate of title has been issued, Section 91A of this title will apply instead of this section.

3. If personal property otherwise would be covered by this section, but the services were rendered or the property was abandoned prior to November 1, 2005, Section 91A of this title will apply instead of this section.

E. A person who knowingly makes a false statement of a material fact regarding the furnishing of storage, rental space, material, labor or skill for the protection, improvement, safekeeping, towing, right to occupy space, storage or carriage thereof in a proceeding under this section, or attempts to use or uses the provisions of this section to foreclose an owner or lienholder's interest in a vehicle knowing that any of the statements made in the proceeding are false, upon conviction, shall be guilty of a felony.

F. Upon receipt of notice of legal proceedings, ~~the Tax Commission~~ Service Oklahoma shall cause the sale process to be put on hold until notice of resolution of court proceedings is received from the court. If such notice of commencement of court proceedings is not filed with ~~the Tax Commission~~ Service Oklahoma, the possessory lien sale process may continue.

G. No possessory lien sale shall be held on a Sunday.

H. For purposes of this section:

1. "Possession" includes actual possession and constructive possession;

2. "Constructive possession" means possession by a person who, although not in actual possession, does not have an intention to abandon property, knowingly has both power and the intention at a given time to exercise dominion or control over the property, and who holds claim to such thing by virtue of some legal right;

3. "Lawfully in possession" means a person has documentation from the owner or the owner's authorized agent, or an insurance company or its authorized agent, authorizing the furnishing of material, labor or storage, or that the property was authorized to be towed to a repair facility. If the person lacks such documentation, he or she shall not be lawfully in possession of the Section 91 Personal Property and shall not be entitled to a special lien as set forth in this section; and

4. "Itemized charges" means total parts, total labor, total towing fees, total storage fees, total processing fees and totals of any other fee groups, the sum total of which shall equal the compensation claimed.

I. For purposes of this section, the United States Postal Service approved electronic equivalent of proof of return receipt requested Form 3811 shall satisfy return receipt requested documentation requirements.

J. If a person claiming a special lien pursuant to this section fails to comply with any of the requirements of this section, any interested party may proceed against the person claiming such lien for all damages arising therefrom, including conversion, if the article of personal property has been sold. If the notice or notices required by this section shall be shown to be knowingly false or fraudulent, the interested party shall be entitled to treble damages. The prevailing party shall be entitled to all costs, including reasonable attorney fees.

K. This section shall apply to all actions or proceedings that commence on or after the effective date of this act.

SECTION 11. AMENDATORY 42 O.S. 2021, Section 91A, is amended to read as follows:

Section 91A.

A. 1. a. This section applies to all types of personal property other than:

(1) farm equipment as defined in Section 91.2 of this title, and

(2) "Section 91 Personal Property" as defined in Section 91 of this title.

b. This section applies to any vehicle, all-terrain vehicle, utility vehicle, manufactured home, motorcycle, boat, outboard motor, or trailer that is

excluded from coverage under subsection A of Section 91 of this title because the personal property:

- (1) does not have a certificate of title,
 - (2) has a certificate of title but does not have an active lien recorded on the certificate of title,
 - (3) has a certificate of title that is not issued by ~~the Oklahoma Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in the State of Oklahoma, or
 - (4) is otherwise excluded by subparagraph b of paragraph 1 of subsection A of Section 91 of this title or subsection D of Section 91 of this title.
- c. If personal property has a certificate of title, or would be required to have a certificate of title under Oklahoma law, and is apparently covered both by this section and by Sections 191 through 200 of this title, the procedures set out in this section shall apply instead of Sections 191 through 200 of this title. If personal property without a certificate of title and not required to be titled under Oklahoma law is covered both by this section and Sections 191 through 200 of this title, the procedures set out in Sections 191 through 200 of this title shall apply instead of this section.
2. a. Any person who, while lawfully in possession of an article of personal property to which this section applies, renders any service to the owner thereof by furnishing storage, rental space, material, labor or skill for the protection, improvement, safekeeping, towing, right to occupy space, storage or carriage thereof, has a special lien thereon, dependent on possession, for the compensation, if any, which is due to such person from the owner for such service. Charges owed under a contract primarily for the purpose of storage or rental of space shall be accrued

only at the regular periodic rate for storage or rental as provided in the contract, adjusted for partial periods of storage or rental.

- b. Except for Class AA licensed wrecker towing charges, the special lien shall be subordinate to any perfected security interest unless the claimant complies with the requirements of this section. Failure to comply with any requirements of this section shall result in denial of any title application and cause the special lien to be subordinate to any perfected lien. Upon such denial, the applicant shall be entitled to one resubmission of the title application within thirty (30) business days of receipt of the denial, and proceed to comply with the requirements of this section. "Failure to comply" includes, but is not limited to:

- (1) failure to timely provide additional documentation supporting or verifying any entry on submitted forms as requested by ~~the Tax Commission~~ Service Oklahoma,
- (2) failure to provide the documentation supporting lawful possession as outlined in paragraph 3 of subsection H of this section,
- (3) claimant being other than the individual who provided the service giving rise to the special lien, as in subparagraph a of this paragraph,
- (4) claimant not being in possession of the vehicle, or
- (5) notification and proceedings not accomplished in accordance with subparagraph c of this paragraph, and paragraph 3 of this subsection.

- c. Any person claiming a lien under this section shall request, within five (5) business days of performing any service or work on the property, ~~the Tax Commission~~ Service Oklahoma or other appropriate

license agency to furnish the name and address of the current owner of and any lienholder upon the property. ~~The Motor Vehicle Division of the Tax Commission Service Oklahoma~~ or an appropriate license agency shall respond in person or by mail to the lien claimant within ten (10) business days of the receipt of the request for information. ~~The Tax Commission Service Oklahoma~~ shall render assistance to ascertain ownership, if needed. The lien claimant shall send, within seven (7) business days of receipt of the requested information from ~~the Oklahoma Tax Commission Service Oklahoma~~ or other license agency, a notice of the location of the property by certified mail with return receipt requested, postage prepaid, to the owner and any lienholder of the vehicle at the addresses furnished. The lien claimant may charge Twenty Dollars (\$20.00) for processing plus the cost of postage if the notice is timely sent pursuant to the requirements of this subparagraph in addition to fees regulated by the Oklahoma Corporation Commission for licensed wreckers. If the lien claimant is unable to meet the time requirements due to a lack of or an altered vehicle identification number on the property, the lien claimant shall proceed diligently to obtain the proper vehicle identification number and shall meet the time requirements on the notice once the vehicle identification number is known. If the lien claimant is required to send additional notices because of change of ownership or lienholder after it has timely complied with the requirements of this subparagraph, the lien claimant shall remain in compliance if such additional notices are sent within the required time periods from the date of discovery of the new owners or lienholders. The notice shall be in writing and shall contain, but not be limited to, the following:

- (1) a statement that the notice is a Notice of Possessory Lien,
- (2) the complete legal name, physical and mailing address, and telephone number of the claimant,

- (3) the complete legal name, physical and mailing address of the person who requested that the claimant render service to the owner by furnishing material, labor or skill, storage, or rental space, or the date the property was abandoned if the claimant did not render any other service,
- (4) a description of the article of personal property, and the complete physical and mailing address of the location of the article of personal property,
- (5) the nature of the work, labor or service performed, material furnished, or the storage or rental arrangement, and the date thereof, and written proof of authority to perform the work, labor or service provided that, in the case of a law enforcement directed tow, the logbook entry prescribed in OAC 595:25-5-5 or the tow ticket as defined by the Corporation Commission shall serve as written proof of authority,
- (6) the signature of the claimant which shall be notarized and, if applicable, the signature of the claimant's attorney. If the claimant is a business, the name of the contact person representing the business shall be shown. In place of an original signature and notary seal, a digital or electronic signature or seal shall be accepted, and
- (7) an itemized statement describing the date or dates the labor or services were performed and material furnished and the charges claimed for each item, the totals of which shall equal the total compensation claimed.

The lien claimant shall not be required to send the notice required in this subparagraph if the property is released to an interested party before the notice

is mailed and no additional charges or fees continue to accrue. If a law enforcement agency has the property towed to a law enforcement facility, the person claiming a lien under this section shall not be required to send notice until the property is released by law enforcement to the claimant or the date which claimant starts charging storage, whichever is earlier. A lien claimant shall have an extension of ten (10) business days to send the notice required in this subparagraph if a state of emergency has been declared in the county in which the property is located.

- d. Subparagraphs b and c of this paragraph shall not apply to salvage pools as defined in Section 591.2 of Title 47 of the Oklahoma Statutes.

3. The lien may be foreclosed by a sale of such personal property upon the notice and in the manner following: The notice shall be in writing and shall contain, but not be limited to:

- a. the names of the owner and any other known party or parties who may claim any interest in the property,
- b. a description of the property to be sold, including a visual inspection or a photograph if the property is a motor vehicle, and the physical location of the property,
- c. the nature of the work, labor or service performed, material furnished, or the storage or rental arrangement, and the date thereof, and written proof of authority to perform the work, labor or service provided. In the case of a law enforcement directed tow, the logbook entry prescribed in OAC 595:25-5-5 or the tow ticket as defined by the Corporation Commission, shall serve as written proof of authority,
- d. the time and place of sale,
- e. the name, telephone number, physical address and mailing address of the claimant, and agent or

attorney, if any, foreclosing such lien. If the claimant is a business, then the name of the contact person representing the business must be shown. In place of an original signature and notary seal, a digital or electronic signature or seal shall be accepted, and

- f. itemized charges which shall equal the total compensation claimed.
- 4.
 - a. Such Notice of Sale shall be posted in two public places in the county where the property is to be sold at least ten (10) days before the time therein specified for such sale, and a copy of the notice shall be mailed to the owner and any other party claiming any interest in the property, if known, at their last-known post office address, by certified mail, return receipt requested, at least ten (10) days before the time therein specified for such sale. If the item of personal property is a manufactured home, notice shall also be sent by certified mail to the county treasurer and to the county assessor of the county where the manufactured home is located.
 - b. In the case of any item of personal property without a certificate of title and not required to be titled under Oklahoma law, a party who claims any interest in the property shall include all owners of the property; any secured party who has an active financing statement on file with the county clerk of Oklahoma County listing one or more owners of the property by legal name as debtors and indicating a collateral description that would include the property; and any other person having any interest in the personal property, of whom the claimant has actual notice.
 - c. In the case of personal property subject to this section for which a certificate of title has been issued by any jurisdiction, a party who claims any interest in the property shall include all owners of the article of personal property as indicated by the certificate of title; lien debtors, if any, other than

the owners; any lienholder whose lien is noted on the face of the certificate of title; and any other person having any interest in the article of personal property, of whom the claimant has actual notice.

- d. When the jurisdiction of titling for a vehicle, all-terrain vehicle, motorcycle, boat, outboard motor, or trailer that is five (5) model years old or newer, or a manufactured home that is fifteen (15) model years old or newer, cannot be determined by ordinary means, the claimant, the agent of the claimant, or the attorney of the claimant, shall request, in writing, that ~~the Oklahoma Tax Commission Motor Vehicle Division~~ Service Oklahoma ascertain the jurisdiction where the vehicle or manufactured home is titled. ~~The Oklahoma Tax Commission Motor Vehicle Division~~ Service Oklahoma shall, within fourteen (14) days from the date the request is received, provide information as to the jurisdiction where the personal property is titled. If ~~the Oklahoma Tax Commission Motor Vehicle Division~~ Service Oklahoma is unable to provide the information, it shall provide notice that the record is not available.
- e. When personal property is of a type that Oklahoma law requires to be titled, the owner of record of that property is unknown, and the jurisdiction of titling and owner of record cannot be determined by ordinary means and also, if applicable, cannot be determined in accordance with the preceding subparagraph, then the special lien may be foreclosed by publication of a legal notice in a legal newspaper in the county where the personal property is located, as defined in Section 106 of Title 25 of the Oklahoma Statutes. Such notice shall include the description of the property by year, make, vehicle identification number if available from the property, the name of the individual who may be contacted for information, and the telephone number of that person or the address where the vehicle is located. The legal notice shall be published once per week for three (3) consecutive weeks. As soon as circumstances exist as described in

the first sentence of this subparagraph, the first date of publication may occur even if the special lien has not accrued for over thirty (30) days. The first date available for public sale of the vehicle is the day following publication of the final notice, but no fewer than thirty (30) days after the lien has accrued. When the owner of record is unknown, the Notice of Sale nevertheless must be completed and mailed to any known interested party by certified mail. For purposes of this paragraph, interested parties shall include all persons described in subparagraph b or subparagraph c of this paragraph, whichever is applicable, with the exception of any owner who is unknown. Except in circumstances described in paragraph 7 of this subsection that provide for a shorter time period, the Notice of Sale shall be posted in two public places in the county where the property is to be sold at least ten (10) days before the time therein specified for such sale, and the Notice of Sale shall not be mailed until at least thirty (30) days after the lien has accrued.

5. The lienor or any other person may in good faith become a purchaser of the property sold.

6. Proceedings for foreclosure under this act shall not be commenced until thirty (30) days after the lien has accrued, except as provided elsewhere in Oklahoma law.

7. Notwithstanding any other provision of law, proceedings for foreclosures for the storage of junk vehicles towed and stored pursuant to Section 955 of Title 47 of the Oklahoma Statutes by Class AA wreckers listed with the Motor Vehicle Division of the Department of Public Safety, may be commenced five (5) days after the lien has accrued. For purposes of this paragraph, "junk vehicles" means any vehicle that is more than ten (10) years old if the cost of a comparable vehicle would be less than Three Hundred Dollars (\$300.00) as quoted in the latest edition of the National Automobile Dealers Association Official Used Car Guide or latest monthly edition of any other nationally recognized published guidebook, adjusting to the condition of the vehicle.

- B. 1. a. Any person who is induced by means of a check or other form of written order for immediate payment of money to deliver up possession of an article of personal property on which the person has a special lien created by subsection A of this section, which check or other written order is dishonored, or is not paid when presented, shall have a lien for the amount thereof upon the personal property.
- b. The person claiming such lien shall, within thirty (30) days from the date of dishonor of the check or other written order for payment of money, file in the office of the county clerk of the county in which the property is situated a sworn statement that:
- (1) the check or other written order for immediate payment of money, copy thereof being attached, was received for labor, material or supplies for producing or repairing an article of personal property, or for other specific property-related services covered by this section,
 - (2) the check or other written order was not paid, and
 - (3) the uttering of the check or other written order constituted the means for inducing the person, one possessed of a special lien created by subsection A of this section upon the described article of personal property, to deliver up the article of personal property.
2. a. Any person who renders service to the owner of an article of personal property by furnishing storage, rental space, material, labor, or skill for the protection, improvement, safekeeping, towing, right to occupy space, storage, or carriage thereof shall have a special lien on such property pursuant to this section if such property is removed from the person's possession, without such person's written consent or without payment for such service.

- b. The person claiming such lien shall, within five (5) days of such nonauthorized removal, file in the office of the county clerk of the county in which the property is located, a sworn statement including:
- (1) that services were rendered on or in relation to the article of personal property by the person claiming such lien,
 - (2) that the property was in the possession of the person claiming the lien but such property was removed without his or her written consent,
 - (3) an identifying description of the article of personal property on or in relation to which the service was rendered, and
 - (4) that the debt for the services rendered on or in relation to the article of personal property was not paid. Provided, if the unpaid total amount of the debt for services rendered on or in relation to the article of personal property is unknown, an approximated amount of the debt due and owing shall be included in the sworn statement but such approximated debt may be amended within thirty (30) days of such filing to reflect the actual amount of the debt due and owing.

3. The enforcement of the lien shall be within sixty (60) days after filing the lien in the manner provided by law for enforcing the lien of a security agreement and provided that the lien shall not affect the rights of innocent, intervening purchasers without notice.

C. If the person who renders service to the owner of an article of personal property to which this section applies relinquishes or loses possession of the article due to circumstances described in subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of subsection B of this section, the person claiming the lien shall be entitled to possession of the article until the amount due is paid, unless the article is possessed by a person who became a bona fide

purchaser. Entitlement to possession shall be in accordance with the following:

1. The claimant may take possession of an article pursuant to this subsection only if the person obligated under the contract for services has signed an acknowledgment of receipt of a notice that the article may be subject to repossession. The notice and acknowledgment pursuant to this subsection shall be:

- a. in writing and separate from the written contract for services, or
- b. printed on the written contract for services, credit agreement or other document which displays the notice in bold-faced, capitalized and underlined type, or is separated from surrounding written material so as to be conspicuous with a separate signature line;

2. The claimant may require the person obligated under the contract for services to pay the costs of repossession as a condition for reclaiming the article only to the extent of the reasonable fair market value of the services required to take possession of the article;

3. The claimant shall not transfer to a third party or to a person who performs repossession services, a check, money order, or credit card transaction that is received as payment for services with respect to an article and that is returned to the claimant because of insufficient funds or no funds, because the person writing the check, issuing the money order, or credit cardholder has no account or because the check, money order, or credit card account has been closed. A person violating this paragraph shall be guilty of a misdemeanor; and

4. An article that is repossessed pursuant to this subsection shall be promptly delivered to the location where the services were performed. The article shall remain at the services location at all times until the article is lawfully returned to the record owner or a lienholder or is disposed of pursuant to this section.

D. 1. This section applies if a vehicle, all-terrain vehicle, manufactured home, motorcycle, boat, outboard motor, or trailer has

a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in Oklahoma, but there is no active lien recorded on the certificate of title.

2. This section applies if a vehicle, all-terrain vehicle, utility vehicle, motorcycle, boat, outboard motor or trailer has a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in Oklahoma, and there is an active lien recorded on the certificate of title, but the lien is over fifteen (15) years old.

3. This section applies if personal property to which Section 91 of this title otherwise would apply has been registered by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized Indian tribe in the State of Oklahoma, and there is a lien of record but no certificate of title has been issued.

4. This section applies if personal property to which Section 91 of this title otherwise would apply has not been registered by either ~~the Tax Commission~~ Service Oklahoma or a federally recognized Indian tribe in the State of Oklahoma, and no certificate of title has been issued, but there is a lien of record.

5. This section applies to personal property that otherwise would be covered by Section 91 of this title, except that the services were rendered or the property was abandoned prior to November 1, 2005.

6. This section applies to a vehicle, all-terrain vehicle, utility vehicle, manufactured home, motorcycle, boat, outboard motor, or trailer for which ownership cannot be determined by ordinary means or by ~~the Oklahoma Tax Commission Motor Vehicle Division~~ Service Oklahoma, as provided in subparagraphs d and e of paragraph 4 of subsection A of this section, as applicable.

7. This section applies to items of personal property that are not required by Oklahoma law to be titled, and that do not have a certificate of title.

8. This section applies to salvage pools as defined in Section 591.2 of Title 47 of the Oklahoma Statutes.

9. This section applies to class AA licensed wrecker services taking possession of a vehicle pursuant to an agreement with, or at the direction of, or dispatched by a state or local law enforcement or government agency, or pursuant to the abandoned vehicle removal provisions of Section 954A of Title 47 of the Oklahoma Statutes with respect to all types of personal property, regardless of whether that personal property has a certificate of title.

10. For a vehicle abandoned at a salvage pool, if the cost of repairing the vehicle for safe operation on the highway does not exceed sixty percent (60%) of the fair market value of the vehicle as defined in Section 1111 of Title 47 of the Oklahoma Statutes, a salvage title shall not be required.

E. A person who knowingly makes a false statement of a material fact regarding the furnishing of storage, rental space, material, labor or skill for the protection, improvement, safekeeping, towing, right to occupy space, storage or carriage thereof in a proceeding under this section, or attempts to use or uses the provisions of this section to foreclose an owner or lienholder's interest in a vehicle knowing that any of the statements made in the proceeding are false, upon conviction, shall be guilty of a felony.

F. Upon receipt of notice of legal proceedings, ~~the Tax Commission Service Oklahoma~~ shall cause the sale process to be put on hold until notice of resolution of court proceedings is received from the court. If such notice of commencement of court proceedings is not filed with ~~the Tax Commission Service Oklahoma~~, the possessory lien sale process may continue.

G. No possessory lien sale shall be held on a Sunday.

H. For purposes of this section:

1. "Possession" includes actual possession and constructive possession;

2. "Constructive possession" means possession by a person who, although not in actual possession, does not have an intention to abandon property, knowingly has both power and the intention at a given time to exercise dominion or control over the property, and who holds claim to such thing by virtue of some legal right;

3. "Lawfully in possession" means a person has documentation from the owner or the owner's authorized agent, or an insurance company or its authorized agent, authorizing the furnishing of material, labor or storage, or that the property was authorized to be towed to a repair facility.

Class AA wrecker services taking possession of a vehicle pursuant to an agreement with, or at the direction of, or dispatched by, a state or local law enforcement or government agency, or pursuant to the abandoned vehicle removal provisions of Section 954A of Title 47 of the Oklahoma Statutes, shall be considered lawfully in possession of the vehicle. If the person lacks such documentation, the procedures established by this section shall not apply; and

4. "Itemized charges" means total parts, total labor, total towing fees, total storage fees, total processing fees and totals of any other fee groups, the sum total of which shall equal the compensation claimed.

I. For purposes of this section, the United States Postal Service approved electronic equivalent of proof of return receipt requested Form 3811 shall satisfy return receipt requested documentation requirements.

J. If a person claiming a special lien pursuant to this section fails to comply with any of the requirements of this section, any interested party may proceed against the person claiming such lien for all damages arising therefrom, including conversion, if the article of personal property has been sold. If the notice or notices required by this section shall be shown to be knowingly false or fraudulent, the interested party shall be entitled to treble damages. The prevailing party shall be entitled to all costs, including reasonable attorney fees.

