

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3671

By: Miller

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6 AS INTRODUCED

7 An Act relating to motor vehicles; authorizing  
8 Service Oklahoma to allow individuals to make certain  
9 voluntary designation on credentials; stating purpose  
10 and use; authorizing the display of designation on  
11 credentials; allowing removal of certain designation;  
12 requiring establishment and maintenance of certain  
13 registry; stating purpose of registry; requiring  
14 development of certain form; allowing certain  
15 voluntary report be submitted; listing information to  
16 be stored by registry; providing for submission of  
17 certain information; allowing certain opportunities  
18 for holders of certain credentials; limiting  
19 availability of submitted information; prescribing  
20 use of certain information; stating certain  
21 information shall be confidential; limiting liability  
22 for certain causes; requiring Service Oklahoma comply  
23 with certain federal requirements; authorizing the  
24 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.

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

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

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

11           2. The designation indicating that a person has been diagnosed  
12 with an autism spectrum disorder pursuant to paragraph 1 of this  
13 subsection shall be given a designation that shall be displayed on  
14 the driver license or identification card in accordance with  
15 procedures prescribed by Service Oklahoma. A holder of a driver  
16 license or identification card who makes a voluntary designation  
17 pursuant to this section shall have the opportunity to remove the  
18 designation at any time.

19           B. 1. Service Oklahoma shall establish and maintain an  
20 automated statewide registry accessible by law enforcement officers  
21 for the purposes of identifying and effectively communicating with a  
22 person who has been diagnosed with an autism spectrum disorder by a  
23 licensed primary care physician, licensed psychologist, or licensed  
24 psychiatrist. Service Oklahoma shall permit a person diagnosed with  
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1 an autism spectrum disorder to voluntarily report the diagnosis to  
2 Service Oklahoma for inclusion in the registry. The registry shall  
3 be capable of storing information, which shall include, but may not  
4 be limited to:

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

14 2. Service Oklahoma shall develop a standardized autism  
15 diagnosis form that provides a diagnosing or treating licensed  
16 primary care physician, licensed psychologist, or a licensed  
17 psychiatrist to certify that an individual has been diagnosed with  
18 autism spectrum disorder. The holder of an Oklahoma driver license  
19 or identification card or a person making application or renewal for  
20 a driver license or identification card issued by Service Oklahoma  
21 may voluntarily submit the form to the registry established pursuant  
22 to paragraph 1 of this subsection, through procedures established by  
23 Service Oklahoma. A holder of a driver license or identification  
24 card who submits information to the registry established pursuant to  
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1 this subsection shall have the opportunity to revise, update the  
2 information, or be removed from the registry at any time.

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

11 4. Any information submitted to Service Oklahoma or licensed  
12 operators pursuant to this subsection shall not be considered a  
13 government record pursuant subparagraph c of paragraph 1 of Section  
14 24A.5 of Title 51 of the Oklahoma Statutes and shall not be  
15 discoverable as a government record by any person, entity, or  
16 governmental agency, except upon a subpoena issued by a grand jury  
17 or a court order in a criminal matter.

18 5. Service Oklahoma, licensed operators, or employees of the  
19 Service Oklahoma who are designated by Service Oklahoma, for the  
20 purposes of discharging their duties pursuant to this act, shall not  
21 be liable to any person for civil damages, or subject to criminal  
22 prosecution resulting from or caused by:

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

11 b. any misuse of, or the failure or omission to input  
12 accurate information, or the inputting of inaccurate  
13 or outdated information into the registry by any  
14 holder of an Oklahoma driver license or identification  
15 card, or

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

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

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

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

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

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

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

59-2-9547          JBH          01/16/24