

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1766

By: Hall, Seifried, and
Stephens of the Senate

6 and

7 Kerbs of the House
8
9

10 COMMITTEE SUBSTITUTE

11 An Act relating to commercial driver training
12 schools; amending 47 O.S. 2021, Section 6-102, as
13 last amended by Section 39, Chapter 282, O.S.L. 2022
14 (47 O.S. Supp. 2023, Section 6-102), which relates to
15 operation of motor vehicles; changing certain age
16 requirement; amending 47 O.S. 2021, Sections 6-105,
17 as last amended by Section 1, Chapter 55, O.S.L.
18 2023, 6-105.2, as amended by Section 43, Chapter 282,
19 O.S.L. 2022, and 6-110, as last amended by Section 1,
20 Chapter 82, O.S.L. 2023 (47 O.S. Supp. 2023, Sections
21 6-105, 6-105.2, and 6-110), which relate to driver
22 education; changing certain age requirement; adding
23 reference to certain permit; adding examples of
24 certain third parties; adding eligibility for driver
education for certain persons; directing publication
of dates for certain courses; authorizing additional
trainings; requiring certain disclosure; amending 47
O.S. 2021, Section 6-206.1, which relates to driver
improvement; modifying credentials for certain
qualified instructors; modifying amount of required
classroom instruction; deleting enrollment fee
requirement; amending 47 O.S. 2021, Sections 801,
803, as amended by Section 27, Chapter 310, O.S.L.
2023, and 805, as amended by Section 29, Chapter 310,
O.S.L. 2023 (47 O.S. Supp. 2023, Sections 803 and
805), which relate to commercial driver training
schools; adding reference to certain permit; making

1 language gender neutral; directing the acceptance of
2 electronic signature on certain documents; adding
3 reference to certain permit; creating certain four-
4 year licenses; setting fees for certain licenses;
5 updating statutory references; updating statutory
6 language; and providing an effective date.

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

8 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-102, as
9 last amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
10 2023, Section 6-102), is amended to read as follows:

11 Section 6-102. A. A nonresident who is sixteen (16) years of
12 age or older may operate a motor vehicle in this state as authorized
13 by the class, restrictions, and endorsements specified on the
14 license, if the nonresident is:

15 1. Properly licensed in the home state or country to operate a
16 commercial or noncommercial motor vehicle and who has immediate
17 possession of a valid driver license issued by the home state or
18 country; or

19 2. A member of the Armed Forces of the United States or the
20 spouse or dependent of such member who has been issued and is in
21 possession of a valid driver license issued by an overseas component
22 of the Armed Forces of the United States.

23 B. A resident who is at least ~~fifteen (15)~~ thirteen and one-
24 half (13 1/2) years of age may operate a vehicle in this state
without a driver license, if the resident is:

1 1. Operating a vehicle pursuant to subsection B of Section 6-
2 105 of this title; or

3 2. Taking the driving skills examination as required by Section
4 6-110 of this title, when accompanied by a Driver License Examiner
5 of Service Oklahoma or by a designated examiner approved and
6 certified by Service Oklahoma.

7 C. Any person, while in the performance of official duties, may
8 operate any class of motor vehicle if the person possesses any class
9 of valid Oklahoma driver license or a valid driver license issued by
10 another state, if the person is:

11 1. A member of the Armed Forces of the United States who is on
12 active duty;

13 2. A member of the military reserves, not including United
14 States reserve technician;

15 3. A member of the National Guard who is on active duty,
16 including National Guard military technicians;

17 4. A member of the National Guard who is on part-time National
18 Guard training, including National Guard military technicians; or

19 5. A member of the United States Coast Guard who is on active
20 duty.

21 D. The Director of Service Oklahoma is hereby authorized to
22 adopt rules as may be necessary to enter into reciprocity agreements
23 with foreign countries. The rules shall specify that the driver
24 license standards of the foreign country shall be comparable to

1 those of this state. The rules shall also require foreign drivers,
2 who are operating a motor vehicle in Oklahoma under such a
3 reciprocity agreement, to comply with the compulsory motor vehicle
4 liability insurance and financial responsibility laws of this state.