K. Any interested party shall be permitted to visually inspect and verify the services rendered by the claimant prior to the sale of the article of property during normal business hours. If the claimant fails to allow any interested party to inspect the property, the interested party shall mail a request for inspection by certified mail, return receipt requested, to the claimant.

Within three (3) business days of receipt of the request for inspection, the claimant shall mail a photograph of the property, by certified mail, return receipt requested, and a date of inspection within five (5) business days from the date of the notice to inspect. The lienholder shall be allowed to retrieve the property without being required to bring the title into the lienholder's name, if the lienholder provides proof it is a lienholder and any payment due the claimant for lawful charges where the claimant has complied with this section. Upon the release of personal property to an insurer or representative of the insurer, wrecker operators shall be exempt from all liability and shall be held harmless for any losses or claims of loss. In the event any law enforcement agency places a hold on the property, the party wanting to inspect or photograph the property shall obtain permission from the law enforcement agency that placed the hold on the property before inspecting or photographing.

L. This section shall apply to all actions or proceedings that commence on or after the effective date of this act.

SECTION 12. AMENDATORY Section 6, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 3-106), is amended to read as follows:

Section 3-106. A. There is hereby created in the State Treasury a revolving fund for Service Oklahoma to be designated the "Service Oklahoma Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. All monies accruing to the credit of said fund are hereby appropriated and shall be budgeted and expended by Service Oklahoma for the restricted purposes of the monies as prescribed by law. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. There is hereby created in the State Treasury a revolving fund for Service Oklahoma to be designated the "Service Oklahoma Reimbursement Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. All monies accruing to the credit of said fund are hereby appropriated and shall be budgeted and expended by Service Oklahoma for the restricted purposes of the

monies as prescribed by law. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

C. There is hereby created in the State Treasury a revolving fund for Service Oklahoma, to be designated the "Service Oklahoma Computer Imaging System Revolving Fund". The fund shall be a continuing fund not subject to fiscal year limitations. All monies accruing to the credit of said fund are hereby appropriated and shall be budgeted and expended by Service Oklahoma for the purpose of implementing, developing, administering, and maintaining the computer imaging system of Service Oklahoma. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

D. There is hereby created a Petty Cash Fund for Service Oklahoma. The fund shall be used by Service Oklahoma to operate cash drawers as necessary. The amount of the Petty Cash Fund shall be determined by the Director of Service Oklahoma and the Director of the Office of Management and Enterprise Services. Purchases from the Petty Cash Fund shall be prohibited. The Director of Office of Management and Enterprise Services shall be authorized to prescribe forms, systems, and procedures for the administration of the Petty Cash Fund.

SECTION 13. AMENDATORY 47 O.S. 2021, Section 6-101, as last amended by Section 37, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, 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 holds a valid Class A commercial license, except as provided in paragraph 5 of this subsection and subsection F of this section. Any person holding a valid Class A commercial license shall be permitted to operate motor vehicles in Classes A, B, C and D, except as provided for in paragraph 4 of this subsection.

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

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

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

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

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

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

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

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

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

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

completed a certified Motorcycle Safety Foundation rider course approved by the Department, in conjunction with Service Oklahoma.

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

2. This commercial learner permit shall be issued for a period as provided in Section 6-115 of this title of ~~one hundred eighty (180) days, which may be renewed one time for an additional one hundred eighty (180) days~~ one year; provided, such commercial learner permit may be suspended, revoked, canceled, denied or disqualified at the discretion of the Department, with notice to Service Oklahoma, for violation of the restrictions, for failing to give the required or correct information on the application or for violation of any traffic laws of this state pertaining to the operation of a motor vehicle. Except as otherwise provided, the lawful possessor of a commercial learner permit who has been issued a commercial learner permit for a minimum of fourteen (14) days may have the restriction requiring an accompanying driver removed by satisfactorily completing a driver's examination; provided, the removal of a restriction shall not authorize the operation of a Class A, B or C commercial motor vehicle if such operation is otherwise prohibited by law.

3. No person shall apply for and Service Oklahoma shall not issue an original Class A, B or C driver license until the person has been issued a commercial learner permit and held the permit for at least fourteen (14) days. Any person who currently holds a Class B or C license and who wishes to apply for another class of commercial driver license shall be required to apply for a commercial learner permit and to hold the permit for at least

fourteen (14) days before applying for the Class A or B license, as applicable. Any person who currently holds a Class A, B or C license and who wishes to add an endorsement or remove a restriction for which a skills examination is required shall be required to apply for a commercial learner permit and to hold the permit for at least fourteen (14) days before applying for the endorsement.

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

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

G. 1. For purposes of this title:

- a. "REAL ID Compliant Driver License" or "Identification Card" means a driver license or identification card issued by the State of Oklahoma that has been certified by the United States Department of Homeland Security (USDHS) as compliant with the requirements of the REAL ID Act of 2005, Public Law No. 109-13. A REAL ID Compliant Driver License or Identification Card and the process through which it is issued incorporate a variety of security measures designed to protect the integrity and trustworthiness of the license or card. A REAL ID Compliant Driver License or Identification Card will be clearly marked on the face indicating that it is a compliant document, and
- 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 Service Oklahoma. Beginning January 1, 2023, application for an original REAL ID Compliant Driver License or Identification Card may be made to Service Oklahoma or a licensed operator provided such licensed operator is authorized to process applications for REAL ID Compliant Driver Licenses and Identification Cards. Applications for a REAL ID Noncompliant Driver License or Identification Card shall be made to Service Oklahoma.
- b. Service Oklahoma 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. Beginning January 1, 2023, Service Oklahoma employees or authorized licensed operators shall perform all document recognition and other requirements necessary for approval of an original REAL ID Compliant Driver License or Identification Card application. Service Oklahoma employees shall perform all document recognition and other requirements necessary for approval of a 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 application, the applicant may take the approved application document to a licensed operator to receive a temporary driver license or identification card.
- d. The licensed operator shall process the approved REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application and upon payment shall provide the applicant a temporary driver license or identification card. A temporary driver license or identification card shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card, whichever time period is shorter.

3. REAL ID Compliant Driver License and Identification Card
Renewal and Replacement:

- a. Application for renewal or replacement of a REAL ID Compliant Driver License or Identification Card may be made to Service Oklahoma or to a licensed operator; provided, such licensed operator is authorized to process application for REAL ID Compliant Driver Licenses and Identification Cards. A licensed operator may process the voluntary downgrade of a REAL ID Compliant Commercial Driver License to any lower class license upon request of the licensee; provided, no additional endorsements or restrictions are placed on the license.
- b. Service Oklahoma employees or authorized licensed operators shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application.

- c. Upon approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application, the applicant may receive a temporary driver license or identification card from Service Oklahoma or an authorized licensed operator.
- d. A temporary driver license or identification card acquired under the provisions of this paragraph shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card being renewed or replaced for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Compliant Driver License or Identification Card, whichever time period is shorter.
- e. For purposes of this title, an application for a REAL ID Compliant Driver License or Identification Card by an individual with a valid Oklahoma-issued driver license or identification card shall be considered a renewal of a REAL ID Compliant Driver License or Identification Card.

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

- a. Application for renewal or replacement of a REAL ID Noncompliant Driver License or Identification Card may be made to Service Oklahoma or to a licensed operator. A licensed operator may process the voluntary downgrade of a REAL ID Noncompliant Commercial Driver License to any lower class license upon request of the licensee; provided, no additional endorsements or restrictions are added to the license.
- b. Service Oklahoma employees or licensed operators shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Noncompliant Driver License or Identification Card application.

- c. Upon approval of a renewal or replacement REAL ID Noncompliant Driver License or Identification Card application, the applicant may receive a temporary driver license or identification card from Service Oklahoma or a licensed operator.
- d. A temporary driver license or identification card acquired under the provisions of this paragraph shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card being renewed or replaced for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Noncompliant Driver License or Identification Card, whichever time period is shorter.

H. 1. The fee charged for an approved application for an 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 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
Class A Commercial License	\$56.50	\$113.00
Class B Commercial Learner Permit	\$56.50	\$113.00
Class B Commercial License	\$56.50	\$113.00
Class C Commercial Learner Permit	\$46.50	\$93.00
Class C Commercial License	\$46.50	\$93.00
Class D License	\$38.50	\$77.00

K. 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 Compliant 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
REAL ID Compliant Class A Commercial Learner Permit	\$56.50	\$113.00
REAL ID Compliant Class A Commercial License	\$56.50	\$113.00
REAL ID Compliant Class B Commercial Learner Permit	\$56.50	\$113.00
REAL ID Compliant Class B Commercial License	\$56.50	\$113.00
REAL ID Compliant Class C Commercial Learner Permit	\$46.50	\$93.00
REAL ID Compliant Class C Commercial License	\$46.50	\$93.00
REAL ID Compliant Class D License	\$38.50	\$77.00

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 through October 31, 2022. Beginning November 1, 2022, 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 Service Oklahoma Computer Imaging System Revolving Fund to be used solely for the purpose of administration and maintenance of the computerized imaging system of Service Oklahoma;

3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars (\$20.00) of an 8-year license shall be deposited to the Department of Public Safety Revolving Fund for all original or renewal issuances of licenses through October 31, 2022. Beginning November 1, 2022, Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars (\$20.00) of an 8-year license shall be deposited to the Service Oklahoma Revolving Fund for all original or renewal issuances of licenses; and

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

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

O. Any person sixty-two (62) years of age or older during the calendar year of issuance or renewal of a Class D license or 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-	

P. No person who has been honorably discharged from active service in any branch of the Armed Forces of the United States or

Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident resulting from disease contracted while in such active service and registered with the veterans registry created by the Oklahoma Department of Veterans Affairs shall be charged a fee for the issuance, replacement or renewal of an Oklahoma driver license; provided, that if a veteran has been previously exempt from a fee pursuant to this subsection, no registration with the veterans registry shall be required.

Q. In accordance with the provisions of subsection G of this section, Service Oklahoma is authorized to promulgate rules for the issuance and renewal of driver licenses authorized pursuant to the provisions of Sections 6-101 through 6-309 of this title; provided, that no such rules applicable to the issuance or renewal of REAL ID Noncompliant Driver Licenses shall create more stringent standards than such rules applicable as of January 1, 2017, unless directly related to a specific change in statutory law concerning standards for REAL ID Noncompliant Driver Licenses. Applications, upon forms approved by Service Oklahoma, for such licenses shall be handled, in accordance with the provisions of subsection G of this section, by the licensed operator; provided, Service Oklahoma is authorized to assume these duties in any county of this state. Each licensed operator accepting applications for driver licenses shall receive Six Dollars (\$6.00) for a 4-year REAL ID Noncompliant Driver License or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver License or Ten Dollars (\$10.00) for a 4-year REAL ID Compliant Driver License or Twenty Dollars (\$20.00) for an 8-year REAL ID Compliant Driver License to be deducted from the total collected for each license or renewal application accepted. Beginning July 1, 2022, and ending May 31, 2023, each motor license agent or licensed operator accepting applications for driver licenses for individuals over the age of sixty-five (65) years or for applications for driver licenses pursuant to the provisions of subsection P of this section shall receive Six Dollars (\$6.00) for a 4-year driver license or Twelve Dollars (\$12.00) for an 8-year drive license, to be deducted daily by the motor license agent or licensed operator receipts. The amount retained pursuant to this subsection shall not be retained by any state agency. The fees received by the licensed operator,

authorized by this subsection, shall be used for operating expenses. For purposes of this subsection, "licensed operator" shall mean an individual who obtains a license from the Service Oklahoma Operator Board to operate a designated Service Oklahoma location and offers third-party fulfillment of designated services to be rendered by Service Oklahoma.

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

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

S. Service Oklahoma shall retain the images displayed on licenses and identification cards issued pursuant to the provisions of Sections 6-101 through 6-309 of this title which may be used only:

1. By a law enforcement agency for purposes of criminal investigations, missing person investigations or any law enforcement purpose which is deemed necessary by the Commissioner of Public Safety;
2. By the driver licensing agency of another state for its official purpose; and
3. As provided in Section 2-110 of this title.

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

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

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

U. ~~Upon the effective date of this act~~ Beginning May 24, 2021, and ending on April 30, 2023, in addition to the amounts provided in subsection Q of this section, a licensed operator shall receive Five Dollars (\$5.00) for each processed application for a REAL ID Compliant 4-year Driver License and Ten Dollars (\$10.00) for each processed application for a REAL ID Compliant 8-year Driver License. Any additional amounts provided pursuant to this subsection shall not be retained by Service Oklahoma.

SECTION 14. AMENDATORY 47 O.S. 2021, Section 6-105, as amended by Section 42, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-105), is amended to read as follows:

Section 6-105. A. Unless a legal custodial parent or legal guardian has filed an objection to licensure pursuant to Section 6-103.1 of this title, any person under eighteen (18) years of age who is in compliance with or not subject to Section 6-107.3 of this title may be permitted to operate:

1. A Class D motor vehicle under the graduated driver license provisions prescribed in subsections B through E of this section;

2. A motorcycle under the provisions prescribed in subsection H of this section; or

3. A farm vehicle under the provisions prescribed in subsection I of this section.

B. Any person who is at least fifteen (15) years of age may drive during a session in which the driver is being instructed in a driver education course, as set out in subparagraphs a, b, c, d and e of paragraph 1 of subsection C of this section, by a certified driver education instructor who is seated in the right front seat of the motor vehicle.

C. Any person:

1. Who is at least fifteen and one-half (15 1/2) years of age and is currently receiving instruction in or has successfully completed driver education. For purposes of this section, the term "driver education" shall mean:

- a. a prescribed secondary school driver education course, as provided for in Sections 19-113 through 19-121 of Title 70 of the Oklahoma Statutes,
- b. a driver education course, certified by ~~the Department of Public Safety~~ Service Oklahoma, from a parochial, private, or other nonpublic secondary school,
- c. a commercial driver training course, as defined by Sections 801 through 808 of this title,
- d. a parent-taught driver education course, certified by Service of Oklahoma, in conjunction with the Department of Public Safety. ~~The Department~~ Service Oklahoma shall promulgate rules for any parent-taught driver education course, or
- e. a driver education course certified by a state other than Oklahoma; or

2. Who is at least sixteen (16) years of age,

may, upon successfully passing all parts of the driver license examination administered by Service Oklahoma, or an approved written examination proctor, except the driving examination, be issued a learner permit which will grant the permittee the privilege to operate a Class D motor vehicle upon the public highways only between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied by a licensed driver who is at least twenty-one (21) years of age and who is actually occupying a seat beside the permittee; provided, the written examination for a learner permit may be waived by Service Oklahoma upon verification that the person has successfully completed driver education.

D. 1. Any person:

- a. who has applied for, been issued, and has possessed a learner permit for a minimum of ~~six (6) months~~ one hundred eighty (180) days, and
- b. whose custodial legal parent or legal guardian certifies to Service Oklahoma by sworn affidavit that the person has received a minimum of fifty (50) hours of actual behind-the-wheel training, of which at least ten (10) hours of such training was at night, from a licensed driver who was at least twenty-one (21) years of age and who was properly licensed to operate a Class D motor vehicle for a minimum of two (2) years,

may be issued an intermediate Class D license upon successfully passing all parts of the driver license examinations administered by Service Oklahoma; provided, the written examination, if it has not previously been administered or waived, may be waived by Service Oklahoma upon verification that the person has successfully completed driver education or the driving examination may be waived by Service Oklahoma upon successful passage of the examination administered by a certified designated examiner, as provided for in Section 6-110 of this title. However, notwithstanding the date of issuance of the learner permit, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time period specified in subparagraph a of this

paragraph shall be recalculated to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued an intermediate Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time period specified in subparagraph a of this paragraph shall be recalculated to begin from the most recent date of conviction, and must elapse before that person may be issued an intermediate Class D license.

2. A person who has been issued an intermediate Class D license under the provisions of this subsection:

- a. shall be granted the privilege to operate a Class D motor vehicle upon the public highways:
 - (1) only between the hours of 5:00 a.m. and 10:00 p.m., except for driving to and from work, school, school activities, and church activities, or
 - (2) at any time, if a licensed driver who is at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee, or if the intermediate Class D licensee is a farm or ranch resident, and is operating a motor vehicle while engaged in farming or ranching operations outside the limits of a municipality, or driving to and from work, school, school activities, or church activities, and
- b. shall not operate a motor vehicle with more than one passenger unless:
 - (1) all passengers live in the same household as the custodial legal parent or legal guardian, or
 - (2) a licensed driver at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee.

E. Any person who has been issued an intermediate Class D license for a minimum of:

1. One (1) year; or

2. ~~Six (6) months~~ One hundred eighty (180) days, if the person has completed both the driver education and the parent-certified behind-the-wheel training provisions of subparagraph b of paragraph 1 of subsection D of this section,

may be issued a Class D license. However, notwithstanding the date of issuance of the Class D license, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalculated to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued a Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalculated to begin from the most recent date of conviction, and must elapse before that person may be issued a Class D license.

F. Learner permits and intermediate Class D licenses shall be issued for the same period as all other driver licenses. The licenses may be suspended or canceled at the discretion of the Department, with notice to Service Oklahoma, for violation of restrictions, for failing to give the required or correct information on the application, for knowingly giving false or inaccurate information on the application or any subsequent documentation related to the granting of driving privileges, for using a hand-held electronic device while operating a motor vehicle for non-life-threatening emergency purposes or for violation of any traffic laws of this state pertaining to the operation of a motor vehicle.

G. Service Oklahoma shall promulgate rules establishing procedures for removal of learner permit and intermediate Class D license restrictions from the permit or license upon the permittee or licensee qualifying for a less restricted or an unrestricted license.

H. Any person fourteen (14) years of age or older may apply for a restricted Class D license with a motorcycle-only restriction. After the person has successfully passed all parts of the motorcycle examination other than the driving examination, has successfully completed a certified state-approved motorcycle basic rider course approved by the Department of Public Safety, in conjunction with Service Oklahoma, and has met all requirements provided for in the rules of the Department and Service Oklahoma, Service Oklahoma shall issue to the person a restricted Class D license with a motorcycle-only restriction which shall grant to the person, while having the license in the person's immediate possession, the privilege to operate a motorcycle or motor-driven cycle:

1. With a piston displacement not to exceed three hundred (300) cubic centimeters;

2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

3. While wearing approved protective headgear; and

4. While accompanied by and receiving instruction from any person who is at least twenty-one (21) years of age and who is properly licensed pursuant to the laws of this state to operate a motorcycle or motor-driven cycle, and who has visual contact with the restricted licensee.

The restricted licensee may apply on or after thirty (30) days from date of issuance of the restricted Class D license with a motorcycle-only restriction to have the restriction of being accompanied by a licensed driver removed by successfully completing the driving portion of an examination.

The written examination and driving examination for a restricted Class D license with a motorcycle-only endorsement shall be waived by Service Oklahoma upon verification that the person has successfully completed a certified state-approved motorcycle basic rider course approved by the Department and Service Oklahoma.

I. Service Oklahoma may in its discretion issue a special permit to any person who has attained the age of fourteen (14) years, authorizing such person to operate farm vehicles between the farm and the market to haul commodities grown on the farm; provided,

that the special permit shall be temporary and shall expire not more than thirty (30) days after the issuance of the special permit. Special permits shall be issued only to farm residents and shall be issued only during the time of the harvest of the principal crops grown on such farm. Provided, however, Service Oklahoma shall not issue a special permit pursuant to this subsection until Service Oklahoma is fully satisfied after the examination of the application and other evidence furnished in support thereof, that the person is physically and mentally developed to such a degree that the operation of a motor vehicle by the person would not be inimical to public safety.

J. As used in this section:

1. "Hand-held electronic device" means a mobile telephone or electronic device with which a user engages in a telephone call, plays or stores media, including but not limited to music and video, or sends or reads a text message while requiring the use of at least one hand; and

2. "Using a hand-held electronic device" means engaging any function on an electronic device.

K. All driver education courses provided for in paragraph 1 of subsection C of this section shall include education regarding the dangers of texting while driving and the effects of being under the influence of alcohol or other intoxicating substance while driving.

SECTION 15. AMENDATORY 47 O.S. 2021, Section 6-110, as amended by Section 49, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-110), is amended to read as follows:

Section 6-110. A. 1. Service Oklahoma shall establish procedures to ensure every applicant for an original Class A, B, C or D license and for any endorsements thereon is examined by Service Oklahoma, or an approved written examination proctor, except as otherwise provided in Section 6-101 et seq. of this title or as provided in paragraph 2 of this subsection or in subsections D and E of this section. Service Oklahoma is authorized to approve and enter into agreements with local school districts, the Oklahoma Department of Career and Technology Education, or institutions of higher education to act as approved written examination proctors

with regard to any written examination required by this section. The examination shall include a test of the applicant's:

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

The Department of Public Safety, in conjunction with Service Oklahoma, may create a knowledge test that may be taken on the Internet by an applicant applying for a Class D license.

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

2. Service Oklahoma shall have the authority to waive the requirement of any part of the examination required in paragraph 1 of this subsection for those applicants whose driving record meets the standards set by the Department of Public Safety and surrender either of the following:

- a. a valid unexpired driver license issued by any state or country for the same type or types of vehicles, or
- b. an expired driver license that:
 - (1) is not expired more than six (6) months past the expiration date listed on the driver license, and
 - (2) is not a Class A, B or C commercial driver license or commercial driver license permit.

3. Service Oklahoma shall accept skills test results from another state for Class A, B or C license applicants who have successfully completed commercial motor vehicle driver training in that state and successfully passed the skills test in that state; provided, Service Oklahoma shall not accept skills test results from another state when the applicant has not successfully completed commercial motor vehicle driver training in that state. Nothing in this section shall be construed to prohibit Service Oklahoma from administering the skills test to any applicant who has successfully completed commercial vehicle driver training in another state.

