

1 ENGROSSED SENATE  
2 BILL NO. 1362

By: Holt and Brooks of the  
Senate

3 and

4 Christian of the House

5  
6 [ driver licenses and identification cards - fees -  
7 disbursement - images - issuance - application -  
8 replacement licenses -  
9 emergency ]

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

11 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as  
12 last amended by Section 1, Chapter 97, O.S.L. 2015 (47 O.S. Supp.  
13 2015, Section 6-101), is amended to read as follows:

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

22 B. 1. No person shall operate a Class A commercial motor  
23 vehicle unless the person is eighteen (18) years of age or older and  
24 holds a valid Class A commercial license, except as provided in

1 paragraph 5 of this subsection and subsection F of this section.

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

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

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

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

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1 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,  
2 except as provided in subsection F of this section.

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

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

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

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

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

22 D. No person shall operate a motorcycle or motor-driven cycle  
23 without having a valid Class A, B, C or D license with a motorcycle  
24 endorsement. Except as otherwise provided by law, any new applicant

1 for an original driver license shall be required to successfully  
2 complete a written examination, vision examination, and driving  
3 examination for a motorcycle as prescribed by the Department of  
4 Public Safety to be eligible for a motorcycle endorsement thereon.  
5 The written examination and driving examination for a motorcycle may  
6 be waived by the Department of Public Safety upon verification that  
7 the person has successfully completed a certified Motorcycle Safety  
8 Foundation rider course approved by the Department.

9 E. Except as otherwise provided by law, any person who lawfully  
10 possesses a valid Oklahoma driver license which is eligible for  
11 renewal shall be required to successfully complete a written  
12 examination, vision examination, and driving examination for a  
13 motorcycle as prescribed by the Department to be eligible for a  
14 motorcycle endorsement. The written examination and driving  
15 examination for a motorcycle may be waived by the Department of  
16 Public Safety upon verification that the person has successfully  
17 completed a certified Motorcycle Safety Foundation rider course  
18 approved by the Department.

19 F. 1. Any person eighteen (18) years of age or older may apply  
20 for a restricted Class A, B or C commercial learner permit. The  
21 Department, after the applicant has passed all parts of the  
22 examination for a Class D license and has successfully passed all  
23 parts of the examination for a Class A, B or C commercial license  
24 other than the driving examination, may issue to the applicant a

1 commercial learner permit which shall entitle the person having  
2 immediate lawful possession of the commercial learner permit and a  
3 valid Oklahoma driver license or provisional driver license pursuant  
4 to Section 6-212 of this title to operate a Class A, B or C  
5 commercial motor vehicle upon the public highways solely for the  
6 purpose of behind-the-wheel training in accordance with rules  
7 promulgated by the Department.

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

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

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

21           5. After one renewal of a commercial learner permit, as  
22 provided in paragraph 2 of this subsection, a commercial permit  
23 shall not be renewed again. Any person who has held a commercial  
24 learner permit for the initial issuance period and one renewal

1 period shall not be eligible for and the Department shall not issue  
2 another renewal of the permit; provided, the person may reapply for  
3 a new commercial learner permit, as provided for in this subsection.

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

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

14 a. REAL ID Compliant Driver License or Identification  
15 Card means a driver license or identification card  
16 issued by the State of Oklahoma that has been  
17 certified by the United States Department of Homeland  
18 Security (USDHS) as compliant with the requirements of  
19 the REAL ID Act of 2005, Public Law No. 109-13. A  
20 REAL ID Compliant Driver License or Identification  
21 Card and the process through which it is issued  
22 incorporate a variety of security measures designed to  
23 protect the integrity and trustworthiness of the  
24 license or card. A REAL ID Compliant Driver License

1           or Identification Card will be clearly marked on the  
2           face indicating that it is a compliant document, and  
3        b. REAL ID Noncompliant Driver License or Identification  
4           Card means a driver license or identification card  
5           issued by the State of Oklahoma that has not been  
6           certified by the United States Department of Homeland  
7           Security (USDHS) as being compliant with the  
8           requirements of the REAL ID Act. A REAL ID  
9           Noncompliant Driver License or Identification Card  
10           will be clearly marked on the face indicating that it  
11           is not compliant with the federal REAL ID Act and is  
12           not acceptable for official federal purposes. The  
13           driver license or identification card will have a  
14           unique design or color indicator that clearly  
15           distinguishes it from a compliant license or card.