5 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-105, as
6 last amended by Section 1, Chapter 55, O.S.L. 2023 (47 O.S. Supp.
7 2023, Section 6-105), is amended to read as follows:

8 Section 6-105. A. Unless a legal custodial parent or legal
9 guardian has filed an objection to licensure pursuant to Section 6-
10 103.1 of this title, any person under eighteen (18) years of age ~~who~~
11 ~~is in compliance with or not subject to Section 6-107.3 of this~~
12 ~~title~~ may be permitted to operate:

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

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

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

19 B. Any person who is at least ~~fifteen (15)~~ thirteen and one-
20 half (13 1/2) years of age may drive during a session in which the
21 driver is being instructed in a driver education course, as set out
22 in subparagraphs a, b, c, d and e of paragraph 1 of subsection C of
23 this section, by a certified driver education instructor who is
24 seated in the right front seat of the motor vehicle.

1 C. Any person:

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

6 a. a prescribed secondary school driver education course,
7 as provided for in Sections 19-113 through ~~19-121~~ 19-
8 123 of Title 70 of the Oklahoma Statutes,

9 b. a driver education course, certified by the Department
10 of Public Safety, from a parochial, private, or other
11 nonpublic secondary school,

12 c. a commercial driver training course, as defined by
13 Sections 801 through 808 of this title,

14 d. a parent-taught driver education course, certified by
15 the Department of Public Safety. The Department shall
16 promulgate rules for any parent-taught driver
17 education course, or

18 e. a driver education course certified by a state other
19 than Oklahoma; or

20 2. Who is at least sixteen (16) years of age,
21 may, upon successfully passing all parts of the driver license
22 examination administered by Service Oklahoma, or an approved written
23 examination proctor, except the driving examination, be issued a
24 learner permit which will grant the permittee the privilege to

1 operate a Class D motor vehicle upon the public highways only
2 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
3 by a licensed driver who is at least twenty-one (21) years of age
4 and who is actually occupying a seat beside the permittee; provided,
5 the written examination for a learner permit may be waived by
6 Service Oklahoma upon verification that the person has successfully
7 completed driver education.

8 D. 1. Any person:

9 a. who has applied for, been issued, and has possessed a
10 learner permit for a minimum of six (6) months,

11 b. whose custodial legal parent or legal guardian
12 certifies to Service Oklahoma by sworn affidavit that
13 the person has received a minimum of fifty (50) hours
14 of actual behind-the-wheel training, of which at least
15 ten (10) hours of such training ~~was~~ were at night,
16 from a licensed driver who was at least twenty-one
17 (21) years of age and who was properly licensed to
18 operate a Class D motor vehicle for a minimum of two
19 (2) years, and

20 c. who has completed a free course approved by the
21 ~~Oklahoma~~ Department of Transportation on teen driver
22 work zone and first responder safety,

23 may be issued an intermediate Class D license upon successfully
24 passing all parts of the driver license examinations administered by

1 Service Oklahoma; provided, the written examination, if it has not
2 previously been administered or waived, may be waived by Service
3 Oklahoma upon verification that the person has successfully
4 completed driver education or the driving examination may be waived
5 by Service Oklahoma upon successful passage of the examination
6 administered by a certified designated examiner, as provided for in
7 Section 6-110 of this title. However, notwithstanding the date of
8 issuance of the learner permit, if the person has been convicted of
9 a traffic offense which is reported on the driving record of that
10 person, the time period specified in subparagraph a of this
11 paragraph shall be recalculated to begin from the date of conviction
12 for the traffic offense, and must elapse before that person may be
13 issued an intermediate Class D license. If the person has been
14 convicted of more than one traffic offense which is reported on the
15 driving record of that person, the time period specified in
16 subparagraph a of this paragraph shall be recalculated to begin from
17 the most recent date of conviction, and must elapse before that
18 person may be issued an intermediate Class D license.

