

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 1362

6 By: Holt

7 COMMITTEE SUBSTITUTE

8 An Act relating to driver licenses and identification  
9 cards; amending 47 O.S. 2011, Section 6-101, as last  
10 amended by Section 1, Chapter 97, O.S.L. 2015 (47  
11 O.S. Supp. 2015, Section 6-101), which relates to  
12 fees, issuance and renewal of driver licenses and  
13 identification cards; providing definitions;  
14 providing for certain licenses and fees; directing  
15 disbursement of certain fees; authorizing certain  
16 action; directing retention of certain images;  
17 restricting issuance in certain situations; amending  
18 47 O.S. 2011, Section 6-105.3, as last amended by  
19 Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
20 2015, Section 6-105.3), which relates to the issuance  
21 of identification cards; modifying certain fees;  
22 restricting issuance in certain situations; amending  
23 47 O.S. 2011, Section 6-106, as last amended by  
24 Section 1, Chapter 242, O.S.L. 2015 (47 O.S. Supp.  
2015, Section 6-106), which relates to application  
for licenses; modifying components of application;  
restricting issuance in certain situations; amending  
47 O.S. 2011, Section 6-111, as last amended by  
Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
2015, Section 6-111), which relates to issuance of  
license or identification card; modifying inclusions;  
amending 47 O.S. 2011, Section 1140.1, which relates  
to cameras for certain motor license agents;  
modifying issuance of certain equipment; repealing 47  
O.S. 2011, Section 6-110.3; repealing Section 1,  
Chapter 206, O.S.L. 2015 (47 O.S. Supp. 2015, Section  
1132B); and declaring an emergency.

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

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as  
2 last amended by Section 1, Chapter 97, O.S.L. 2015 (47 O.S. Supp.  
3 2015, Section 6-101), is amended to read as follows:

4 Section 6-101. A. No person, except those hereinafter  
5 expressly exempted in Sections 6-102 and 6-102.1 of this title,  
6 shall operate any motor vehicle upon a highway in this state unless  
7 the person has a valid Oklahoma driver license for the class of  
8 vehicle being operated issued under the provisions of this title.

9 No person shall be permitted to possess more than one valid license  
10 at any time, except as provided in paragraph 4 of subsection F of  
11 this section.

12 B. 1. No person shall operate a Class A commercial motor  
13 vehicle unless the person is eighteen (18) years of age or older and  
14 holds a valid Class A commercial license, except as provided in  
15 paragraph 5 of this subsection and subsection F of this section.

16 Any person holding a valid Class A commercial license shall be  
17 permitted to operate motor vehicles in Classes A, B, C and D, except  
18 as provided for in paragraph 4 of this subsection.

19 2. No person shall operate a Class B commercial motor vehicle  
20 unless the person is eighteen (18) years of age or older and holds a  
21 valid Class B commercial license, except as provided in paragraph 5  
22 of subsection F of this section. Any person holding a valid Class B  
23 commercial license shall be permitted to operate motor vehicles in  
24

1 Classes B, C and D, except as provided for in paragraph 4 of this  
2 subsection.

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

9 4. No person under twenty-one (21) years of age shall be  
10 licensed to operate any motor vehicle which is required to be  
11 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,  
12 subpart F, except as provided in subsection F of this section;  
13 provided, a person eighteen (18) years of age or older may be  
14 licensed to operate a farm vehicle which is required to be placarded  
15 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,  
16 except as provided in subsection F of this section.

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

20 a. a restricted Class A commercial license which shall  
21 grant to the licensee the privilege to operate a Class  
22 A or Class B commercial motor vehicle for harvest  
23 purposes or a Class D motor vehicle, or  
24

1           b.    a restricted Class B commercial license which shall  
2                   grant to the licensee the privilege to operate a Class  
3                   B commercial motor vehicle for harvest purposes or a  
4                   Class D motor vehicle.

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

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

13          D.    No person shall operate a motorcycle or motor-driven cycle  
14 without having a valid Class A, B, C or D license with a motorcycle  
15 endorsement. Except as otherwise provided by law, any new applicant  
16 for an original driver license shall be required to successfully  
17 complete a written examination, vision examination, and driving  
18 examination for a motorcycle as prescribed by the Department of  
19 Public Safety to be eligible for a motorcycle endorsement thereon.  
20 The written examination and driving examination for a motorcycle may  
21 be waived by the Department of Public Safety upon verification that  
22 the person has successfully completed a certified Motorcycle Safety  
23 Foundation rider course approved by the Department.

