

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1790

By: Dahm

AS INTRODUCED

An Act relating to driver licenses; amending 47 O.S. 2021, Section 6-103, as amended by Section 40, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-103), which relates to persons not to be licensed; modifying provisions to whom driver licenses shall not be issued; amending 47 O.S. 2021, Section 6-106, as amended by Section 45, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-106), which relates to license applications; modifying provisions of application; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-103, as amended by Section 40, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-103), is amended to read as follows:

Section 6-103. A. Except as otherwise provided by law, Service Oklahoma shall not issue a driver license to:

1. Any person who is under eighteen (18) years of age, except that Service Oklahoma may issue a Class D license to any person who attains sixteen (16) years of age on or after August 15, 2000, and meets the requirements of Sections 6-105 and ~~6-107.3~~ of this title;

1 2. Any unemancipated person who is under eighteen (18) years of
2 age and whose custodial legal parent or legal guardian does not
3 approve the issuance of a license as required by Section 6-110.2 of
4 this title or objects to the issuance of a license or permit by
5 filing an objection pursuant to Section 6-103.1 of this title;

6 3. Any person whose driving privilege has been suspended,
7 revoked, canceled or denied in this state or any other state ~~or~~
8 ~~country~~ until the driving privilege has been reinstated by the state
9 ~~or country~~ withdrawing the privilege;

10 4. Any person who is classified as an excessive user of
11 alcohol, any other intoxicating substance, or a combination of
12 alcohol and any other intoxicating substance, and inimical to public
13 safety, in accordance with rules promulgated by ~~the Department~~
14 Service Oklahoma, until all requirements granting or reinstating
15 driving privileges are met, including, but not limited to,
16 abstinence from the use of alcohol, any other intoxicating
17 substance, or any combination of alcohol and any other intoxicating
18 substance for a minimum of either twelve (12) months or eighteen
19 (18) months, as determined by OAC ~~595:10-5~~ 260:135-5-56, immediately
20 preceding application for or application for reinstatement of
21 driving privileges;

22 5. Any person who is required by Section 6-101 et seq. of this
23 title to take an examination, unless the person shall have
24 successfully passed the examination;

1 6. Any person who is required under the laws of this state to
2 deposit proof of financial responsibility and who has not deposited
3 such proof;

4 7. Any person ~~who is physically deformed or~~ who is afflicted
5 with any mental disease or physical condition that would
6 substantially impair the driving ability of the person or when the
7 ~~Commissioner of Public Safety~~ Director of Service Oklahoma, from
8 information concerning the person or from the records and reports on
9 file in ~~the Department of Public Safety~~ Service Oklahoma, determines
10 through clear and convincing evidence that the operation of a motor
11 vehicle by such person on the highways would be inimical to public
12 safety or welfare;

13 8. Any person who is a nonresident, as defined in Section 1-137
14 of this title;

15 9. Any alien unless such person presents valid documentation of
16 identity and authorization for presence in the United States issued
17 pursuant to the laws of the United States; provided, no license
18 shall be issued to any alien whose documentation indicates the alien
19 is a visitor or is not eligible to establish residency; or

20 10. Any person who possesses a valid license to operate a motor
21 vehicle issued by another state until the other state license has
22 been surrendered.
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1 B. Any applicant who is denied a license under the provisions
2 of subsection A of this section shall have the right to an appeal as
3 provided in Section 6-211 of this title.

4 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-106, as
5 amended by Section 45, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
6 Section 6-106), is amended to read as follows:

7 Section 6-106. A. 1. Every application for a driver license
8 or identification card shall be made by the applicant upon a form
9 furnished by Service Oklahoma.

10 2. Every original, renewal, or replacement application for a
11 driver license or identification card made by a male applicant who
12 is at least sixteen (16) but less than twenty-six (26) years of age
13 shall include a statement that by submitting the application, the
14 applicant is consenting to registration with the Selective Service
15 System. The pertinent information from the application shall be
16 forwarded by Service Oklahoma to the Data Management Center of the
17 Selective Service System in order to register the applicant as
18 required by law with the Selective Service System. Any applicant
19 refusing to sign the consent statement shall be denied a driver
20 license or identification card.

21 3. Except as provided for in subsections G and H of this
22 section, every applicant for a driver license or identification card
23 shall provide to Service Oklahoma at the time of application a
24 document showing proof of identity. Service Oklahoma shall

1 promulgate rules prescribing forms of primary and secondary
2 identification acceptable for an original Oklahoma driver license.

3 B. Every applicant for a driver license shall provide the
4 following information:

5 1. Full name;

6 2. Date of birth;

7 3. Sex;

8 4. Address of principal residence and county of such residence
9 which shall be referenced on the REAL ID Compliant Driver License or
10 Identification Card; proof of principal residency, as prescribed by
11 rules promulgated by Service Oklahoma, documenting provided address;

12 5. Current and complete mailing address to be maintained by
13 Service Oklahoma for the purpose of giving notice, if necessary, as
14 required by Section 2-116 of this title;

15 6. ~~Medical information, as determined by the Department,~~ A
16 self-certification that the applicant is medically able to drive
17 safely which shall assure Service Oklahoma that the person is not
18 prohibited from being licensed as provided by paragraph 7 of
19 subsection A of Section 6-103 of this title;

20 7. ~~Whether the applicant is deaf or hard of hearing;~~

21 ~~8.~~ A brief physical description of the applicant, as determined
22 by ~~the Department~~ Service Oklahoma;

23 ~~9.~~ 8. Whether the applicant has previously been licensed, and,
24 if so, when and by what state ~~or country~~, and whether any license