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

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

23 (1) only between the hours of 5:00 a.m. and 10:00
24 p.m., except for driving to and from work,

1 school, school activities, and church activities,
2 or

3 (2) at any time, if a licensed driver who is at least
4 twenty-one (21) years of age is actually
5 occupying a seat beside the intermediate Class D
6 licensee, or if the intermediate Class D licensee
7 is a farm or ranch resident, and is operating a
8 motor vehicle while engaged in farming or
9 ranching operations outside the limits of a
10 municipality, or driving to and from work,
11 school, school activities, or church activities,
12 and

13 b. shall not operate a motor vehicle with more than one
14 passenger unless:

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

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

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

22 1. One (1) year; or

23 2. Six (6) months, if the person has completed both the driver
24 education and the parent-certified behind-the-wheel training

1 provisions of subparagraph b of paragraph 1 of subsection D of this
2 section,
3 may be issued a Class D license. However, notwithstanding the date
4 of issuance of the Class D license, if the person has been convicted
5 of a traffic offense which is reported on the driving record of that
6 person, the time periods specified in paragraph 1 or 2 of this
7 subsection, as applicable, shall be recalculated to begin from the
8 date of conviction for the traffic offense, and must elapse before
9 that person may be issued a Class D license. If the person has been
10 convicted of more than one traffic offense which is reported on the
11 driving record of that person, the time periods specified in
12 paragraph 1 or 2 of this subsection, as applicable, shall be
13 recalculated to begin from the most recent date of conviction, and
14 must elapse before that person may be issued a Class D license.

15 F. Learner permits and intermediate Class D licenses shall be
16 issued for the same period as all other driver licenses. The
17 licenses may be suspended or canceled at the discretion of ~~the~~
18 ~~Department~~ Service Oklahoma for violation of restrictions, for
19 failing to give the required or correct information on the
20 application, for knowingly giving false or inaccurate information on
21 the application or any subsequent documentation related to the
22 granting of driving privileges, for using a hand-held electronic
23 device while operating a motor vehicle for non-life-threatening

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1 emergency purposes or for violation of any traffic laws of this
2 state pertaining to the operation of a motor vehicle.

3 G. Service Oklahoma shall promulgate rules establishing
4 procedures for removal of learner permit and intermediate Class D
5 license restrictions from the permit or license upon the permittee
6 or licensee qualifying for a less restricted or an unrestricted
7 license.

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

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

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

23 3. While wearing approved protective headgear; and
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1 4. While accompanied by and receiving instruction from any
2 person who is at least twenty-one (21) years of age and who is
3 properly licensed pursuant to the laws of this state to operate a
4 motorcycle or motor-driven cycle, and who has visual contact with
5 the restricted licensee.

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

11 The written examination and driving examination for a restricted
12 Class D license with a motorcycle-only endorsement shall be waived
13 by Service Oklahoma upon verification that the person has
14 successfully completed a certified state-approved motorcycle basic
15 rider course approved by the Department and Service Oklahoma.

16 I. Service Oklahoma may in its discretion issue a special
17 permit to any person who has attained the age of fourteen (14)
18 years, authorizing such person to operate farm vehicles between the
19 farm and the market to haul commodities grown on the farm; provided,
20 that the special permit shall be temporary and shall expire not more
21 than thirty (30) days after the issuance of the special permit.
22 Special permits shall be issued only to farm residents and shall be
23 issued only during the time of the harvest of the principal crops
24 grown on such farm. Provided, however, Service Oklahoma shall not

1 issue a special permit pursuant to this subsection until Service
2 Oklahoma is fully satisfied after the examination of the application
3 and other evidence furnished in support thereof, that the person is
4 physically and mentally developed to such a degree that the
5 operation of a motor vehicle by the person would not be inimical to
6 public safety.

7 J. As used in this section:

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

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

15 K. All driver education courses provided for in paragraph 1 of
16 subsection C of this section shall include education regarding the
17 dangers of texting while driving and the effects of being under the
18 influence of alcohol or other intoxicating substance while driving.