1 E. Except as otherwise provided by law, any person who lawfully  
2 possesses a valid Oklahoma driver license which is eligible for  
3 renewal shall be required to successfully complete a written  
4 examination, vision examination, and driving examination for a  
5 motorcycle as prescribed by the Department to be eligible for a  
6 motorcycle endorsement. The written examination and driving  
7 examination for a motorcycle may be waived by the Department of  
8 Public Safety upon verification that the person has successfully  
9 completed a certified Motorcycle Safety Foundation rider course  
10 approved by the Department.

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

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1           2. This commercial learner permit shall be issued for a period  
2 as provided in Section 6-115 of this title of one hundred eighty  
3 (180) days, which may be renewed one time for an additional one  
4 hundred eighty (180) days; provided, such commercial learner permit  
5 may be suspended, revoked, canceled, denied or disqualified at the  
6 discretion of the Department for violation of the restrictions, for  
7 failing to give the required or correct information on the  
8 application, or for violation of any traffic laws of this state  
9 pertaining to the operation of a motor vehicle. Except as otherwise  
10 provided, the lawful possessor of a commercial learner permit who  
11 has been issued a commercial learner permit for a minimum of  
12 fourteen (14) days may have the restriction requiring an  
13 accompanying driver removed by satisfactorily completing a driver's  
14 examination; provided, the removal of a restriction shall not  
15 authorize the operation of a Class A, B or C commercial motor  
16 vehicle if such operation is otherwise prohibited by law.

17           3. No person shall apply for and the Department shall not issue  
18 an original Class A, B or C driver license until the person has been  
19 issued a commercial learner permit and held the permit for at least  
20 fourteen (14) days. Any person who currently holds a Class B or C  
21 license and who wishes to apply for another class of commercial  
22 driver license shall be required to apply for a commercial learner  
23 permit and to hold the permit for at least fourteen (14) days before  
24 applying for the Class A or B license, as applicable. Any person

1 who currently holds a Class A, B or C license and who wishes to add  
2 an endorsement or remove a restriction for which a skills  
3 examination is required shall be required to apply for a commercial  
4 learner permit and to hold the permit for at least fourteen (14)  
5 days before applying for the endorsement.

6 4. A commercial learner permit shall be issued by the  
7 Department as a separate and unique document which shall be valid  
8 only in conjunction with a valid Oklahoma driver license or  
9 provisional driver license pursuant to Section 6-212 of this title,  
10 both of which shall be in the possession of the person to whom they  
11 have been issued whenever that person is operating a commercial  
12 motor vehicle as provided in this subsection.

13 5. After one renewal of a commercial learner permit, as  
14 provided in paragraph 2 of this subsection, a commercial permit  
15 shall not be renewed again. Any person who has held a commercial  
16 learner permit for the initial issuance period and one renewal  
17 period shall not be eligible for and the Department shall not issue  
18 another renewal of the permit; provided, the person may reapply for  
19 a new commercial learner permit, as provided for in this subsection.

20 6. Enrollment in or successful completion of a commercial  
21 driver training school shall not be required for any commercial  
22 learner permit applicant who requests a skills examination for a  
23 Class A, B or C license, nor shall any student enrolled in a  
24 commercial driver training school be prohibited from taking a skills

1 examination for a Class A, B or C license upon request with a  
2 Department of Public Safety examiner regardless of whether the  
3 person has completed the course, is still enrolled in the course to  
4 be completed or has voluntarily withdrawn from the course.

5 G. 1. For the purpose of this title:

6 a. REAL ID Driver License or Identification Card means a  
7 driver license or identification card issued by the  
8 State of Oklahoma that has been certified by the  
9 United States Department of Homeland Security (USDHS)  
10 as compliant with the requirements of the REAL ID Act.