16        2. The fee charged for an approved application for an original  
17        Oklahoma ~~driver license~~ REAL ID Compliant or REAL ID Noncompliant  
18        Driver License or an approved application for the addition of an  
19        endorsement to a current valid Oklahoma ~~driver license~~ REAL ID  
20        Compliant or REAL ID Noncompliant Driver License shall be assessed  
21        in accordance with the following schedule:

22           Class A Commercial Learner Permit	\$25.00
23           Class A Commercial License	\$25.00
24           Class B Commercial Learner Permit	\$15.00

1	Class B Commercial License	\$15.00
2	Class C Commercial Learner Permit	\$15.00
3	Class C Commercial License	\$15.00
4	Class D License	\$ 4.00
5	Motorcycle Endorsement	\$ 4.00

6 ~~2.~~ 3. Notwithstanding the provisions of Section 1104 of this  
7 title, all monies collected from the fees charged for Class A, B and  
8 C commercial licenses pursuant to the provisions of this subsection  
9 shall be deposited in the General Revenue Fund of this state.

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

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

21	Class A Commercial Learner Permit	\$51.50
22	Class A Commercial License	\$51.50
23	Class B Commercial Learner Permit	\$51.50
24	Class B Commercial License	\$51.50

1 Class C Commercial License \$41.50

2 Class D License \$33.50

3 J. In addition to any fee charged pursuant to the provisions of  
4 subsection G of this section, the fee charged for the issuance or  
5 renewal of a REAL ID Compliant Driver License shall be in accordance  
6 with the following schedule; provided, that any applicant who has a  
7 CDL Learner Permit shall be charged only the replacement fee for the  
8 issuance of the license:

9 REAL ID Compliant Class A Commercial Learner Permit \$61.50

10 REAL ID Compliant Class A Commercial License \$61.50

11 REAL ID Compliant Class B Commercial Learner Permit \$61.50

12 REAL ID Compliant Class B Commercial License \$61.50

13 REAL ID Compliant Class C Commercial License \$51.50

14 REAL ID Compliant Class D License \$43.50

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

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

20 1. Five Dollars and fifty cents (\$5.50) shall be deposited to  
21 the Trauma Care Assistance Revolving Fund created in Section 1-  
22 2530.9 of Title 63 of the Oklahoma Statutes;

23 2. Six Dollars and seventy-five cents (\$6.75) shall be  
24 deposited to the Department of Public Safety Computer Imaging System

1 Revolving Fund to be used solely for the purpose of administration  
2 and maintenance of the computerized imaging system of the  
3 Department; ~~and~~

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

7 4. Ten Dollars (\$10.00) shall be deposited to the Department of  
8 Public Safety Revolving Fund upon the issuance of an original or  
9 renewal Oklahoma REAL ID Compliant Driver License.

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

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

15	Age 62	\$21.25
16	Age 63	\$17.50
17	Age 64	\$13.75
18	Age 65	-0-

19 ~~L.~~ M. No person who has been honorably discharged from active  
20 service in any branch of the Armed Forces of the United States or  
21 Oklahoma National Guard and who has been certified by the United  
22 States Department of Veterans Affairs, its successor, or the Armed  
23 Forces of the United States to be a disabled veteran in receipt of  
24 compensation at the one-hundred-percent rate for a permanent

1 disability sustained through military action or accident resulting  
2 from disease contracted while in such active service shall be  
3 charged a fee for the issuance or renewal of an Oklahoma driver  
4 license.

5 ~~M.~~ N. The Department of Public Safety and the Oklahoma Tax  
6 Commission are authorized to promulgate rules for the issuance and  
7 renewal of driver licenses authorized pursuant to the provisions of  
8 Sections 6-101 through 6-309 of this title. Applications, upon  
9 forms approved by the Department of Public Safety, for such licenses  
10 shall be handled by the motor license agents; provided, the  
11 Department of Public Safety is authorized to assume these duties in  
12 any county of this state. Each motor license agent accepting  
13 applications for driver licenses shall receive Four Dollars (\$4.00)  
14 to be deducted from the total collected for each license or renewal  
15 application accepted. The four-dollar fee received by the motor  
16 license agent shall be used for operating expenses.