19 SECTION 3. AMENDATORY 47 O.S. 2021, Section 6-105.2, as
20 amended by Section 43, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
21 Section 6-105.2), is amended to read as follows:

22 Section 6-105.2 Service Oklahoma may issue an instructor permit
23 to any qualified secondary school driver education instructor as
24 defined by the State Board of Education ~~Rules~~ rules and ~~Regulations~~

1 regulations for Oklahoma High School Driver and Traffic Safety
2 Education or any driver education instructor, certified by Service
3 Oklahoma, of a parochial, private, or other nonpublic secondary
4 school upon a proper application to the State Board of Education or
5 the Department of Public Safety in the case of secondary schools
6 that are not regulated by the State Board of Education or a
7 commercial driver training course instructor, as provided for in
8 Sections 801 through 808 of this title. Service Oklahoma shall
9 promulgate rules for the issuance of the permits. Any instructor as
10 defined in this subsection who has been issued a permit may instruct
11 any person who is at least fifteen and one-half (15 1/2) years of
12 age, any person who qualifies for the farm permit as defined in
13 Section 6-105 of this title, or any person who is at least ~~fifteen~~
14 ~~(15)~~ thirteen and one-half (13 1/2) years of age and of secondary
15 school or higher educational standing while regularly enrolled and
16 certified by the instructor as a student taking a prescribed course
17 of secondary school driver education or a driver education course,
18 certified by Service Oklahoma, from a parochial, private, or other
19 nonpublic secondary school or a commercial driver training course,
20 as defined by Sections 801 through 808 of this title, to operate a
21 motor vehicle while accompanied by and receiving instruction from
22 the instructor who is actually occupying a seat beside the driver.

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1 SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-110, as
2 last amended by Section 1, Chapter 82, O.S.L. 2023 (47 O.S. Supp.
3 2023, Section 6-110), is amended to read as follows:

4 Section 6-110. A. 1. Service Oklahoma shall establish
5 procedures to ensure every applicant for an original Class A, B, C
6 or D license and for any endorsements thereon is examined by Service
7 Oklahoma, or an approved written examination proctor, except as
8 otherwise provided in Section 6-101 et seq. of this title or as
9 provided in paragraph 2 of this subsection or in subsections D and E
10 of this section. Service Oklahoma is authorized to approve and
11 enter into agreements with third parties including, but not limited
12 to, public school districts, technology center districts overseen by
13 the Oklahoma Department of Career Technology Education, institutions
14 of higher education, or commercial driver training schools, to act
15 as approved written examination proctors with regard to any written
16 examination required by this section. The examination shall include
17 a test of the applicant's:

- 18 a. eyesight,
- 19 b. ability to read and understand highway signs
20 regulating, warning and directing traffic,
- 21 c. knowledge of the traffic laws of this state including
22 a portion on bicycle and motorcycle safety, and
- 23 d. ability, by actual demonstration, to exercise ordinary
24 and reasonable control in the operation of a motor

1 vehicle. The actual demonstration shall be conducted
2 in the type of motor vehicle for the class of driver
3 license being applied for.

4 The Department of Public Safety, in conjunction with Service
5 Oklahoma, may create a knowledge test that may be taken on the
6 Internet by an applicant applying for a Class D license.

7 Any licensee seeking to apply for a driver license of another class
8 which is not covered by the licensee's current driver license shall
9 be considered an applicant for an original license for that class.

10 2. Service Oklahoma shall have the authority to waive the
11 requirement of any part of the examination required in paragraph 1
12 of this subsection for those applicants whose driving record meets
13 the standards set by the Department of Public Safety and surrender
14 either of the following:

15 a. a valid unexpired driver license issued by any state
16 or country for the same type or types of vehicles, or

17 b. an expired driver license that:

18 (1) is not expired more than six (6) months past the
19 expiration date listed on the driver license, and

20 (2) is not a Class A, B or C commercial driver
21 license or commercial driver license permit.