11 This means that the actual license or card and the  
12 process through which they are issued, incorporate a  
13 variety of security measures designed to protect the  
14 integrity and trustworthiness of the document. A REAL  
15 ID compliant license or card will be clearly marked on  
16 the face indicating that it is a compliant document,  
17 and

18 b. REAL ID Non-Compliant Driver License or Identification  
19 Card means a driver license or identification card  
20 issued by the State of Oklahoma that has not been  
21 certified by the United States Department of Homeland  
22 Security (USDHS) as being compliant with the  
23 requirements of the REAL ID Act. A REAL ID Non-  
24 Compliant license or card will be clearly marked on



1           the face indicating that it is a non-compliant  
2           document and that the license or card is not  
3           acceptable for official federal purposes. The license  
4           or card will have a unique design or color indicator  
5           that clearly distinguishes them from a compliant  
6           document.

7           2. The fee charged for an approved application for an original  
8 Oklahoma REAL ID compliant or REAL ID non-compliant driver license  
9 or an approved application for the addition of an endorsement to a  
10 current valid Oklahoma REAL ID compliant or REAL ID non-compliant  
11 driver license shall be assessed in accordance with the following  
12 schedule:

13	Class A Commercial Learner Permit	\$25.00
14	Class A Commercial License	\$25.00
15	Class B Commercial Learner Permit	\$15.00
16	Class B Commercial License	\$15.00
17	Class C Commercial Learner Permit	\$15.00
18	Class C Commercial License	\$15.00
19	Class D License	\$ 4.00
20	Motorcycle Endorsement	\$ 4.00

21       ~~2.~~ 3. Notwithstanding the provisions of Section 1104 of this  
22 title, all monies collected from the fees charged for Class A, B and  
23 C commercial licenses pursuant to the provisions of this subsection  
24 shall be deposited in the General Revenue Fund of this state.

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

6 I. In addition to any fee charged pursuant to the provisions of  
7 subsection G of this section, the fee charged for the issuance or  
8 renewal of ~~an~~ a REAL ID non-compliant Oklahoma license shall be in  
9 accordance with the following schedule; provided, that any applicant  
10 who has a CDL Learner Permit shall be charged only the replacement  
11 fee for the issuance of the license:

12	Class A Commercial Learner Permit	<del>\$51.50</del>	<u>\$66.50</u>
13	Class A Commercial License	<del>\$51.50</del>	<u>\$66.50</u>
14	Class B Commercial Learner Permit	<del>\$51.50</del>	<u>\$66.50</u>
15	Class B Commercial License	<del>\$51.50</del>	<u>\$66.50</u>
16	Class C Commercial License	<del>\$41.50</del>	<u>\$56.50</u>
17	Class D License	<del>\$33.50</del>	<u>\$48.50</u>

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

24	<u>REAL ID Compliant Class A Commercial Learner Permit</u>	<u>\$76.50</u>
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1	<u>REAL ID Compliant Class A Commercial License</u>	<u>\$76.50</u>
2	<u>REAL ID Compliant Class B Commercial Learner Permit</u>	<u>\$76.50</u>
3	<u>REAL ID Compliant Class B Commercial License</u>	<u>\$76.50</u>
4	<u>REAL ID Compliant Class C Commercial License</u>	<u>\$66.50</u>
5	<u>REAL ID Compliant Class D License</u>	<u>\$58.50</u>

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

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

11 1. Five Dollars and fifty cents (\$5.50) shall be deposited to  
12 the Trauma Care Assistance Revolving Fund created in Section 1-  
13 2530.9 of Title 63 of the Oklahoma Statutes;

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

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

22 4. Fifteen Dollars (\$15.00) shall be deposited to the  
23 Department of Public Safety Revolving Fund upon the issuance of an

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1 original, renewal or replacement Oklahoma REAL ID compliant or  
2 Oklahoma REAL ID non-compliant driver license.

3 ~~J.~~ K. All original and renewal driver licenses shall expire as  
4 provided in Section 6-115 of this title.