17 ~~N.~~ O. Notwithstanding the provisions of Section 1104 of this  
18 title and subsection M of this section and except as provided in  
19 subsections G and I of this section, the first Sixty Thousand  
20 Dollars (\$60,000.00) of all monies collected pursuant to this  
21 section shall be paid by the Oklahoma Tax Commission to the State  
22 Treasurer to be deposited in the General Revenue Fund of the State  
23 Treasury.

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

11       ~~Ø. P.~~ P. The Department of Public Safety shall ~~implement a~~  
12 ~~procedure whereby~~ retain the images displayed on licenses and  
13 identification cards issued pursuant to the provisions of Sections  
14 6-101 through 6-309 of this title ~~are maintained by the Department~~  
15 ~~to create photographs or computerized images,~~ which may be used  
16 only:

17       1. By a law enforcement agency for purposes of criminal  
18 investigations, missing person investigations, or any law  
19 enforcement purpose which is deemed necessary by the Commissioner of  
20 Public Safety;

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

23       3. As provided in Section 2-110 of this title.  
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1 The computer system and related equipment acquired for this  
2 purpose must conform to industry standards for interoperability and  
3 open architecture. The Department of Public Safety may promulgate  
4 rules to implement the provisions of this subsection.

5 Q. No person may hold more than one state-issued REAL ID  
6 Compliant Driver License or REAL ID Compliant Identification Card  
7 from Oklahoma or any other state. The Department shall not issue a  
8 REAL ID Compliant Driver License to a person who has been previously  
9 issued a REAL ID Compliant Driver License or REAL ID Compliant  
10 Identification Card until such license or identification card has  
11 been surrendered to the Department by the applicant. The Department  
12 may promulgate rules to address the issue of replacement REAL ID  
13 Compliant Driver License or Identification Cards in the event of  
14 loss or theft.

15 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as  
16 last amended by Section 1, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
17 2015, Section 6-105.3), is amended to read as follows:

18 Section 6-105.3. A. In addition to the licenses to operate  
19 motor vehicles, the Department of Public Safety may issue cards to  
20 Oklahoma residents for purposes of identification only. The  
21 identification cards shall be issued, renewed, replaced, canceled  
22 and denied in the same manner as driver licenses in this state. The  
23 application for an identification card by any person under the age  
24 of eighteen (18) years shall be signed and verified by a custodial

1 legal parent or legal guardian, either in person before a person  
2 authorized to administer oaths or electronically if completing an  
3 online application, or a notarized affidavit signed by a custodial  
4 legal parent or legal guardian submitted before a person authorized  
5 to administer oaths by the person under the age of eighteen (18)  
6 years with the application. Except as otherwise provided in this  
7 section, the identification cards shall be valid for a period of  
8 four (4) years from the month of issuance; however, the  
9 identification cards issued to persons sixty-five (65) years of age  
10 or older shall be valid indefinitely from the month of issuance.

11 B. No person may hold more than one state-issued REAL ID  
12 Compliant Driver License or REAL ID Compliant Identification Card,  
13 issued by Oklahoma or any other state or territory, as defined in  
14 paragraph 1 of subsection G of Section 6-101 of this title. The  
15 Department shall not issue a REAL ID Compliant Identification Card  
16 to a person who has been previously issued a REAL ID Compliant  
17 Driver License or REAL ID Compliant Identification Card until such  
18 license or identification card has been surrendered to the  
19 Department by the applicant. The Department may promulgate rules to  
20 address the issue of replacement REAL ID Compliant Driver License or  
21 Identification Cards in the event of loss or theft.

22 C. The fee charged for the issuance, renewal, or replacement of  
23 ~~an identification card~~ a REAL ID Compliant Identification Card shall  
24 be Thirty Dollars (\$30.00). The fee charged for the issuance,

1 renewal or replacement of a REAL ID Noncompliant Identification Card  
2 pursuant to this section shall be Twenty Dollars (\$20.00); however,  
3 no person sixty-five (65) years of age or older shall be charged a  
4 fee for an identification card. Of each fee charged pursuant to the  
5 provisions of this subsection:

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

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

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

14 4. Ten Dollars (\$10.00) shall be deposited to the Department of  
15 Public Safety Revolving Fund upon the issuance of an original,  
16 renewal or replacement Oklahoma REAL ID Identification Card.

