

1 ENGROSSED HOUSE
2 BILL NO. 2260

By: Hoskin of the House

3 and

4 Bass of the Senate

5
6
7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Sections 6-101, as last amended by Section 1,
9 Chapter 97, O.S.L. 2015 and 6-105, as last amended by
10 Section 1, Chapter 102, O.S.L. 2015 (47 O.S. Supp.
11 2015, Sections 6-101 and 6-105), which relate to
12 driver licenses; and requiring certain motorcycle
13 safety course for certain licenses.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
16 last amended by Section 1, Chapter 97, O.S.L. 2015 (47 O.S. Supp.
17 2015, Section 6-101), is amended to read as follows:

18 Section 6-101. A. No person, except those hereinafter
19 expressly exempted in Sections 6-102 and 6-102.1 of this title,
20 shall operate any motor vehicle upon a highway in this state unless
21 the person has a valid Oklahoma driver license for the class of
22 vehicle being operated under the provisions of this title. No
23 person shall be permitted to possess more than one valid license at
24 any time, except as provided in paragraph 4 of subsection F of this
section.

1 B. 1. No person shall operate a Class A commercial motor
2 vehicle unless the person is eighteen (18) years of age or older and
3 holds a valid Class A commercial license, except as provided in
4 paragraph 5 of this subsection and subsection F of this section.
5 Any person holding a valid Class A commercial license shall be
6 permitted to operate motor vehicles in Classes A, B, C and D, except
7 as provided for in paragraph 4 of this subsection.

8 2. No person shall operate a Class B commercial motor vehicle
9 unless the person is eighteen (18) years of age or older and holds a
10 valid Class B commercial license, except as provided in paragraph 5
11 of subsection F of this section. Any person holding a valid Class B
12 commercial license shall be permitted to operate motor vehicles in
13 Classes B, C and D, except as provided for in paragraph 4 of this
14 subsection.

15 3. No person shall operate a Class C commercial motor vehicle
16 unless the person is eighteen (18) years of age or older and holds a
17 valid Class C commercial license, except as provided in subsection F
18 of this section. Any person holding a valid Class C commercial
19 license shall be permitted to operate motor vehicles in Classes C
20 and D, except as provided for in paragraph 4 of this subsection.

21 4. No person under twenty-one (21) years of age shall be
22 licensed to operate any motor vehicle which is required to be
23 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
24 subpart F, except as provided in subsection F of this section;

1 provided, a person eighteen (18) years of age or older may be
2 licensed to operate a farm vehicle which is required to be placarded
3 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
4 except as provided in subsection F of this section.

5 5. A person at least seventeen (17) years of age who
6 successfully completes all examinations required by law may be
7 issued by the Department:

8 a. a restricted Class A commercial license which shall
9 grant to the licensee the privilege to operate a Class
10 A or Class B commercial motor vehicle for harvest
11 purposes or a Class D motor vehicle, or

12 b. a restricted Class B commercial license which shall
13 grant to the licensee the privilege to operate a Class
14 B commercial motor vehicle for harvest purposes or a
15 Class D motor vehicle.

16 6. No person shall operate a Class D motor vehicle unless the
17 person is sixteen (16) years of age or older and holds a valid Class
18 D license, except as provided for in Section 6-102 or 6-105 of this
19 title. Any person holding a valid Class D license shall be
20 permitted to operate motor vehicles in Class D only.

21 C. Any person issued a driver license pursuant to this section
22 may exercise the privilege thereby granted upon all streets and
23 highways in this state.

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1 D. No person shall operate a motorcycle or motor-driven cycle
2 without having a valid Class A, B, C or D license with a motorcycle
3 endorsement. Except as otherwise provided by law, any new applicant
4 for an original driver license shall be required to successfully
5 complete a written examination, vision examination, and driving
6 examination for a motorcycle as prescribed by the Department of
7 Public Safety, and a certified state-approved motorcycle basic rider
8 course approved by the Department if the applicant is seventeen (17)
9 years of age or younger to be eligible for a motorcycle endorsement
10 thereon. The written examination and driving examination for a
11 motorcycle ~~may~~ shall be waived by the Department of Public Safety
12 upon verification that the person has successfully completed a
13 certified Motorcycle Safety Foundation rider course approved by the
14 Department.

