

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2052

By: Pugh

AS INTRODUCED

An Act relating to motor vehicles; amending 22 O.S. 2021, Section 1115.1A, as last amended by Section 1, Chapter 57, O.S.L. 2024 (22 O.S. Supp. 2025, Section 1115.1A), which relates to release on personal recognizance for traffic violation; adding certain exception; amending 47 O.S. 2021, Sections 6-111, as last amended by Section 2, Chapter 310, O.S.L. 2025, 3, Chapter 310, O.S.L. 2025, and 4, Chapter 310, O.S.L. 2025 (47 O.S. Supp. 2025, Sections 6-111, 6-126.1, and 6-126.2), which relate to motor vehicle enforcement; removing certain violations; requiring persons operating a commercial motor vehicle to possess certain identification; requiring certain additional identification in certain circumstance; providing for certain offense; prescribing certain enforcement standards; providing for certain violation; defining term; creating certain administrative fine for certain offenses; providing for certain hearing; amending 47 O.S. 2021, Section 955, as amended by Section 12, Chapter 228, O.S.L. 2022 (47 O.S. Supp. 2025, Section 955), which relates to towing of vehicles from roadway; allowing for certain vehicles when certain persons are placed under custodial arrest; updating statutory references; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 1115.1A, as last amended by Section 1, Chapter 57, O.S.L. 2024 (22 O.S. Supp. 2025, 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 violation of Section 6-126.1 or 6-126.2 of Title 47 of the Oklahoma Statutes, or
- h. a traffic violation coupled with any offense stated in subparagraphs a through ~~f~~ g 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;

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

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

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

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

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

17 after which, the arresting officer shall then release the person
18 upon personal recognizance based upon the acknowledged promise to
19 appear. The citation shall contain a written notice to the arrested
20 person that release upon personal recognizance based upon an
21 acknowledged promise to appear, as evidenced by the electronic
22 signature of the person, for arraignment is conditional and that
23 failure to timely appear for arraignment shall result in the
24 suspension of the driving privilege and driver license of the

1 arrested person in this state, or in the home state of the
2 nonresident pursuant to the Nonresident Violator Compact.

3 C. The court, or the court clerk as directed by the court, may
4 continue or reschedule the date and time of arraignment at the
5 discretion of the court or upon request of the arrested person or
6 the attorney for that person. If the arraignment is continued or
7 rescheduled, the arrested person shall remain on personal
8 recognizance and acknowledged promise to appear until such
9 arraignment, in the same manner and with the same consequences as if
10 the continued or rescheduled arraignment was entered on the citation
11 by the arresting officer and electronically signed by the defendant.
12 An arraignment may be continued or rescheduled more than one time.
13 Provided, however, the court shall require an arraignment to be had
14 within a reasonable time. It shall remain the duty of the defendant
15 to appear for arraignment unless the citation is satisfied as
16 provided for in subsection D of this section.

17 D. A defendant released upon personal recognizance may elect to
18 enter a plea of guilty or nolo contendere to the violation charged
19 at any time before the defendant is required to appear for
20 arraignment by indicating such plea on the copy of the citation
21 furnished to the defendant or on a legible copy, together with the
22 date of the plea and signature of the defendant, or such plea may be
23 entered by the defendant using an electronic method provided by the
24 court for such purposes, either through the website of the court or

1 otherwise. The defendant shall be responsible for assuring full
2 payment of the fine and costs to the appropriate court clerk.
3 Payment of the fine and costs may be made by personal, cashier's,
4 traveler's, certified or guaranteed bank check, postal or commercial
5 money order, or other form of payment approved by the court in an
6 amount prescribed as bail for the offense. Provided, however, the
7 defendant shall not use currency for payment by mail. Payment of
8 the fine and costs which is not accompanied by a written plea of
9 guilty or nolo contendere shall constitute a plea of nolo contendere
10 entered by the defendant as allowed by law, and shall function as a
11 written, dated and signed citation form acceptable to the court. A
12 plea of guilty or nolo contendere as provided for in this subsection
13 shall be accepted by the court and the amount of the fine and costs
14 shall be:

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

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

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

21 E. 1. If, pursuant to the provisions of subsection D of this
22 section, the defendant does not timely elect to enter a plea of
23 guilty or nolo contendere and fails to timely appear for
24 arraignment, the court may issue a warrant for the arrest of the
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1 defendant. The municipal or district court clerk, within one (1)
2 calendar year from the date the citation was issued by the arresting
3 officer, shall notify Service Oklahoma that:

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

15 Additionally, the court clerk shall request Service Oklahoma to
16 either suspend the driving privilege and driver license of the
17 defendant to operate a motor vehicle in this state, or notify the
18 home state of the defendant and request suspension of the driving
19 privilege and driver license of the defendant in accordance with the
20 provisions of the Nonresident Violator Compact. The notice and
21 request shall be on a form approved or furnished by Service
22 Oklahoma.

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

- 4 a. the defendant was arraigned, posted bail, paid a fine,
5 was jailed, or otherwise settled the case,
- 6 b. the defendant was not released upon personal
7 recognizance upon an acknowledged written promise to
8 appear as provided for in this section or if released,
9 was not permitted to remain on such personal
10 recognizance for arraignment,
- 11 c. the violation relates to parking or standing, or
- 12 d. a period of one (1) calendar year or more has elapsed
13 from the date the citation was issued by the arresting
14 officer.

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

19 G. The municipal or district court clerk shall maintain a
20 record of each request for driving privilege and driver license
21 suspension submitted to Service Oklahoma pursuant to the provisions
22 of this section. When the court or court clerk receives appropriate
23 bail or payment of the fine and costs, settles the citation, makes
24 other arrangements with the defendant, or otherwise closes the case,

1 the court clerk shall furnish proof thereof to the defendant, if the
2 defendant personally appears, or shall mail such proof by first-
3 class mail, postage prepaid, to the defendant at the address noted
4 on the citation or at such other address as is furnished by the
5 defendant or by email if the defendant has furnished an email
6 address for such purposes. Additionally, the court or court clerk
7 shall notify the home jurisdiction of the defendant as listed on the
8 citation, if such jurisdiction is a member of the Nonresident
9 Violator Compact, and shall, in all other cases, notify Service
10 Oklahoma of the resolution of the case. The form of proof and the
11 procedures for notification shall be approved by Service Oklahoma.
12 Provided, however, failure by the court or court clerk to furnish
13 such proof or notice in the manner provided for in this subsection
14 shall in no event create any civil liability upon the court, the
15 court clerk, the State of Oklahoma or any political subdivision
16 thereof, or any state department or agency or any employee thereof
17 but duplicate proof shall be furnished to the person entitled to
18 such proof or notice upon request.

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

22 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-111, as
23 last amended by Section 2, Chapter 310, O.S.L. 2025 (47 O.S. Supp.
24 2025, Section 6-111), is amended to read as follows:

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

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

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

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

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

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

22 B. 1. Service Oklahoma may issue or authorize the issuance of
23 a temporary permit or license to an applicant for a driver license
24 permitting such applicant to operate a motor vehicle while Service

1 Oklahoma is completing its investigation and determination of all
2 facts relative to such applicant's privilege to receive a license,
3 or while a permanent driver license is being produced and delivered
4 to the applicant. Such permit or license must be in the immediate
5 possession of the driver while operating a motor vehicle, and it
6 shall be invalid when the applicant's permanent driver license has
7 been issued and delivered or for good cause has been refused.

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

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

- 18 a. farm retail outlets and suppliers,
- 19 b. agri-chemical businesses,
- 20 c. custom harvesters, and
- 21 d. livestock feeders.