4. All applicants requiring a hazardous materials endorsement shall be required, for the renewal of the endorsement, to successfully complete the examination and to submit to a security threat assessment performed by the Transportation Security Administration of the Department of Homeland Security as required by and pursuant to 49 C.F.R., Part 1572, which shall be used to determine whether the applicant is eligible for renewal of the endorsement pursuant to federal law and regulation.

5. Service Oklahoma, or an approved written examination proctor, shall give the complete examination as provided for in this section within thirty (30) days from the date the application is received, and the examination shall be given at a location within one hundred (100) miles of the residence of the applicant. Service Oklahoma shall make every effort to make the examination locations and times convenient for applicants. Service Oklahoma shall consider giving the examination at various school sites if the district board of education for the district in which the site is located agrees and if economically feasible and practicable.

B. Any person holding a valid Oklahoma Class D license or provisional driver license pursuant to Section 6-212 of this title and applying for a Class A, B or C commercial license shall be required to successfully complete all examinations as required for the specified class. Failure to submit to Service Oklahoma federally required medical certification information pursuant to 49 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade of a commercial license to a Class D license. Provided, however, once the required medical certification information has been received by Service Oklahoma, the license shall be reinstated to the

classification of the commercial license prior to the downgrade and the holder of such a license shall not be required to reapply.

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

D. 1. Any certified driver education instructor who is currently an operator or an employee of a commercial driver training school in this state or any driver education instructor employed by any school district in this state shall be eligible to apply to be a designated examiner of Service Oklahoma for the purposes of administering the Class D driving skills portion of the Oklahoma driving examination to any person who has been issued a learner permit.

2. The Department of Public Safety, in conjunction with Service Oklahoma, shall adopt a curriculum of required courses and training to be offered to applicants who are qualified to apply to be a designated examiner. The courses and training for certification shall meet the same standards as required for driver examiners of Service Oklahoma.

3. Each person applying to be a designated examiner shall be required to pay an initial designated examiner certification fee of One Thousand Dollars (\$1,000.00). Upon successful completion of training prescribed by paragraph 2 of this subsection, the person shall be required to pay an annual designated examiner certification fee of Five Hundred Dollars (\$500.00). If an applicant for the designated examiner program is employed by an Oklahoma public school system that offers driver education, and he or she administers the skills test only to students enrolled in a public school driver education program, the certification fee may be waived by Service Oklahoma. Each designated examiner certification shall expire on the last day of the calendar year and may be renewed upon application to Service Oklahoma. The designated examiner certification fees collected by Service Oklahoma pursuant to this subsection shall be deposited to the credit of the Department of Public Safety Restricted Revolving Fund to be used for the purposes

of this subsection, through October 31, 2022. Beginning November 1, 2022, the designated examiner certification fees collected by Service Oklahoma pursuant to this subsection shall be deposited to the credit of the Service Oklahoma Revolving Fund. No designated examiner certification fee shall be refunded in the event that certification is denied, suspended or revoked.

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

5. Service Oklahoma shall ~~conduct an annual complete nationwide criminal history background check on~~ require each designated examiner ~~and a complete nationwide criminal history background check on each designated examiner applicant~~ and driver education instructor applicant to submit to an electronic national criminal history record check pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes. The fees for the ~~background record~~ record check shall be borne by the designated examiner, ~~or~~ designated examiner applicant, driver education instructor, or driver education instructor applicant.

6. The Department of Public Safety, in conjunction with Service Oklahoma, shall promulgate rules to implement and administer the provisions of this subsection.

E. 1. Upon application and approval of Service Oklahoma, any public or private commercial truck driving school that has or maintains a program instructing students for a Class A, B or C license, public transit agency or state, county or municipal government agency in this state shall be authorized to hire or employ designated examiners approved by Service Oklahoma to be third-party examiners of the Class A, B or C driving skills portion of the Oklahoma driving examination. All designated examiners must successfully have completed the courses and training as outlined in paragraph 2 of this subsection. Service Oklahoma shall be required to approve at least one public transit agency that has or maintains a program instructing students for a Class A, B or C license to hire or employ third-party examiners pursuant to this section. It shall be permissible for any public transit agency operating in the State of Oklahoma to utilize the third-party examiners hired or employed by a public transit agency approved by Service Oklahoma.

2. The Department of Public Safety, in conjunction with Service Oklahoma, shall adopt a curriculum of required courses and training to be offered to third-party examiners. The courses and training for certification shall meet the same standards as required for commercial driver examiners of Service Oklahoma.

3. Service Oklahoma shall require each third-party examiner applicant and commercial school driver education instructor applicant to submit to an electronic national criminal history record check pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes. On or before December 1, 2022, Service Oklahoma shall require each third-party examiner or commercial school driver education instructor to submit to an electronic national criminal history record check pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes. The fees for the background check shall be borne by the third-party examiner, third-party examiner applicant, commercial school driver education instructor or commercial school driver education instructor applicant.

F. Service Oklahoma shall promulgate rules to:

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

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

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

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

SECTION 16. AMENDATORY 47 O.S. 2021, Section 6-111, as last amended by Section 53, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-111), is amended to read as follows:

Section 6-111. A. 1. Service Oklahoma shall, upon payment of the required fee, issue to every applicant qualifying therefor a Class A, B, C or D driver license or identification card as applied for, which license or card shall bear thereon a distinguishing alphanumeric identification assigned to the licensee or cardholder, date of issuance and date of expiration of the license or card, the full legal name, signature or computerized signature, date of birth, residence address, unless specified as an exception in the Code of Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized color image of the licensee or cardholder taken in accordance with Service Oklahoma rules and security features as determined by Service Oklahoma. The image shall depict a full front unobstructed view of the entire face of the licensee or cardholder; provided, a commercial learner permit shall not bear the image of the licensee. When any person is issued both a driver license and an identification card, Service Oklahoma shall ensure the information on both the license and the card are the same, unless otherwise provided by law.

2. A driver license or identification card issued by Service Oklahoma on or after March 1, 2004, shall bear thereon the county of residence of the licensee or cardholder.

3. Service Oklahoma may cancel the distinguishing number, when that distinguishing number is another person's Social Security number, assign a new distinguishing alphanumeric identification, and issue a new license or identification card without charge to the licensee or cardholder.

4. Service Oklahoma may promulgate rules for inclusion of the height and a brief description of the licensee or cardholder on the face of the card or license identifying the licensee or cardholder as deaf or hard-of-hearing.

5. It is unlawful for any person to apply, adhere, or otherwise attach to a driver license or identification card any decal, sticker, label, or other attachment. Any law enforcement officer is authorized to remove and dispose of any unlawful decal, sticker,

label, or other attachment from the driver license of a person. The law enforcement officer, the employing agency of the officer, Service Oklahoma, and the State of Oklahoma shall be immune from any liability for any loss suffered by the licensee, cardholder, or the owner of the decal, sticker, label, or other attachment caused by the removal and destruction of the decal, sticker, label, or other attachment.

6. Service Oklahoma may develop by rule a procedure which complies with the provisions of subsection G of Section 6-101 of this title whereby a person may apply for a renewal or replacement Oklahoma Class D license or Oklahoma identification card.

B. 1. Service Oklahoma may issue or authorize the issuance of a temporary permit or license to an applicant for a driver license permitting such applicant to operate a motor vehicle while Service Oklahoma is completing its investigation and determination of all facts relative to such applicant's privilege to receive a license, or while a permanent driver license is being produced and delivered to the applicant. Such permit or license must be in the immediate possession of the driver while operating a motor vehicle, and it shall be invalid when the applicant's permanent driver license has been issued and delivered or for good cause has been refused.

2. Service Oklahoma may issue or authorize the issuance of a temporary identification card to an applicant, permitting the holder the privileges otherwise granted by identification cards, while a permanent driver license is being provided and delivered to the applicant. Such card shall be invalid when the applicant's permanent identification card has been issued and delivered, or for good cause has been refused.

C. 1. Service Oklahoma may issue a restricted commercial driver license to drivers eighteen (18) years of age or older for any of the following specific farm-related service industries:

- a. farm retail outlets and suppliers,
- b. agri-chemical businesses,
- c. custom harvesters, and

- d. livestock feeders.

The applicant shall ~~hold~~ have held a valid ~~Oklahoma~~ driver license for at least one year. Applicants with more than two (2) years of driving experience shall have a good driving record for the most recent two (2) year period and shall meet all the requirements for a commercial driver license. The restricted commercial driver license shall not exceed ~~a total of one hundred eighty (180) days within any twelve-month period~~ the maximum total days that federal law allows. Applicants for the restricted commercial driver license shall be exempt from the knowledge and skills test. Application of the restricted commercial driver license does not have to be used in consecutive days. The use of the permit shall be declared at application.

2. A "good driving record" as used in this subsection shall mean an applicant:

- a. has not had more than one license,
- b. has not had any license suspended, revoked, or canceled,
- c. has not had any conviction for any type of disqualifying offenses or serious traffic violations, or
- d. has not had any conviction for a violation of state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident and has no record of an accident in which they are at fault.

3. The restricted commercial driver license shall not be valid for operators of commercial motor vehicles beyond one hundred fifty (150) miles from the place of business or the farm currently being served. Such license shall be limited to Class B or C vehicles. Holders of such licenses who transport hazardous materials which are required to be placarded shall be limited to the following:

- a. diesel fuel in quantities of one thousand (1,000) gallons or less,

- b. liquid fertilizers in vehicles with total capacities of three thousand (3,000) gallons or less, and
- c. solid fertilizers that are not mixed with any organic substance.

No other placarded hazardous materials shall be transported by holders of such licenses.

D. Service Oklahoma may issue a non-domiciled commercial learner permit or a non-domiciled commercial driver license to:

1. An H2A-Temporary Agricultural worker lawfully present in the United States as indicated on an original, valid and unexpired I-94 immigration status document issued by the United States Customs and Immigration Service; and

2. A J-1 Exchange Visitor Program participant lawfully present in the United States as indicated on a valid and unexpired J-1 Visitor Visa issued by the United States Customs and Immigration Service and who is enrolled in an agricultural education training program.

A person applying for such permit or license must comply with all testing and licensing requirements in accordance with applicable federal regulations, state laws and Service Oklahoma rules. The issued license shall be valid until the expiration of the visa for the non-domiciled worker. Service Oklahoma may promulgate rules for the implementation of the process to carry out the provisions of this section.

E. 1. Service Oklahoma shall develop a procedure whereby a person applying for an original, renewal or replacement Class A, B, C or D driver license or identification card who is required to register as a convicted sex offender with the Department of Corrections pursuant to the provisions of the Sex Offenders Registration Act and who the Department of Corrections designates as an aggravated or habitual offender pursuant to subsection J of Section 584 of Title 57 of the Oklahoma Statutes shall be issued a license or card bearing the words "Sex Offender".

2. Service Oklahoma shall notify every person subject to registration under the provisions of Section 1-101 et seq. of this title who holds a current Class A, B, C or D driver license or identification card that such person is required to surrender the license or card to Service Oklahoma within one hundred eighty (180) days from the date of the notice.

3. Upon surrendering the license or card for the reason set forth in this subsection, application may be made with Service Oklahoma for a replacement license or card bearing the words "Sex Offender".

4. Failure to comply with the requirements set forth in such notice shall result in cancellation of the person's license or card. Such cancellation shall be in effect for one (1) year, after which time the person may make application with Service Oklahoma for a new license or card bearing the words "Sex Offender". Continued use of a canceled license or card shall constitute a misdemeanor and shall, upon conviction thereof, be punishable by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00). When an individual is no longer required to register as a convicted sex offender with the Department of Corrections pursuant to the provisions of the Sex Offenders Registration Act, the individual shall be eligible to receive a driver license or identification card which does not bear the words "Sex Offender".

F. Nothing in subsection E of this section shall be deemed to impose any liability upon or give rise to a cause of action against any employee, agent or official of the Department of Corrections for failing to designate a sex offender as an aggravated or habitual offender pursuant to subsection J of Section 584 of Title 57 of the Oklahoma Statutes.

G. A person subject to an order for the installation of an ignition interlock device shall be required by Service Oklahoma to submit his or her driver license for a replacement. The replacement driver license shall bear the words "Interlock Required" and such designation shall remain on the driver license for the duration of the order requiring the ignition interlock device. The replacement license shall be subject to the same expiration and renewal procedures provided by law. Upon completion of the requirements for

the interlock device, a person may apply for a replacement driver license.

H. Service Oklahoma shall develop a procedure whereby a person applying for an original, renewal or replacement Class D driver license who has been granted modified driving privileges under this title shall be issued a Class D driver license which identifies the license as a modified license.

SECTION 17. AMENDATORY 47 O.S. 2021, Section 6-113, is amended to read as follows:

Section 6-113. A. ~~The Department of Public Safety~~ Service Oklahoma upon issuing a ~~driver's~~ driver license shall have the authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as Service Oklahoma, in conjunction with the Department of Public Safety, may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

B. ~~The Department~~ Service Oklahoma may either issue a special restricted license or may set forth such restrictions upon the usual license form.

C. ~~The Department~~ Service Oklahoma may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee shall be entitled to a hearing as upon a suspension or revocation under this chapter.

D. It is a misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to him.

SECTION 18. AMENDATORY 47 O.S. 2021, Section 6-116, as amended by Section 56, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-116), is amended to read as follows:

Section 6-116. A. Whenever any person, after applying for or receiving a driver license or identification card, shall:

1. Change the mailing address named in such application;
2. Change the residence address displayed on the license or card issued to the person;
3. Move from the person's previous county; or
4. Change the name of a licensee by marriage or otherwise,

such person shall ~~notify Service Oklahoma as provided in subsection B of this section~~ apply for a replacement of the driver license or identification card with Service Oklahoma in accordance with the provisions of Section 6-114 of this title within ten (10) days of the change.

~~B. Within ten (10) days such person shall notify Service Oklahoma in writing of the number of any driver license and identification card then held by the person and, as applicable:~~

- ~~1. Both the old and new mailing addresses;~~
- ~~2. Both the old and new residence addresses;~~
- ~~3. Both the old and new counties of residence; or~~
- ~~4. Both the former and new names.~~

~~C.~~ Service Oklahoma shall not:

1. Change a county of residence unless the person specifically notifies Service Oklahoma of such change; and
2. Presume that a new mailing address which is a different county than the old mailing address means that the person has changed his or her county of residence, and shall not change the county of residence unless specifically notified of such change.

SECTION 19. AMENDATORY 47 O.S. 2021, Section 6-205.1, as amended by Section 1, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-205.1), is amended to read as follows:

Section 6-205.1. A. The driving privilege of a person who is convicted of any offense as provided in paragraph 2 of subsection A of Section 6-205 of this title, or a person who has refused to submit to a test or tests as provided in Section 753 of this title, or a person whose alcohol concentration is subject to the provisions of Section 754 of this title shall be revoked or denied by ~~the Department of Public Safety~~ Service Oklahoma for the following period, as applicable:

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

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

- a. a prior revocation commenced pursuant to paragraph 2 or 6 of subsection A of Section 6-205 of this title or Section 753 or 754 of this title, or
- b. the record of the person reflects a prior conviction in another jurisdiction which did not result in a revocation of Oklahoma driving privileges, for a violation substantially similar to paragraph 2 of subsection A of Section 6-205 of this title, and the person was not a resident or a licensee of Oklahoma at the time of the offense resulting in the conviction.

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

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

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

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

4. The revocation of the driving privilege of any person under Section 6-205, 6-205.1, 753, or 754 of this title shall not run

concurrently with any other revocation of driving privilege under Section 6-205, 6-205.1, 753, or 754 of this title resulting from a different incident.

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

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

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

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

Such period shall not be modified; or

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

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

Such period shall not be modified.

The revocation of the driving privilege of any person under this subsection shall not run concurrently with any other withdrawal of driving privilege resulting from a different incident and which requires the driving privilege to be withdrawn for a prescribed amount of time. A denial based on a conviction of any offense as provided in paragraph 6 of subsection A of Section 6-205 of this title shall become effective on the first day the convicted person is otherwise eligible to apply for and be granted driving privileges if the person was not eligible to do so at the time of the conviction.

C. For the purposes of this section:

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

2. The term "revocation" includes a denial of driving privileges by ~~the Department~~ Service Oklahoma.

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

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

SECTION 20. AMENDATORY 47 O.S. 2021, Section 6-211, as last amended by Section 2, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-211), is amended to read as follows:

Section 6-211. A. Any person denied driving privileges, or whose driving privilege has been canceled, denied, suspended or revoked by ~~the Department~~ Service Oklahoma, except where such cancellation, denial, suspension or revocation is mandatory, under the provisions of Section 6-205 of this title, or disqualified by ~~the Department~~ Service Oklahoma, under the provisions of Section 6-205.2 or 761 of this title, shall have the right of appeal to the district court as hereinafter provided. Proceedings before the district court shall be exempt from the provisions of the Oklahoma Pleading and Discovery codes, except that the appeal shall be by petition, without responsive pleadings. The district court is hereby vested with original jurisdiction to hear the petition.

B. A person whose driving privilege is denied, canceled, revoked or suspended due to inability to meet standards prescribed by law, or due to an out-of-state conviction or violation, or due to an excessive point accumulation on the traffic record, or for an

unlawful license issued, may appeal in the county in which the person resides.

C. Any person whose driving privilege is canceled, denied, suspended or revoked may appeal to the district court in the county in which the offense was committed upon which ~~the Department of Public Safety~~ Service Oklahoma based its order.

D. A person whose driving privilege is subject to revocation pursuant to Section 753 or 754 of this title may appeal to the district court in the county in which the arrest occurred relating to the test refusal or test result, as shown by the records of ~~the Department of Public Safety~~ Service Oklahoma.

E. The petition shall be filed within thirty (30) days after the notice of revocation, pursuant to Section 753 or 754 of this title, has been served upon the person by ~~the Department of Public Safety~~ Service Oklahoma. The petition shall contain a description of the facts and circumstances of the underlying incident sufficient to determine the arresting law enforcement agency and the date of the incident. It shall be the duty of the district court to enter an order setting the matter for hearing not less than thirty (30) days and not more than sixty (60) days from the date the petition is filed. A certified copy of petition and order for hearing shall be served forthwith by the petitioner ~~upon the Commissioner of Public Safety~~ to the office of Service Oklahoma by certified mail at ~~the Department of Public Safety~~ Service Oklahoma, Oklahoma City, Oklahoma.

F. Upon a hearing relating to a revocation or disqualification pursuant to a conviction for an offense enumerated in Section 6-205, 6-205.2 or 761 of this title, the court shall not consider the propriety or merits of the revocation or disqualification action, except to correct the identity of the person convicted as shown by records of ~~the Department of Public Safety~~ Service Oklahoma.

G. When the records of ~~the Department of Public Safety~~ Service Oklahoma do not reflect receipt of a sworn report of a law enforcement officer stating that the officer had reasonable grounds to believe the petitioner had been driving or was in actual physical control of a motor vehicle upon the public roads, highways, streets, turnpikes, or other public place of this state while under the influence of

alcohol, any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, the court shall, upon application by ~~the Department~~ Service Oklahoma, stay the appeal for one hundred eighty (180) days from the date of the arrest as alleged in the petition, or until the sworn report is received by ~~the Department~~ Service Oklahoma. If the records of ~~the Department~~ Service Oklahoma do not reflect receipt of the sworn report described in this subsection at the expiration of the stay, the court shall enter an order directing ~~the Department~~ Service Oklahoma to take no action upon receipt of the sworn report related to the arrest as described in the petition. In no event shall a court award costs or fees, including attorney fees, based upon the records of ~~the Department~~ Service Oklahoma that do not reflect the receipt of the sworn report as described in this subsection.

H. The court shall take testimony and examine the facts and circumstances, including all of the records on file in the office of ~~the Department of Public Safety~~ Service Oklahoma relative to the offense committed and the driving record of the person, and determine from the facts, circumstances, and records whether or not the petitioner is entitled to driving privileges or shall be subject to the order of denial, cancellation, suspension or revocation issued by ~~the Department~~ Service Oklahoma. In case the court finds that the order was not justified, the court may sustain the appeal, vacate the order of ~~the Department~~ Service Oklahoma and direct that driving privileges be restored to the petitioner, if otherwise eligible.

I. The testimony of any hearing pursuant to this section shall be taken by the court stenographer and preserved for the purpose of appeal and, in case ~~the Department~~ Service Oklahoma files notice of appeal from the order of the court as provided herein, the court shall order and direct the court clerk to prepare and furnish a complete transcript of all pleadings and proceedings, together with a complete transcript taken at the hearing at no cost to ~~the Department~~ Service Oklahoma, except the cost of transcribing.

J. Upon ~~the Department's~~ Service Oklahoma's receipt of a petition challenging ~~the Department's~~ Service Oklahoma's action against the driving privileges of any person under this title, ~~the Department~~ Service Oklahoma shall withhold taking the action which is the subject of the appeal or stay the order which is the subject

of the appeal. During the pendency of the appeal, ~~the Department Service Oklahoma~~ shall grant or restore driving privileges to the person if the person is otherwise eligible.

K. An appeal may be taken by the person or by ~~the Department Service Oklahoma~~ from the order or judgment of the district court to the Supreme Court of the State of Oklahoma as otherwise provided by law.

SECTION 21. AMENDATORY 47 O.S. 2021, Section 156.1, is amended to read as follows:

Section 156.1. A. It shall be unlawful for any state official, officer or employee, except any essential employees approved by the Governor and those officers or employees authorized in subsection B of this section, to ride to or from the place of residence of the employee in a state-owned or state-leased automobile, truck or pickup, except in the performance of the official duty of the employee, or to use or permit the use of any such automobile, truck, ambulance or pickup for other personal or private purposes. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment in the county jail for a period to not exceed thirty (30) days, or by both said fine and imprisonment, and in addition thereto, shall be discharged from state employment.

