

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 ENGROSSED SENATE
5 BILL NO. 682

By: Pederson of the Senate

and

Dobrinski of the House

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9 An Act relating to non-domiciled commercial driver
10 license; amending 47 O.S. 2021, Section 6-111, as
11 last amended by Section 53, Chapter 282, O.S.L. 2022
12 (47 O.S. Supp. 2022, Section 6-111), which relates to
13 issuance of license or identification card; removing
14 certain non-domiciled commercial learner permit or
15 driver license conditions; and declaring an
16 emergency.

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

18 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-111, as
19 last amended by Section 53, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
20 2022, Section 6-111), is amended to read as follows:

21 Section 6-111. A. 1. Service Oklahoma shall, upon payment of
22 the required fee, issue to every applicant qualifying therefor a
23 Class A, B, C or D driver license or identification card as applied
24 for, which license or card shall bear thereon a distinguishing
25 alphanumeric identification assigned to the licensee or cardholder,
26 date of issuance and date of expiration of the license or card, the

1 full legal name, signature or computerized signature, date of birth,
2 residence address, unless specified as an exception in the Code of
3 Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized
4 color image of the licensee or cardholder taken in accordance with
5 Service Oklahoma rules and security features as determined by
6 Service Oklahoma. The image shall depict a full front unobstructed
7 view of the entire face of the licensee or cardholder; provided, a
8 commercial learner permit shall not bear the image of the licensee.
9 When any person is issued both a driver license and an
10 identification card, Service Oklahoma shall ensure the information
11 on both the license and the card are the same, unless otherwise
12 provided by law.

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

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

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

1 5. It is unlawful for any person to apply, adhere, or otherwise
2 attach to a driver license or identification card any decal,
3 sticker, label, or other attachment. Any law enforcement officer is
4 authorized to remove and dispose of any unlawful decal, sticker,
5 label, or other attachment from the driver license of a person. The
6 law enforcement officer, the employing agency of the officer,
7 Service Oklahoma, and the State of Oklahoma shall be immune from any
8 liability for any loss suffered by the licensee, cardholder, or the
9 owner of the decal, sticker, label, or other attachment caused by
10 the removal and destruction of the decal, sticker, label, or other
11 attachment.

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

16 B. 1. Service Oklahoma may issue or authorize the issuance of
17 a temporary permit or license to an applicant for a driver license
18 permitting such applicant to operate a motor vehicle while Service
19 Oklahoma is completing its investigation and determination of all
20 facts relative to such applicant's privilege to receive a license,
21 or while a permanent driver license is being produced and delivered
22 to the applicant. Such permit or license must be in the immediate
23 possession of the driver while operating a motor vehicle, and it
24

1 shall be invalid when the applicant's permanent driver license has
2 been issued and delivered or for good cause has been refused.

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

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

- 13 a. farm retail outlets and suppliers,
- 14 b. agri-chemical businesses,
- 15 c. custom harvesters, and
- 16 d. livestock feeders.

17 The applicant shall hold a valid Oklahoma driver license and
18 shall meet all the requirements for a commercial driver license.
19 The restricted commercial driver license shall not exceed a total of
20 one hundred eighty (180) days within any twelve-month period.

21 2. The restricted commercial driver license shall not be valid
22 for operators of commercial motor vehicles beyond one hundred fifty
23 (150) miles from the place of business or the farm currently being
24 served. Such license shall be limited to Class B vehicles. Holders

1 of such licenses who transport hazardous materials which are
2 required to be placarded shall be limited to the following:

- 3 a. diesel fuel in quantities of one thousand (1,000)
4 gallons or less,
- 5 b. liquid fertilizers in vehicles with total capacities
6 of three thousand (3,000) gallons or less, and
- 7 c. solid fertilizers that are not mixed with any organic
8 substance.

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

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

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

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

22 A person applying for such permit or license must comply with
23 all testing and licensing requirements in accordance with applicable
24 federal regulations, state laws and Service Oklahoma rules. The

1 issued license shall be valid until the expiration of the visa for
2 the non-domiciled worker. Service Oklahoma may promulgate rules for
3 the implementation of the process to carry out the provisions of
4 this section.

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

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

20 3. Upon surrendering the license or card for the reason set
21 forth in this subsection, application may be made with Service
22 Oklahoma for a replacement license or card bearing the words "Sex
23 Offender".
24

1 4. Failure to comply with the requirements set forth in such
2 notice shall result in cancellation of the person's license or card.
3 Such cancellation shall be in effect for one (1) year, after which
4 time the person may make application with Service Oklahoma for a new
5 license or card bearing the words "Sex Offender". Continued use of
6 a canceled license or card shall constitute a misdemeanor and shall,
7 upon conviction thereof, be punishable by a fine of not less than
8 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
9 (\$200.00). When an individual is no longer required to register as
10 a convicted sex offender with the Department of Corrections pursuant
11 to the provisions of the Sex Offenders Registration Act, the
12 individual shall be eligible to receive a driver license or
13 identification card which does not bear the words "Sex Offender".

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

20 G. A person subject to an order for the installation of an
21 ignition interlock device shall be required by Service Oklahoma to
22 submit his or her driver license for a replacement. The replacement
23 driver license shall bear the words "Interlock Required" and such
24 designation shall remain on the driver license for the duration of

1 the order requiring the ignition interlock device. The replacement
2 license shall be subject to the same expiration and renewal
3 procedures provided by law. Upon completion of the requirements for
4 the interlock device, a person may apply for a replacement driver
5 license.

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

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

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16 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/11/2023 -
17 DO PASS.
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