22 The applicant shall have held a valid driver license for at
23 least one (1) year. Applicants with more than two (2) years of
24 driving experience shall have a good driving record for the most
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1 recent two-year period and shall meet all the requirements for a
2 commercial driver license. The restricted commercial driver license
3 shall not exceed the maximum total days that federal law allows.
4 Applicants for the restricted commercial driver license shall be
5 exempt from the knowledge and skills test. Application of the
6 restricted commercial driver license does not have to be used in
7 consecutive days. The use of the permit shall be declared at
8 application.

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

- 11 a. has not had more than one license,
- 12 b. has not had any license suspended, revoked, or
13 canceled,
- 14 c. has not had any conviction for any type of
15 disqualifying offenses or serious traffic violations,
16 or
- 17 d. has not had any conviction for a violation of state or
18 local law relating to motor vehicle traffic control,
19 other than a parking violation, arising in connection
20 with any traffic accident and has no record of an
21 accident in which he or she is at fault.

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

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

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

6 b. liquid fertilizers in vehicles with total capacities
7 of three thousand (3,000) gallons or less, and

8 c. solid fertilizers that are not mixed with any organic
9 substance.

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

12 D. 1. Service Oklahoma may issue a non-domiciled commercial
13 learner permit or a non-domiciled commercial driver license.

14 2. A person applying for such permit or license must comply
15 with all testing and licensing requirements in accordance with
16 applicable federal regulations, state laws, and Service Oklahoma
17 rules. The expiration of the issued license shall be the same date
18 as the expiration of the visa for the non-domiciled worker. Service
19 Oklahoma may promulgate rules for the implementation of the process
20 to carry out the provisions of this section.

21 3. ~~A person holding a non-domiciled commercial driver license~~
22 ~~or non-domiciled commercial learner's permit within this state shall~~
23 ~~also possess a valid work visa and provide proof of citizenship to~~
24 ~~validate his or her identity while operating a commercial motor~~
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1 ~~vehicle. Proof of citizenship shall be demonstrated through~~
2 ~~presentation of a birth certificate, naturalization certificate, or~~
3 ~~valid passport.~~

4 ~~4. A commercial motor carrier whose driver is found to be in~~
5 ~~violation of this subsection shall be subject to a fine in the~~
6 ~~amount of Three Thousand Dollars (\$3,000.00) for each violation.~~
7 ~~The proceeds of any penalties collected pursuant to this paragraph~~
8 ~~shall be deposited in the Weigh Station Improvement Revolving Fund~~
9 ~~created in Section 1167 of Title 47 of the Oklahoma Statutes.~~

10 ~~5. A driver found to be in violation of this subsection shall~~
11 ~~be prohibited from operating a commercial motor vehicle within this~~
12 ~~state until such a time that the driver is able to meet the~~
13 ~~identification provisions of this subsection. Any driver found to~~
14 ~~be operating a motor vehicle within this state while under such~~
15 ~~prohibition shall be guilty of a misdemeanor and upon conviction~~
16 ~~shall be punished by a fine not to exceed One Thousand Dollars~~
17 ~~(\$1,000.00), or by imprisonment for not more than ninety (90) days,~~
18 ~~or by both such fine and imprisonment. Any fine collected pursuant~~
19 ~~to the provisions of this paragraph shall be deposited to the Trauma~~
20 ~~Care Assistance Revolving Fund created in Section 1-2530.9 of Title~~
21 ~~63 of the Oklahoma Statutes.~~

22 ~~6. The commercial motor carrier shall be notified of the~~
23 ~~location of any commercial motor vehicle involved in a violation,~~
24 ~~and, upon payment of the fine in full and presentation of a driver~~

1 ~~who meets all requirements to operate a commercial motor vehicle~~
2 ~~within this state, shall take possession of the vehicle. If the~~
3 ~~commercial motor carrier is unable to either pay such fine or~~
4 ~~present such driver within twelve (12) hours after notification, the~~
5 ~~owner of any cargo being transported by the commercial motor vehicle~~
6 ~~shall be notified and allowed to arrange for the transfer of the~~
7 ~~cargo to another vehicle. Neither the state nor the owner of such~~
8 ~~cargo shall be liable for any reasonable action to transfer such~~
9 ~~cargo.~~

10 ~~7.~~ As used in this subsection, a non-domiciled commercial
11 driver license or non-domiciled commercial learner permit shall have
12 the same meaning as that provided in 49 C.F.R., Section 383.5.