B. 1. Any state employee, other than the individuals provided for in paragraph 2 of this subsection and any employee of the Department of Public Safety who is ~~an employee in the Driver License Examining Division or the Driver Compliance Division or~~ a wrecker inspector or auditor of the Wrecker Services Division as provided for in paragraph 3 of this subsection, who receives emergency telephone calls regularly at the residence of the employee when the employee is not on duty and is regularly called upon to use a vehicle after normal work hours in response to such emergency calls, may be permitted to use a vehicle belonging to the state to provide transportation between the residence of the employee and the assigned place of employment, provided such distance does not exceed seventy-five (75) miles in any round trip or is within the county where the assigned place of employment is located. Provided further, an employee may be permitted to use a state-owned or state-

leased vehicle to provide temporary transportation between a specific work location other than the assigned place of employment and the residence of the employee, if such use shall result in a monetary saving to the agency, and such authorization shall not be subject to the distance or area restrictions provided for in this paragraph. Authorization for temporary use of a state-owned or state-leased vehicle for a specific project shall be in writing stating the justification for this use and the saving expected to result. Such authorization shall be valid for not to exceed sixty (60) days. Any state entity other than law enforcement that avails itself of this provision shall keep a monthly record of all participating employees, the number of emergency calls received and the number of times that a state vehicle was used in the performance of such emergency calls.

2. Any employee of the Department of Public Safety, Oklahoma Department of Corrections, Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma State Bureau of Investigation, Alcoholic Beverage Laws Enforcement Commission, Oklahoma Horse Racing Commission, Oklahoma Department of Agriculture, Food, and Forestry, Office of the Inspector General within the Department of Human Services or Office of the State Fire Marshal, who is a law enforcement officer or criminalist, Public Information officer, Special Investigator or Assistant Director of the Oklahoma State Bureau of Investigation, CLEET-certified Investigator for a state board or any employee of a district attorney who is a law enforcement officer, may be permitted to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

3. Any employee of the Department of Public Safety who is ~~an employee in the Driver License Examining Division, an employee of the Driver Compliance Division,~~ a wrecker inspector or auditor of the Wrecker Services Division, or a noncommissioned pilot may be permitted, as determined by the Commissioner, to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place

of employment to which the employee travels in the performance of the official duty of the employee.

4. The Director, department heads and other essential employees of the Department of Wildlife Conservation, as authorized by the Wildlife Conservation Commission, may be permitted to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

5. The Director, department heads, emergency responders and other essential employees of the Department of Corrections, as authorized by the Director, may be permitted to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee.

6. Designated Examiner Auditors, Designated Examiner Supervisors, Commercial Driver License Examiners, Commercial Driver License Auditors, Commercial Driver License Supervisors, and Driver License Supervisors, as an employee of Service Oklahoma may be permitted, as determined by the Director of Service Oklahoma, to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place.

C. The principal administrator of the state agency with which the employee is employed shall so designate the status of the employee in writing or provide a copy of the temporary authorization to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Such employee status report shall also be provided to the State Fleet Manager of the Division of Fleet Management if the motor vehicle for emergency use is provided by said Division.

SECTION 22. AMENDATORY 47 O.S. 2021, Section 752, is amended to read as follows:

Section 752. A. Only a licensed medical doctor, licensed osteopathic physician, licensed chiropractic physician, registered nurse, licensed practical nurse, physician's assistant, certified by any state's appropriate licensing authority, an employee of a hospital or other health care facility authorized by the hospital or health care facility to withdraw blood, or individuals licensed in accordance with Section 1-2505 of Title 63 of the Oklahoma Statutes as an Intermediate Emergency Medical Technician, an Advanced Emergency Medical Technician or a Paramedic, acting within the scope of practice prescribed by their medical director, acting at the request of a law enforcement officer may withdraw blood for the purpose of having a determination made of its concentration of alcohol or the presence or concentration of other intoxicating substance. Only qualified persons authorized by the Board may collect breath, saliva or urine, or administer tests of breath under the provisions of this title.

B. If the person authorized to withdraw blood as specified in subsection A of this section is presented with a written statement:

1. Authorizing blood withdrawal signed by the person whose blood is to be withdrawn;

2. Signed by a duly authorized peace officer that the person whose blood is to be withdrawn has agreed to the withdrawal of blood;

3. Signed by a duly authorized peace officer that the person whose blood is to be withdrawn has been placed under arrest and that the officer has probable cause to believe that the person, while intoxicated, has operated a motor vehicle in such manner as to have caused the death or serious physical injury of another person, or the person has been involved in a traffic accident and has been removed from the scene of the accident that resulted in the death or great bodily injury, as defined in subsection B of Section 646 of Title 21 of the Oklahoma Statutes, of any person to a hospital or other health care facility outside the State of Oklahoma before the law enforcement officer was able to effect an arrest for such offense; or

4. In the form of an order from a district court that blood be withdrawn, the person authorized to withdraw the blood and the hospital or other health care facility where the withdrawal occurs may rely on such a statement or order as evidence that the person has consented to or has been required to submit to the clinical procedure and shall not require the person to sign any additional consent or waiver form. In such a case, the person authorized to perform the procedure, the employer of such person and the hospital or other health care facility shall not be liable in any action alleging lack of consent or lack of informed consent.

C. No person specified in subsection A of this section, no employer of such person and no hospital or other health care facility where blood is withdrawn shall incur any civil or criminal liability as a result of the proper withdrawal of blood when acting at the request of a law enforcement officer by the provisions of Section 751 or 753 of this title, or when acting in reliance upon a signed statement or court order as provided in this section, if the act is performed in a reasonable manner according to generally accepted clinical practice. No person specified in subsection A of this section shall incur any civil or criminal liability as a result of the proper collection of breath, saliva or urine when acting at the request of a law enforcement officer under the provisions of Section 751 or 753 of this title or when acting pursuant to a court order.

D. The blood, breath, saliva or urine specimens obtained shall be tested by the appropriate test as determined by the Board, or tested by a laboratory that is exempt from the Board rules pursuant to Section 759 of this title, to determine the alcohol concentration thereof, or the presence or concentration of any other intoxicating substance which might have affected the ability of the person tested to operate a motor vehicle safely.

E. When blood is withdrawn for testing of its alcohol concentration or other intoxicating substance presence or concentration, at the request of a law enforcement officer, a sufficient quantity of the same specimen shall be obtained to enable the tested person, at his or her own option and expense, to have an independent analysis made of such specimen. The excess blood specimen shall be retained by a laboratory approved by the Board in accordance with the rules and regulations of the Board or by a

laboratory that is exempt from the Board rules pursuant to Section 759 of this title, for sixty (60) days from the date of collection. At any time within that period, the tested person or his or her attorney may direct that such blood specimen be sent or delivered to a laboratory of his or her own choosing and approved by the Board for an independent analysis. Neither the tested person, nor any agent of such person, shall have access to the additional blood specimen prior to the completion of the independent analysis, except the analyst performing the independent analysis and agents of the analyst.

F. The costs of collecting blood specimens for the purpose of determining the alcohol or other intoxicating substance thereof, by or at the direction of a law enforcement officer, shall be borne by the law enforcement agency employing such officer; provided, if the person is convicted for any offense involving the operation of a motor vehicle while under the influence of or while impaired by alcohol or an intoxicating substance, or both, as a direct result of the incident which caused the collection of blood specimens, an amount equal to the costs shall become a part of the court costs of the person and shall be collected by the court and remitted to the law enforcement agency bearing the costs. The cost of collecting, retaining and sending or delivering to an independent laboratory the excess specimens of blood for independent analysis at the option of the tested person shall also be borne by such law enforcement agency. The cost of the independent analysis of such specimen of blood shall be borne by the tested person at whose option such analysis is performed. The tested person, or his or her agent, shall make all necessary arrangements for the performance of such independent analysis other than the forwarding or delivery of such specimen.

G. Tests of blood or breath for the purpose of determining the alcohol concentration thereof, and tests of blood for the purpose of determining the presence or concentration of any other intoxicating substance therein, under the provisions of this title, whether administered by or at the direction of a law enforcement officer or administered independently, at the option of the tested person, on the excess specimen of such person's blood to be considered valid and admissible in evidence under the provisions of this title, shall have been administered in accordance with Section 759 of this title.

H. Any person who has been arrested for any offense arising out of acts alleged to have been committed while the person was operating or in actual physical control of a motor vehicle while under the influence of alcohol, any other intoxicating substance or the combined influence of alcohol and any other intoxicating substance who is not requested by a law enforcement officer to submit to a test shall be entitled to have an independent test of his or her blood for the purpose of determining its alcohol concentration or the presence or concentration of any other intoxicating substance therein, performed by a person of his or her own choosing who is qualified as stipulated in this section. The arrested person shall bear the responsibility for making all necessary arrangements for the administration of such independent test and for the independent analysis of any specimens obtained, and bear all costs thereof. The failure or inability of the arrested person to obtain an independent test shall not preclude the admission of other competent evidence bearing upon the question of whether such person was under the influence of alcohol, or any other intoxicating substance or the combined influence of alcohol and any other intoxicating substance.

I. Any agency or laboratory certified by the Board or any agency or laboratory that is exempt from the Board rules pursuant to Section 759 of this title, which analyses blood shall make available a written report of the results of the test administered by or at the direction of the law enforcement officer to:

1. The tested person, or his or her attorney;
2. The Commissioner of Public Safety; ~~and~~
3. The Director of Service Oklahoma; and
4. The Fatality Analysis Reporting System (FARS) analyst of the state, upon request.

The results of the tests provided for in this title shall be admissible in all civil actions, including administrative hearings regarding driving privileges.

SECTION 23. AMENDATORY 47 O.S. 2021, Section 753, as amended by Section 6, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022, Section 753), is amended to read as follows:

Section 753. A. If a conscious person under arrest refuses to submit to testing of his or her blood or breath for the purpose of determining the alcohol concentration thereof, or to a test of his or her blood, saliva or urine for the purpose of determining the presence or concentration of any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, none shall be given except upon the issuance of a search warrant or unless the investigating officer has probable cause to believe that the person under arrest, while intoxicated, has operated the motor vehicle in such a manner as to have caused the death or serious physical injury of any other person or persons. In such event, such test otherwise authorized by law may be made in the same manner as if a search warrant had been issued for such test or tests. The sample shall be taken in a medically acceptable manner as authorized by Section 752 of this title. ~~The Commissioner of Public Safety~~ Director of Service Oklahoma, upon the receipt of a sworn report of the law enforcement officer that the officer had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public roads, highways, streets, turnpikes or other public place of this state while under the influence of alcohol, any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, or that the person had refused to submit to the test or tests, shall revoke the license to drive and any nonresident operating privilege for a period provided by Section 6-205.1 of this title. If the person is a resident or nonresident without a license or permit to operate a motor vehicle in this state, ~~the Commissioner of Public Safety~~ Director of Service Oklahoma shall deny to the person the issuance of a license or permit for a period provided by Section 6-205.1 of this title subject to a review as provided in Section 754 of this title. The revocation or denial shall become effective forty-five (45) days after the arrested person is given written notice thereof by the officer or by ~~the Department of Public Safety~~ Service Oklahoma as provided in Section 754 of this title.

B. ~~The Department~~ Service Oklahoma shall immediately reinstate the driving privilege of the person if:

1. The arrested person was required to submit to the testing of his or her blood or breath pursuant to the provisions of a search warrant despite his or her refusal to submit to testing; and

2. ~~The Department~~ Service Oklahoma receives a written blood or breath test report that reflects the arrested person did not have any measurable quantity of alcohol, or any other intoxicating substance, or the combination of alcohol and any other intoxicating substance in the blood or breath of the arrested person.

SECTION 24. AMENDATORY 47 O.S. 2021, Section 754, as amended by Section 7, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022, Section 754), is amended to read as follows:

Section 754. A. The sworn report of the officer stating the officer had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public roads, highways, streets, turnpikes or other public place of this state while under the influence of alcohol, any other intoxicating substance or the combined influence of alcohol and any other intoxicating substance, shall be submitted by mail, by electronic means approved by ~~the Department~~ Service Oklahoma or in person to ~~the Department~~ Service Oklahoma within seventy-two (72) hours of the issuance of the report. The failure of the officer to timely file this report shall not affect the authority of ~~the Department~~ Service Oklahoma to revoke the driving privilege of the arrested person. However, ~~the Department~~ Service Oklahoma shall take no action on a sworn report as described in this section if the sworn report is not received by ~~the Department~~ Service Oklahoma after the expiration of one hundred eighty (180) days of the arrest of the person.

B. Upon receipt of a written blood or breath test report reflecting that the arrested person, if under twenty-one (21) years of age, had any measurable quantity of alcohol in the blood or breath of the person, or, if the arrested person is twenty-one (21) years of age or older, a blood or breath alcohol concentration of eight-hundredths (0.08) or more, accompanied by a sworn report from a law enforcement officer that the officer had reasonable grounds to believe the arrested person had been operating or was in actual physical control of a motor vehicle while under the influence of

alcohol as prohibited by law, ~~the Department~~ Service Oklahoma shall revoke or deny the driving privilege of the arrested person for a period as provided by Section 6-205.1 of this title, unless the person has successfully completed or is currently participating in the Impaired Driver Accountability Program in relation to the arrest which is the subject of the report. Revocation or denial of the driving privilege of the arrested person shall become effective ~~thirty (30)~~ forty-five (45) days after the arrested person is given written notice thereof by the officer ~~as provided in this section or by the Department as provided in Section 2-116 of this title~~ Service Oklahoma.

C. The appeal hearing before the district court shall be conducted in accordance with Section 6-211 of this title. The hearing shall cover the issues of whether the officer had reasonable grounds to believe the person had been operating or was in actual physical control of a vehicle upon the public roads, highways, streets, turnpikes or other public place of this state while under the influence of alcohol, any other intoxicating substance or the combined influence of alcohol and any other intoxicating substance as prohibited by law, and whether the person was placed under arrest.

1. If the revocation or denial is based upon a breath or blood test result and a sworn report from a law enforcement officer, the scope of the hearing shall also cover the issues as to whether:

- a. if timely requested by the person, the person was not denied a breath or blood test,
- b. the specimen was obtained from the person within two (2) hours of the arrest of the person,
- c. the person, if under twenty-one (21) years of age, was advised that driving privileges would be revoked or denied if the test result reflected the presence of any measurable quantity of alcohol,
- d. the person, if twenty-one (21) years of age or older, was advised that driving privileges would be revoked or denied if the test result reflected an alcohol concentration of eight-hundredths (0.08) or more, and

- e. the test result in fact reflects the alcohol concentration.

2. If the revocation or denial is based upon the refusal of the person to submit to a breath or blood test, reflected in a sworn report by a law enforcement officer, the scope of the hearing shall also include whether:

- a. the person refused to submit to the test or tests, and
- b. the person was informed that driving privileges would be revoked or denied if the person refused to submit to the test or tests.

D. After the hearing, the district court shall order the revocation or denial either rescinded or sustained.

SECTION 25. AMENDATORY 47 O.S. 2021, Section 761, is amended to read as follows:

Section 761. A. Any person who operates a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol, or any other substance, other than alcohol, which is capable of being ingested, inhaled, injected or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing or other sensory or motor functions shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

B. Upon the receipt of any person's record of conviction of driving while impaired, when such conviction has become final, ~~the Department of Public Safety~~ Service Oklahoma shall suspend the driving privilege of such person, as follows:

1. The first suspension shall be for thirty (30) days;

2. The second suspension shall be for a period of six (6) months, which may be modified; provided, any modification under this paragraph shall apply to Class D motor vehicles only; and

3. The third or subsequent suspension shall be for twelve (12) months, which may be modified; provided, any modification under this paragraph shall apply to Class D motor vehicles only.

Provided, however, ~~the Department~~ Service Oklahoma shall not suspend such privilege pursuant to this subsection if said person's driving privilege has been revoked based upon a test result or test refusal pursuant to Section 753 or Section 754 of this title arising from the same circumstances which resulted in the conviction.

C. The violations as set out in this section shall not be bondable under Section 1115.3 of Title 22 of the Oklahoma Statutes.

D. Any person who is found guilty of a violation of the provisions of this section or pleading guilty or nolo contendere for a violation of any provision of this section shall be ordered to participate in, prior to sentencing, an alcohol and drug assessment and evaluation by an assessment agency or assessment personnel certified by the Department of Mental Health and Substance Abuse Services for the purpose of evaluating the receptivity to treatment and prognosis of the person. The court shall order the person to reimburse the agency or assessor for the assessment and evaluation. The fee for an assessment and evaluation shall be the amount provided in subsection C of Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation shall be conducted at a certified assessment agency, the office of a certified assessor or at another location as ordered by the court. The agency or assessor shall, within seventy-two (72) hours from the time the person is assessed, submit a written report to the court for the purpose of assisting the court in its final sentencing determination. If such report indicates that the evaluation shows that the defendant would benefit from a ten-hour or twenty-four-hour alcohol and drug substance abuse course or a treatment program or both, the court shall, as a condition of any sentence imposed, including a deferred sentence and a suspended sentence, require the person to follow all recommendations identified by the assessment and evaluation and ordered by the court. No person, agency or facility operating an alcohol and drug substance abuse evaluation program certified by the Department of Mental Health and Substance Abuse Services shall solicit or refer any person evaluated pursuant to this section for any treatment program or alcohol and drug substance abuse service in

which such person, agency or facility has a vested interest; however, this provision shall not be construed to prohibit the court from ordering participation in or any person from voluntarily utilizing a treatment program or alcohol and drug substance abuse service offered by such person, agency or facility. Any evaluation report submitted to the court pursuant to this subsection shall be handled in a manner which will keep such report confidential from the general public's review. Nothing contained in this subsection shall be construed to prohibit the court from ordering judgment and sentence and any other sanction authorized by law for failure or refusal to comply with an order of the court.

SECTION 26. AMENDATORY 47 O.S. 2021, Section 802, is amended to read as follows:

Section 802. A. ~~The Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, shall adopt and prescribe such regulations concerning the administration and enforcement of Section 801 et seq. of this title as are necessary to carry out the intent of this act and to protect the public. ~~The Commissioner~~ Service Oklahoma or his or her authorized representative shall inspect the school facilities and equipment of applicants and licensees and examine applicants for instructor's licenses.

B. ~~The Commissioner~~ Service Oklahoma shall administer and enforce the provisions of this act, and may call upon the State Superintendent of Public Instruction for assistance in developing and formulating appropriate regulations.

C. 1. ~~The Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, may require that the course of study for training students for Class A, B or C commercial licenses shall include training on the recognition, prevention and reporting of human trafficking. If required, ~~the Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, shall regularly review and update the training to take into account changes and trends in human trafficking. ~~The Commissioner~~ Service Oklahoma shall collaborate with organizations that specialize in the recognition and prevention of human trafficking.

2. ~~The Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, may identify and establish industry specific materials for use in the instruction required on the recognition, prevention and effective reporting of human trafficking by people training to obtain a Class A, B or C commercial license.

SECTION 27. AMENDATORY 47 O.S. 2021, Section 803, is amended to read as follows:

Section 803. (A) No commercial driver training school shall be established nor any such existing school continued on or after the effective date of this act, unless such school applies for and obtains from ~~the Commissioner~~ Service Oklahoma a license in the manner and form prescribed by ~~the Commissioner~~ Service Oklahoma.

(B) Regulations adopted by ~~the Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, shall state the requirements for a school license, including requirements concerning location, equipment, courses of instruction, instructors, previous records of the school and instructors, financial statements, schedule of fees and charges, character and reputation of the operators and instructors, insurance in such sum and with such provisions as ~~the Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, deems necessary to protect adequately the interests of the public, and such other matters as ~~the Commissioner~~ Service Oklahoma may prescribe for the protection of the public.

(C) Every school offering instruction for a restricted Class D license for persons fifteen and one-half (15 1/2) years old as defined in Section 6-105 of this title must provide for a minimum number of hours of actual classroom and field driving instruction as determined by ~~the Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety.

SECTION 28. AMENDATORY 47 O.S. 2021, Section 804, is amended to read as follows:

Section 804. A. No person shall act as an instructor unless such person applies for and obtains from ~~the Commissioner of Public Safety~~ Service Oklahoma a license in the manner and form prescribed by ~~the Commissioner~~ Service Oklahoma.

B. Rules promulgated by ~~the Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, shall state the requirements for an instructor's license, including requirements concerning moral character, physical condition, knowledge of the courses of instruction, motor vehicle laws and safety principles and practices, previous personnel and employment records, and such other matters as ~~the Commissioner~~ Service Oklahoma, in conjunction with the Department of Public Safety, may prescribe for the protection of the public.

SECTION 29. AMENDATORY 47 O.S. 2021, Section 805, is amended to read as follows:

Section 805. All licenses shall expire on the last day of the calendar year and may be renewed upon application to ~~the Commissioner~~ Service Oklahoma as prescribed by ~~his~~ its regulation. Each application for an original or renewal school license shall be accompanied by a fee of Twenty-five Dollars (\$25.00). Each application for an original or renewal instructor's license shall be accompanied by a fee of Five Dollars (\$5.00). The license fees collected pursuant to Sections 801 through 808 of this title shall be remitted to the State Treasurer to be credited to the General Revenue Fund in the State Treasury. No license fee shall be refunded in the event that the license is rejected, suspended, or revoked.

SECTION 30. AMENDATORY 47 O.S. 2021, Section 806, is amended to read as follows:

Section 806. ~~The Commissioner~~ Service Oklahoma may cancel, suspend, revoke, or refuse to issue or renew a school or instructor's license in any case where he finds the licensee or applicant has not complied with, or has violated, any of the provisions of this Act or any regulation adopted by ~~the Commissioner~~ Service Oklahoma hereunder. Any canceled, suspended or revoked license shall be returned to ~~the Commissioner~~ Service Oklahoma by the licensee, and its holder shall not be eligible to apply for a license under this act until three (3) months have elapsed since the date of suspension or revocation.