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

23 ~~D.~~ E. When a person makes application for a new identification  
24 card, or makes application to renew an identification card, and the

1 person has been convicted of, or received a deferred judgment for,  
2 any offense required to register pursuant to the Sex Offenders  
3 Registration Act, the identification card shall be valid for a  
4 period of one (1) year from the month of issuance, but may be  
5 renewed yearly during the time the person is ~~registered~~ subject to  
6 registration on the Sex Offender Registry. The cost for such  
7 identification card shall be the same as for other identification  
8 cards and renewals.

9 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-106, as  
10 last amended by Section 1, Chapter 242, O.S.L. 2014 (47 O.S. Supp.  
11 2015, Section 6-106), is amended to read as follows:

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

15 2. Every original, renewal, or replacement application for a  
16 driver license or identification card made by a male applicant who  
17 is at least sixteen (16) but less than twenty-six (26) years of age  
18 shall include a statement that by submitting the application, the  
19 applicant is consenting to registration with the Selective Service  
20 System. The pertinent information from the application shall be  
21 forwarded by the Department to the Data Management Center of the  
22 Selective Service System in order to register the applicant as  
23 required by law with the Selective Service System. Any applicant  
24

1 refusing to sign the consent statement shall be denied a driver  
2 license or identification card.

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

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

11 1. Full name;

12 2. Date of birth;

13 3. Sex;

14 4. ~~Residence address or mailing address and~~ Address of  
15 principal residence, county of residence ~~to be displayed~~, which  
16 shall be referenced on the license;

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

20 6. Medical information, as determined by the Department, which  
21 shall assure the Department that the person is not prohibited from  
22 being licensed as provided by paragraph 7 of subsection A of Section  
23 6-103 of this title;

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

1 8. A brief description of the applicant, as determined by the  
2 Department;

3 9. Whether the applicant has previously been licensed, and, if  
4 so, when and by what state or country, and whether any license has  
5 ever been suspended or revoked, or whether an application has ever  
6 been refused, and, if so, the date of and reason for the suspension,  
7 revocation or refusal;

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

11 11. Whether the applicant has:

12 a. previously been licensed and, if so, when and by what  
13 state or country, and

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

16 12. Social security number.

17 No person shall request the Department to use the social security  
18 number of that person as the driver license number. Upon renewal or  
19 replacement of any driver license issued after the effective date of  
20 this act, the licensee shall advise the Department or the motor  
21 license agent if the present driver license number of the licensee  
22 is the social security number of the licensee. If the driver  
23 license number is the social security number, the Department or the

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1 motor license agent shall change the driver license number to a  
2 computer-generated alphanumeric identification.

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

21 2. If the applicant is applying for an original commercial  
22 driver license in Oklahoma or is transferring a commercial driver  
23 license from another state to Oklahoma, the Department shall review  
24 the driving record of the applicant in other states for the

1 immediately preceding ten (10) years, unless the record review has  
2 already been performed by the Department. As a result of the  
3 review, if it is determined by the Department that the applicant is  
4 subject to a period of disqualification as prescribed by Section 6-  
5 205.2 of this title which has not yet been imposed, the Department  
6 shall impose the period of disqualification and the applicant shall  
7 serve the period of disqualification before a commercial driver  
8 license is issued to the applicant; provided, nothing in this  
9 paragraph shall be construed to prevent the issuance of a Class D  
10 driver license to the applicant.

11 3. If the applicant has or is applying for a hazardous material  
12 endorsement, the applicant shall submit to a security threat  
13 assessment performed by the Transportation Security Administration  
14 of the Department of Homeland Security as required by and pursuant  
15 to 49 C.F.R., Part 1572, which shall be used to determine whether  
16 the applicant is eligible for the endorsement pursuant to federal  
17 law and regulation.

18 4. The Department of Public Safety shall notify each commercial  
19 driving school of the passage of this section, and each commercial  
20 driving school shall notify prospective students of its school of  
21 the hazardous material endorsement requirement.

22 D. In addition to the requirements of subsections A and B of  
23 this section, every applicant shall be given an option on the  
24 application for issuance of a driver license or identification card

1 or renewal pursuant to Section 6-115 of this title to provide an  
2 emergency contact person. The emergency contact information  
3 requested may include full name, address, and phone number. The  
4 emergency contact information shall be maintained by the Department  
5 and shall be used by the Department and law enforcement for  
6 emergency purposes only. A person listed as an emergency contact  
7 may request to be removed at any time. Any update to a change of  
8 name, address, or phone number may be made by the applicant listing  
9 the emergency contact person or by the person listed as the  
10 emergency contact.