15 E. Except as otherwise provided by law, any person who lawfully
16 possesses a valid Oklahoma driver license which is eligible for
17 renewal shall be required to successfully complete a written
18 examination, vision examination, and driving examination for a
19 motorcycle as prescribed by the Department, and a certified state-
20 approved motorcycle basic rider course approved by the Department if
21 the person is seventeen (17) years of age or younger to be eligible
22 for a motorcycle endorsement. The written examination and driving
23 examination for a motorcycle ~~may~~ shall be waived by the Department
24 of Public Safety upon verification that the person has successfully

1 completed a certified Motorcycle Safety Foundation rider course
2 approved by the Department.

3 F. 1. Any person eighteen (18) years of age or older may apply
4 for a restricted Class A, B or C commercial learner permit. The
5 Department, after the applicant has passed all parts of the
6 examination for a Class D license and has successfully passed all
7 parts of the examination for a Class A, B or C commercial license
8 other than the driving examination, may issue to the applicant a
9 commercial learner permit which shall entitle the person having
10 immediate lawful possession of the commercial learner permit and a
11 valid Oklahoma driver license or provisional driver license pursuant
12 to Section 6-212 of this title to operate a Class A, B or C
13 commercial motor vehicle upon the public highways solely for the
14 purpose of behind-the-wheel training in accordance with rules
15 promulgated by the Department.

16 2. This commercial learner permit shall be issued for a period
17 as provided in Section 6-115 of this title of one hundred eighty
18 (180) days, which may be renewed one time for an additional one
19 hundred eighty (180) days; provided, such commercial learner permit
20 may be suspended, revoked, canceled, denied or disqualified at the
21 discretion of the Department for violation of the restrictions, for
22 failing to give the required or correct information on the
23 application, or for violation of any traffic laws of this state
24 pertaining to the operation of a motor vehicle. Except as otherwise

1 provided, the lawful possessor of a commercial learner permit who
2 has been issued a commercial learner permit for a minimum of
3 fourteen (14) days may have the restriction requiring an
4 accompanying driver removed by satisfactorily completing a driver's
5 examination; provided, the removal of a restriction shall not
6 authorize the operation of a Class A, B or C commercial motor
7 vehicle if such operation is otherwise prohibited by law.

8 3. No person shall apply for and the Department shall not issue
9 an original Class A, B or C driver license until the person has been
10 issued a commercial learner permit and held the permit for at least
11 fourteen (14) days. Any person who currently holds a Class B or C
12 license and who wishes to apply for another class of commercial
13 driver license shall be required to apply for a commercial learner
14 permit and to hold the permit for at least fourteen (14) days before
15 applying for the Class A or B license, as applicable. Any person
16 who currently holds a Class A, B or C license and who wishes to add
17 an endorsement or remove a restriction for which a skills
18 examination is required shall be required to apply for a commercial
19 learner permit and to hold the permit for at least fourteen (14)
20 days before applying for the endorsement.

21 4. A commercial learner permit shall be issued by the
22 Department as a separate and unique document which shall be valid
23 only in conjunction with a valid Oklahoma driver license or
24 provisional driver license pursuant to Section 6-212 of this title,

1 both of which shall be in the possession of the person to whom they
2 have been issued whenever that person is operating a commercial
3 motor vehicle as provided in this subsection.

4 5. After one renewal of a commercial learner permit, as
5 provided in paragraph 2 of this subsection, a commercial permit
6 shall not be renewed again. Any person who has held a commercial
7 learner permit for the initial issuance period and one renewal
8 period shall not be eligible for and the Department shall not issue
9 another renewal of the permit; provided, the person may reapply for
10 a new commercial learner permit, as provided for in this subsection.