SECTION 31. AMENDATORY 47 O.S. 2021, Section 1109, as amended by Section 121, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1109), is amended to read as follows:

Section 1109. A. All information contained in certificates of title, applications therefor, vehicle registration records, records related to boats and motors, and computer data files is hereby declared to be confidential information and shall not be copied by anyone or disclosed to anyone other than employees of Service Oklahoma or the Corporation Commission in the regular course of their employment, except as provided in subsection B of this section. As used in this section, "personal information" means information that identifies an individual including name, address (excluding the five-digit ZIP code) and telephone number, but does not include information on vehicular accidents, driving violations and driver's status.

B. Personal information referred to in subsection A of this section shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls or advisories, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purpose of Titles I and IV of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act (15 U.S.C., Section 1231 et seq.), the Clean Air Act (42 U.S.C., Section 7401 et seq.) and Chapters 301, 305 and 321-331 of Title 49 of the United States Code and may be disclosed as follows:

1. For use by any governmental agency, including but not limited to any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, state or local governmental agency in carrying out its functions. Information relating to motor vehicle insurance, including the insurer and insurance policy numbers, may be released to law enforcement officers investigating an accident pursuant to the provisions of Section 10-104 of this title;

2. For use by any motor vehicle manufacturer or an authorized representative thereof in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls or advisories, performance monitoring

of motor vehicles, motor vehicle parts and dealers, motor vehicle market research activities, including survey research, and removal of non-owner records from the original owner records of motor vehicle manufacturers. The confidentiality of the information shall be protected, as set out above, and used only for the purpose stated; provided, further, that Service Oklahoma or the Corporation Commission shall be authorized to review the use of and the measures employed to safeguard the information; and provided, further, that the manufacturer or representative shall bear the cost incurred by Service Oklahoma or the Corporation Commission in the production of the information requested. If the confidentiality provisions, as set out above, are violated, the provisions of subsection D of Section 205 of Title 68 of the Oklahoma Statutes shall apply and the privilege of obtaining information shall be terminated. Any manufacturer or representative violating the provisions of this paragraph, upon conviction, shall be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00);

3. For use by any person compiling and publishing motor vehicle statistics, provided that such statistics do not disclose the names and addresses of individuals. Such information shall be provided upon payment of a reasonable fee as determined by Service Oklahoma or the Corporation Commission;

4. For use by a wrecker or towing service licensed pursuant to the provisions of Section 951 et seq. of this title for use in providing notice to the owners and secured parties of towed or impounded vehicles, upon payment of a fee of One Dollar (\$1.00) per vehicle record page to Service Oklahoma, the Corporation Commission or any licensed operator;

5. For use by a legitimate business or its agents, employees, or contractors for use in the normal course of business, upon payment of a fee of One Dollar (\$1.00) per vehicle record page to Service Oklahoma, the Corporation Commission or any licensed operator, but only:

- a. to verify the accuracy of personal information submitted by the individual to whom the information pertains to the business or its agents, employees, or contractors, or

- b. to obtain the correct information, if such information submitted by the individual to whom the information pertains to the business is not correct, or is no longer correct, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against the individual;

6. For use in connection with any civil, criminal, administrative or arbitral proceeding in any federal, state or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state or local court, upon payment of a fee of One Dollar (\$1.00) per vehicle record page to Service Oklahoma, the Corporation Commission or any licensed operator;

7. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating or underwriting, upon payment of a fee of One Dollar (\$1.00) per vehicle record page to Service Oklahoma, the Corporation Commission or any licensed operator;

8. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection, upon payment of a fee of One Dollar (\$1.00) per vehicle record page to Service Oklahoma, the Corporation Commission or any licensed operator;

9. For use by a requester, upon payment of a fee of One Dollar (\$1.00) per vehicle record page to Service Oklahoma, the Corporation Commission or any licensed operator, if the requester demonstrates that it has obtained the written consent of the individual to whom the information pertains;

10. For use in connection with the operation of private toll transportation facilities; or

11. For furnishing the name and address of all commercial entities who have current registrations of any particular model of vehicle; provided, this exception shall not allow the release of

personal information pursuant to the provisions of the Driver's Privacy Protection Act, 18 U.S.C., Sections 2721 through 2725.

Service Oklahoma shall collect a reasonable fee to recover the costs of providing the data. As used in this section, the term "vehicle record page" means a computer-generated printout of the motor vehicle inquiry screen. Information provided on the motor vehicle inquiry screen printout shall include the current vehicle owner name and address, vehicle make, model and year, identifying numbers for the vehicle license plate, certificate of title and vehicle identification number, relevant dates relating to the vehicle registration and certificate of title, lienholder information and lien status.

C. In addition to the information provided on the vehicle record page, Service Oklahoma or the Corporation Commission may, upon written request, release to any requester authorized by the provisions of this section to obtain individual motor vehicle information, corresponding copies of vehicle certificates of title, applications therefor, vehicle registration records and computer data files.

There shall be an informational search and retrieval fee of Five Dollars (\$5.00) per vehicle computer record search. If Service Oklahoma or the Corporation Commission performs a manual search, the fee shall be Seven Dollars and fifty cents (\$7.50) per vehicle. Service Oklahoma is authorized to promulgate rules whereby licensed operators, when requesting such documentation in the performance of their duties, are exempt from this retrieval fee. Certified copies of vehicle certificates of title and applications therefor shall be included within the informational search and retrieval by Service Oklahoma or the Corporation Commission for a fee of Ten Dollars (\$10.00). Such duly certified copies may be received in evidence with the same effect as the original when the original is not in the possession or under the control of the party desiring to use the same.

D. Requesters authorized by this section to receive information shall submit to Service Oklahoma, the Corporation Commission or any licensed operator an affidavit supported by such documentation as Service Oklahoma or the Corporation Commission may require, on a form prescribed by Service Oklahoma or the Corporation Commission

certifying that the information is requested for a lawful and legitimate purpose and will not be further disseminated.

E. Notwithstanding the foregoing, Service Oklahoma or the Corporation Commission may allow the release of information from its motor vehicle records upon magnetic tape consisting only of the following information:

1. The date of the certificate of title;
2. The certificate of title number;
3. The type of title issued for the vehicle;
4. The odometer reading from the certificate of title;
5. The year in which the vehicle was manufactured;
6. The vehicle identification number for the vehicle;
7. The make of the vehicle; and
8. The location in which the vehicle is registered.

Service Oklahoma or the Corporation Commission shall allow the release of such information upon payment of a reasonable fee to be determined by Service Oklahoma or the Corporation Commission. The information released as authorized by this subsection may only be used for purposes of detecting odometer rollback or odometer tampering, for determining the issuance in this state or any other state of salvage or rebuilt titles for vehicles or for determining whether a vehicle has been reported stolen in this state or any other state.

F. Notwithstanding the provisions of this section or of Section 205 of Title 68 of the Oklahoma Statutes, Service Oklahoma or the Corporation Commission may inform a secured party that taxes and fees are delinquent with respect to a vehicle upon which the secured party has a perfected lien.

G. Fees received by a licensed operator pursuant to the provisions of this section shall not be included in the maximum sum

that may be retained by licensed operators as compensation pursuant to the provisions of Section 1143 of this title.

H. All funds collected by the Tax Commission pursuant to the provisions of this section shall be deposited in the Oklahoma Tax Commission Revolving Fund. Beginning January 1, 2023, all funds collected by Service Oklahoma pursuant to the provisions of this section shall be deposited in the Service Oklahoma Revolving Fund. All funds collected by the Corporation Commission pursuant to the provisions of this section shall be apportioned as provided in subsection C of Section 1161 of this title.

I. It is further provided that the provisions of this section shall be strictly interpreted and shall not be construed as permitting the disclosure of any other information contained in the files and records of Service Oklahoma or the Corporation Commission.

J. It shall be unlawful for any person to commit any of the following acts:

1. To knowingly obtain or disclose personal information from a motor vehicle record for any use not expressly permitted by this section; or

2. To make false representation to obtain any personal information from an individual's motor vehicle record.

Any violation of the provisions of this section shall constitute a misdemeanor and shall be punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term not exceeding one (1) year, or by both such fine and imprisonment. Where applicable, a person convicted of a violation of the provisions of this section shall be removed or dismissed from office or state employment. No liability whatsoever, civil or criminal, shall attach to any member or employee of Service Oklahoma or the Corporation Commission for any error or omission in the disclosure of such information.

SECTION 32. AMENDATORY 47 O.S. 2021, Section 1135.5, as last amended by Section 164, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1135.5), is amended to read as follows:

Section 1135.5. A. Service Oklahoma is hereby authorized to design and issue appropriate official special license plates to persons wishing to demonstrate support and provide financial assistance as provided by this section.

Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year with a licensed operator.

Special license plates shall be renewed each year by Service Oklahoma or a licensed operator, unless authorized by Service Oklahoma to be renewed for a period greater than one (1) year. Service Oklahoma shall notify by mail all persons issued special license plates. The notice shall contain all necessary information and shall contain instructions for the renewal procedure upon presentation to a licensed operator or Service Oklahoma. The license plates shall be issued on a staggered system.

Service Oklahoma is hereby directed to develop and implement a system whereby licensed operators are permitted to accept applications for special license plates authorized under this section. The licensed operator shall confirm the applicant's eligibility, if applicable, collect and deposit any amount specifically authorized by law, accept and process the necessary information directly into such system and generate a receipt accordingly. For performance of these duties, licensed operators shall retain the fee provided in Section 1141.1 of this title for registration of a motor vehicle. The licensed operator fees for acceptance of applications and renewals shall be paid out of the ~~Oklahoma~~ Tax Commission Reimbursement Fund. Beginning January 1, 2023, the licensed operator fees for acceptance of applications and renewals shall be paid out of the Service Oklahoma Reimbursement Fund.

If fewer than ~~one hundred~~ fifty (50) of any type of special license plates authorized prior to January 1, 2004, are issued prior to January 1, 2006, Service Oklahoma shall discontinue issuance and renewal of that type of special license plate. Any such authorized special license plate registrant shall be allowed to display the license plate upon the designated vehicle until the registration

expiration date. After such time the expired special license plate shall be removed from the vehicle.

For special license plates authorized on or after July 1, 2004, no special license plates shall be developed or issued by Service Oklahoma until Service Oklahoma receives one hundred prepaid applications therefor. The prepaid applications must be received by Service Oklahoma within one hundred eighty (180) days of the effective date of the authorization or the authority to issue shall be null and void. In the event one hundred prepaid applications are not received by Service Oklahoma within such prescribed time period any payment so received shall be refunded accordingly.

B. The special license plates provided by this section are as follows:

1. University or College Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support to any state-supported or private university or college. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.1 of this title;

2. Environmental Awareness License Plate - such plates shall be designed, subject to the criteria to be presented to Service Oklahoma by the Department of Environmental Quality in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support to implement the statewide general public ~~environmental education program~~ Environmental Education Program created pursuant to the provisions of the Oklahoma Environmental Quality Code. Such plates shall be designed and issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. A dealer's license plate issued pursuant to Section 1116.1 or 1128 of this title may be designated an Environmental Awareness License Plate upon payment of the fee imposed by this section and any other registration fees required by the Oklahoma Vehicle License and Registration Act. As provided in this section, an amount of the fee collected shall be apportioned pursuant to Section 1104.2 of this title;

3. Firefighter License Plate - such plates shall be designed for any career or retired firefighter, volunteer or paid.

Firefighters may apply for firefighter plates for up to four vehicles with a rated capacity of one (1) ton or less or for a motorcycle upon proof of a fire department membership by either an identification card or letter from the chief of the fire department. Retirees who are eligible for such plates shall provide proof of eligibility upon initial application, but shall not be required to provide proof of eligibility annually. The surviving spouse of any deceased firefighter, if the spouse has not since remarried, may apply for a firefighter license plate for one vehicle with a rated carrying capacity of one (1) ton or less or for a motorcycle upon proof that the deceased firefighter was a member of a fire department by either an identification card or letter from the chief of the fire department. The license plate shall be designed in consultation with the Oklahoma State Firefighters Association.

As provided in this section, an amount of the fee collected shall be deposited to the Oklahoma State Firemen's Museum Building & Memorial Fund for support of the Oklahoma State Firefighters Museum and the Oklahoma Fallen and Living Firefighters Memorial;

4. Wildlife Conservation License Plate - such plates shall be designed, subject to the criteria to be presented to Service Oklahoma by the ~~Oklahoma~~ Department of Wildlife Conservation in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support for wildlife conservation in this state through the Wildlife Diversity Fund, provided for in Section 3-310 of Title 29 of the Oklahoma Statutes. Such plates may be designed and issued to any person as for personalized license plates.

As provided in this section, an amount of the fee collected shall be apportioned pursuant to subsection D of Section 3-310 of Title 29 of the Oklahoma Statutes;

5. Child Abuse Prevention License Plate - such plates shall be designed, subject to the criteria to be presented to Service Oklahoma by the Office of Child Abuse Prevention in the State Department of Health and the ~~Oklahoma Committee to Prevent Child Abuse~~ Child Abuse Prevention Action Committee, and issued to any person wishing to demonstrate support for the prevention of child abuse.

As provided in this section, an amount of the fee collected shall be deposited in the Child Abuse Prevention Fund;

6. United States Olympic and Paralympic Committee Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the United States Olympic and Paralympic Committee. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official United States Olympic and Paralympic Committee logo. Service Oklahoma shall be authorized, if necessary, to enter into a licensing agreement with the United States Olympic and Paralympic Committee for any licensing fees which may be required in order to use the United States Olympic and Paralympic Committee logo or design. The licensing agreement shall provide for a payment of not more than Twenty-five Dollars (\$25.00) for each license plate issued;

7. Oklahoma History License Plate - such plates shall be designed and issued to any person wishing to demonstrate interest in Oklahoma history. As provided in this section, an amount of the fee collected shall be deposited to the Oklahoma Historical Society Revolving Fund to be used for educational purposes;

8. Historic Route 66 License Plate - such:

- a. vehicle plates shall be designed to honor historic Route 66, also known as the "Mother Road". As provided in this section, an amount of the fee collected for each vehicle license plate shall be apportioned to the Oklahoma Historical Society Revolving Fund to be distributed to the Route 66 Museum located in Clinton, Oklahoma, and
- b. motorcycle plates shall be designed in consultation with the Oklahoma Route 66 Association, Inc. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Route 66 Association, Inc., for any licensing fees which may be required in order to use the Oklahoma Route 66 Association, Inc., logo or design. The licensing agreement shall provide for a payment to the Oklahoma Route 66 Association,

Inc., of not more than Twenty Dollars (\$20.00) for each motorcycle license plate issued;

9. Heart of the Heartland License Plate - such plates shall be designed and issued to any person wishing to honor the victims of the terrorist bombing attack on the Alfred P. Murrah Federal Building in downtown Oklahoma City on April 19, 1995. As provided in this section, an amount of the fee collected shall be deposited in the Heart of the Heartland Scholarship Fund, as established in Section 2282 of Title 70 of the Oklahoma Statutes;

10. Emergency Medical Technician License Plate - such plates shall be designed and issued to any person who is an emergency medical technician. Such persons may apply for an emergency medical technician license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of an emergency medical technician's license. The license plate shall be designed in consultation with the ~~state association of emergency medical technicians~~ Oklahoma Emergency Medical Technicians Association. As provided in this section, an amount of the fee collected shall be apportioned to the Emergency Medical Personnel Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63 of the Oklahoma Statutes;

11. Fight Breast Cancer License Plate - such plates shall be designed to demonstrate support for the prevention and treatment of breast cancer in this state. ~~As provided in this section, an amount of the fee collected shall be apportioned to the Breast Cancer Act Revolving Fund;~~

12. Crime Victims Awareness License Plate - such plates shall be designed and issued to any person wishing to demonstrate awareness of and support for victims of crimes. The license plates shall be designed in consultation with the ~~Oklahoma Crime Victims Centre~~ Crime Victims Compensation Program. As provided in this section, an amount of the fee collected shall be apportioned to the Attorney General's Revolving Fund for the Office of the Attorney General, which is hereby directed to use such funds to contract with a statewide nonprofit organization to provide services to crime victims;

13. ~~Oklahoma Safe Kids Association~~ Safe Kids Oklahoma License Plate - such plates shall be designed and issued to any person wishing to demonstrate support and awareness of ~~the Oklahoma Safe Kids Association~~ Safe Kids Oklahoma. The license plate shall be designed in consultation with the ~~Oklahoma Safe Kids Association~~ Safe Kids Oklahoma. As provided in this section, an amount of the fee collected shall be deposited in the Children's Hospital - ~~Oklahoma Safe Kids Association~~ Safe Kids Oklahoma Revolving Fund to be distributed to ~~the Oklahoma Safe Kids Association~~ Safe Kids Oklahoma program;

14. Oklahoma Four-H Club License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma by the Four-H Foundation, and issued to any person wishing to demonstrate support of the Oklahoma Four-H Club. Such plates may be designed and issued to any person as for personalized license plates. As provided in this section, an amount of the fee collected shall be apportioned to the OSU Extension Service License Plate Revolving Fund created in Section 1104.4 of this title;

15. Agricultural Awareness License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma, by the Oklahoma Department of Agriculture, Food, and Forestry in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support of the Department's Ag in the Classroom Education Program. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.3 of this title;

16. Oklahoma Statehood Centennial License Plate - such plates shall be designed and issued to any person wishing to commemorate the centennial of Oklahoma's admission to statehood in 1907. The license plates shall be designed in consultation with the Oklahoma Capitol Complex and Centennial Commemoration Commission. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Department of Commerce Revolving Fund created in Section 5012 of Title 74 of the Oklahoma Statutes;

17. Support Education License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma by the State Department of Education in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate

support for education in this state. All licensed operators shall display a sample of the Support Education License plate in the area of the business accessed by the public. Twenty-three Dollars (\$23.00) of the fee collected shall be apportioned as follows:

- a. five percent (5%) shall be deposited to the Education Reform Revolving Fund,
- b. five percent (5%) shall be deposited to the Oklahoma State Regents for Higher Education Revolving Fund,
- c. five percent (5%) shall be deposited to the State ~~Career Technology~~ Career-Technology Fund, and
- d. eighty-five percent (85%) shall be deposited to the Teachers' Retirement Benefit Fund as set forth in Section 17-108 of Title 70 of the Oklahoma Statutes.

However, when the Teachers' Retirement Benefit Fund attains a seventy percent (70%) funded ratio based on an annual actuarial valuation as required by law, the amount of the fee shall be apportioned equally pursuant to subparagraphs a, b and c of this paragraph;

18. Retired Oklahoma Highway Patrol Officers License Plate - such plates shall be designed and issued to any retired officer of the Oklahoma Highway Patrol. The license plate shall have the legend "Oklahoma" and shall contain, in the center of the plate, the Highway Patrol Officers patch using the same colors and pattern as used in the patch. Centered on the bottom of the license plate shall be the word "Retired". The letters "TRP" shall be used in combination with three numbers on either side of the insignia or emblem. The color of the letters and numbers shall be brown. Retirees who are eligible for such plates shall provide proof of eligibility upon initial application, but shall not be required to provide proof of eligibility annually. The surviving spouse of any deceased retired officer of the Oklahoma Highway Patrol, if the spouse has not since remarried, or if remarried, the remarriage is terminated by death, divorce, or annulment, may apply for a Retired Oklahoma Highway Patrol Officers license plate. As provided in this section, an amount of the fee collected shall be deposited into the Oklahoma Law Enforcement Retirement Fund;

19. Boy Scouts of America Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Boy Scouts of America. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official Boy Scouts of America logo. Service Oklahoma shall be authorized, if necessary, to enter into a licensing agreement with the Boy Scouts of America for any licensing fees which may be required in order to use the Boy Scouts of America logo or design. The licensing agreement shall provide for a payment to the Boy Scouts of America of not more than Twenty Dollars (\$20.00) for each license plate issued;

20. Urban Forestry and Beautification License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma, by the Oklahoma Department of Agriculture, Food, and Forestry in consultation with nonprofit organizations in this state that develop and operate programs to encourage urban forestry and beautification, and issued to any person wishing to demonstrate support of such programs. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.5 of this title;

21. Oklahoma State Parks Supporter License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma by the Oklahoma Tourism and Recreation Department, and issued to any person wishing to demonstrate support for the Oklahoma state parks system. Twenty-three Dollars (\$23.00) of the fee collected shall be deposited in the Oklahoma Tourism and Recreation Department Revolving Fund. Such money shall be designated for and may only be expended for the support of Oklahoma state parks;

22. Adoption Creates Families License Plate - such plates shall be issued to any person wishing to demonstrate support of pregnant women who are committed to placing their children for adoption and wishing to provide assistance to guardians, adoptive parents and other created families to assist in the adoption and placement of children in permanent, safe homes. The license plates shall be designed and final terminology delivered in consultation with the Oklahoma Adoption Coalition and the Department of Human Services. Twenty-five Dollars (\$25.00) of the fee collected shall be deposited

in a revolving fund established in the State Treasury for and to be used by the Department of Human Services for the implementation of the Investing in Stronger Oklahoma Families Act specifically for created families;

23. Choose Life License Plate - such plates shall be designed, subject to criteria presented to Service Oklahoma, by Choose Life America, Inc., and issued to any person who wishes to demonstrate support of organizations that encourage adoption as a positive choice for women with unplanned pregnancies. As provided in this section, an amount of the fee collected shall be deposited in the Choose Life Assistance Program Revolving Fund established in Section 1104.6 of this title;

