

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3671

By: Miller and **Talley** of the
House

and

Coleman and **Garvin** of the
Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicles; authorizing
12 Service Oklahoma to allow individuals to make certain
13 voluntary designation; stating purpose and use;
14 authorizing the display or nondisplay of designation
15 on credentials; allowing removal of certain
16 designation; requiring establishment and maintenance
17 of certain registry; stating purpose of registry;
18 requiring development of certain form; allowing
19 certain voluntary report of diagnosis be submitted;
20 listing information to be stored by registry;
21 providing for submission of certain information;
22 allowing certain opportunities for holders of certain
23 credentials; limiting availability of submitted
24 information; prescribing use of certain information;
 stating certain information shall be confidential;
 limiting liability for certain causes; requiring
 Service Oklahoma comply with certain federal
 requirements; authorizing the promulgation of rules;
 requiring the development of certain program;
 requiring program consist of certain elements;
 requiring program be available annually to certain
 entities; providing for codification; and providing
 an effective date.

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

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 6-125 of Title 47, unless there
4 is created a duplication in numbering, reads as follows:

5 A. 1. Service Oklahoma shall permit a driver license or state
6 identification card holder to voluntarily designate that the person
7 has been diagnosed with an autism spectrum disorder by a licensed
8 primary care physician, licensed psychologist, or licensed
9 psychiatrist. The designation shall be used by a law enforcement
10 officer or an emergency medical professional to identify and
11 effectively communicate with a person who has been diagnosed with an
12 autism spectrum disorder and shall not be used for any other purpose
13 by any other person.

14 2. The cardholder may choose whether the voluntary designation
15 indicating that a person has been diagnosed with an autism spectrum
16 disorder pursuant to paragraph 1 of this subsection shall be
17 displayed on the driver license or identification card or in the
18 Oklahoma Law Enforcement Telecommunications System (OLETS) in
19 accordance with procedures prescribed by Service Oklahoma. A holder
20 of a driver license or identification card who makes a voluntary
21 designation pursuant to this section shall have the opportunity to
22 remove the designation at any time.

23 B. 1. Service Oklahoma shall establish and maintain an
24 automated statewide registry accessible by law enforcement officers

1 for the purpose of identifying and effectively communicating with a
2 person who has been diagnosed with an autism spectrum disorder by a
3 licensed primary care physician, licensed psychologist, or licensed
4 psychiatrist. Service Oklahoma shall permit a person diagnosed with
5 an autism spectrum disorder to voluntarily report the diagnosis to
6 Service Oklahoma for inclusion in the registry. The registry shall
7 be capable of storing information, which shall include, but not be
8 limited to:

- 9 a. the license plate and registration information of any
10 motor vehicle that the person intends to regularly
11 operate,
- 12 b. the emergency contact information of a person who can
13 communicate on behalf of the person who has been
14 diagnosed with an autism spectrum disorder, and
- 15 c. any other information that may assist a law
16 enforcement officer when communicating with the
17 person.

18 2. Service Oklahoma shall develop a standardized autism
19 diagnosis form that provides a diagnosing or treating licensed
20 primary care physician, licensed psychologist, or licensed
21 psychiatrist to certify that an individual has been diagnosed with
22 an autism spectrum disorder. The holder of an Oklahoma driver
23 license or identification card or a person making application or
24 renewal for a driver license or identification card issued by

1 Service Oklahoma may voluntarily submit the form to the registry
2 established pursuant to paragraph 1 of this subsection, through
3 procedures established by Service Oklahoma. A holder of a driver
4 license or identification card who submits information to the
5 registry shall have the opportunity to revise, update the
6 information, or be removed from the registry at any time.

7 3. Information submitted pursuant to this section shall only be
8 available to Service Oklahoma, licensed operators who are designated
9 to collect and maintain the information, and law enforcement
10 officers when accessing the person's motor vehicle records. The
11 information shall be exclusively used during a motor vehicle stop or
12 other law enforcement action to assist law enforcement officers in
13 identifying and effectively communicating with a person who has been
14 diagnosed with an autism spectrum disorder.

15 4. Any information submitted to Service Oklahoma or licensed
16 operators pursuant to this section shall not be considered a
17 government record pursuant to subparagraph c of paragraph 1 of
18 Section 24A.5 of Title 51 of the Oklahoma Statutes and shall not be
19 discoverable as a government record by any person, entity, or
20 governmental agency, except upon a subpoena issued by a grand jury
21 or a court order in a criminal matter.

22 5. Service Oklahoma, its employees, or licensed operators, for
23 the purpose of discharging their duties pursuant to this act, shall
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1 not be liable to any person for civil damages or subject to criminal
2 prosecution resulting from or caused by:

3 a. any disruption or failure in Internet service caused
4 by any accident, malfunction, act of sabotage or
5 nature, or any other condition or circumstance that
6 Service Oklahoma has not, directly or indirectly,
7 caused, and which prevents the holder of an Oklahoma
8 driver license or identification card from accessing
9 or inputting information into the registry established
10 pursuant to this subsection, or which results in, or
11 prevents, Service Oklahoma, licensed operators,
12 designated Service Oklahoma employees, and law
13 enforcement officers from accessing, establishing, or
14 maintaining the database,

15 b. any misuse of, or the failure or omission to input
16 accurate information, or the inputting of inaccurate
17 or outdated information into the registry by any
18 holder of an Oklahoma driver license or identification
19 card, or

20 c. the inability of any law enforcement officer to make
21 contact, in good faith, with any designated emergency
22 contact person. This limitation of liability is
23 inapplicable if such failure resulted from a malicious
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1 purpose or a wanton and willful disregard for the
2 safety of persons or property.

3 6. With regard to the issuance of REAL-ID compliant licenses
4 containing designations pursuant to this section, Service Oklahoma
5 shall comply with all federal design requirements and shall seek
6 design approval from all necessary federal agencies, including, but
7 not limited to, the United States Department of Homeland Security.

8 7. Service Oklahoma is authorized to promulgate any rules
9 necessary to effectuate the provisions of this section.

10 SECTION 2. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 6-125.1 of Title 47, unless
12 there is created a duplication in numbering, reads as follows:

13 The Department of Public Safety, in consultation with Service
14 Oklahoma, the Council on Law Enforcement Education and Training, the
15 Oklahoma Department of Mental Health and Substance Abuse Services,
16 and other entities or individuals with expertise in autism, shall
17 develop a program to assist and train law enforcement officers to
18 effectively communicate with a person who has been diagnosed with an
19 autism spectrum disorder by a licensed primary care physician,
20 licensed psychologist, or licensed psychiatrist. In addition, the
21 program shall include training in de-escalation methods when
22 interacting with a person who has been diagnosed with an autism
23 spectrum disorder, proper utilization of the registry established
24 pursuant to Section 1 of this act, proper utilization of any

1 specific information regarding an individual listed in the registry,
2 and any other information that may be useful to law enforcement
3 officers when interacting with a person who has been diagnosed with
4 an autism spectrum disorder.

5 The program established pursuant to this section shall be
6 available annually to every state, tribal, county, and municipal law
7 enforcement agency in this state.

8 SECTION 3. This act shall become effective November 1, 2025.

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10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/21/2024 -
11 DO PASS, As Amended and Coauthored.

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