11 6. Enrollment in or successful completion of a commercial
12 driver training school shall not be required for any commercial
13 learner permit applicant who requests a skills examination for a
14 Class A, B or C license, nor shall any student enrolled in a
15 commercial driver training school be prohibited from taking a skills
16 examination for a Class A, B or C license upon request with a
17 Department of Public Safety examiner regardless of whether the
18 person has completed the course, is still enrolled in the course to
19 be completed or has voluntarily withdrawn from the course.

20 G. 1. The fee charged for an approved application for an
21 original Oklahoma driver license or an approved application for the
22 addition of an endorsement to a current valid Oklahoma driver
23 license shall be assessed in accordance with the following schedule:

24 Class A Commercial Learner Permit	\$25.00
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1	Class A Commercial License	\$25.00
2	Class B Commercial Learner Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner Permit	\$15.00
5	Class C Commercial License	\$15.00
6	Class D License	\$ 4.00
7	Motorcycle Endorsement	\$ 4.00

8 2. Notwithstanding the provisions of Section 1104 of this
9 title, all monies collected from the fees charged for Class A, B and
10 C commercial licenses pursuant to the provisions of this subsection
11 shall be deposited in the General Revenue Fund of this state.

12 H. The fee charged for any failed examination shall be Four
13 Dollars (\$4.00) for any license classification. Notwithstanding the
14 provisions of Section 1104 of this title, all monies collected from
15 such examination fees pursuant to the provisions of this subsection
16 shall be deposited in the General Revenue Fund of this state.

17 I. In addition to any fee charged pursuant to the provisions of
18 subsection G of this section, the fee charged for the issuance or
19 renewal of an Oklahoma license shall be in accordance with the
20 following schedule; provided, that any applicant who has a CDL
21 Learner Permit shall be charged only the replacement fee for the
22 issuance of the license:

23	Class A Commercial Learner Permit	\$51.50
24	Class A Commercial License	\$51.50

1	Class B Commercial Learner Permit	\$51.50
2	Class B Commercial License	\$51.50
3	Class C Commercial License	\$41.50
4	Class D License	\$33.50

5 A commercial learner permit may be renewed one time for a period
6 of one hundred eighty (180) days. The cost for the renewed permit
7 shall be the same as for the original permit.

8 Notwithstanding the provisions of Section 1104 of this title, of
9 each fee charged pursuant to the provisions of this subsection:

10 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
11 the Trauma Care Assistance Revolving Fund created in Section 1-
12 2530.9 of Title 63 of the Oklahoma Statutes;

13 2. Six Dollars and seventy-five cents (\$6.75) shall be
14 deposited to the Department of Public Safety Computer Imaging System
15 Revolving Fund to be used solely for the purpose of administration
16 and maintenance of the computerized imaging system of the
17 Department; and

18 3. Ten Dollars (\$10.00) shall be deposited to the Department of
19 Public Safety Revolving Fund for all original or renewal issuances
20 of licenses.

21 J. All original and renewal driver licenses shall expire as
22 provided in Section 6-115 of this title.

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1 K. Any person sixty-two (62) years of age or older during the
2 calendar year of issuance of a Class D license or motorcycle
3 endorsement shall be charged the following prorated fee:

4	Age 62	\$21.25
5	Age 63	\$17.50
6	Age 64	\$13.75
7	Age 65	-0-

8 L. No person who has been honorably discharged from active
9 service in any branch of the Armed Forces of the United States or
10 Oklahoma National Guard and who has been certified by the United
11 States Department of Veterans Affairs, its successor, or the Armed
12 Forces of the United States to be a disabled veteran in receipt of
13 compensation at the one-hundred-percent rate for a permanent
14 disability sustained through military action or accident resulting
15 from disease contracted while in such active service shall be
16 charged a fee for the issuance or renewal of an Oklahoma driver
17 license.