24. Future Farmers of America License Plate - such plates shall be designed and issued to persons wishing to demonstrate support for the Oklahoma FFA Association (formerly known as Future Farmers of America). The license plates shall be designed in consultation with the Oklahoma FFA ~~Foundation~~ Association Board of Directors. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.7 of this title;

25. Lions Club License Plate - such plates shall be designed and issued to persons wishing to demonstrate support for the Lions ~~Club~~ Clubs of Oklahoma. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The license plates shall be designed in consultation with the Oklahoma Lions Service Foundation and shall contain the official logo of the International Association of Lions Clubs. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Lions Service Foundation. The licensing agreement shall provide for a payment to the Oklahoma Lions Service Foundation of not more than Ten Dollars (\$10.00) for each license plate issued;

26. Color Oklahoma License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma by the Oklahoma Native Plant Society, and issued to any person wishing to demonstrate support for preserving and planting wildflowers and native plants in ~~Oklahoma~~ this state and to promote Oklahoma's wildflower heritage through education. As provided in this section,

an amount of the fee collected shall be apportioned as provided in Section 1104.8 of this title;

27. Girl Scouts of the United States of America Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Girl Scouts of the United States of America. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official Girl Scouts of the United States of America logo. Service Oklahoma shall be authorized, if necessary, to enter into a licensing agreement with the Girl Scouts of the United States of America for any licensing fees which may be required in order to use the Girl Scouts of the United States of America logo or design. The licensing agreement shall provide for a payment to the ~~Girl Scouts of~~ Magic Empire Council of Girl Scouts, acting on behalf of all Oklahoma Girl Scout councils, of not more than Twenty Dollars (\$20.00) for each license plate issued;

28. Oklahoma City Memorial Marathon License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Oklahoma City Memorial Marathon. The plate shall be designed in consultation with the Oklahoma City Memorial Marathon. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma City Memorial Marathon for any licensing fees which may be required in order to use the Oklahoma City Memorial Marathon logo or design. The licensing agreement shall provide for a payment to the Oklahoma City Memorial Marathon of not more than Twenty Dollars (\$20.00) for each license plate issued;

29. Oklahoma Scenic Rivers License Plate - such plates shall be designed to demonstrate support for the ~~Oklahoma Scenic Rivers~~ Grand River Dam Authority. The plates shall be designed in consultation with the Oklahoma Scenic Rivers Commission. Twenty-five Dollars (\$25.00) of the fee shall be apportioned to the ~~Oklahoma Scenic Rivers Commission~~ Grand River Dam Authority;

30. Fight Cancer License Plate - such plates shall be designed to demonstrate support for the Oklahoma Central Cancer Registry. The plate shall contain the American Cancer Society logo. The American Cancer Society logo shall be used in accordance with the American Cancer Society's branding guidelines and shall only be

utilized to support the Oklahoma Central Cancer Registry. Twenty Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma Central Cancer Registry Revolving Fund;

31. Animal Friendly License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for controlling the overpopulation of dogs and cats through educational and sterilization efforts. The plates shall be designed in consultation with the Veterinary Medical Association. Twenty Dollars (\$20.00) of the fee collected shall be designated by the purchaser of the plate to be deposited in the Oklahoma Pet Overpopulation Fund created in Section 2368.13 of Title 68 of the Oklahoma Statutes or the Animal Friendly Revolving Fund created in Section 1104.10 of this title;

32. Patriot License Plate - such plates shall be designed in consultation with the Military Department of the State of Oklahoma and issued to any person wishing to demonstrate support for Oklahoma residents who are members of the Oklahoma National Guard and deployed on active duty. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, a portion of the fee collected shall be deposited in the Patriot License Plate Revolving Fund created in Section 1104.11 of this title;

33. Global War on Terrorism License Plate - such plate shall be designed in consultation with the Military Department of the State of Oklahoma and issued to any person wishing to demonstrate support for Oklahoma residents who are members of the Armed Forces of the United States or Oklahoma National Guard that have served in the Global War on Terrorism. The plate shall be issued to any person in any combination of numbers and letters from one to a maximum of six. As provided in this section, a portion of the fee collected shall be deposited in the Oklahoma National Guard Museum Fund created in Section 235.1 of Title 44 of the Oklahoma Statutes;

34. Boys and Girls Clubs of America Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Boys and Girls Clubs of America. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized

license plates. The plate shall contain the official Boys and Girls Clubs of America logo. Service Oklahoma, if necessary, may enter into a licensing agreement with the Boys and Girls Clubs of America for any licensing fees which may be required in order to use the Boys and Girls Clubs of America logo or design. The licensing agreement shall provide for a payment to the Boys and Girls Clubs of America of not more than Twenty Dollars (\$20.00) for each license plate issued;

35. Oklahoma Quarter Horse License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the American Quarter Horse in ~~Oklahoma~~ this state. The plate shall be designed in consultation with the Oklahoma Quarter Horse Association. As provided in this section, a portion of the fee collected shall be deposited in the Oklahoma Quarter Horse Revolving Fund created in Section 1104.12 of this title;

36. Oklahoma Association for the Deaf License Plate - such plates shall be designed in consultation with the Oklahoma Association for the Deaf and issued to any person wishing to demonstrate support for Oklahoma residents who are deaf. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, a portion of the fee collected shall be deposited in the Oklahoma Association for the Deaf License Plate Revolving Fund created in Section 1104.15 of this title;

37. Oklahoma City Zoo License Plate - such plates shall be issued to any person wishing to demonstrate support for the Oklahoma City Zoo. The license plates shall be designed in consultation with the Oklahoma Zoological Society, Inc. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Zoological Society Revolving Fund created in Section 1104.13 of this title;

38. March of Dimes License Plate - such plates shall be issued to persons wishing to demonstrate support for the March of Dimes mission to improve the health of babies by preventing birth defects, premature birth and infant mortality. The license plates shall be designed in consultation with the Oklahoma Chapter March of Dimes. As provided in this section, an amount of the fee collected shall be

deposited in the Oklahoma Prevent Birth Defects, Premature Birth and Infant Mortality Fund established in Section 1104.14 of this title;

39. Support Our Troops Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for Support Our Troops Incorporated. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of six. The plate shall contain the official Support Our Troops Incorporated logo which includes the mark "Support Our Troops" across the bottom of the plate. Service Oklahoma, if necessary, may enter into a licensing agreement with Support Our Troops Incorporated for any licensing fees which may be required in order to use the Support Our Troops Incorporated logo or design. The licensing agreement shall provide for a payment to Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for each license plate issued;

40. Folds of Honor Supporter License Plate - such plates shall be authorized to be designed and issued to any person wishing to demonstrate support for the Oklahoma City Chapter of Folds of Honor Incorporated, a nonprofit charitable organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), providing educational scholarships to spouses and children of America's fallen and disabled military service members. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of six. Such person may apply for a Folds of Honor Supporter license plate for a motorcycle; provided, the license plate for motorcycles may be of similar design to the license plate for motor vehicles or may be a new design in order to meet space requirements for a motorcycle license plate. The plate shall be designed in consultation with the Oklahoma City Chapter of Folds of Honor Incorporated and shall contain the official Folds of Honor Incorporated logo which includes the mark "Folds of Honor" across the bottom of the plate. Service Oklahoma, if necessary, may enter into a licensing agreement with Folds of Honor Incorporated for any licensing fees which may be required in order to use the Folds of Honor Incorporated logo or design. The licensing agreement shall provide for a payment to Folds of Honor Incorporated of Twenty-five Dollars (\$25.00) for each license plate issued. Subject to the provisions of subsection A of this section, the Folds of Honor Supporter License Plate is hereby reauthorized effective November 1, 2019;

41. Downed Bikers Association License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Downed Bikers Association, a nonprofit charitable organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides emotional and financial support for downed bikers. The license plate shall be designed in consultation with the Central Oklahoma Chapter of the Downed Bikers Association and shall contain any official logo or design of the organization. Service Oklahoma, if necessary, may enter into a licensing agreement with the Downed Bikers Association for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Downed Bikers Association of not more than Twenty Dollars (\$20.00) for each license plate;

42. Armed Forces Veterans Motorcycle License Plate - such plates shall be designed for use on a motorcycle in consultation with A Brotherhood Aiming Toward Education of Oklahoma, Inc. (ABATE), and issued to any honorably discharged former member of the United States Armed Forces wishing to demonstrate support for the Oklahoma National Guard Museum. Persons applying for such license plate must show proof of past military service. As provided in this section, a portion of the fee collected shall be deposited in the Oklahoma National Guard Museum Fund created in Section 235.1 of Title 44 of the Oklahoma Statutes;

43. Buffalo Soldier License Plate - such plates shall be issued to any person wishing to honor and celebrate the history and contribution of the Buffalo Soldiers. The license plates shall be designed in consultation with the Lawton-Fort Sill Chapter of the Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As provided in this section, an amount of the fee collected shall be deposited in the Buffalo Soldier License Plate Revolving Fund created in Section 1104.16 of this title;

44. Prevent Blindness Oklahoma License Plate - such plates shall be issued to any person wishing to provide financial support for vision screening of school age children in this state. The license plates shall be designed in consultation with Prevent Blindness Oklahoma. As provided in this section, an amount of the

fee collected shall be deposited in the Prevent Blindness Oklahoma License Plate Revolving Fund created in Section 1104.17 of this title;

45. Oklahoma State Capitol Restoration License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for restoration of the Oklahoma State Capitol building. The license plates shall be designed in consultation with the Friends of the Capitol corporation, created pursuant to Section 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol Preservation Commission created pursuant to Section 4102 of Title 74 of the Oklahoma Statutes. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Friends of the Capitol License Plate Revolving Fund established in Section 1104.18 of this title;

46. Eastern Red Cedar Tree License Plate - such plates shall be designed, subject to criteria to be presented to Service Oklahoma and issued to any person wishing to demonstrate support for the removal of Eastern Redcedar trees from lands in the state and to develop marketable uses for the harvested trees. The license plate shall be designed in consultation with the Oklahoma Department of Agriculture, Food, and Forestry. Twenty-three Dollars (\$23.00) of the fee collected shall be deposited in the Eastern Redcedar Revolving Fund created in Section 18-407 of Title 2 of the Oklahoma Statutes. The money shall be designated for and may only be expended for the purposes as set forth in the Eastern Redcedar Management Act;

47. Pancreatic Cancer Research License Plate - such plates shall be issued to any person wishing to provide financial support for the University of Oklahoma Foundation, Pancreatic Cancer Research Fund. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of six. The license plates shall be designed in consultation with the University of Oklahoma Foundation, Pancreatic Cancer Research Fund. As provided in this section, an amount of the fee collected shall be deposited in the Pancreatic Cancer Research License Plate Revolving Fund created in Section 1104.19 of this title;

48. Alzheimer's Research License Plate - such plates shall be issued to any person wishing to provide financial support for the

Oklahoma Chapter of the Alzheimer's Association. The license plates shall be designed in consultation with the Oklahoma Chapter of the Alzheimer's Association. As provided in this section, an amount of the fee collected shall be deposited in the Alzheimer's Research License Plate Revolving Fund created in Section 1104.20 of this title;

49. Hospice and Palliative Care License Plate - such plates shall be issued to any person wishing to provide financial support for the Oklahoma Hospice and Palliative Care Association. The license plates shall be designed in consultation with the Oklahoma Hospice and Palliative Care Association. As provided in this section, an amount of the fee collected shall be deposited in the Hospice and Palliative Care License Plate Revolving Fund created in Section 1104.21 of this title;

50. Juvenile Diabetes Research License Plate - such plates shall be issued to any person wishing to provide financial support for the Oklahoma Chapters of the Juvenile Diabetes Research Foundation. The license plates shall be designed in consultation with the Oklahoma Chapters of the Juvenile Diabetes Research Foundation. As provided in this section, an amount of the fee collected shall be deposited in the Juvenile Diabetes Research License Plate Revolving Fund created in Section 1104.22 of this title;

51. Deer Creek Schools Foundation License Plate - such plates shall be issued to any person wishing to provide financial support for the Deer Creek Schools Foundation. The license plates shall be designed in consultation with the Deer Creek Schools Foundation. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Deer Creek Schools Foundation License Plate Revolving Fund created in Section 1104.23 of this title;

52. Lupus Awareness and Education License Plate - such plates shall be issued to any person wishing to provide financial support for the Oklahoma Chapter of the Lupus Foundation of Oklahoma America. The license plates shall be designed in consultation with the Oklahoma Chapter of the Lupus Foundation of Oklahoma America.

As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Lupus License Plate Revolving Fund created in Section 1104.24 of this title. Subject to the provisions of subsection A of this section, the Lupus Awareness and Education License Plate is hereby reauthorized effective November 1, 2018;

53. Chiefs of Police License Plate - such plates shall be issued to any person wishing to provide financial support for the Oklahoma Association of Chiefs of Police for a vehicle or motorcycle in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The license plates shall be designed in consultation with the Oklahoma Association of Chiefs of Police. The license plate for a motorcycle may be of similar design as space permits or a new design in order to meet the space requirements of a motorcycle license plate. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Association of Chiefs of Police for any licensing fees which may be required in order to use the association's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Association of Chiefs of Police of not more than Twenty Dollars (\$20.00) for each license plate issued. Subject to the provisions of subsection A of this section, the Chiefs of Police License Plate is hereby reauthorized effective November 1, 2015;

54. Crossings Christian School License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for Crossings Christian School located in Oklahoma City. The license plates shall be designed in consultation with the administration of Crossings Christian School. Service Oklahoma shall be authorized to enter into a licensing agreement with Crossings Christian School for any licensing fees which may be required in order to use the school's logo or design. The licensing agreement shall provide for a payment to the Crossings Christian School of not more than Twenty Dollars (\$20.00) for each license plate issued;

55. Hilldale Education Foundation License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Hilldale Education Foundation. The license plates shall be designed in consultation with the administration of the Hilldale Education Foundation. Service Oklahoma shall be authorized to enter into a licensing agreement with the Hilldale Education

Foundation for any licensing fees which may be required in order to use the foundation's logo or design. The licensing agreement shall provide for a payment to the Hilldale Education Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

56. Oklahoma Nurses License Plate - such plates shall be issued to any person licensed pursuant to the Oklahoma Nursing Practice Act and providing such documentation of current licensure as may be required by Service Oklahoma. The license plates shall be designed in consultation with the Oklahoma Nurses Association. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Nurses License Plate Revolving Fund created in Section 1104.26 of this title;

57. Oklahoma Sports Hall of Fame License Plate - such plates shall be issued to any person wishing to demonstrate support for the Oklahoma Sports Hall of Fame. The license plates shall be designed in consultation with the administration of the Oklahoma Sports Hall of Fame. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Sports Hall of Fame for any licensing fees which may be required in order to use the Hall of Fame's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Sports Hall of Fame of not more than Twenty Dollars (\$20.00) for each license plate issued;

58. Childhood Cancer Awareness License Plate - such plates shall be issued to any person wishing to demonstrate support for the Oklahoma Children's Cancer Association. The license plates shall be designed in consultation with the administration of the Oklahoma Children's Cancer Association. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Children's Cancer Association for any licensing fees which may be required in order to use the Oklahoma Children's Cancer Association's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Children's Cancer Association of not more than Twenty Dollars (\$20.00) for each license plate issued;

59. Oklahoma Educational Television Authority License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Oklahoma Educational Television Authority and such plates shall be designed in consultation with the Authority. As provided in this section, an amount of the fee

collected shall be deposited in The Educational Television Authority Revolving Fund created in Section 156 of Title 62 of the Oklahoma Statutes;

60. Remembering Fallen Heroes License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for Concerns of Police Survivors, Inc. Such plates shall be designed in consultation with the Oklahoma ~~chapter~~ Chapter of Concerns of Police Survivors, Inc. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Concerns of Police Survivors License Plate Revolving Fund created in Section 1104.27 of this title;

61. Disabled American Veterans License Plate - such plates shall be designed in consultation with the Disabled American Veterans ~~Department~~ of Oklahoma and issued to any member of the organization wishing to demonstrate support. Service Oklahoma shall be authorized to enter into a licensing agreement with the Disabled American Veterans ~~Department~~ of Oklahoma for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Disabled American Veterans ~~Department~~ of Oklahoma of not more than Twenty Dollars (\$20.00) for each license plate issued. The plates shall incorporate a numbering system agreed upon by the Disabled American Veterans ~~Department~~ of Oklahoma and Service Oklahoma;

62. Owasso Rams Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Owasso Rams, and shall be designed in consultation with representatives of Owasso Public Schools. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

63. Collinsville Cardinals Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Collinsville Cardinals, and shall be designed in consultation with representatives of Collinsville Public Schools. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven,

as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

64. Sperry Pirates Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Sperry Pirates, and shall be designed in consultation with representatives of Sperry Schools. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

65. Skiatook Bulldogs Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Skiatook Bulldogs, and shall be designed in consultation with representatives of Skiatook Public Schools. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

66. Rejoice Christian Eagles Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Rejoice Christian Eagles, and shall be designed in consultation with representatives of Rejoice Christian Schools. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

67. East Central Cardinals Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the East Central Cardinals, and shall be designed in consultation with representatives of East Central ~~Schools~~ High School. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of

seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

68. Southeast Spartans Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Southeast Spartans, and shall be designed in consultation with the Southeast High School Alumni Association. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Education Reform Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma Statutes;

69. Sooner State ABATE License Plate - such plates shall be issued to any person wishing to provide financial support for Sooner State ABATE (A Brotherhood Against Totalitarian Enactments). The license plates shall be designed in consultation with Sooner State ABATE. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized plates. The license plate for a motorcycle may be of similar design as space permits or a new design in order to meet the space requirements of a motorcycle license plate. Service Oklahoma shall be authorized to enter into a licensing agreement with Sooner State ABATE for any licensing fees, which may be required in order to use the association's logo or design. The licensing agreement shall provide for a payment to Sooner State ABATE of not more than Twenty Dollars (\$20.00) for each license plate issued. Subject to the provisions of subsection A of this section, the Sooner State ABATE License Plate is hereby reauthorized effective November 1, 2019;

70. Oklahoma License to Educate License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for Oklahoma educators. Such plates shall be designed in consultation with the State Department of Education. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Teacher Recruitment Revolving Fund created in Section 6-132 of Title 70 of the Oklahoma Statutes;

71. Piedmont Education Foundation License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Piedmont Public Schools Education Foundation. Such plates shall be designed in consultation with the Foundation. As provided in this section, an amount of the fee collected shall be deposited in the Piedmont Public Schools Education Foundation License Plate Revolving Fund created in Section 1104.28 of this title;

72. The Pride of Oklahoma License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the ~~University of Oklahoma Marching Band~~ Pride of Oklahoma marching band and shall be designed in consultation with the ~~University of Oklahoma Marching Band~~ Pride of Oklahoma marching band. Service Oklahoma shall be authorized to enter into a licensing agreement with the University of Oklahoma or the ~~University of Oklahoma Marching Band~~ Pride of Oklahoma marching band for any licensing fees which may be required in order to use the applicable logo or design. The licensing agreement shall provide for a payment to the Pride of Oklahoma Fund at the University of Oklahoma Foundation, Inc. of not more than Twenty Dollars (\$20.00) for each license plate issued;

73. Jenks Trojans License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Jenks ~~School District~~ school district. The license plates shall be designed in consultation with the administration of the Jenks ~~School District~~ school district. Service Oklahoma shall be authorized to enter into a licensing agreement with the Jenks ~~School District~~ school district for any licensing fees which may be required in order to use the school district's logo or design. The licensing agreement shall provide for a payment to the Jenks ~~School District~~ of school district not more than Twenty Dollars (\$20.00) for each license plate issued;

74. Bixby Spartans License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Bixby ~~School District~~ school district. The license plates shall be designed in consultation with the administration of the Bixby ~~School District~~ school district. Service Oklahoma shall be authorized to enter into a licensing agreement with the Bixby ~~School District~~ school district for any licensing fees which may be required in order to use the school district's logo or design. The

licensing agreement shall provide for a payment to the Bixby ~~School District~~ school district not more than Twenty Dollars (\$20.00) for each license plate issued;

75. Oklahoma Aeronautics Commission License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Oklahoma aviation industry and to promote awareness of aviation and aerospace. Such plates shall be designed in consultation with the Oklahoma Aeronautics Commission and shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. Twenty-four Dollars (\$24.00) of the fee collected shall be deposited in the Oklahoma Aeronautics Commission Revolving Fund, for expenditure as provided in Section 91 of Title 3 of the Oklahoma Statutes;

76. Ducks Unlimited License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for Ducks Unlimited. Such plates shall be designed in consultation with Ducks Unlimited. Service Oklahoma shall be authorized to enter into a licensing agreement with Ducks Unlimited for any licensing fee which may be required in order to use the Ducks Unlimited logo or design. The licensing agreement shall provide for a payment to Ducks Unlimited of not more than Twenty Dollars (\$20.00) for each license plate issued;

77. Prisoner of War and Missing in Action License Plate - such plates shall be issued to any person wishing to increase awareness of those who are currently prisoners of war or missing in action and provide financial support for current veterans. The license plates shall be designed in consultation with Rolling Thunder Oklahoma. As provided in this section, an amount of the fee collected shall be deposited in the Prisoner of War and Missing in Action License Plate Revolving Fund created in Section 1104.29 of this title;

78. Woodward Boomers License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Woodward ~~School District~~ school district. The license plates shall be designed in consultation with the administration of the Woodward ~~School District~~ school district. Service Oklahoma shall be authorized to enter into a licensing agreement with the Woodward ~~School District~~ school district for any licensing fees which may be

required in order to use the school district's logo or design. The licensing agreement shall provide for a payment to the Woodward ~~School District of~~ school district not more than Twenty Dollars (\$20.00) for each license plate issued;

