

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1619

By: Seifried

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5  
6 AS INTRODUCED

7 An Act relating to driver licenses; amending 47 O.S.  
8 2021, Section 6-110, as last amended by Section 15,  
9 Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section  
10 6-110), which relates to applicant examinations;  
11 allowing Service Oklahoma to enter into certain  
12 agreements with commercial driving schools; amending  
13 47 O.S. 2021, Section 6-206.1, which relates to  
14 driver improvement; removing certain instructor  
15 educational requirement; updating statutory language;  
16 and providing an effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-110, as  
19 last amended by Section 15, Chapter 310, O.S.L. 2023 (47 O.S. Supp.  
20 2023, Section 6-110), is amended to read as follows:

21 Section 6-110. A. 1. Service Oklahoma shall establish  
22 procedures to ensure every applicant for an original Class A, B, C  
23 or D license and for any endorsements thereon is examined by Service  
24 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

1 enter into agreements with local school districts, the Oklahoma  
2 Department of Career and Technology Education, ~~or~~ institutions of  
3 higher education, or commercial driving schools to act as approved  
4 written examination proctors with regard to any written examination  
5 required by this section. The examination shall include a test of  
6 the applicant's:

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

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

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

23 2. Service Oklahoma shall have the authority to waive the  
24 requirement of any part of the examination required in paragraph 1

1 of this subsection for those applicants whose driving record meets  
2 the standards set by the Department of Public Safety and surrender  
3 either of the following:

4 a. a valid unexpired driver license issued by any state  
5 or country for the same type or types of vehicles, or

6 b. an expired driver license that:

7 (1) is not expired more than six (6) months past the  
8 expiration date listed on the driver license, and

9 (2) is not a Class A, B or C commercial driver  
10 license or commercial driver license permit.

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

21 4. All applicants requiring a hazardous materials endorsement  
22 shall be required, for the renewal of the endorsement, to  
23 successfully complete the examination and to submit to a security  
24 threat assessment performed by the Transportation Security

1 Administration of the Department of Homeland Security as required by  
2 and pursuant to 49 C.F.R., Part 1572, which shall be used to  
3 determine whether the applicant is eligible for renewal of the  
4 endorsement pursuant to federal law and regulation.

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

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

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

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

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

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

23 3. Each person applying to be a designated examiner shall be  
24 required to pay an initial designated examiner certification fee of

1 One Thousand Dollars (\$1,000.00). Upon successful completion of  
2 training prescribed by paragraph 2 of this subsection, the person  
3 shall be required to pay an annual designated examiner certification  
4 fee of Five Hundred Dollars (\$500.00). If an applicant for the  
5 designated examiner program is employed by an Oklahoma public school  
6 system that offers driver education, and he or she administers the  
7 skills test only to students enrolled in a public school driver  
8 education program, the certification fee may be waived by Service  
9 Oklahoma. Each designated examiner certification shall expire on  
10 the last day of the calendar year and may be renewed upon  
11 application to Service Oklahoma. The designated examiner  
12 certification fees collected by Service Oklahoma pursuant to this  
13 subsection shall be deposited to the credit of the Department of  
14 Public Safety Restricted Revolving Fund to be used for the purposes  
15 of this subsection, through October 31, 2022. Beginning November 1,  
16 2022, the designated examiner certification fees collected by  
17 Service Oklahoma pursuant to this subsection shall be deposited to  
18 the credit of the Service Oklahoma Revolving Fund. No designated  
19 examiner certification fee shall be refunded in the event that  
20 certification is denied, suspended or revoked.

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

1           5. Service Oklahoma shall require each designated examiner and  
2 driver education instructor applicant to submit to an electronic  
3 national criminal history record check pursuant to Section 150.9 of  
4 Title 74 of the Oklahoma Statutes. The fees for the record check  
5 shall be borne by the designated examiner, designated examiner  
6 applicant, driver education instructor, or driver education  
7 instructor applicant.

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

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

1 ~~of Oklahoma~~ this state to utilize the third-party examiners hired or  
2 employed by a public transit agency approved by Service Oklahoma.