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

8	Age 62	\$21.25
9	Age 63	\$17.50
10	Age 64	\$13.75
11	Age 65	-0-

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

22 ~~M. The Department of Public Safety and the Oklahoma Tax~~  
23 ~~Commission are authorized to promulgate rules for the issuance and~~  
24 ~~renewal of driver licenses authorized pursuant to the provisions of~~

1 ~~Sections 6-101 through 6-309 of this title. Applications, upon~~  
2 ~~forms approved by the Department of Public Safety, for such licenses~~  
3 ~~shall be handled by the motor license agents; provided, the~~  
4 ~~Department of Public Safety is authorized to assume these duties in~~  
5 ~~any county of this state. Each motor license agent accepting~~  
6 ~~applications for driver licenses shall receive Four Dollars (\$4.00)~~  
7 ~~to be deducted from the total collected for each license or renewal~~  
8 ~~application accepted. The four-dollar fee received by the motor~~  
9 ~~license agent shall be used for operating expenses.~~

10 N. The Department of Public Safety is authorized to accept and  
11 process applications for and issue all classes of driver licenses  
12 and identification cards in any county of this state. The  
13 Department is authorized to promulgate rules for the issuance and  
14 renewal of driver licenses, and motor license agents are authorized  
15 to process applications and issue driver licenses and identification  
16 cards only as permitted by the Department's administrative rules.  
17 When accepting an application for a driver license or identification  
18 card, the Department or motor license agent shall collect Four  
19 Dollars (\$4.00) to be deducted from the total collected for the  
20 license or card. Such Four Dollars (\$4.00) fees collected by a  
21 motor license agent shall be used for the motor license agent's  
22 operating expenses, and such Four Dollars (\$4.00) fees collected by  
23 the Department shall be deposited into the Department of Public  
24 Safety Revolving Fund.

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

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

18 ~~O.~~ P. The Department of Public Safety shall ~~implement a~~  
19 ~~procedure whereby~~ retain the images displayed on licenses and  
20 identification cards issued pursuant to the provisions of Sections  
21 6-101 through 6-309 of this title ~~are maintained by the Department~~  
22 ~~to create photographs or computerized images,~~ which may be used  
23 only:  
24

- 1 1. By a law enforcement agency for purposes of criminal  
2 investigations, missing person investigations, or any law  
3 enforcement purpose which is deemed necessary by the Commissioner of  
4 Public Safety;
- 5 2. By the driver licensing agency of another state for its  
6 official purpose; and
- 7 3. As provided in Section 2-110 of this title.

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

12 Q. No person may hold more than one state issued REAL ID  
13 compliant driver license or REAL ID compliant identification card,  
14 from Oklahoma or any other state. The Department shall not issue a  
15 REAL ID compliant driver license to a person who has been previously  
16 issued a REAL ID compliant driver license or REAL ID compliant  
17 identification card until such license or identification card has  
18 been surrendered to the Department by the applicant. The Department  
19 may promulgate rules to address the issue of replacement REAL ID  
20 compliant driver license or identification cards in the event of one  
21 being lost or stolen.

22 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as  
23 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
24 2015, Section 6-105.3), is amended to read as follows:

1 Section 6-105.3. A. In addition to the licenses to operate  
2 motor vehicles, the Department of Public Safety may issue cards to  
3 Oklahoma residents for purposes of identification only. The  
4 identification cards shall be issued, renewed, replaced, canceled  
5 and denied in the same manner as driver licenses in this state. The  
6 application for an identification card by any person under the age  
7 of eighteen (18) years shall be signed and verified by a custodial  
8 legal parent or legal guardian, either in person before a person  
9 authorized to administer oaths or electronically if completing an  
10 online application, or a notarized affidavit signed by a custodial  
11 legal parent or legal guardian submitted before a person authorized  
12 to administer oaths by the person under the age of eighteen (18)  
13 years with the application. Except as otherwise provided in this  
14 section, the identification cards shall be valid for a period of  
15 four (4) years from the month of issuance; however, the  
16 identification cards issued to persons sixty-five (65) years of age  
17 or older shall be valid indefinitely from the month of issuance.

18 B. No person may hold more than one state issued REAL ID  
19 compliant driver license or REAL ID compliant identification card,  
20 from Oklahoma or any other state or territory, as defined in  
21 paragraph 1 of subsection G of Section 6-101 of this title. The  
22 Department shall not issue a REAL ID compliant identification card  
23 to a person who has been previously issued a REAL ID compliant  
24 driver license or REAL ID compliant identification card until such



1 license or identification card has been surrendered to the  
2 Department by the applicant. The Department may promulgate rules to  
3 address the issue of replacement REAL ID compliant driver license or  
4 identification cards in the event of one being lost or stolen.