22 3. Service Oklahoma shall accept skills test results from
23 another state for Class A, B or C license applicants who have
24 successfully completed commercial motor vehicle driver training in

1 that state and successfully passed the skills test in that state;
2 provided, Service Oklahoma shall not accept skills test results from
3 another state when the applicant has not successfully completed
4 commercial motor vehicle driver training in that state. Nothing in
5 this section shall be construed to prohibit Service Oklahoma from
6 administering the skills test to any applicant who has successfully
7 completed commercial vehicle driver training in another state.

8 4. All applicants requiring a hazardous materials endorsement
9 shall be required, for the renewal of the endorsement, to
10 successfully complete the examination and to submit to a security
11 threat assessment performed by the Transportation Security
12 Administration of the Department of Homeland Security as required by
13 and pursuant to 49 C.F.R., Part 1572, which shall be used to
14 determine whether the applicant is eligible for renewal of the
15 endorsement pursuant to federal law and regulation.

16 5. Service Oklahoma, or an approved written examination
17 proctor, shall give the complete examination as provided for in this
18 section within thirty (30) days from the date the application is
19 received, and the examination shall be given at a location within
20 one hundred (100) miles of the residence of the applicant. Service
21 Oklahoma shall make every effort to make the examination locations
22 and times convenient for applicants. Service Oklahoma shall
23 consider giving the examination at any public or private site, if
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1 economically feasible and practicable, and if Service Oklahoma and
2 the owner or the governing body agree.

3 B. Any person holding a valid Oklahoma Class D license or
4 provisional driver license pursuant to Section 6-212 of this title
5 and applying for a Class A, B or C commercial license shall be
6 required to successfully complete all examinations as required for
7 the specified class. Failure to submit to Service Oklahoma
8 federally required medical certification information pursuant to 49
9 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade
10 of a commercial license to a Class D license. Provided, however,
11 once the required medical certification information has been
12 received by Service Oklahoma, the license shall be reinstated to the
13 classification of the commercial license prior to the downgrade and
14 the holder of such a license shall not be required to reapply.

15 C. Except as provided in subsection E of Section 6-101 of this
16 title, any person holding a valid Oklahoma Class A, B or C
17 commercial license shall, upon time for renewal thereof, be entitled
18 to a Class D license without any type of testing or examination,
19 except for any endorsements thereon as otherwise provided for by
20 Section 6-110.1 of this title.

21 D. 1. Any certified driver education instructor who is
22 currently an operator or an employee of a commercial driver training
23 school in this state or any driver education instructor employed by
24 any school district in this state shall be eligible to apply to be a

1 designated examiner of Service Oklahoma for the purposes of
2 administering the Class D driving skills portion of the Oklahoma
3 driving examination to any person who is eligible to take the
4 Oklahoma driving examination including, but not limited to, a person
5 who has been issued a learner permit or farm permit. Service
6 Oklahoma shall to the maximum extent possible accept electronic
7 signatures for all applications to be a designated examiner.

8 2. The Department of Public Safety, in conjunction with Service
9 Oklahoma, shall adopt a curriculum of required courses and training
10 to be offered to applicants who are qualified to apply to be a
11 designated examiner. The courses and training for certification
12 shall meet the same standards as required for driver examiners of
13 Service Oklahoma. Within thirty (30) days of the effective date of
14 this act, and by October 1 of each subsequent year, Service Oklahoma
15 shall publish a schedule for the subsequent calendar year of courses
16 and trainings which shall occur no less than twice per calendar
17 year. Service Oklahoma may schedule additional courses and
18 trainings based on demand. Service Oklahoma shall disclose how many
19 slots are available for each course or training and any restrictions
20 on how those slots may be allocated at the time of publishing the
21 schedule.