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

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

20 F. Service Oklahoma shall promulgate rules to:

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

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

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

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

12           SECTION 2.           AMENDATORY           47 O.S. 2021, Section 6-206.1, is  
13 amended to read as follows:

14           Section 6-206.1. A. ~~Driver~~ A driver improvement or defensive  
15 driving course is a course which offers an educational setting, and  
16 provides for driving concepts which encourage attitude or behavioral  
17 changes in the responsibility of operating a motor vehicle in a safe  
18 and responsible manner.

19           B. It shall be the responsibility of the institution or  
20 organization to provide:

21           1. Adequate facilities which meet or exceed state and local  
22 fire, health and safety codes;

23           2. Adequate equipment, in good working order, and instructional  
24 materials for such courses;

1 3. Qualified instructors who shall:

- 2 a. possess an undergraduate degree ~~and have nine (9)~~  
3 ~~college or university credit hours in traffic safety~~  
4 ~~education,~~ or ~~is~~ be a peace officer certified by the  
5 Council on Law Enforcement Education and Training  
6 (CLEET),
- 7 b. have no alcohol or drug-related convictions or  
8 revocations in the past five (5) years,
- 9 c. have no more than five (5) points accumulated on the  
10 driving record in the past three (3) years in  
11 accordance with the Oklahoma Mandatory Point System,
- 12 d. have a valid Oklahoma driver license, and
- 13 e. complete a course of training through the approved  
14 organization or institution;

15 4. A course of study designed to inform the participant of  
16 driver improvement and defensive driving concepts while encouraging  
17 attitude or behavioral changes in the responsibility of operating a  
18 motor vehicle in a safe and responsible manner. The curriculum,  
19 which means the complete lesson plans which include instructional  
20 strategy, presentation methods and resources utilized to incorporate  
21 the concepts of traffic safety, must provide for but not be limited  
22 to the following:

- 23 a. driver personality traits - behavioral attitudes,  
24 b. driver qualifications and limitations,

- 1 c. effects of alcohol and other drugs, and  
2 d. current accident prevention and defensive driving  
3 techniques: speed control, perception, reactions,  
4 lane positioning, safe turning and passing, occupant  
5 restraints, following distance and rules of the road;  
6 and

7 5. Provide at least six (6) hours of classroom instruction.

8 C. Organizations or institutions desirous of making application  
9 shall submit the following to the Department of Public Safety:

10 1. Evidence of organizational or institutional status which  
11 meet statutory requirements;

12 2. Copy of proposed course curriculum which includes lesson  
13 objectives, presentation materials, instructional strategy and  
14 resources utilized;

15 3. Certification that instructors meet statutory requirements;  
16 and

17 4. Upon Department of Public Safety approval, ~~said~~ the  
18 organization or institution shall be considered for point credits as  
19 set forth in this section.

20 D. The Department of Public Safety is authorized to grant a ~~two~~  
21 ~~point~~ two-point credit towards the Oklahoma Point System Regulations  
22 to any person who successfully completes a course pursuant to this  
23 section provided only one such course shall be acknowledged once  
24 every twenty-four (24) months.

1 E. The Department,    upon giving of notice and hearing,    may  
2 decline to grant credit points to any organization or institution  
3 for:

4 1. Unethical conduct of an instructor or official of an  
5 institution or organization;

6 2. Failure to satisfactorily resolve citizens' complaints;

7 3. Falsifying or misrepresenting any document or information to  
8 the Department or student;

9 4. Failure of an organization or instructor to meet statutory  
10 requirements;

11 5. Conflict of interest by the organization or institution  
12 and/or its personnel; or

13 6. Failure of an organization, institution or instructor to  
14 continue to meet statutory requirements as provided for in this  
15 section.

16 F. Course enrollment will be limited to not more than thirty  
17 students with an enrollment fee of Fifty Dollars (\$50.00) per  
18 student.

19 G. Enrollment in the course shall not be limited to persons  
20 ordered to enroll, attend and successfully complete the course.

21 H. The organization or institution shall within fifteen (15)  
22 days of the completion certify to the Department of Public Safety  
23 all persons who successfully complete the course on a form approved  
24  
25

1 or furnished by the Department. This shall include the person's  
2 full name, address, date of birth and driver license number.

3 I. Department personnel shall be admitted to any course without  
4 charge, upon request and display of proper credentials.

5 J. Each organization or institution shall develop auditing  
6 procedures which could be utilized to show compliance with this  
7 section.

8 K. Any point credit allowed must comply with the Department's  
9 Point System Regulations.

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

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