18 M. The Department of Public Safety and the Oklahoma Tax
19 Commission are authorized to promulgate rules for the issuance and
20 renewal of driver licenses authorized pursuant to the provisions of
21 Sections 6-101 through 6-309 of this title. Applications, upon
22 forms approved by the Department of Public Safety, for such licenses
23 shall be handled by the motor license agents; provided, the
24 Department of Public Safety is authorized to assume these duties in

1 any county of this state. Each motor license agent accepting
2 applications for driver licenses shall receive Four Dollars (\$4.00)
3 to be deducted from the total collected for each license or renewal
4 application accepted. The four-dollar fee received by the motor
5 license agent shall be used for operating expenses.

6 N. Notwithstanding the provisions of Section 1104 of this title
7 and subsection M of this section and except as provided in
8 subsections G and I of this section, the first Sixty Thousand
9 Dollars (\$60,000.00) of all monies collected pursuant to this
10 section shall be paid by the Oklahoma Tax Commission to the State
11 Treasurer to be deposited in the General Revenue Fund of the State
12 Treasury.

13 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
14 collected pursuant to this section shall be paid by the Tax
15 Commission to the State Treasurer to be deposited each fiscal year
16 under the provisions of this section to the credit of the Department
17 of Public Safety Restricted Revolving Fund for the purpose of the
18 Statewide Law Enforcement Communications System. All other monies
19 collected in excess of Five Hundred Sixty Thousand Dollars
20 (\$560,000.00) each fiscal year shall be apportioned as provided in
21 Section 1104 of this title, except as otherwise provided in this
22 section.

23 O. The Department of Public Safety shall implement a procedure
24 whereby images displayed on licenses and identification cards issued

1 pursuant to the provisions of Sections 6-101 through 6-309 of this
2 title are maintained by the Department to create photographs or
3 computerized images which may be used only:

4 1. By a law enforcement agency for purposes of criminal
5 investigations, missing person investigations, or any law
6 enforcement purpose which is deemed necessary by the Commissioner of
7 Public Safety;

8 2. By the driver licensing agency of another state for its
9 official purpose; and

10 3. As provided in Section 2-110 of this title.

11 The computer system and related equipment acquired for this
12 purpose must conform to industry standards for interoperability and
13 open architecture. The Department of Public Safety may promulgate
14 rules to implement the provisions of this subsection.

15 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105, as
16 last amended by Section 1, Chapter 102, O.S.L. 2015 (47 O.S. Supp.
17 2015, Section 6-105), is amended to read as follows:

18 Section 6-105. A. Unless a legal custodial parent or legal
19 guardian has filed an objection to licensure pursuant to Section 6-
20 103.1 of this title, any person under eighteen (18) years of age who
21 is in compliance with or not subject to Section 6-107.3 of this
22 title may be permitted to operate:

23 1. A Class D motor vehicle under the graduated driver license
24 provisions prescribed in subsections B through E of this section;

1 2. A motorcycle under the provisions prescribed in subsection H
2 of this section; or

3 3. A farm vehicle under the provisions prescribed in subsection
4 I of this section.

5 B. Any person who is at least fifteen (15) years of age may
6 drive during a session in which the driver is being instructed in a
7 driver education course, as set out in subparagraphs a, b, c and d
8 of paragraph 1 of subsection C of this section, by a certified
9 driver education instructor who is seated in the right front seat of
10 the motor vehicle.