79. Clinton Public School Foundation License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Clinton Public School Foundation. The license plates shall be designed in consultation with the Clinton Public School Foundation. Service Oklahoma shall be authorized to enter into a licensing agreement with the Clinton Public School Foundation for any licensing fees which may be required in order to use the school foundation's logo or design. The licensing agreement shall provide for a payment to the Clinton Public School Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

80. Navajo School Foundation License Plate - such plates shall be issued to any person wishing to demonstrate support for the Navajo School Foundation. The license plates shall be designed in consultation with the administration of the Navajo School Foundation. Service Oklahoma shall be authorized to enter into a licensing agreement with the Navajo School Foundation for any licensing fees which may be required in order to use the Foundation's logo or design. The licensing agreement shall provide for a payment to the Navajo School Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

81. Oklahoma Music Hall of Fame Inc. License Plate - such plates shall be designed in consultation with the Oklahoma Music Hall of Fame Inc. and issued to any member of the organization wishing to demonstrate support. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Music Hall of Fame Inc. for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Music Hall of Fame Inc. of not more than Twenty Dollars (\$20.00) for each license plate issued. The plates shall incorporate a numbering system agreed upon by the Oklahoma Music Hall of Fame Inc. and Service Oklahoma. Subject to the provisions of subsection A of this section, the Oklahoma Music Hall of Fame Inc. License Plate is hereby reauthorized effective November 1, 2019;

82. Techlahoma Foundation License Plate - such plates shall be issued to any person wishing to provide financial support for the Techlahoma Foundation. The license plate shall be designed in consultation with the Techlahoma Foundation. The plate shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. Service Oklahoma shall be authorized to enter into a licensing agreement with the Techlahoma Foundation for any licensing fees, which may be required in order to use the association's logo or design. The licensing agreement shall provide for a payment to the Techlahoma Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

83. Bethany Public Schools Foundation License Plate - such plates shall be issued to any person wishing to demonstrate support for the Bethany Public Schools Foundation. The license plates shall be designed in consultation with the administration of the Bethany Public Schools Foundation. Service Oklahoma shall be authorized to enter into a licensing agreement with the Bethany Public Schools Foundation for any licensing fees which may be required in order to use the Foundation's logo or design. The licensing agreement shall provide for a payment to the Bethany Public Schools Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

84. Cystic Fibrosis Foundation License Plate - such plates shall be issued to any person wishing to demonstrate support for the Cystic Fibrosis Foundation. The license plates shall be designed in consultation with the administration of the Cystic Fibrosis Foundation. Service Oklahoma shall be authorized to enter into a licensing agreement with the Cystic Fibrosis Foundation for any licensing fees which may be required in order to use the Foundation's logo or design. The licensing agreement shall provide for a payment to the Cystic Fibrosis Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

85. Down Syndrome Association of Central Oklahoma License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Down Syndrome Association of Central Oklahoma. Such plates shall be designed in consultation with the Association. As provided in this section, an amount of the fee collected shall be deposited in the Down Syndrome Association of

Central Oklahoma License Plate Revolving Fund created in Section 1104.30 of this title;

86. Elk City Education Foundation License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Elk City Education Foundation. Such plates shall be designed in consultation with the Foundation. As provided in this section, an amount of the fee collected shall be deposited in the Elk City Education Foundation License Plate Revolving Fund created in Section 1104.31 of this title;

87. A Brotherhood Aiming Toward Education of Oklahoma (ABATE) License Plate - such plates shall be designed and issued to any person wishing to provide financial support for ABATE of Oklahoma. Such plates shall be designed in consultation with ABATE of Oklahoma. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized plates. The license plate for a motorcycle may be of similar design as space permits or a new design in order to meet the space requirements of a motorcycle license plate. Service Oklahoma shall be authorized to enter into a licensing agreement with ABATE of Oklahoma for any licensing fees which may be required in order to use the ABATE of Oklahoma logo or design. The licensing agreement shall provide for a payment to ABATE of Oklahoma of not more than Twenty Dollars (\$20.00) for each license plate issued;

88. Downed Bikers Association License Plate - such plates shall be designed for a vehicle or motorcycle in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates, and issued to any person wishing to demonstrate support for the Downed Bikers Association, a nonprofit charitable organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides emotional and financial support for downed bikers. The license plate shall be designed in consultation with the Central Oklahoma Chapter of the Downed Bikers Association and shall contain any official logo or design of the organization. The license plate for a motorcycle may be of similar design as space permits or a new design in order to meet the space requirements of a motorcycle license plate. Service Oklahoma, if necessary, may enter into a licensing agreement with the Downed Bikers Association for any licensing fees which may be required in order to use the

organization's logo or design. The licensing agreement shall provide for a payment to the Downed Bikers Association of not more than Twenty Dollars (\$20.00) for each license plate;

89. Eagle Scout License Plate - such plates shall be designed to demonstrate support for Eagle Scouts of the Boy Scouts of America and shall include the Eagle Scout logo. Plates may be issued to any person who can show proof of having obtained the rank of Eagle Scout. Service Oklahoma shall be authorized to enter into a licensing agreement with the various Oklahoma local councils for any licensing fees which may be required in order to use the applicable logo or design. The licensing agreement shall provide for a payment of not more than Twenty Dollars (\$20.00) for each license plate issued to the specific Oklahoma local area ~~Council~~ council designated by the applicant;

90. Extraordinary Educators License Plate - such plates shall be designed and issued to any person wishing to provide financial support for common education in ~~Oklahoma~~ this state. Such plates shall be designed in consultation with the State Department of Education. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, an amount of the fee collected shall be deposited in the Extraordinary Educators License Plate Revolving Fund created in Section 1104.32 of this title;

91. Former Oklahoma Legislator License Plate - such plates shall be designed and issued to any person who previously served as a member of the ~~Oklahoma~~ House of Representatives or ~~Oklahoma~~ State Senate. The license plates shall be designed in consultation with the Oklahoma Historical Society. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Historical Society Capital Improvement and Operations Revolving Fund created in Section 1.10a of Title 53 of the Oklahoma Statutes. Service Oklahoma shall create and maintain a list of former members of the Oklahoma House of Representatives and Oklahoma State Senate eligible to be issued such plates; provided, that no former member of the ~~Oklahoma~~ House of Representatives and ~~Oklahoma~~ State Senate shall be eligible to possess more than two of such plates at any one time. Service Oklahoma shall confer as needed with the Chief Clerk of the ~~Oklahoma~~ House of Representatives and the Secretary of the

~~Oklahoma State~~ Senate to confirm that such list is complete and accurate;

92. Monarch Butterfly License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the operations of ~~the~~ The Nature Conservancy of Oklahoma. Such plates shall be designed in consultation with the Oklahoma Chapter of ~~the~~ The Nature Conservancy. Service Oklahoma shall be authorized to enter into a licensing agreement with ~~the~~ The Nature Conservancy of Oklahoma for any licensing fees which may be required in order to use the foundation's logo or design. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The licensing agreement shall provide for a payment to ~~the~~ The Nature Conservancy of Oklahoma of not more than Twenty Dollars (\$20.00) for each license plate issued;

93. Oklahoma Tennis Foundation License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Oklahoma Tennis Foundation. The license plates shall be designed in consultation with the Oklahoma Tennis Foundation. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Tennis Foundation for any licensing fees which may be required in order to use the foundation's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Tennis Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued;

94. Oklahoma Veterans of Foreign Wars License Plate - such plates shall be designed to honor the Oklahoma Veterans of Foreign Wars Chapters and shall be issued to any resident of this state upon proof of membership in the Oklahoma Veterans of Foreign Wars organization. The license plates shall be designed in consultation with the Oklahoma Veterans of Foreign Wars organization. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Veterans of Foreign Wars organization for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Veterans of Foreign Wars organization of not more than Twenty Dollars (\$20.00) for each license plate issued. Service Oklahoma shall reinstate any Veterans of Foreign Wars license plates issued prior to November 1, 2021, and

shall reimburse any individual who held a Veterans of Foreign Wars License Plate on October 31, 2021, for fees incurred for the replacement of such plate;

95. Oklahoma Women Veterans Organization License Plate - such plates shall be designed and issued to any female veteran of any branch of the United States Armed Forces wishing to demonstrate support for the Oklahoma Women Veterans Organization. The license plates shall be designed in consultation with the Oklahoma Women Veterans Organization. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Women Veterans Organization for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Women Veterans Organization of not more than Twenty Dollars (\$20.00) for each license plate issued;

96. FIRST (For Inspiration and Recognition of Science and Technology) in Oklahoma License Plate - such plates shall be issued to any person wishing to demonstrate support for FIRST in Oklahoma Robotics ~~Programs~~ programs. The license plates shall be designed in consultation with the administration of FIRST in Oklahoma. Service Oklahoma shall be authorized to enter into a licensing agreement with FIRST in Oklahoma for any licensing fees which may be required in order to use the FIRST in Oklahoma logo or design. The licensing agreement shall provide for a payment to FIRST ~~of~~ in Oklahoma not more than Twenty Dollars (\$20.00) for each license plate issued;

97. Pittsburg State University License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Pittsburg State University. The license plates shall be designed in consultation with Pittsburg State University. Service Oklahoma shall be authorized to enter into a licensing agreement with Pittsburg State University for any licensing fees which may be required in order to use the school foundation's logo or design. The licensing agreement shall provide for a payment to the Pittsburg State University of not more than Twenty Dollars (\$20.00) for each license plate issued;

98. ~~Historic~~ Greenwood Historical District License Plate - such plates shall be issued to persons wishing to demonstrate support for the ~~Historic Greenwood District~~ Tulsa Juneteenth Festival held in

the ~~Historic~~ Greenwood Historical District in Tulsa, Oklahoma. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The license plates shall be designed in consultation with the Black Wall Street Chamber of Commerce. Service Oklahoma shall be authorized to enter into a licensing agreement with the ~~Historic Greenwood District~~ Tulsa Juneteenth Festival for any licensing fees which may be required in order to use the Festival's logo or design. For each license plate issued, the licensing agreement shall provide for a payment of Twenty-five Dollars (\$25.00) of the fee collected to the ~~Historic Greenwood District~~ Tulsa Juneteenth Festival and an additional Two Dollars (\$2.00) of the fee collected shall be deposited in the Public School Classroom Support Revolving Fund, for expenditure as provided in Section 1-123 of Title 70 of the Oklahoma Statutes;

99. Oklahoma Veterans of Foreign Wars Auxiliary Chapters License Plate - such plates shall be designed to honor the Oklahoma Veterans of Foreign Wars Auxiliary Chapters and issued to any resident of this state upon proof of membership in the Oklahoma Veterans of Foreign Wars Auxiliary organization in this state. The license plates shall be designed in consultation with the Oklahoma Veterans of Foreign Wars Auxiliary organization. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Veterans of Foreign Wars Auxiliary organization for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Veterans of Foreign Wars Auxiliary organization of not more than Twenty Dollars (\$20.00) for each license plate issued;

100. Transportation to Transportation License Plate - such plates shall be designed and issued to persons wishing to support county roads and bridges. The license plates shall be designed in consultation with the Association of County Commissioners of Oklahoma. Twenty Dollars (\$20.00) of the fee collected shall be paid to the county treasurer for the county in which the license plate was purchased to be credited to the ~~County Highway Fund~~ county highway fund created pursuant to Section 1503 of Title 69 of the Oklahoma Statutes;

101. Blue Star Mothers License Plate - such plates shall be designed and issued to any person showing proof of membership in an Oklahoma Chapter of Blue Star Mothers of America, Inc. The license plates shall be designed in consultation with Blue Star Mothers of America, Inc., Oklahoma Chapter One. Service Oklahoma shall be authorized to enter into a licensing agreement with Blue Star Mothers of America, Inc., Oklahoma Chapter One for any licensing fees which may be required in order to use the Blue Star Mothers of America logo or design. The licensing agreement shall provide for a payment to Blue Star Mothers of America, Inc., Oklahoma Chapter One of not more than Twenty Dollars (\$20.00) for each license plate issued;

102. Stillwater Public Schools License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Stillwater ~~School District~~ school district. The license plates shall be designed in consultation with the administration of the Stillwater ~~School District~~ school district. Service Oklahoma shall be authorized to enter into a licensing agreement with the Stillwater ~~School District~~ school district for any licensing fees which may be required in order to use the school district's logo or design. The licensing agreement shall provide for a payment to the Stillwater ~~School District~~ of school district not more than Twenty Dollars (\$20.00) for each license plate issued;

103. Oklahoma Golf License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the sport of golf in Oklahoma. The license plates shall be designed in consultation with the South Central Section of the Professional Golfers' Association of America and issued to any person wishing to demonstrate support for the sport of golf in Oklahoma. Service Oklahoma shall be authorized to enter into a licensing agreement with the South Central Section of the Professional Golfers' Association of America for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the South Central Section of the Professional Golfers' Association of America of not more than Twenty Dollars (\$20.00) for each license plate issued;

104. Paramedic License Plate - such plates shall be designed and issued to any person who is a paramedic. Such persons may apply for a paramedic license plate for each vehicle with a rated carrying

capacity of one (1) ton or less upon proof of a paramedic license. The license plates shall be designed in consultation with the Oklahoma State University-Oklahoma City Paramedicine ~~Program~~ program and the Oklahoma Emergency Medical Technicians Association. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Emergency Medical Technicians Association for any licensing fees which may be required in order to use the Association's logo or design. The licensing agreement shall provide for deposit to the Emergency Medical Personnel Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63 of the Oklahoma Statutes of not more than Twenty Dollars (\$20.00) for each license plate issued;

105. National Defense Service Medal License Plate - such plates shall be designed and issued to those persons who have received the National Defense Service Medal and wish to demonstrate support for the Oklahoma Department of Veterans Affairs. The license plates shall be designed in consultation with the Oklahoma Department of Veterans Affairs. Service Oklahoma shall be authorized to enter into a licensing agreement with the Oklahoma Department of Veterans Affairs for any licensing fees which may be required in order to use the Department's logo or design. The licensing agreement shall provide for a payment to the Oklahoma Department of Veterans Affairs of not more than Twenty Dollars (\$20.00) for each license plate issued;

106. University of Oklahoma RUF/NEKS License Plate - such plates shall be designed and issued to any past or present member of the University of Oklahoma RUF/NEKS upon providing proof of membership in the organization as may be required by Service Oklahoma. The license plates shall be designed in consultation with the University of Oklahoma RUF/NEKS. Service Oklahoma shall be authorized to enter into a licensing agreement with the University of Oklahoma RUF/NEKS for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the ~~University of Oklahoma RUF/NEKS Scholarship Fund~~ Mike James RUF/NEKS Memorial Scholarship of not more than Twenty Dollars (\$20.00) for each license plate issued;

107. Tulsa Community College License Plate - such plates shall be issued to persons wishing to support Tulsa Community College.

The plates shall be designed in consultation with Tulsa Community College. Service Oklahoma shall be authorized to enter into a licensing agreement with Tulsa Community College for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to Tulsa Community College of not more than Twenty Dollars (\$20.00) for each license plate issued;

108. ~~Guthrie~~ Street Kings Car Club License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the ~~Guthrie~~ Street Kings Car Club in Guthrie. The license plates shall be designed in consultation with the ~~Guthrie~~ Street Kings Car Club. Service Oklahoma shall be authorized to enter into a licensing agreement with the ~~Guthrie~~ Street Kings Car Club for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the ~~Guthrie~~ Street Kings ~~of~~ Car Club not more than Twenty Dollars (\$20.00) for each license plate issued;

109. Epilepsy Foundation License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Epilepsy Foundation. The license plates shall be designed in consultation with the Epilepsy Foundation of Oklahoma. Service Oklahoma shall be authorized to enter into licensing agreements with the Epilepsy Foundation for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Epilepsy Foundation of not more than Twenty Dollars (\$20.00) for each license plate issued; and

110. America First License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the proclamation of "America First". The license plates shall be designed in consultation with Warriors for Freedom and the Honoring America's Warriors Foundations. Service Oklahoma shall be authorized to enter into licensing agreements with the Warriors for Freedom and Honoring America's Warriors Foundations for any licensing fees which may be required in order to use the Foundations' logos or designs. The licensing agreements shall provide for a payment to the Honoring America's Warriors Foundation of not more than Ten Dollars (\$10.00) and a payment to the Warriors

for Freedom Foundation of not more than Ten Dollars (\$10.00) for each license plate issued.

C. The fee for such plates shall be Thirty-five Dollars (\$35.00) per year of renewal and shall be in addition to all other registration fees provided by the Oklahoma Vehicle License and Registration Act. The fee shall be apportioned as follows:

1. Twenty Dollars (\$20.00) per year of renewal or any other amount as provided in this title of the fee shall be apportioned as provided or deposited in a fund as specified within the paragraph authorizing the special license plate;

2. Eight Dollars (\$8.00) per year of renewal of the fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act. Beginning January 1, 2023, Eight Dollars (\$8.00) per year of renewal of the fee shall be deposited in the Service Oklahoma Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act; and

3. Any remaining amounts of the fee shall be apportioned as provided in Section 1104 of this title.

SECTION 33. AMENDATORY 47 O.S. 2021, Section 1140, as amended by Section 174, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1140), is amended to read as follows:

Section 1140. A. The Service Oklahoma Operator Board shall adopt rules prescribing minimum qualifications and requirements for locating Service Oklahoma locations and for persons applying for a license to operate a designated Service Oklahoma location. Such qualifications and requirements shall include, but not be limited to, the following:

1. Necessary job skills and experience;
2. Minimum office hours;

3. Provision for sufficient staffing, equipment, office space and parking to provide maximum efficiency and maximum convenience to the public;

4. Obtainment of a faithful performance surety bond as provided for by law;

5. That the applicant has not been convicted of a felony and that no felony charges are pending against the applicant;

6. That the location specified in the individual's application for a license to operate a designated Service Oklahoma location not be owned by a member of Service Oklahoma or an employee of Service Oklahoma or any person related to a member of Service Oklahoma or an employee of Service Oklahoma within the third degree by consanguinity, marriage, or adoption and that the location not be within a three-mile radius of an existing licensed operator unless the applicant is assuming the location of an operating licensed operator;

7. That a single website, designated by Service Oklahoma, will be used for the distribution of services provided by Service Oklahoma with motor vehicle services to be fulfilled by licensed operators;

8. That licensed operators will attend all required training provided by Service Oklahoma; and

9. That there should be at least one Service Oklahoma location in each county.

B. 1. Any person making application to the Service Oklahoma Operator Board for the purpose of obtaining a license to operate a designated Service Oklahoma location shall pay, when submitting the application, a nonrefundable application fee of One Hundred Dollars (\$100.00). All such application fees shall be deposited in the Oklahoma Tax Commission Revolving Fund. Beginning January 1, 2023, all such application fees shall be deposited in the Service Oklahoma Revolving Fund.

2. Any person making application to the Service Oklahoma Operator Board for the purpose of obtaining a license to operate a designated Service Oklahoma location must meet standardization and branding requirements established by the Service Oklahoma Operator Board, upon recommendations from Service Oklahoma. Upon approval,

the person must either pay a fee to Service Oklahoma for all costs related to meeting the standardization and branding requirements or obtain approval from the Service Oklahoma Operator Board that the location meets all standardization and branding requirements. All such fees shall be deposited in the Service Oklahoma Revolving Fund. The amount of the license fee will be determined by the Service Oklahoma Operator Board. This provision shall not apply to any existing Service Oklahoma location.

3. Any person shall have been a resident of the State of Oklahoma for a period of six (6) months prior to submitting an application for a license to operate a designated Service Oklahoma location. If a licensed operator moves his or her residence to a place outside the State of Oklahoma, the licensed operator shall provide notice to the Service Oklahoma Operator Board and sell his or her license within ninety (90) days of such notice.

C. Upon application by a person to serve as a licensed operator, the Service Oklahoma Operator Board is authorized to make a determination whether such person and such location meets the criteria and guidelines established by the Service Oklahoma Operator Board and, if such be the case, may issue a license to operate a designated Service Oklahoma location.

D. 1. A licensed operator may be permitted, upon application, to sell or transfer an existing license to operate a designated Service Oklahoma location. Any sale or transfer of a license is subject to approval of the Service Oklahoma Operator Board. In order to sell or transfer an existing licensed operator license, the licensed operator shall meet the following guidelines and requirements:

- a. the licensed operator shall be in good standing with the Service Oklahoma Operator Board,
- b. the licensed operator shall have held a licensed operator license, issued by the Service Oklahoma Operator Board, for a minimum of five (5) years, and
- c. the licensed operator shall provide the Service Oklahoma Operator Board evidence that the proposed buyer or transferee of the licensed operator licensee

meets the qualifications and requirements set forth in subsection A of this section, has the ability to meet all financial requirements and terms of any current existing contract between the licensed operator and Service Oklahoma, and agrees to the onboarding and training requirements of Service Oklahoma, as established by Service Oklahoma and the Service Oklahoma Operator Board.

2. The purchase price of a licensed operator license shall be agreed upon by the licensed operator and the individual purchasing the license to operate a designated Service Oklahoma location. However, the purchaser or transferee agrees to pay a transfer fee to Service Oklahoma in the amount of three percent (3%) of the last annual gross revenue from fees retained at the Service Oklahoma location to be purchased, not to exceed Fifteen Thousand Dollars (\$15,000.00). The transfer fee shall be deposited in the Service Oklahoma Revolving Fund.

3. Upon receipt of the application to sell or transfer an existing licensed operator license, the Service Oklahoma Operator Board will determine whether the licensed operator license may be sold or transferred on the condition that the existing location is in good standing and the new licensee meets the requirements outlined in Section 1140 et seq. of this title.

4. The Service Oklahoma Operator Board may, at its discretion, buy back a licensed operator license from a licensed operator who desires to sell or transfer its licensed operator license but has held a licensed operator license issued by Service Oklahoma for less than five (5) years. The purchase price for such a license will be one-half (1/2) times the most recent annual gross revenue from fees retained of that Service Oklahoma location, not to exceed Two Hundred Thousand Dollars (\$200,000.00).