13 E. 1. Service Oklahoma shall develop a procedure whereby a
14 person applying for an original, renewal, or replacement Class A, B,
15 C, or D driver license or identification card who is required to
16 register as a convicted sex offender with the Department of
17 Corrections pursuant to the provisions of the Sex Offenders
18 Registration Act and who the Department of Corrections designates as
19 an aggravated or habitual offender pursuant to subsection ~~7~~ Q of
20 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
21 license or card bearing the words "Sex Offender".

22 2. Service Oklahoma shall notify every person subject to
23 registration under the provisions of Section 1-101 et seq. of this
24 title who holds a current Class A, B, C, or D driver license or

1 identification card that such person is required to surrender the
2 license or card to Service Oklahoma within one hundred eighty (180)
3 days from the date of the notice.

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

8 4. Failure to comply with the requirements set forth in such
9 notice shall result in cancellation of the person's license or card.
10 Such cancellation shall be in effect for one (1) year, after which
11 time the person may make application with Service Oklahoma for a new
12 license or card bearing the words "Sex Offender". Continued use of
13 a canceled license or card shall constitute a misdemeanor and shall,
14 upon conviction thereof, be punishable by a fine ~~of~~ not less than
15 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
16 (\$200.00). When an individual is no longer required to register as
17 a convicted sex offender with the Department of Corrections pursuant
18 to the provisions of the Sex Offenders Registration Act, the
19 individual shall be eligible to receive a driver license or
20 identification card which does not bear the words "Sex Offender".

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

3 G. A person subject to an order for the installation of an
4 ignition interlock device shall be required by Service Oklahoma to
5 submit his or her driver license for a replacement. The replacement
6 driver license shall bear the words "Interlock Required" and such
7 designation shall remain on the driver license for the duration of
8 the order requiring the ignition interlock device. The replacement
9 license shall be subject to the same expiration and renewal
10 procedures provided by law. Upon completion of the requirements for
11 the interlock device, a person may apply for a replacement driver
12 license.

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

18 SECTION 3. AMENDATORY Section 3, Chapter 310, O.S.L.
19 2025 (47 O.S. Supp. 2025, Section 6-126.1), is amended to read as
20 follows:

21 Section 6-126.1. A. Any person operating any commercial motor
22 vehicle, as defined in Section 1-107.1 et. seq of ~~Title 47 of the~~
23 ~~Oklahoma Statutes~~ this title, in this state shall possess either:
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25

1 1. A valid commercial driver license or commercial learner
2 permit issued by a state, territory, or possession of the United
3 States, the District of Columbia, or the Commonwealth of Puerto
4 Rico; ~~or~~

5 2. A valid non-domiciled commercial driver license or non-
6 domiciled commercial learner permit, as defined by 49 C.F.R.,
7 Section 383.5; or

8 3. A valid commercial driver license issued by a Canadian or
9 Mexican state, territory, district, or province ~~of Canada or Mexico,~~
10 or another nation or territory that has a reciprocal license
11 agreement with this state, ~~accompanied by a valid work visa. A~~
12 ~~person holding such a driver license shall also possess a physical~~
13 ~~copy of such license and verifiable proof of citizenship of the~~
14 ~~country that issued the license. Proof of citizenship shall be~~
15 ~~demonstrated through presentation of a birth certificate,~~
16 ~~naturalization certificate, or valid passport.~~

17 B. 1. ~~A commercial motor carrier whose driver is found to be~~
18 ~~in violation of this section shall be subject to a fine in the~~
19 ~~amount of Three Thousand Dollars (\$3,000.00) for each violation.~~
20 ~~The proceeds of any penalties collected pursuant to this paragraph~~
21 ~~shall be deposited in the Weigh Station Improvement Revolving Fund~~
22 ~~created in Section 1167 of Title 47 of the Oklahoma Statutes.~~