11 C. Any person:

12 1. Who is at least fifteen and one-half (15 1/2) years of age
13 and is currently receiving instruction in or has successfully
14 completed driver education. For purposes of this section, the term
15 "driver education" shall mean:

16 a. a prescribed secondary school driver education course,
17 as provided for in Sections 19-113 through 19-121 of
18 Title 70 of the Oklahoma Statutes,

19 b. a driver education course, certified by the Department
20 of Public Safety, from a parochial, private, or other
21 nonpublic secondary school,

22 c. a commercial driver training course, as defined by
23 Sections 801 through 808 of this title,
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- d. a parent-taught driver education course, certified by the Department of Public Safety. The Department shall promulgate rules for any parent-taught driver education course, or
- e. a driver education course certified by a state other than Oklahoma; or

2. Who is at least sixteen (16) years of age, may, upon successfully passing all parts of the driver license examination administered by the Department except the driving examination, be issued a learner permit which will grant the permittee the privilege to operate a Class D motor vehicle upon the public highways only between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied by a licensed driver who is at least twenty-one (21) years of age and who is actually occupying a seat beside the permittee; provided, the written examination for a learner permit may be waived by the Department of Public Safety upon verification that the person has successfully completed driver education.

D. 1. Any person:

- a. who has applied for, been issued, and has possessed a learner permit for a minimum of six (6) months, and
- b. whose custodial legal parent or legal guardian certifies to the Department by sworn affidavit that the person has received a minimum of fifty (50) hours

1 of actual behind-the-wheel training, of which at least
2 ten (10) hours of such training was at night, from a
3 licensed driver who was at least twenty-one (21) years
4 of age and who was properly licensed to operate a
5 Class D motor vehicle for a minimum of two (2) years,
6 may be issued an intermediate Class D license upon successfully
7 passing all parts of the driver license examinations administered by
8 the Department; provided, the written examination, if it has not
9 previously been administered or waived, may be waived by the
10 Department upon verification that the person has successfully
11 completed driver education or the driving examination may be waived
12 by the Department upon successful passage of the examination
13 administered by a certified designated examiner, as provided for in
14 Section 6-110 of this title. However, notwithstanding the date of
15 issuance of the learner permit, if the person has been convicted of
16 a traffic offense which is reported on the driving record of that
17 person, the time period specified in subparagraph a of this
18 paragraph shall be recalculated to begin from the date of conviction
19 for the traffic offense, and must elapse before that person may be
20 issued an intermediate Class D license. If the person has been
21 convicted of more than one traffic offense which is reported on the
22 driving record of that person, the time period specified in
23 subparagraph a of this paragraph shall be recalculated to begin from
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1 the most recent date of conviction, and must elapse before that
2 person may be issued an intermediate Class D license.

3 2. A person who has been issued an intermediate Class D license
4 under the provisions of this subsection:

5 a. shall be granted the privilege to operate a Class D
6 motor vehicle upon the public highways:

7 (1) only between the hours of 5:00 a.m. and 10:00
8 p.m., except for driving to and from work,
9 school, school activities, and church activities,
10 or

11 (2) at any time, if a licensed driver who is at least
12 twenty-one (21) years of age is actually
13 occupying a seat beside the intermediate Class D
14 licensee, or if the intermediate Class D licensee
15 is a farm or ranch resident, and is operating a
16 motor vehicle while engaged in farming or
17 ranching operations outside the limits of a
18 municipality, or driving to and from work,
19 school, school activities, or church activities,
20 and

21 b. shall not operate a motor vehicle with more than one
22 passenger unless:

23 (1) all passengers live in the same household as the
24 custodial legal parent or legal guardian, or

1 (2) a licensed driver at least twenty-one (21) years
2 of age is actually occupying a seat beside the
3 intermediate Class D licensee.

4 E. Any person who has been issued an intermediate Class D
5 license for a minimum of:

6 1. One (1) year; or

7 2. Six (6) months, if the person has completed both the driver
8 education and the parent-certified behind-the-wheel training
9 provisions of subparagraph b of paragraph 1 of subsection D of this
10 section; and

11 may be issued a Class D license. However, notwithstanding the date
12 of issuance of the Class D license, if the person has been convicted
13 of a traffic offense which is reported on the driving record of that
14 person, the time periods specified in paragraph 1 or 2 of this
15 subsection, as applicable, shall be recalculated to begin from the
16 date of conviction for the traffic offense, and must elapse before
17 that person may be issued a Class D license. If the person has been
18 convicted of more than one traffic offense which is reported on the
19 driving record of that person, the time periods specified in
20 paragraph 1 or 2 of this subsection, as applicable, shall be
21 recalculated to begin from the most recent date of conviction, and
22 must elapse before that person may be issued a Class D license.