5. Licensed operators issued a license to operate a designated Service Oklahoma location on January 1, 2023, may be permitted, upon application, to sell or transfer their existing license within the first five (5) years. Any sale or transfer of such license is subject to the approval of the Service Oklahoma Operator Board.

- a. In order to sell or transfer the existing license within the first five (5) years, the licensed operator shall meet the following guidelines and requirements:
 - 1. the licensed operator shall be in good standing with the Service Oklahoma Operator Board, and
 - 2. the licensed operator shall provide the Service Oklahoma Operator Board evidence that the proposed buyer or transferee of the licensed operator licensee meets the qualifications and requirements set forth in this section, has the ability to meet all financial requirements and terms of any current existing contract between the licensed operator and Service Oklahoma, and agrees to the onboarding and training requirements of Service Oklahoma, as established by Service Oklahoma and the Service Oklahoma Operator Board.
- b. The branding and physical standardization exemption specified in this section shall not transfer to the purchaser, unless:
 - (1) the licensed operator submitted a contingent resignation and the purchaser submitted a relation application to the Oklahoma Tax Commission prior to May 19, 2022, or
 - 2. the purchaser is related to the licensed operator within the third degree by consanguinity, marriage, or adoption.

E. 1. Licensed operators shall be subject to all laws relating to licensed operators and shall be subject to removal for cause by the Service Oklahoma Operator Board. Any action taken by Service Oklahoma to revoke a license shall be pursuant to and in accordance with the provisions of the Administrative Procedures Act. For the purposes of this section, "for cause" shall be defined as follows:

- a. repeated violations of written contracts, rules, regulations and statutes pertaining to licensed

operators after written warning by the Service Oklahoma Operator Board and an opportunity to correct such violations,

- b. failure of the licensed operator to promptly remit funds owed to Service Oklahoma upon written demand,
- c. being charged with a felony crime involving dishonesty or moral turpitude,
- d. failure to timely file state and federal income tax returns, or
- e. any act of official misconduct as set forth in Section 93 of Title 51 of the Oklahoma Statutes.

In the event a license is revoked by the Service Oklahoma Operator Board for cause, the Service Oklahoma location operated by the licensed operator will be permanently closed and the licensed operator shall not be entitled to any compensation.

Motor license agents and licensed operators in good standing as of November 1, 2022, shall be exempt from the branding and physical standardization requirements to be established by the Service Oklahoma Operator Board, with the recommendation of the Director of Service Oklahoma.

2. A license to operate a designated Service Oklahoma location may be revoked by the Service Oklahoma Operator Board for failure to meet the standards for customer satisfaction established by the Service Oklahoma Operator Board. In the event of revocation, the licensed operator shall sell his or her license to operate a Service Oklahoma location to Service Oklahoma at a rate of one-half (1/2) times the most recent annual gross revenue from fees retained of that Service Oklahoma location, not to exceed Two Hundred Thousand Dollars (\$200,000.00).

F. All licensed operators shall be licensed by and under the supervision of Service Oklahoma; provided, any agent authorized to issue registrations pursuant to the International Registration Plan shall also be under the supervision of the Corporation Commission, subject to rules promulgated by the Corporation Commission pursuant

to the provisions of subsection E of Section 1166 of this title. Service Oklahoma shall be the holder of all licenses and has the right to approve and revoke such licenses. After obtaining a license, any such licensed operator shall furnish and file with Service Oklahoma a bond in such amount as may be fixed by Service Oklahoma. Such licensed operator shall be removable at the will of Service Oklahoma. Such licensed operator shall perform all duties and do such things in the administration of the laws of this state as shall be enjoined upon and required by the Service Oklahoma Operator Board. Provided, Service Oklahoma may operate a Service Oklahoma location in any county where a vacancy occurs, as determined by Service Oklahoma.

G. In the event of a vacancy due to the death of a licensed operator, the licensed operator's designee or a licensed operator location employee shall immediately notify Service Oklahoma. A licensed operator may designate an individual to continue to operate the Service Oklahoma location upon the death of the licensed operator. The designee shall apply to obtain a license to operate the vacant licensed operator location with the Service Oklahoma Operator Board within thirty (30) days of the licensed operator's death. In the event that no designee is designated or that the designee fails to apply to be a licensed operator with Service Oklahoma within thirty (30) days, Service Oklahoma may take any and all action it deems appropriate in order to provide for the orderly transition and the maintenance of operations of the Service Oklahoma location, as permitted by law.

H. When an application for registration is made with Service Oklahoma, the Corporation Commission or a licensed operator, a registration fee of One Dollar and seventy-five cents (\$1.75) shall be collected for each license plate or decal issued. Such fees shall be in addition to the registration fees on motor vehicles and when an application for registration is made to the licensed operator, such licensed operator shall retain a fee as provided in Section 1141.1 of this title. When the fee is paid by a person making application directly with Service Oklahoma or the Corporation Commission, as applicable, the registration fees shall be in the same amount as provided for licensed operators and the fee provided by Section 1141.1 of this title shall be deposited in the Oklahoma Tax Commission Revolving Fund or as provided in Section 1167 of this title, as applicable. Beginning January 1, 2023, the fee provided

by Section 1141.1 of this title shall be deposited in the Service Oklahoma Revolving Fund or as provided in Section 1167 of this title, as applicable. Service Oklahoma shall prepare schedules of registration fees and charges for titles which shall include the fees for such licensed operators and all fees and charges paid by a person shall be listed separately on the application and registration and totaled on the application and registration. The licensed operators shall charge only such fees as are specifically provided for by law, and all such authorized fees shall be posted in such a manner that any person shall have notice of all fees that are imposed by law.

I. Any licensed operator shall be responsible for all costs incurred by Service Oklahoma when relocating an existing Service Oklahoma location. The Service Oklahoma Operator Board may waive payment of such costs in case of unforeseen business or emergency conditions beyond the control of the licensed operator.

J. Any existing contracts by or between any motor license agent and the Oklahoma Tax Commission shall be assigned to Service Oklahoma. All existing motor license agents in good standing with the Oklahoma Tax Commission will be offered a subsequent contract from Service Oklahoma to become a licensed operator to take effect on January 1, 2023. The contract between existing motor license agents and Service Oklahoma shall be agreed to no later than December 31, 2022. In the event an existing motor license agent declines to enter into the subsequent contract with Service Oklahoma to become a licensed operator, that motor license agent may continue to conduct business pursuant to the existing contract through December 31, 2025, so long as that motor license agent remains in good standing with Service Oklahoma in accordance with the terms of the existing contract.

SECTION 34. AMENDATORY 63 O.S. 2021, Section 1-229.13, is amended to read as follows:

Section 1-229.13. A. It is unlawful for any person to sell, give or furnish in any manner any tobacco product, nicotine product or vapor product to another person who is under twenty-one (21) years of age, or to purchase in any manner a tobacco product, nicotine product or vapor product on behalf of any such person. It shall not be unlawful for an employee under twenty-one (21) years of

age to handle tobacco products, nicotine products or vapor products when required in the performance of the employee's duties.

B. A person engaged in the sale or distribution of tobacco products, nicotine products or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under twenty-one (21) years of age.

If an individual engaged in the sale or distribution of tobacco products, nicotine products or vapor products has demanded proof of age from a prospective purchaser or recipient who is not under twenty-one (21) years of age, the failure to subsequently require proof of age shall not constitute a violation of this subsection.

C. 1. When a person violates subsection A or B of this section, the Alcoholic Beverage Laws Enforcement (ABLE) Commission shall impose an administrative fine of:

- a. not more than One Hundred Dollars (\$100.00) for the first offense,
- b. not more than Two Hundred Dollars (\$200.00) for the second offense within a two-year period following the first offense,
- c. not more than Three Hundred Dollars (\$300.00) for a third offense within a two-year period following the first offense. In addition to any other penalty, the store's license to sell tobacco products or nicotine products or the store's sales tax permit for a store that is predominantly engaged in the sale of vapor products in which the sale of other products is merely incidental may be suspended for a period not exceeding thirty (30) days, or
- d. not more than Three Hundred Dollars (\$300.00) for a fourth or subsequent offense within a two-year period following the first offense. In addition to any other penalty, the store's license to sell tobacco products or nicotine products or the store's sales tax permit for a store that is predominantly engaged in the sale

of vapor products in which the sale of other products is merely incidental may be suspended for a period not exceeding sixty (60) days.

2. When it has been determined that a penalty shall include a license or permit suspension, the ABLE Commission shall notify the Oklahoma Tax Commission, and the Tax Commission shall suspend the store's license to sell tobacco products or nicotine products or the store's sales tax permit for a store that is predominantly engaged in the sale of vapor products in which the sale of other products is merely incidental at the location where the offense occurred for the period of time prescribed by the ABLE Commission.

3. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to any action brought pursuant to this section. A person cited for violating this section shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of the violation if such person proves that:

- a. the individual who purchased or received the tobacco product, nicotine product or vapor product presented a driver license or other government-issued photo identification purporting to establish that such individual was twenty-one (21) years of age or older, or
- b. the person cited for the violation confirmed the validity of the driver license or other government-issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

Provided, that this defense shall not relieve from liability any person cited for a violation of this section if the person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver license or other government-issued photo identification was that of the individual who presented it. The availability of the defense described in this subsection does not affect the availability of any other defense under any other provision of law.

D. If the sale is made by an employee of the owner of a store at which tobacco products, nicotine products or vapor products are sold at retail, the employee shall be guilty of the violation and shall be subject to the fine. Each violation by any employee of an owner of a store licensed to sell tobacco products or nicotine products or permitted to sell vapor products shall be deemed a violation against the owner for purposes of a license suspension pursuant to subsection C of this section. Each violation by an employee of a store predominantly engaged in the sale of vapor products in which the sale of other products is merely incidental shall be deemed a violation against the owner for purposes of a sales tax permit suspension pursuant to the provisions of subsection C of this section. An owner of a store licensed to sell tobacco products or nicotine products or permitted to sell vapor products shall not be deemed in violation of the provisions of the Prevention of Youth Access to Tobacco Act for any acts constituting a violation by any person, when the violation occurs prior to actual employment of the person by the storeowner or the violation occurs at a location other than the owner's retail store. For purposes of determining the liability of a person controlling franchises or business operations in multiple locations, for any violations of subsection A or B of this section, each individual franchise or business location shall be deemed a separate entity.

E. On or before December 15, 1997, the ABLE Commission shall adopt rules establishing a method of notification of storeowners when an employee of such storeowner has been determined to be in violation of this section by the ABLE Commission or convicted of a violation by a municipality.

F. 1. Upon failure of the employee to pay the administrative fine within ninety (90) days of the day of the assessment of such fine, the ABLE Commission shall notify ~~the Department of Public Safety~~ Service Oklahoma, and ~~the Department~~ Service Oklahoma shall suspend or not issue a driver license to the employee until proof of payment has been furnished to ~~the Department of Public Safety~~ Service Oklahoma.

2. Upon failure of a storeowner to pay the administrative fine within ninety (90) days of the assessment of the fine, the ABLE Commission shall notify the Tax Commission, and the Tax Commission shall suspend the store's license to sell tobacco products or

nicotine products or the store's sales tax permit for a store that is predominantly engaged in the sale of vapor products in which the sale of other products is merely incidental until proof of payment has been furnished to the Oklahoma Tax Commission.

G. Cities and towns may enact and municipal police officers may enforce ordinances prohibiting and penalizing conduct under provisions of this section, but the provisions of municipal ordinances shall be the same as provided for in this section, and the penalty provisions under such ordinances shall not be more stringent than those of this section.

H. County sheriffs may enforce the provisions of the Prevention of Youth Access to Tobacco Act.

SECTION 35. AMENDATORY 68 O.S. 2021, Section 118, is amended to read as follows:

Section 118. A. Upon receipt of a written request from a member or employee of the Legislature, the Oklahoma Tax Commission shall provide:

1. A written estimate of the revenue gain or loss to the state as a result of an actual or proposed change to a ~~any~~ state tax law within the implementation, enforcement and collection duties and responsibilities of the Tax Commission; provided, upon request of a legislative member or staff, Service Oklahoma shall be responsible for furnishing written estimates of revenue gains or losses attributable to current or proposed amendments to any state law under its statutorily assigned functions and responsibilities;

2. A written statement of the Tax Commission's recommendation to the State Board of Equalization as to the change in the amount certified as available for appropriation by the Legislature as a result of an actual or proposed change to a state tax law; and

3. A written statement outlining all analysis and methodology provided by or made available by the Tax Commission to the State Board of Equalization for the purpose of influencing or serving as the basis for an official action of the State Board of Equalization.

The Tax Commission shall provide such estimate and statement within two (2) weeks of the date the request was received unless the member or employee of the Legislature specifies an earlier date.

B. On or after December 31, 2009, and subject to the availability of funds, the Tax Commission shall develop the estimates and statements required by subsection A of this section utilizing a dynamic revenue estimating model. Such model shall take into consideration changes in economic activity as a result of the proposed legislation and consequent revenue gains or losses due to factors such as taxpayer behavior, employment and business investment. The Tax Commission may, subject to the laws of this state relating to confidentiality of information, contract with institutions of higher education in this state or other entities to perform its duties as set forth in this subsection. The Tax Commission is authorized to promulgate rules to carry out the implementation of this section.

C. For the purpose of providing an annual forecast of gross production tax revenues from the production of natural and casinghead gas to the Office of Management and Enterprise Services, the Tax Commission shall subscribe to appropriate reference materials which provide economic outlook of future gas prices that have most closely followed the historical trend of Oklahoma gas prices. To determine the average differential between the published forecasted prices and Oklahoma gas prices, the Tax Commission shall compare prices in at least twenty-four (24) of the immediate thirty-six (36) previous months of production. The Tax Commission shall utilize the procedures provided herein to forecast the collection of gross production tax revenues from the production of natural and casinghead gas for the fiscal year beginning July 1, 2005, and each fiscal year thereafter.

SECTION 36. AMENDATORY 70 O.S. 2021, Section 19-115, is amended to read as follows:

Section 19-115. A. The establishment, conduct and scope of the driver education program for secondary schools shall be the program established by rules adopted and promulgated by the State Board of Education, subject to the requirements and exceptions set forth in Section 19-113 et seq. of this title. Said program shall be established and maintained only in accordance with such rules and

laws. The State Superintendent of Public Instruction shall prepare an administrative budget from funds made available under this article, which budget shall be approved by the State Board of Education. It shall be the responsibility of the State Superintendent of Public Instruction to appoint supervisors of safety education and the necessary clerical personnel.

B. The State Department of Education shall designate or employ a state coordinator of driver education programs to provide oversight of all driver education programs throughout the state. The responsibilities of such coordinator shall include, but not be limited to:

1. Assuring quality driver education programs in this state;
2. Serving as a liaison between the State Department of Education and ~~the Department of Public Safety~~ Service Oklahoma;
3. Promoting driver safety throughout the state; and
4. Coordinating the activities of the supervisors of safety education and the necessary clerical staff.

SECTION 37. AMENDATORY 75 O.S. 2021, Section 250.4, is amended to read as follows:

Section 250.4. A. 1. Except as is otherwise specifically provided in this subsection, each agency is required to comply with Article I of the Administrative Procedures Act.

2. The Corporation Commission shall be required to comply with the provisions of Article I of the Administrative Procedures Act except for subsections A, B, C and E of Section 303 of this title and Section 306 of this title. To the extent of any conflict or inconsistency with Article I of the Administrative Procedures Act, pursuant to Section 35 of Article IX of the Oklahoma Constitution, it is expressly declared that Article I of the Administrative Procedures Act is an amendment to and alteration of Sections 18 through 34 of Article IX of the Oklahoma Constitution.

3. The Oklahoma Military Department shall be exempt from the provisions of Article I of the Administrative Procedures Act to the

extent it exercises its responsibility for military affairs. Military publications, as defined in Section 801 of Title 44 of the Oklahoma Statutes, shall be exempt from the provisions of Article I and Article II of the Administrative Procedures Act, except as provided in Section 251 of this title.

4. The Oklahoma Ordnance Works Authority, the Northeast Oklahoma Public Facilities Authority, the Oklahoma Office of Homeland Security and the Board of Trustees of the Oklahoma College Savings Plan shall be exempt from Article I of the Administrative Procedures Act.

5. The Transportation Commission and the Department of Transportation shall be exempt from Article I of the Administrative Procedures Act to the extent they exercise their authority in adopting standard specifications, special provisions, plans, design standards, testing procedures, federally imposed requirements and generally recognized standards, project planning and programming, and the operation and control of the State Highway System.

6. The Oklahoma State Regents for Higher Education shall be exempt from Article I of the Administrative Procedures Act with respect to:

- a. prescribing standards of higher education,
- b. prescribing functions and courses of study in each institution to conform to the standards,
- c. granting of degrees and other forms of academic recognition for completion of the prescribed courses,
- d. allocation of state-appropriated funds, and
- e. fees within the limits prescribed by the Legislature.

7. Institutional governing boards within The Oklahoma State System of Higher Education shall be exempt from Article I of the Administrative Procedures Act.

8. a. The Commissioner of Public Safety and the Director of Service Oklahoma shall be exempt from Sections 303.1,

304, 307.1, 308 and 308.1 of this title insofar as it is necessary to promulgate rules pursuant to the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act, to maintain a current incorporation of federal motor carrier safety and hazardous material regulations, ~~or pursuant to Chapter 6 of Title 47 of the Oklahoma Statutes, to maintain a current incorporation of federal commercial driver license regulations, for which the Commissioner has no discretion when the state is mandated to promulgate rules identical to federal rules and regulations.~~

- b. Such rules may be adopted by the Commissioner and shall be deemed promulgated twenty (20) days after notice of adoption is published in "The Oklahoma Register". Such publication need not set forth the full text of the rule but may incorporate the federal rules and regulations by reference.
- c. Such copies of promulgated rules shall be filed with the Secretary as required by Section 251 of this title.
- d. For any rules for which the Commissioner has discretion to allow variances, tolerances or modifications from the federal rules and regulations, the Commissioner shall fully comply with Article I of the Administrative Procedures Act.

9. The Council on Judicial Complaints shall be exempt from Section 306 of Article I of the Administrative Procedures Act, with respect to review of the validity or applicability of a rule by an action for declaratory judgment, or any other relief based upon the validity or applicability of a rule, in the district court or by an appellate court. A party aggrieved by the validity or applicability of a rule made by the Council on Judicial Complaints may petition the Court on the Judiciary to review the rules and issue opinions based upon them.

10. The Department of Corrections, State Board of Corrections, county sheriffs and managers of city jails shall be exempt from Article I of the Administrative Procedures Act with respect to:

- a. prescribing internal management procedures for the management of the state prisons, county jails and city jails and for the management, supervision and control of all incarcerated prisoners, and
- b. prescribing internal management procedures for the management of the probation and parole unit of the Department of Corrections and for the supervision of probationers and parolees.

11. The State Board of Education shall be exempt from Article I of the Administrative Procedures Act with respect to prescribing subject matter standards as provided for in Section 11-103.6a of Title 70 of the Oklahoma Statutes.

B. As specified, the following agencies or classes of agency activities are not required to comply with the provisions of Article II of the Administrative Procedures Act:

1. The Oklahoma Tax Commission, except as provided in subsection G of Section 1140 of Title 47 of the Oklahoma Statutes;

2. The Commission for Human Services;

3. The Oklahoma Ordnance Works Authority;

4. The Corporation Commission;

5. The Pardon and Parole Board;

6. The Midwestern Oklahoma Development Authority;

7. The Grand River Dam Authority;

8. The Northeast Oklahoma Public Facilities Authority;

9. The Council on Judicial Complaints;

10. The Board of Trustees of the Oklahoma College Savings Plan;

11. The supervisory or administrative agency of any penal, mental, medical or eleemosynary institution, only with respect to the institutional supervision, custody, control, care or treatment of inmates, prisoners or patients therein; provided, that the provisions of Article II shall apply to and govern all administrative actions of the Oklahoma Alcohol Prevention, Training, Treatment and Rehabilitation Authority;

12. The Board of Regents or employees of any university, college, or other institution of higher learning;

13. The Oklahoma Horse Racing Commission, its employees or agents only with respect to hearing and notice requirements on the following classes of violations which are an imminent peril to the public health, safety and welfare:

- a. any rule regarding the running of a race,
- b. any violation of medication laws and rules,
- c. any suspension or revocation of an occupation license by any racing jurisdiction recognized by the Commission,
- d. any assault or other destructive acts within Commission-licensed premises,
- e. any violation of prohibited devices, laws and rules, or
- f. any filing of false information;

14. The Commissioner of Public Safety and the Director of Service Oklahoma only with respect to driver license hearings and hearings conducted pursuant to the provisions of Section 2-115 of Title 47 of the Oklahoma Statutes;

15. The Administrator of the Department of Securities only with respect to hearings conducted pursuant to provisions of the Oklahoma Take-over Disclosure Act of 1985;

16. Hearings conducted by a public agency pursuant to Section 962 of Title 47 of the Oklahoma Statutes;

17. The Oklahoma Military Department;

18. The University Hospitals Authority, including all hospitals or other institutions operated by the University Hospitals Authority;

19. The Oklahoma Health Care Authority Board and the Administrator of the Oklahoma Health Care Authority; and

20. The Oklahoma Office of Homeland Security.

SECTION 38. REPEALER 47 O.S. 2021, Section 2-106, as amended by Section 28, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 2-106), is hereby repealed.

SECTION 39. REPEALER 47 O.S. 2021, Section 1114.2, as amended by Section 131, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1114.2), is hereby repealed.

SECTION 40. This act shall become effective July 1, 2023.

SECTION 41. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 2nd day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____