23 2. ~~A driver found to be in violation of this section shall be~~
24 ~~prohibited from operating a commercial motor vehicle within this~~

1 ~~state until such a time that the driver is able to meet the~~
2 ~~identification provisions of this section. Any driver found to be~~
3 ~~operating a motor vehicle within this state while under such~~
4 ~~prohibition shall be guilty of a misdemeanor and upon conviction~~
5 ~~shall be punished by a fine not to exceed One Thousand Dollars~~
6 ~~(\$1,000.00), or by imprisonment for not more than ninety (90) days,~~
7 ~~or both such fine and imprisonment. Any fine collected pursuant to~~
8 ~~the provisions of this paragraph shall be deposited to the Trauma~~
9 ~~Care Assistance Revolving Fund created in Section 1-2530.9 of Title~~
10 ~~63 of the Oklahoma Statutes.~~

11 ~~3. The commercial motor carrier shall be notified of the~~
12 ~~location of any commercial motor vehicle involved in a violation,~~
13 ~~and, upon payment of the fine in full and presentation of a driver~~
14 ~~who meets all requirements to operate a commercial motor vehicle~~
15 ~~within this state, shall take possession of the vehicle. If the~~
16 ~~commercial motor carrier is unable to either pay such fine or~~
17 ~~present such driver within twelve (12) hours after notification, the~~
18 ~~owner of any cargo being transported by the commercial motor vehicle~~
19 ~~shall be notified and allowed to arrange for the transfer of the~~
20 ~~cargo to another vehicle. Neither the state nor the owner of such~~
21 ~~cargo shall be liable for any reasonable action to transfer such~~
22 ~~cargo. Any person operating a commercial motor vehicle within this~~
23 state with an otherwise valid non-domiciled commercial driver
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1 license or non-domiciled commercial learner permit shall possess on
2 the operator's person:

- 3 a. evidence of lawful immigration status as defined by 49
4 C.F.R., Section 383.5, if the non-domiciled commercial
5 driver license or non-domiciled commercial learner
6 permit was issued on or after September 29, 2025, or
7 b. an unexpired employment authorization document (EAD)
8 issued by the United States Citizenship and
9 Immigration Services or an unexpired foreign passport
10 accompanied by an approved Form I-94 documenting the
11 applicant's most recent admittance into the United
12 States, if the non-domiciled commercial driver license
13 or non-domiciled commercial learner permit was issued
14 prior to September 29, 2025.

15 2. Any person operating a commercial motor vehicle within this
16 state with a commercial driver license issued by a Canadian or
17 Mexican state, territory, district, or province, or another nation
18 or territory that has a reciprocal license agreement with this
19 state, shall possess on the operator's person:

- 20 a. a valid and current B-1 visa issued by the United
21 States and an approved I-94 form documenting the
22 applicant's most recent admittance into the United
23 States, and

1 b. proof of citizenship through presentation of a birth
2 certificate, naturalization certificate, or valid
3 passport.

4 3. An operator of a commercial motor vehicle who is found to be
5 in violation of the provisions of this subsection shall be guilty of
6 a misdemeanor and upon conviction shall be punished by a fine not to
7 exceed One Thousand Dollars (\$1,000.00), or by imprisonment for not
8 more than ninety (90) days, or both such fine and imprisonment. Any
9 fine collected pursuant to the provisions of this paragraph shall be
10 deposited in the Weigh Station Improvement Revolving Fund created in
11 Section 1167 of this title.

12 4. A person operating in violation of this subsection shall not
13 be eligible for a citation and immediate release upon personal
14 recognizance as provided by Section 1115.1A of Title 22 of the
15 Oklahoma Statutes. Pursuant to Section 955 of this title, the
16 commercial motor vehicle is subject to being towed incident to the
17 arrest of the operator.