5 C. The fee charged for the issuance, renewal, or replacement of  
6 an Oklahoma REAL ID compliant or REAL ID non-compliant  
7 identification card pursuant to this section shall be ~~Twenty Dollars~~  
8 ~~(\$20.00)~~ Thirty-five Dollars (\$35.00); however, no person sixty-five  
9 (65) years of age or older shall be charged a fee for an  
10 identification card. Of each fee charged pursuant to the provisions  
11 of this subsection:

12 1. Seven Dollars (\$7.00) shall be apportioned as provided in  
13 Section 1104 of this title;

14 2. Three Dollars (\$3.00) shall be credited to the Department of  
15 Public Safety Computer Imaging System Revolving Fund to be used  
16 solely for the purpose of the administration and maintenance of the  
17 computerized imaging system of the Department; ~~and~~

18 3. Ten Dollars (\$10.00) shall be deposited in the Department of  
19 Public Safety Revolving Fund; and

20 4. Fifteen Dollars (\$15.00) shall be deposited to the  
21 Department of Public Safety Revolving Fund upon the issuance of an  
22 original, renewal or replacement Oklahoma REAL ID compliant or  
23 Oklahoma REAL ID non-compliant driver license.

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1       ~~C.~~ D. The Oklahoma Tax Commission is hereby authorized to  
2 reimburse, from funds available to that agency, each motor license  
3 agent issuing an identification card to a person sixty-five (65)  
4 years of age or older, an amount not to exceed One Dollar (\$1.00)  
5 for each card or driver license so issued. The Tax Commission shall  
6 develop procedures for claims for reimbursement.

7       ~~D.~~ E. When a person makes application for a new identification  
8 card, or makes application to renew an identification card, and the  
9 person has been convicted of, or received a deferred judgment for,  
10 any offense required to register pursuant to the Sex Offenders  
11 Registration Act, the identification card shall be valid for a  
12 period of one (1) year from the month of issuance, but may be  
13 renewed yearly during the time the person is ~~registered~~ subject to  
14 registration on the Sex Offender Registry. The cost for such  
15 identification card shall be the same as for other identification  
16 cards and renewals.

17       SECTION 3.       AMENDATORY       47 O.S. 2011, Section 6-106, as  
18 last amended by Section 1, Chapter 242, O.S.L. 2015 (47 O.S. Supp.  
19 2015, Section 6-106), is amended to read as follows:

20       Section 6-106. A. 1. Every application for a driver license  
21 or identification card shall be made by the applicant upon a form  
22 furnished by the Department of Public Safety.

23       2. Every original, renewal, or replacement application for a  
24 driver license or identification card made by a male applicant who

1 is at least sixteen (16) but less than twenty-six (26) years of age  
2 shall include a statement that by submitting the application, the  
3 applicant is consenting to registration with the Selective Service  
4 System. The pertinent information from the application shall be  
5 forwarded by the Department to the Data Management Center of the  
6 Selective Service System in order to register the applicant as  
7 required by law with the Selective Service System. Any applicant  
8 refusing to sign the consent statement shall be denied a driver  
9 license or identification card.

10 3. Except as provided for in subsection G of this section,  
11 every applicant for a driver license or identification card shall  
12 provide to the Department at the time of application both primary  
13 and secondary proofs of identity. The Department shall promulgate  
14 rules prescribing forms of primary and secondary identification  
15 acceptable for an original Oklahoma driver license.

16 B. Every applicant for a driver license shall ~~state upon the~~  
17 ~~application~~ provide the following information:

- 18 1. Full name;
- 19 2. Date of birth;
- 20 3. Sex;
- 21 4. ~~Residence address or mailing address and~~ Address of  
22 principal residence, county of residence ~~to be displayed,~~ which  
23 shall be referenced on the license;

24

1        5. ~~Mailing~~ Current and complete mailing address and residence  
2 ~~address~~ to be maintained by the Department for the purpose of giving  
3 notice, if necessary, as required by Section 2-116 of this title;

4        6. Medical information, as determined by the Department, which  
5 shall assure the Department that the person is not prohibited from  
6 being licensed as provided by paragraph 7 of subsection A of Section  
7 6-103 of this title;

8        7. Whether the applicant is deaf or hard-of-hearing;

9        8. A brief description of the applicant, as determined by the  
10 Department;

11        9. Whether the applicant has previously been licensed, and, if  
12 so, when and by what state or country, and whether any license has  
13 ever been suspended or revoked, or whether an application has ever  
14 been refused, and, if so, the date of and reason for the suspension,  
15 revocation or refusal;

16        10. Whether the applicant is an alien eligible to be considered  
17 for licensure and is not prohibited from licensure pursuant to  
18 paragraph 9 of subsection A of Section 6-103 of this title;

19        11. Whether the applicant has:

20            a. previously been licensed and, if so, when and by what  
21                state or country, and

22            b. held more than one license at the same time during the  
23                immediately preceding ten (10) years; and

24        12. Social security number.