23 F. Learner permits and intermediate Class D licenses shall be
24 issued for the same period as all other driver licenses. The

1 licenses may be suspended or canceled at the discretion of the
2 Department for violation of restrictions, for failing to give the
3 required or correct information on the application, for knowingly
4 giving false or inaccurate information on the application or any
5 subsequent documentation related to the granting of driving
6 privileges, for using a hand-held electronic device while operating
7 a motor vehicle for non-life-threatening emergency purposes or for
8 violation of any traffic laws of this state pertaining to the
9 operation of a motor vehicle.

10 G. The Department of Public Safety shall promulgate rules
11 establishing procedures for removal of learner permit and
12 intermediate Class D license restrictions from the permit or license
13 upon the permittee or licensee qualifying for a less restricted or
14 an unrestricted license.

15 H. Any person fourteen (14) years of age or older may apply for
16 a restricted Class D license with a motorcycle-only restriction.
17 After the person has successfully passed all parts of the motorcycle
18 examination other than the driving examination, has successfully
19 completed a certified state-approved motorcycle basic rider course
20 approved by the Department, and has met all requirements provided
21 for in the rules of the Department, the Department shall issue to
22 the person a restricted Class D license with a motorcycle-only
23 restriction which shall grant to the person, while having the
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1 license in the person's immediate possession, the privilege to
2 operate a motorcycle or motor-driven cycle:

3 1. With a piston displacement not to exceed three hundred (300)
4 cubic centimeters;

5 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

6 3. While wearing approved protective headgear; and

7 4. While accompanied by and receiving instruction from any
8 person who is at least twenty-one (21) years of age and who is
9 properly licensed pursuant to the laws of this state to operate a
10 motorcycle or motor-driven cycle, and who has visual contact with
11 the restricted licensee.

12 The restricted licensee may apply on or after thirty (30) days
13 from date of issuance of the restricted Class D license with a
14 motorcycle-only restriction to have the restriction of being
15 accompanied by a licensed driver removed by successfully completing
16 the driving portion of an examination.

17 The written examination and driving examination for a restricted
18 Class D license with a motorcycle-only endorsement ~~may~~ shall be
19 waived by the Department of Public Safety upon verification that the
20 person has successfully completed a certified ~~Motorcycle Safety~~
21 ~~Foundation~~ state-approved motorcycle basic rider course approved by
22 the Department.

23 I. The Department may in its discretion issue a special permit
24 to any person who has attained the age of fourteen (14) years,

1 authorizing such person to operate farm vehicles between the farm
2 and the market to haul commodities grown on the farm; provided, that
3 the special permit shall be temporary and shall expire not more than
4 thirty (30) days after the issuance of the special permit. Special
5 permits shall be issued only to farm residents and shall be issued
6 only during the time of the harvest of the principal crops grown on
7 such farm. Provided, however, the Department shall not issue a
8 special permit pursuant to this subsection until the Department is
9 fully satisfied after the examination of the application and other
10 evidence furnished in support thereof, that the person is physically
11 and mentally developed to such a degree that the operation of a
12 motor vehicle by the person would not be inimical to public safety.

13 J. As used in this section:

14 1. "Hand-held electronic device" means a mobile telephone or
15 electronic device with which a user engages in a telephone call,
16 plays or stores media, including but not limited to music and video,
17 or sends or reads a text message while requiring the use of at least
18 one hand; and

19 2. "Using a hand-held electronic device" means engaging any
20 function on an electronic device.

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1 Passed the House of Representatives the 9th day of March, 2016.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2016.

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8 _____
9 Presiding Officer of the Senate