22 3. Each person applying to be a designated examiner shall be
23 required to pay an initial designated examiner certification fee of
24 One Thousand Dollars (\$1,000.00). Upon successful completion of

1 training prescribed by paragraph 2 of this subsection, the person
2 shall be required to pay an annual designated examiner certification
3 fee of Five Hundred Dollars (\$500.00). If an applicant for the
4 designated examiner program is employed by an Oklahoma public school
5 system that offers driver education, and he or she administers the
6 skills test only to students enrolled in a public school driver
7 education program, the certification fee may be waived by Service
8 Oklahoma. Each designated examiner certification shall expire on
9 the last day of the calendar year and may be renewed upon
10 application to Service Oklahoma. The designated examiner
11 certification fees collected by Service Oklahoma pursuant to this
12 subsection shall be deposited to the credit of the Department of
13 Public Safety Restricted Revolving Fund to be used for the purposes
14 of this subsection, through October 31, 2022. Beginning November 1,
15 2022, the designated examiner certification fees collected by
16 Service Oklahoma pursuant to this subsection shall be deposited to
17 the credit of the Service Oklahoma Revolving Fund. No designated
18 examiner certification fee shall be refunded in the event that
19 certification is denied, suspended or revoked.

20 4. A designated examiner may charge a fee for each Class D
21 driving skills examination given, whether the person being examined
22 passes or fails the examination.

23 5. Service Oklahoma shall conduct an annual complete nationwide
24 criminal history background check on each designated examiner and a

1 complete nationwide criminal history background check on each
2 designated examiner applicant. The fees for the background check
3 shall be borne by the designated examiner or designated examiner
4 applicant.

5 6. The Department of Public Safety, in conjunction with Service
6 Oklahoma, shall promulgate rules to implement and administer the
7 provisions of this subsection.

8 E. 1. Upon application and approval of Service Oklahoma, any
9 public or private commercial truck driving school that has or
10 maintains a program instructing students for a Class A, B or C
11 license, public transit agency, state, county or municipal
12 government agency in this state, such as local school districts, the
13 Oklahoma Department of Career and Technology Education, or
14 institutions of higher education, or a private entity, shall be
15 authorized to hire or employ designated examiners approved by
16 Service Oklahoma to be third-party examiners of the Class A, B or C
17 driving skills portion and/or knowledge written portion, pursuant to
18 paragraph A of this section, of the Oklahoma driving examination.
19 All designated examiners must successfully have completed the
20 courses and training as outlined in paragraph 2 of this subsection.
21 Service Oklahoma shall be required to approve at least one public
22 transit agency that has or maintains a program instructing students
23 for a Class A, B or C license to hire or employ third-party
24 examiners pursuant to this section. It shall be permissible for any

1 public transit agency operating in ~~the State of Oklahoma~~ this state
2 to utilize the third-party examiners hired or employed by a public
3 transit agency approved by Service Oklahoma.

4 2. The Department of Public Safety, in conjunction with Service
5 Oklahoma, shall adopt a curriculum of required courses and training
6 to be offered to third-party examiners. The courses and training
7 for certification shall meet the same standards as required for
8 commercial driver examiners of Service Oklahoma.

9 3. Service Oklahoma shall require each third-party examiner
10 applicant and commercial school driver education instructor
11 applicant to submit to an electronic national criminal history
12 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
13 Statutes. On or before December 1, 2022, Service Oklahoma shall
14 require each third-party examiner or commercial school driver
15 education instructor to submit to an electronic national criminal
16 history record check pursuant to Section 150.9 of Title 74 of the
17 Oklahoma Statutes. The fees for the background check shall be borne
18 by the third-party examiner, third-party examiner applicant,
19 commercial school driver education instructor or commercial school
20 driver education instructor applicant.

21 F. Service Oklahoma shall promulgate rules to:

22 1. Implement and administer the provisions of this section
23 based on requirements set forth in Section 383.75 of Title 49 of the
24 Code of Federal Regulations;

1 2. Establish a process to inform any school, public transit
2 agency, examiner, or state, county or municipal government agency,
3 who has been denied, within forty-five (45) days from the denial;

4 3. Create an appeal process for any school, public transit
5 agency, examiner, or state, county or municipal government agency
6 denied; and

7 4. If the initial application for approval was denied, limit
8 the number of times an individual school, public transit agency,
9 individual examiner applicant, or state, county or municipal
10 government agency may reapply in a calendar year to two
11 reapplications.