1 No person shall request the Department to use the social security  
2 number of that person as the driver license number. Upon renewal or  
3 replacement of any driver license issued after the effective date of  
4 this act, the licensee shall advise the Department or the motor  
5 license agent if the present driver license number of the licensee  
6 is the social security number of the licensee. If the driver  
7 license number is the social security number, the Department or the  
8 motor license agent shall change the driver license number to a  
9 computer-generated alphanumeric identification.

10 C. 1. In addition to the requirements of subsections A and B  
11 of this section, every applicant for a commercial driver license who  
12 is subject to the requirements of 49 C.F.R., Part 391, and is  
13 applying for an original, renewal, or replacement license, and every  
14 person who, upon the effective date of this act, is currently the  
15 holder of a commercial driver license and is subject to the  
16 requirements of 49 C.F.R., Part 391, and who does not apply for a  
17 renewal or replacement license prior to January 30, 2014, shall  
18 submit to the Department and maintain with the Department a current  
19 approved medical examination certificate signed by a licensed  
20 physician authorized to perform and approve medical examination  
21 certifications. The Department shall adopt rules ~~regarding~~  
22 ~~procedures~~ for maintaining medical examination certificates pursuant  
23 to the requirements in 49 C.F.R., Parts 383 and 384. Any commercial  
24 driver licensee subject to the requirements of this paragraph who

1 fails to maintain on file with the Department a current, approved  
2 medical examination certificate shall have the driving privileges of  
3 the person downgraded to a Class D driver license by the Department.

4 2. If the applicant is applying for an original commercial  
5 driver license in Oklahoma or is transferring a commercial driver  
6 license from another state to Oklahoma, the Department shall review  
7 the driving record of the applicant in other states for the  
8 immediately preceding ten (10) years, unless the record review has  
9 already been performed by the Department. As a result of the  
10 review, if it is determined by the Department that the applicant is  
11 subject to a period of disqualification as prescribed by Section 6-  
12 205.2 of this title which has not yet been imposed, the Department  
13 shall impose the period of disqualification and the applicant shall  
14 serve the period of disqualification before a commercial driver  
15 license is issued to the applicant; provided, nothing in this  
16 paragraph shall be construed to prevent the issuance of a Class D  
17 driver license to the applicant.

18 3. If the applicant has or is applying for a hazardous material  
19 endorsement, the applicant shall submit to a security threat  
20 assessment performed by the Transportation Security Administration  
21 of the Department of Homeland Security as required by and pursuant  
22 to 49 C.F.R., Part 1572, which shall be used to determine whether  
23 the applicant is eligible for the endorsement pursuant to federal  
24 law and regulation.

1           4. The Department of Public Safety shall notify each commercial  
2 driving school of the passage of this section, and each commercial  
3 driving school shall notify prospective students of its school of  
4 the hazardous material endorsement requirement.

5           D. In addition to the requirements of subsections A and B of  
6 this section, every applicant shall be given an option on the  
7 application for issuance of a driver license or identification card  
8 or renewal pursuant to Section 6-115 of this title to provide an  
9 emergency contact person. The emergency contact information  
10 requested may include full name, address, and phone number. The  
11 emergency contact information shall be maintained by the Department  
12 and shall be used by the Department and law enforcement for  
13 emergency purposes only. A person listed as an emergency contact  
14 may request to be removed at any time. Any update to a change of  
15 name, address, or phone number may be made by the applicant listing  
16 the emergency contact person or by the person listed as the  
17 emergency contact.

18           E. Whenever application is received from a person previously  
19 licensed in another jurisdiction, the Department shall request a  
20 copy of the driving record from the other jurisdiction and,  
21 effective September 1, 2005, from all other jurisdictions in which  
22 the person was licensed within the immediately previous ten (10)  
23 years. When received, the driving record shall become a part of the  
24 driving record of the person in this state with the same force and

1 effect as though entered on the driver's record in this state in the  
2 original instance.