18 5. The citizenship or immigration status of a person operating
19 in violation of this subsection shall be subject to verification
20 and, if either his or her citizenship or immigration status is
21 unable to be verified, such person shall be transferred to the
22 custody of the United States Department of Homeland Security under
23 suspicion that such person is illegally present in the United
24 States.

SECTION 4. AMENDATORY Section 4, Chapter 310, O.S.L.

2025 (47 O.S. Supp. 2025, Section 6-126.2), is amended to read as follows:

Section 6-126.2. A. An operator of a commercial motor vehicle within this state shall be able to demonstrate proficiency of the English language sufficient to:

1. Converse with the general public;
2. Understand highway traffic signs and signals in the English language;
3. Respond to official inquiries; and
4. Make entries on reports and records.

When enforcing the provisions of this section, peace officers may reference and apply applicable enforcement standards reflected in Policy MC-SEE-2025-0001 issued by the Federal Motor Carrier Safety Administration on May 20, 2025.

~~B. 1. A commercial motor carrier whose driver is found to be in violation of this section shall be subject to a fine in the amount of Three Thousand Dollars (\$3,000.00) for each violation. The proceeds of any penalties collected pursuant to this paragraph shall be deposited in the Weigh Station Improvement Revolving Fund created in Section 1167 of Title 47 of the Oklahoma Statutes.~~

~~2. A driver found to be in violation of this section shall be prohibited from operating a commercial motor vehicle within this state until such a time that the driver is able to meet the~~

1 ~~identification provisions of this section. Any driver found to be~~
2 ~~operating a motor vehicle within this state while under such~~
3 ~~prohibition shall be guilty of a misdemeanor and upon conviction~~
4 ~~shall be punished by a fine not to exceed One Thousand Dollars~~
5 ~~(\$1,000.00), or by imprisonment for not more than ninety (90) days,~~
6 ~~or both such fine and imprisonment. Any fine collected pursuant to~~
7 ~~the provisions of this paragraph shall be deposited to the Trauma~~
8 ~~Care Assistance Revolving Fund created in Section 1-2530.9 of Title~~
9 ~~63 of the Oklahoma Statutes.~~

10 ~~3. The commercial motor carrier shall be notified of the~~
11 ~~location of any commercial motor vehicle involved in a violation,~~
12 ~~and, upon payment of the fine in full and presentation of a driver~~
13 ~~who meets all requirements to operate a commercial motor vehicle~~
14 ~~within this state, shall take possession of the vehicle. If the~~
15 ~~commercial motor carrier is unable to either pay such fine or~~
16 ~~present such driver within twelve (12) hours after notification, the~~
17 ~~owner of any cargo being transported by the commercial motor vehicle~~
18 ~~shall be notified and allowed to arrange for the transfer of the~~
19 ~~cargo to another vehicle. Neither the state nor the owner of such~~
20 ~~cargo shall be liable for any reasonable action to transfer such~~
21 ~~cargo.~~

22 ~~C. Any operator of a commercial motor vehicle found to be in~~
23 ~~violation of this section shall, in addition to the provisions~~
24 ~~provided for in subsection B of this section, be subject to a~~

1 ~~penalty of One Thousand Dollars (\$1,000.00). Any fine collected~~
2 ~~pursuant to the provisions of this subsection shall be deposited to~~
3 ~~the Trauma Care Assistance Revolving Fund created in Section 1-~~
4 ~~2530.9 of Title 63 of the Oklahoma Statutes. An operator of a~~
5 ~~commercial motor vehicle who is found to be in violation of the~~
6 ~~provisions of this section shall be guilty of a misdemeanor and upon~~
7 ~~conviction shall be punished by a fine not to exceed One Thousand~~
8 ~~Dollars (\$1,000.00), or by imprisonment for not more than ninety~~
9 ~~(90) days, or both such fine and imprisonment. Any fine collected~~
10 ~~pursuant to the provisions of this paragraph shall be deposited in~~
11 ~~the Weigh Station Improvement Revolving Fund created in Section 1167~~
12 ~~of this title.~~

13 2. A person operating in violation of this subsection shall not
14 be eligible for a citation and immediate release upon personal
15 recognizance as provided by Section 1115.1A of Title 22 of the
16 Oklahoma Statutes. Pursuant to Section 955 of this title, the
17 commercial motor vehicle is subject to being towed incident to the
18 arrest of the operator.