11 E. Whenever application is received from a person previously  
12 licensed in another jurisdiction, the Department shall request a  
13 copy of the driving record from the other jurisdiction and,  
14 effective September 1, 2005, from all other jurisdictions in which  
15 the person was licensed within the immediately previous ten (10)  
16 years. When received, the driving record shall become a part of the  
17 driving record of the person in this state with the same force and  
18 effect as though entered on the driver's record in this state in the  
19 original instance.

20 F. Whenever the Department receives a request for a driving  
21 record from another licensing jurisdiction, the record shall be  
22 forwarded without charge.

23 G. A person may not apply for or possess more than one state-  
24 issued REAL ID Compliant Driver License or Identification Card,

1 pursuant to the provisions of Section 6-101 of this title. A valid  
2 and unexpired Oklahoma driver license shall serve as both primary  
3 and secondary proofs of identity whenever application for ~~an~~  
4 ~~identification card~~ a REAL ID Noncompliant Identification Card is  
5 submitted to the Department. The provisions of subsection B of  
6 Section 1550.42 of Title 21 of the Oklahoma Statutes shall not apply  
7 when issuing an identification card pursuant to the provisions of  
8 this subsection. The Department shall promulgate rules necessary to  
9 implement and administer the provisions of this subsection.

10 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-110.3, is  
11 amended to read as follows:

12 Section 6-110.3. A. ~~1.~~ The Legislature finds that the  
13 enactment into law by the United States Congress of the federal REAL  
14 ID Act of 2005, Public Law Number 109-13, is ~~inimical to the~~  
15 ~~security and well-being of the people of Oklahoma, will cause~~  
16 ~~approximately Eight Million Dollars (\$8,000,000.00) in added expense~~  
17 ~~and inconvenience to our state, and was adopted by the United States~~  
18 ~~Congress in violation of~~ something that individual Oklahomans should  
19 have an option to refuse under the principles of federalism  
20 contained in the Tenth Amendment to the United States Constitution.

21 ~~2. B.~~ The State of Oklahoma shall ~~not participate in the~~  
22 ~~implementation of the REAL ID Act of 2005. The Department of Public~~  
23 ~~Safety is hereby directed not to implement the provisions of the~~  
24 ~~REAL ID Act of 2005 and to report to the Governor and the~~

1 ~~Legislature any attempt by agencies or agents of the United States~~  
2 ~~Department of Homeland Security to secure the implementation of the~~  
3 ~~REAL ID Act of 2005 through the operations of that or any other~~  
4 ~~state department~~ offer its citizens the option of choosing a  
5 Compliant Driver License or Identification Card or a Noncompliant  
6 Driver License or Identification Card.

7 C. The State of Oklahoma shall not share its citizens' personal  
8 information or biometric data with the federal government directly  
9 only as a result of compliance with the REAL ID Act of 2005, Public  
10 Law Number 109-13.

11 ~~B. No department or agency of the state charged with motor~~  
12 ~~vehicle registration or operation, the issuance or renewal of driver~~  
13 ~~licenses, or the issuance or renewal of any identification cards~~  
14 ~~shall collect, obtain, or retain any data in connection with~~  
15 ~~activities related to complying with the REAL ID Act of 2005.~~

16 ~~C. Any biometric data previously collected, obtained, or~~  
17 ~~retained in connection with motor vehicle registration or operation,~~  
18 ~~the issuance or renewal of driver licenses, or the issuance or~~  
19 ~~renewal of any identification cards by any department or agency of~~  
20 ~~this state charged with those activities shall be retrieved and~~  
21 ~~deleted from any and all databases. The provisions of this~~  
22 ~~subsection shall not apply to any data collected, obtained or~~  
23 ~~retained for a purpose other than complying with the REAL ID Act of~~  
24 ~~2005.~~

1 D. For purposes of this section, "biometric data" includes, but  
2 is not limited to:

3 1. Facial feature pattern characteristics;

4 2. Voice data used for comparing live speech with a previously  
5 created speech model of a person's voice;

6 3. Iris recognition data containing color or texture patterns  
7 or codes;

8 4. Retinal scans, reading through the pupil to measure blood  
9 vessels lining the retina;

10 5. Behavior characteristics of a handwritten signature, such as  
11 shape, speed, pressure, pen angle, or sequence;

12 6. Fingerprints, palm prints, and other methods for measuring  
13 or recording ridge pattern or fingertip characteristics;

14 7. Keystroke dynamics, measuring pressure applied to key pads;

15 8. Hand geometry, measuring hand characteristics, including the  
16 shape and length of fingers, in three (3) dimensions; and

17 9. Deoxyribonucleic acid (DNA) and/or ribonucleic acid (RNA).