12 SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-206.1, is
13 amended to read as follows:

14 Section 6-206.1 A. ~~Driver~~ A driver improvement or defensive
15 driving course is a course which offers an educational setting, ~~and~~ and
16 provides for driving concepts which encourage attitude or behavioral
17 changes in the responsibility of operating a motor vehicle in a safe
18 and responsible manner.

19 B. It shall be the responsibility of the institution or
20 organization to provide:

21 1. Adequate facilities which meet or exceed state and local
22 fire, health and safety codes;

23 2. Adequate equipment, in good working order, and instructional
24 materials for such courses;

1 3. Qualified instructors who shall:

- 2 a. possess an undergraduate degree ~~and have nine (9)~~
3 ~~college or university credit hours in traffic safety~~
4 ~~education, has possessed an instructor license,~~
5 pursuant to Section 804 of this title, for at least
6 five (5) years or ~~is~~ be a peace officer certified by
7 the Council on Law Enforcement Education and Training
8 (CLEET),
- 9 b. have no alcohol or drug-related convictions or
10 revocations in the past five (5) years,
- 11 c. have no more than five (5) points accumulated on the
12 driving record in the past three (3) years in
13 accordance with the Oklahoma Mandatory Point System,
- 14 d. have a valid Oklahoma driver license, and
- 15 e. complete a course of training through the approved
16 organization or institution;

17 4. A course of study designed to inform the participant of
18 driver improvement and defensive driving concepts while encouraging
19 attitude or behavioral changes in the responsibility of operating a
20 motor vehicle in a safe and responsible manner. The curriculum,
21 which means the complete lesson plans which include instructional
22 strategy, presentation methods and resources utilized to incorporate
23 the concepts of traffic safety, must provide for but not be limited
24 to the following:

- a. driver personality traits - behavioral attitudes,
- b. driver qualifications and limitations,
- c. effects of alcohol and other drugs, and
- d. current accident prevention and defensive driving techniques: speed control, perception, reactions, lane positioning, safe turning and passing, occupant restraints, following distance and rules of the road; and

5. Provide at least ~~six (6)~~ four (4) hours of classroom instruction.

C. Organizations or institutions desirous of making application shall submit the following to the Department of Public Safety:

1. Evidence of organizational or institutional status which meet statutory requirements;

2. Copy of proposed course curriculum which includes lesson objectives, presentation materials, instructional strategy and resources utilized;

3. Certification that instructors meet statutory requirements; and

4. Upon Department of Public Safety approval, ~~said the~~ the organization or institution shall be considered for point credits as set forth in this section.

D. The Department of Public Safety is authorized to grant a ~~two~~ two-point credit towards the Oklahoma Point System Regulations

1 to any person who successfully completes a course pursuant to this
2 section provided only one such course shall be acknowledged once
3 every twenty-four (24) months.

4 E. The Department, upon giving of notice and hearing, may
5 decline to grant credit points to any organization or institution
6 for:

7 1. Unethical conduct of an instructor or official of an
8 institution or organization;

9 2. Failure to satisfactorily resolve citizens' complaints;

10 3. Falsifying or misrepresenting any document or information to
11 the Department or student;

12 4. Failure of an organization or instructor to meet statutory
13 requirements;

14 5. Conflict of interest by the organization or institution
15 and/or its personnel; or

16 6. Failure of an organization, institution or instructor to
17 continue to meet statutory requirements as provided for in this
18 section.

19 F. Course enrollment ~~will~~ shall be limited to not more than
20 thirty students ~~with an enrollment fee of Fifty Dollars (\$50.00) per~~
21 ~~student.~~

22 G. Enrollment in the course shall not be limited to persons
23 ordered to enroll, attend and successfully complete the course.

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1 H. The organization or institution shall within fifteen (15)
2 days of the completion certify to the Department of Public Safety
3 all persons who successfully complete the course on a form approved
4 or furnished by the Department. This shall include the person's
5 full name, address, date of birth and driver license number.

6 I. Department personnel shall be admitted to any course without
7 charge, upon request and display of proper credentials.

8 J. Each organization or institution shall develop auditing
9 procedures which could be utilized to show compliance with this
10 section.