1 has ever been suspended or revoked without subsequent reinstatement,
2 or whether an application has ever been refused without subsequent
3 acceptance, and, if so, the date of and reason for the suspension,
4 revocation or refusal;

5 ~~10.~~ 9. Whether the applicant is an alien eligible to be
6 considered for licensure and is not prohibited from licensure
7 pursuant to paragraph 9 of subsection A of Section 6-103 of this
8 title; and

9 ~~11.~~ 10. Whether the applicant has:

10 ~~a. previously been licensed and, if so, when and by what~~
11 ~~state or country, and~~

12 ~~b.~~ held more than one state license at the same time
13 during the immediately preceding ten (10) years; ~~and~~

14 ~~12. Social Security number.~~

15 No person shall request Service Oklahoma to use the Social Security
16 number of that person as the driver license number. Upon renewal or
17 replacement of any driver license issued after ~~the effective date of~~
18 ~~this act~~ July 1, 2001, the licensee shall advise Service Oklahoma or
19 the licensed operator if the present driver license number of the
20 licensee is the Social Security number of the licensee. If the
21 driver license number is the Social Security number, Service
22 Oklahoma or the licensed operator shall change the driver license
23 number to a computer-generated alphanumeric identification.

1 C. 1. In addition to the requirements of subsections A and B
2 of this section, every applicant for a commercial driver license who
3 is subject to the requirements of 49 C.F.R., Part 391, and is
4 applying for an original, renewal, or replacement license, and every
5 person who, upon or after May 8, 2012, is currently the holder of a
6 commercial driver license and is subject to the requirements of 49
7 C.F.R., Part 391, and who does not apply for a renewal or
8 replacement license prior to January 30, 2014, shall submit to
9 Service Oklahoma and maintain with Service Oklahoma a current
10 approved medical examination certificate signed by a licensed
11 physician authorized to perform and approve medical examination
12 certifications. Service Oklahoma shall adopt rules for maintaining
13 medical examination certificates pursuant to the requirements in 49
14 C.F.R., Parts 383 and 384. Any commercial driver licensee subject
15 to the requirements of this paragraph who fails to maintain on file
16 with Service Oklahoma a current, approved medical examination
17 certificate shall have the driving privileges of the person
18 downgraded to a Class D driver license by Service Oklahoma.

19 2. If the applicant is applying for an original commercial
20 driver license in Oklahoma or is transferring a commercial driver
21 license from another state to Oklahoma, Service Oklahoma shall
22 review the driving record of the applicant in other states for the
23 immediately preceding ten (10) years, unless the record review has
24 already been performed by Service Oklahoma. As a result of the

1 review, if it is determined by Service Oklahoma that the applicant
2 is subject to a period of disqualification as prescribed by Section
3 6-205.2 of this title which has not yet been imposed, Service
4 Oklahoma shall impose the period of disqualification and the
5 applicant shall serve the period of disqualification before a
6 commercial driver license is issued to the applicant; provided,
7 nothing in this paragraph shall be construed to prevent the issuance
8 of a Class D driver license to the applicant.

9 3. If the applicant has or is applying for a hazardous material
10 endorsement, the applicant shall submit to a security threat
11 assessment performed by the Transportation Security Administration
12 of the United States Department of Homeland Security as required by
13 and pursuant to 49 C.F.R., Part 1572, which shall be used to
14 determine whether the applicant is eligible for the endorsement
15 pursuant to federal law and regulation.

16 4. Service Oklahoma shall notify each commercial driving school
17 of the passage of this section, and each commercial driving school
18 shall notify prospective students of its school of the hazardous
19 material endorsement requirement.

20 D. In addition to the requirements of subsections A and B of
21 this section, every applicant shall be given an option on the
22 application for issuance of a driver license or identification card
23 or renewal pursuant to Section 6-115 of this title to provide an
24 emergency contact person. The emergency contact information

1 requested may include full name, address, and phone number. The
2 emergency contact information shall be maintained by Service
3 Oklahoma and shall be used by Service Oklahoma and law enforcement
4 for emergency purposes only. A person listed as an emergency
5 contact may request to be removed at any time. Any update to a
6 change of name, address, or phone number may be made by the
7 applicant listing the emergency contact person or by the person
8 listed as the emergency contact.

9 E. Whenever application is received from a person previously
10 licensed in another jurisdiction, Service Oklahoma shall request a
11 copy of the driving record from the other jurisdiction and,
12 effective September 1, 2005, from all other jurisdictions in which
13 the person was licensed within the immediately previous ten (10)
14 years. When received, the driving record shall become a part of the
15 driving record of the person in this state with the same force and
16 effect as though entered on the driver's record in this state in the
17 original instance.

18 F. Whenever Service Oklahoma receives a request for a driving
19 record from another licensing jurisdiction, the record shall be
20 forwarded without charge.

21 G. A person shall not apply for or possess more than one state-
22 issued or territory-issued REAL ID Compliant Driver License or
23 Identification Card pursuant to the provisions of Section 6-101 of
24 this title. A valid and unexpired Oklahoma driver license shall

1 serve as both primary and secondary proofs of identity whenever
2 application for a REAL ID Noncompliant Identification Card is
3 submitted to Service Oklahoma. The provisions of subsection B of
4 Section 1550.42 of Title 21 of the Oklahoma Statutes shall not apply
5 when issuing an identification card pursuant to the provisions of
6 this subsection. Service Oklahoma shall promulgate rules necessary
7 to implement and administer the provisions of this subsection.

8 H. A valid and unexpired U.S. passport shall serve as both
9 primary and secondary proofs of identity whenever application for a
10 driver license or identification card is submitted to ~~the Department~~
11 Service Oklahoma. Service Oklahoma shall promulgate rules necessary
12 to implement and administer the provisions of this subsection.

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

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