3 F. Whenever the Department receives a request for a driving  
4 record from another licensing jurisdiction, the record shall be  
5 forwarded without charge.

6 G. A person may not apply for or possess more than one state  
7 issued REAL ID compliant driver license or identification card,  
8 pursuant to the provisions of Section 6-101 of this title. A valid  
9 and unexpired Oklahoma driver license shall serve as both primary  
10 and secondary proofs of identity whenever application for ~~an~~ a REAL  
11 ID non-compliant identification card is submitted to the Department.  
12 The provisions of subsection B of Section 1550.42 of Title 21 of the  
13 Oklahoma Statutes shall not apply when issuing an identification  
14 card pursuant to the provisions of this subsection. The Department  
15 shall promulgate rules necessary to implement and administer the  
16 provisions of this subsection.

17 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-111, as  
18 last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
19 2015, Section 6-111), is amended to read as follows:

20 Section 6-111. A. 1. The Department of Public Safety shall,  
21 upon payment of the required fee, issue to every applicant  
22 qualifying therefor a Class A, B, C or D driver license or  
23 identification card as applied for, which license or card shall bear  
24 thereon a distinguishing alphanumeric identification assigned to the



1 licensee or cardholder, date of issuance and date of expiration of  
2 the license or card, the full legal name, signature or computerized  
3 signature, date of birth, residence address unless specified as an  
4 exception in the Code of Federal Regulations per 6 C.F.R. Section  
5 37.17, sex, a ~~color photograph or~~ computerized color image of the  
6 licensee or cardholder taken in accordance with Department rules,  
7 and security features as determined by the Department. The  
8 ~~photograph or~~ image shall depict a full front unobstructed view of  
9 the entire face of the licensee or cardholder; provided, a  
10 commercial learner permit shall not bear the ~~photograph or~~ image of  
11 the licensee. When any person is issued both a driver license and  
12 an identification card, the Department shall ensure the information  
13 on both the license and the card are the same, unless otherwise  
14 provided by law.

15 2. A driver license or identification card issued by the  
16 Department on or after March 1, 2004, shall bear thereon the county  
17 of residence of the licensee or cardholder.

18 3. The Department may cancel the distinguishing number, when  
19 that distinguishing number is another person's Social Security  
20 number, assign a new distinguishing alphanumeric identification, and  
21 issue a new license or identification card without charge to the  
22 licensee or cardholder.

23 4. The Department may promulgate rules for inclusion of the  
24 height and a brief description of the licensee or cardholder on the

1 face of the card or license identifying the licensee or cardholder  
2 as deaf or hard-of-hearing.

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

14 6. The Department of Public Safety may develop by rule an  
15 alternative procedure whereby a person may apply for a renewal or  
16 replacement Oklahoma Class D license or Oklahoma identification  
17 card.

18 B. The Department may issue a temporary permit to an applicant  
19 for a driver license permitting such applicant to operate a motor  
20 vehicle while the Department is completing its investigation and  
21 determination of all facts relative to such applicant's privilege to  
22 receive a license. Such permit must be in the immediate possession  
23 of the driver while operating a motor vehicle, and it shall be  
24

1 invalid when the applicant's driver license has been issued or for  
2 good cause has been refused.

3 C. 1. The Department may issue a restricted commercial driver  
4 license to seasonal drivers eighteen (18) years of age or older for  
5 any of the following specific farm-related service industries:

- 6 a. farm retail outlets and suppliers,
- 7 b. agri-chemical businesses,
- 8 c. custom harvesters, and
- 9 d. livestock feeders.

10 The applicant shall hold a valid Oklahoma driver license and  
11 shall meet all the requirements for a commercial driver license.

12 The restricted commercial driver license shall not exceed a total of  
13 one hundred eighty (180) days within any twelve-month period.

14 2. The restricted commercial driver license shall not be valid  
15 for operators of commercial motor vehicles beyond one hundred fifty  
16 (150) miles from the place of business or the farm currently being  
17 served. Such license shall be limited to Class B vehicles. Holders  
18 of such licenses who transport hazardous materials which are  
19 required to be placarded shall be limited to the following:

- 20 a. diesel fuel in quantities of one thousand (1,000)  
21 gallons or less,
- 22 b. liquid fertilizers in vehicles with total capacities  
23 of three thousand (3,000) gallons or less, and

24

1 c. solid fertilizers that are not mixed with any organic  
2 substance.