11 K. Any point credit allowed must comply with the Department's
12 Point System Regulations.

13 SECTION 6. AMENDATORY 47 O.S. 2021, Section 801, is
14 amended to read as follows:

15 Section 801. As used in Section 801 et seq. of this title:

16 ~~(A)~~ 1. "Commercial driver training school" or "school" means a
17 business enterprise conducted by an individual, association,
18 partnership, or corporation, for the education and training of
19 persons, either practically or theoretically, or both, to operate or
20 drive motor vehicles and/or to prepare an applicant for an
21 examination given by the state for a driver license including a
22 restricted Class D license for persons fifteen and one-half (15 1/2)
23 years old or for a farm permit as defined in Section 6-105 of this
24 title, and charging a consideration or tuition for such services-;

1 ~~(B)~~ 2. "Instructor" means any person, whether acting for
2 himself or herself as operator of a commercial driver training
3 school or for any such school for compensation, who teaches,
4 conducts classes of, gives demonstrations to, or supervises practice
5 of persons learning to operate or drive motor vehicles or preparing
6 to take an examination for a driver license including a restricted
7 Class D license for persons fifteen and one-half (15 1/2) years old
8 ~~as defined in~~ or for a permit to operate vehicles issued under
9 Section 6-105 of this title, and any person who supervises the work
10 of any other such instructor~~;~~ and

11 ~~(C)~~ 3. "Commissioner" means the Commissioner of Public Safety.

12 SECTION 7. AMENDATORY 47 O.S. 2021, Section 803, as
13 amended by Section 27, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023,
14 Section 803), is amended to read as follows:

15 Section 803. ~~(A)~~ A. No commercial driver training school shall
16 be established nor any such existing school continued on or after
17 ~~the effective date of this act~~ August 10, 1967, unless such school
18 applies for and obtains from Service Oklahoma a license in the
19 manner and form prescribed by Service Oklahoma.

20 ~~(B)~~ B. Regulations adopted by Service Oklahoma, in conjunction
21 with the Department of Public Safety, shall state the requirements
22 for a school license, including requirements concerning location,
23 equipment, courses of instruction, instructors, previous records of
24 the school and instructors, financial statements, schedule of fees

1 and charges, character and reputation of the operators and
2 instructors, insurance in such sum and with such provisions as
3 Service Oklahoma, in conjunction with the Department of Public
4 Safety, deems necessary to protect adequately the interests of the
5 public, and such other matters as Service Oklahoma may prescribe for
6 the protection of the public. Such regulations shall allow the use
7 of electronic signatures on all documents submitted by a school or
8 instructor.

9 ~~(C)~~ C. Every school offering instruction for a restricted Class
10 D license for persons fifteen and one-half (15 1/2) years old ~~as~~
11 ~~defined in~~ or a permit to operate vehicles issued under Section 6-
12 105 of this title must provide for a minimum number of hours of
13 actual classroom and field driving instruction as determined by
14 Service Oklahoma, in conjunction with the Department of Public
15 Safety.

16 SECTION 8. AMENDATORY 47 O.S. 2021, Section 805, as
17 amended by Section 29, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023,
18 Section 805), is amended to read as follows:

19 Section 805. All licenses shall expire on the last day of the
20 calendar year and may be renewed upon application to Service
21 Oklahoma as prescribed by its regulation. Each application for an
22 original or renewal school license shall be accompanied by a fee of
23 Twenty-five Dollars (\$25.00) for a one-year license or One Hundred
24 Dollars (\$100.00) for a four-year license. Each application for an

1 original or renewal instructor's license shall be accompanied by a
2 fee of Five Dollars (\$5.00) for a one-year license or Twenty Dollars
3 (\$20.00) for a four-year license. The license fees collected
4 pursuant to Sections 801 through 808 of this title shall be remitted
5 to the State Treasurer to be credited to the General Revenue Fund in
6 the State Treasury. No license fee shall be refunded in the event
7 that the license is rejected, suspended, or revoked.

8 SECTION 9. This act shall become effective November 1, 2024.

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