19 3. The citizenship or immigration status of a person operating
20 in violation of this subsection shall be subject to verification
21 and, if either his or her citizenship or immigration status is
22 unable to be verified, such person shall be transferred to the
23 custody of the United States Department of Homeland Security under
24

1 suspicion that such person is illegally present in the United
2 States.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 6-126.3 of Title 47, unless
5 there is created a duplication in numbering, reads as follows:

6 A. As used in this section, "offenses" means the number of
7 times any driver of a commercial motor carrier has been found to be
8 operating in violation of the provisions of Sections 6-126.1 and 6-
9 126.2 of Title 47 of the Oklahoma Statutes.

10 B. A commercial motor carrier whose driver is found to be
11 operating in violation of the provisions of Sections 6-126.1 and 6-
12 126.2 of Title 47 of the Oklahoma Statutes shall be liable for an
13 administrative fine, to be assessed by the Department of Public
14 Safety, of:

15 1. Ten Thousand Dollars (\$10,000.00) for the first and second
16 offenses;

17 2. Twenty-five Thousand Dollars (\$25,000.00) for the third
18 offense; and

19 3. One Hundred Thousand Dollars (\$100,000.00) for the fourth
20 and subsequent offenses.

21 All administrative fines collected pursuant to this subsection
22 shall be deposited in the Weigh Station Improvement Revolving Fund
23 created in Section 1167 of Title 47 of the Oklahoma Statutes.

1 C. For the purpose of determining if an administrative fine
2 should be assessed, a hearing shall be conducted in accordance with
3 the provisions of the Administrative Procedures Act by a hearing
4 officer designated by the Department of Public Safety. A final
5 order by the hearing officer may be appealed to the district court
6 in the county in which the violation occurred pursuant to the
7 provisions of the Administrative Procedures Act.

8 SECTION 6. AMENDATORY 47 O.S. 2021, Section 955, as
9 amended by Section 12, Chapter 228, O.S.L. 2022 (47 O.S. Supp. 2025,
10 Section 955), is amended to read as follows:

11 Section 955. A. Any officer of the Department of Public Safety
12 or any other political subdivision of this state is hereby
13 authorized to cause to be towed any vehicle found upon public roads,
14 highways, streets, turnpikes, private parking lots accessible to the
15 public, other public places or upon any private road, street, alley
16 or lane which provides access to one or more single-family or
17 multifamily dwellings when:

18 1. A report has been made that the vehicle has been stolen or
19 taken without the consent of its owner;

20 2. The officer has reason to believe the vehicle has been
21 abandoned as defined in Sections 901 and 902 of this title;

22 3. The person driving or in control of the vehicle is ~~arrested~~
23 placed under custodial arrest for an alleged offense ~~for which the~~
24
25

~~officer is required by law to take the person arrested or summoned
before a proper magistrate without unnecessary delay;~~

4. At the scene of an accident, if the owner or driver is not in a position to take charge of the vehicle and direct or request its proper removal;

5. The officer has probable cause that the person operating the vehicle has not been granted driving privileges or that the driving privileges of the person are currently suspended, revoked, canceled, denied, or disqualified;

6. The officer has probable cause that the vehicle has been used in the commission of a felony offense and the officer has obtained a search warrant authorizing the search and seizure of the vehicle;

7. The officer has probable cause that the vehicle is not insured as required by the Compulsory Insurance Law of this state;
or

8. The vehicle is involved in a fatal motor vehicle collision and is needed for evidentiary purposes; or

9. A vehicle is left unattended upon any street, sidewalk, alley or thoroughfare and constitutes a hazard or obstruction to the normal movement of public transit along a rail fixed guideway. An unattended vehicle shall be deemed to constitute an obstruction if any portion of the vehicle remains in that lane utilized for the rail fixed guideway as designated by traffic lane markings or if any

1 portion of the vehicle is outside of the designated parking location
2 and protrudes into the lane of traffic utilized for the rail fixed
3 guideway. For purposes of this paragraph, the head of a political
4 subdivision's transportation division may authorize employees to
5 cause to be towed any vehicle which constitutes a hazard or
6 obstruction to the normal movement of public transit along a rail
7 fixed guideway.