3 No other placarded hazardous materials shall be transported by  
4 holders of such licenses.

5 D. 1. The Department shall develop a procedure whereby a  
6 person applying for an original, renewal or replacement Class A, B,  
7 C or D driver license or identification card who is required to  
8 register as a convicted sex offender with the Department of  
9 Corrections pursuant to the provisions of the Sex Offenders  
10 Registration Act and who the Department of Corrections designates as  
11 an aggravated or habitual offender pursuant to subsection J of  
12 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a  
13 license or card bearing the words "Sex Offender".

14 2. The Department shall notify every person subject to  
15 registration under the provisions of Section 1-101 et seq. of this  
16 title who holds a current Class A, B, C or D driver license or  
17 identification card that such person is required to surrender the  
18 license or card to the Department within one hundred eighty (180)  
19 days from the date of the notice.

20 3. Upon surrendering the license or card for the reason set  
21 forth in this subsection, application may be made with the  
22 Department for a replacement license or card bearing the words "Sex  
23 Offender".  
24

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

14           E. Nothing in subsection D of this section shall be deemed to  
15 impose any liability upon or give rise to a cause of action against  
16 any employee, agent or official of the Department of Corrections for  
17 failing to designate a sex offender as an aggravated or habitual  
18 offender pursuant to subsection J of Section 584 of Title 57 of the  
19 Oklahoma Statutes.

20           F. ~~The Department shall develop a procedure whereby a~~ A person  
21 subject to an order for the installation of an ignition interlock  
22 device shall be required by the Department to submit their driver  
23 license for a replacement. The replacement driver license shall  
24 bear the words "Interlock Required" and such designation shall

1 remain on the driver license for the duration of the order requiring  
2 the ignition interlock device. The replacement license shall be  
3 subject to the same expiration and renewal procedures provided by  
4 law. Upon completion of the requirements for the interlock device,  
5 a person may apply for a replacement driver license.

6 G. The Department shall develop a procedure whereby a person  
7 applying for an original, renewal or replacement Class D driver  
8 license who has been granted modified driving privileges under this  
9 title shall be issued a Class D driver license which identifies the  
10 license as a modified license.

11 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1140.1, is  
12 amended to read as follows:

13 Section 1140.1. A. Any motor license agent ~~appointed on or~~  
14 ~~after July 1, 2002, within a specific municipality shall~~ may be  
15 ~~furnished~~ issued a camera and associated equipment by the Department  
16 of Public Safety ~~without charge if, based upon the number of driver~~  
17 ~~licenses issued during the preceding year, the total number of~~  
18 ~~licenses issued shall average not less than one thousand two hundred~~  
19 ~~(1,200) per year per camera within the municipality and not less~~  
20 ~~than one thousand two hundred (1,200) per year per camera within the~~  
21 ~~county; provided, each county shall have at least one motor license~~  
22 ~~agent who shall be furnished a camera~~ for the purpose of issuing a  
23 driver license or identification card as authorized by the  
24 Department. The motor license agent shall be responsible for the

1 cost of the camera, all associated equipment and maintenance, as  
2 determined by the Department.

3 B. ~~For the purposes of this section, each motor license agent~~  
4 ~~appointed after July 1, 2002, shall be considered a new agent,~~  
5 ~~whether assets of another agency were inherited, purchased or~~  
6 ~~otherwise acquired.~~

7 C. The ~~furnishing~~ issuance of any camera and associated  
8 equipment shall be subject to availability from the vendor ~~and, if~~  
9 ~~limited, shall be allocated according to this section.~~ When  
10 availability is limited, issuance of a camera and associated  
11 equipment shall be determined by the Department based on population  
12 and geographic needs.

13 SECTION 6. REPEALER 47 O.S. 2011, Section 6-110.3, is  
14 hereby repealed.

15 SECTION 7. REPEALER Section 1, Chapter 206, O.S.L. 2015  
16 (47 O.S. Supp. 2015, Section 1132B), is hereby repealed.

17 SECTION 8. It being immediately necessary for the preservation  
18 of the public peace, health and safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

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