18 SECTION 5. AMENDATORY 47 O.S. 2011, Section 6-111, as  
19 last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
20 2015, Section 6-111), is amended to read as follows:

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

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

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

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

24

1           4. The Department may promulgate rules for inclusion of the  
2 height and a brief description of the licensee or cardholder on the  
3 face of the card or license identifying the licensee or cardholder  
4 as deaf or hard-of-hearing.

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

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

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

1 of the driver while operating a motor vehicle, and it shall be  
2 invalid when the applicant's driver license has been issued or for  
3 good cause has been refused.

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

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

11 The applicant shall hold a valid Oklahoma driver license and  
12 shall meet all the requirements for a commercial driver license.  
13 The restricted commercial driver license shall not exceed a total of  
14 one hundred eighty (180) days within any twelve-month period.

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

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

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 6. AMENDATORY 47 O.S. 2011, Section 6-114, as  
12 amended by Section 6, Chapter 259, O.S.L. 2013 (47 O.S. Supp. 2015,  
13 Section 6-114), is amended to read as follows:

14 Section 6-114. A. 1. In the event that a driver license is  
15 lost, destroyed or requires the updating of any information,  
16 restriction or endorsement displayed thereon, the person to whom  
17 such license was issued may obtain a replacement thereof upon  
18 payment of the required fee and by furnishing both primary and  
19 secondary proofs of identity to the Department of Public Safety. If  
20 application is made at a motor license agency or subagency, the  
21 agent or subagent shall immediately verify the identity of the  
22 person, by means of both primary and secondary proofs of identity,  
23 and the eligibility of the person by contacting the Department for  
24 verification and approval. If the person is an alien, the person

1 shall appear before a driver license examiner of the Department and,  
2 after furnishing primary and secondary proofs of identity as  
3 required in this section, shall be issued a replacement driver  
4 license for a period which does not exceed the lesser of:

- 5 a. the expiration date of the license being replaced, or
- 6 b. the expiration date on the valid documentation  
7 authorizing the presence of the person in the United  
8 States, as required by paragraph 9 of subsection A of  
9 Section 6-103 of this title.

10 2. The cost of a replacement license shall be ~~Twenty Dollars~~  
11 ~~(\$20.00)~~ Thirty Dollars (\$30.00), of which Two Dollars (\$2.00) shall  
12 be apportioned as provided in Section 1104 of this title, Three  
13 Dollars (\$3.00) shall be remitted to the State Treasurer to be  
14 credited to the General Revenue Fund, and Five Dollars (\$5.00) shall  
15 be credited to the Department of Public Safety Computer Imaging  
16 System Revolving Fund to be used solely for the purpose of  
17 administering and maintaining the computer imaging system of the  
18 Department, and ~~Ten Dollars (\$10.00)~~ Twenty Dollars (\$20.00) to the  
19 Revolving Fund of the Department of Public Safety.

20 3. The Department shall promulgate rules prescribing forms of  
21 primary and secondary identification acceptable for replacement of  
22 an Oklahoma driver license.

23 B. Any person desiring to add or remove an endorsement or  
24 endorsements or a restriction or restrictions to any existing driver

1 license, when authorized by the Department of Public Safety, shall  
2 obtain a replacement license with ~~said~~ the endorsement or  
3 endorsements or ~~said~~ the restriction or restrictions change thereon  
4 and shall be charged the fee for a replacement license as provided  
5 in subsection A of this section.

6 ~~SECTION 7. It being immediately necessary for the preservation~~  
7 ~~of the public peace, health and safety, an emergency is hereby~~  
8 ~~declared to exist, by reason whereof this act shall take effect and~~  
9 ~~be in full force from and after its passage and approval.~~

10 Passed the Senate the 9th day of March, 2016.

11  
12 \_\_\_\_\_  
13 Presiding Officer of the Senate

14 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
15 2016.

16  
17 \_\_\_\_\_  
18 Presiding Officer of the House  
19 of Representatives