8 No vehicle shall be released after impoundment unless the owner
9 provides to the storing facility proof of valid insurance or an
10 affidavit of nonuse on the roadway, or in the event of a release
11 request from an insurer or the representative of the insurer who has
12 accepted liability for the vehicle, no such proof of insurance or
13 affidavit of nonuse on the roadway shall be required.

14 B. A licensed wrecker operator is not liable for damage to a
15 vehicle, vessel, or cargo that obstructs the normal movement of
16 traffic or creates a hazard to traffic and is removed in compliance
17 with the request of a law enforcement officer, unless there is
18 failure to exercise reasonable care in the performance of the act or
19 for conduct that is willful or malicious.

20 C. Each officer of the Department shall use the services of the
21 licensed wrecker operator whose location is nearest to the vehicle
22 to be towed in all instances in subsection A of this section. The
23 requests for services may be alternated or rotated among all
24 licensed wrecker operators who are located within a reasonable
25

1 radius of each other. In like manner, the officer shall advise any
2 person requesting information as to the availability of a wrecker or
3 towing service, the name of the nearest licensed wrecker operator,
4 giving equal consideration to all licensed wrecker operators located
5 within a reasonable radius of each other. In cities ~~of~~ with a
6 population of less than fifty thousand (50,000) ~~population~~, all
7 licensed wrecker operators located near or in the city limits of
8 such cities shall be considered as being equal distance and shall be
9 called on an equal basis as nearly as possible. In counties
10 bordering other states, if the officer deems safety and time
11 considerations warrant, the officer may call a wrecker or towing
12 service that is not on the rotation log.

13 D. Any officer of the Department who has been requested by a
14 person in need of wrecker or towing service to call a specific
15 wrecker or towing service for such person, and who calls a different
16 wrecker or towing service other than the one requested, without the
17 consent of the person, except where hazardous conditions exist,
18 shall be subject to progressive discipline issued by the Department
19 except in instances where a vehicle is removed from the roadway
20 under the authority of paragraphs 3, 4 and 6 of subsection A of this
21 section.

22 E. Operators conducting a tow under this section shall release
23 all personal property within the vehicle to an insurer or
24 representative of the insurer who has accepted liability for the
25

1 vehicle, or to the registered owner or the owner's personal
2 representative as designated by the registered owner on a form
3 approved by the Department. The registered owner or representative
4 of the registered owner shall provide proof of identity in
5 accordance with the Department's rules related to establishing
6 identity. Upon the release of personal property to an insurer or
7 representative of the insurer, wrecker operators shall be exempt
8 from all liability and shall be held harmless for any losses or
9 claims of loss. Personal property shall include everything in a
10 vehicle except the vehicle, the attached or installed equipment,
11 vehicle keys or devices to start and unlock the vehicle, and the
12 spare tire and tools to change the tire. ~~Interlock devices may be~~
13 ~~removed pursuant to Section 11-902a of this title.~~ If release of
14 personal property occurs during normal business hours as prescribed
15 by the Corporation Commission, it shall be at no cost to the
16 registered owner or the owner prior to the repossession. After-hour
17 fees may be assessed as prescribed by this Chapter or by the
18 Corporation Commission, when the release of property is made after
19 the prescribed normal business hours.

20 F. The operator of a wrecker or towing service may request a
21 person offering proof of ownership of personal property and any
22 interlock device to execute a form provided by the operator
23 exempting the operator from liability for such release.
24

SECTION 7. 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.

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