

1 ENGROSSED SENATE  
2 BILL NO. 24

By: Allen of the Senate

3 and

4 Roberts (Dustin) of the  
5 House

6 An Act relating to driver licenses; amending 47 O.S.  
7 2011, Section 6-117, as amended by Section 1, Chapter  
8 249, O.S.L. 2012 (47 O.S. Supp. 2016, Section 6-117),  
9 which relates to records to be kept by the  
10 department; modifying inclusions; directing certain  
11 charges be collected; directing disbursement; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-117, as  
15 amended by Section 1, Chapter 249, O.S.L. 2012 (47 O.S. Supp. 2016,  
16 Section 6-117), is amended to read as follows:

17 Section 6-117. A. The Department of Public Safety shall file  
18 every application for a driver license or identification card  
19 received by the Department and shall maintain suitable indexes  
20 containing:

21 1. All applications denied and on each thereof note the reasons  
22 for the denial;

23 2. All applications granted;

24 3. The name of every person whose driving privilege has been  
suspended, revoked, cancelled, or disqualified by the Department and  
after each such name note the reasons for the action. Any notation

1 of suspension of the driving privilege of a person for reason of  
2 nonpayment of a fine shall be removed from the driving record after  
3 the person has paid the fine and the driving privilege of the person  
4 is reinstated as provided for by law;

5 4. The county of residence, the name, date of birth, and  
6 mailing address of each person residing in that county who is  
7 eighteen (18) years of age or older, and who is the holder of a  
8 current driver license or a current identification card issued by  
9 the Department of Public Safety for the purpose of ascertaining  
10 names of all persons qualified for jury service as required by  
11 Section 18 of Title 38 of the Oklahoma Statutes; and

12 5. The name, driver license number, and mailing address of  
13 every person for the purpose of giving notice, if necessary, as  
14 required by Section 2-116 of this title.

15 B. The Department shall file all collision reports and  
16 abstracts of court records of convictions received by it pursuant to  
17 the laws of this state and maintain convenient records of the  
18 records and reports or make suitable notations in order that an  
19 individual record of a person showing the convictions of the person  
20 and the traffic collisions in which the person has been involved  
21 shall be readily ascertainable and available for the consideration  
22 of the Department of Public Safety upon any application for a driver  
23 license or renewal of a driver license and at other suitable times.  
24 Any abstract, index or other entry relating to a driving record

1 according to the licensing authority in another state or a province  
2 of Canada may be posted upon the driving record of any resident of  
3 this state when notice thereof is received by documentation or by  
4 electronic transmission. The individual record of a person shall  
5 not include any collision reports and abstracts of court records  
6 involving a collision in which the person was not issued a citation  
7 or if a citation is issued and the person was not convicted.

8 C. 1. The Commissioner and the officers of the Department as  
9 the Commissioner may designate are hereby authorized to prepare  
10 under the seal of the Department and deliver upon request a copy of  
11 any collision report on file with the Department, charging a fee of:

12 a. beginning on July 1, 2011, through June 30, 2013,  
13 Fifteen Dollars (\$15.00), of which Eight Dollars  
14 (\$8.00) shall be deposited by the Commissioner to the  
15 credit of the Department of Public Safety Revolving  
16 Fund and, in addition to other purposes authorized by  
17 law, the expenditures from that fund of monies derived  
18 from the Eight Dollars (\$8.00) pursuant to this  
19 subparagraph shall be used to fund any Oklahoma  
20 Highway Patrol Trooper Academy provided by the  
21 Department. Any remaining funds shall be deposited in  
22 an account to be utilized exclusively for future  
23 expenses directly related to the operation of an  
24 Oklahoma Highway Patrol Academy, and

1           b.     beginning on July 1, 2013, and any year thereafter,  
2                     Seven Dollars (\$7.00).

3           However, the Department shall not be required to furnish  
4 personal information from the collision report which is contrary to  
5 the provisions of the Driver's Privacy Protection Act, 18 United  
6 States Code, Sections 2721 through 2725.

7           2.     Notwithstanding the provisions of paragraph 1 of this  
8 subsection, the Department is authorized to enter into contracts to  
9 supply information regarding vehicles reported to be involved in  
10 collisions. For each vehicle, the information shall be limited to  
11 that which only describes the vehicle and the collision. The  
12 Department shall not be required to provide any information  
13 regarding the owner or operator of the vehicle or any information  
14 which would conflict with Section 2-110 or Section 1109 of this  
15 title.

16           D.     The Department of Public Safety or any motor license agent  
17 upon request shall prepare and furnish to any authorized person a  
18 Motor Vehicle Report of any person subject to the provisions of the  
19 motor vehicle laws of this state. However, the Department shall not  
20 be required to furnish personal information from a driving record  
21 contrary to the provisions of the Driver's Privacy Protection Act,  
22 18 United States Code, Sections 2721 through 2725. The Motor  
23 Vehicle Report shall be a summary of the driving record of the  
24 person and shall include the enumeration of any motor vehicle

1 collisions, reference to convictions for violations of motor vehicle  
2 laws, and any action taken against the privilege of the person to  
3 operate a motor vehicle, as shown by the files of the Department for  
4 the three (3) years preceding the date of the request. The  
5 Department shall not be required to release to any person, in whole  
6 or in part and in any format, a driving index, as described in  
7 subsection A of this section, except as otherwise provided for by  
8 law. For each Motor Vehicle Report furnished by the Department of  
9 Public Safety, the Department shall collect the sum of Twenty-five  
10 Dollars (\$25.00), Twenty Dollars (\$20.00) of which shall be  
11 deposited in the General Revenue Fund and Five Dollars (\$5.00) shall  
12 be deposited in the Department of Public Safety Revolving Fund. For  
13 each Motor Vehicle Report furnished by a motor license agent, the  
14 agent shall collect the sum of Twenty-five Dollars (\$25.00),  
15 Eighteen Dollars (\$18.00) of which shall be paid to the Oklahoma Tax  
16 Commission for deposit in the General Revenue Fund in the State  
17 Treasury, Five Dollars (\$5.00) shall be deposited in the Department  
18 of Public Safety Revolving Fund and Two Dollars (\$2.00) of which  
19 shall be retained by the motor license agent. Persons sixty-five  
20 (65) years of age or older shall not be required to pay a fee for  
21 their own Motor Vehicle Report furnished by the Department or a  
22 motor license agent. For purposes of this subsection, a Motor  
23 Vehicle Report shall include a report which indicates that no  
24 driving record is on file with the Department of Public Safety for

1 the information received by the Department in the request for the  
2 Motor Vehicle Report.

3 E. The Department of Public Safety may develop procedures  
4 whereby an acting agent of an employer or an employer of a person:

5 1. Who has a Class A, B ~~or~~, C or D driver license; and

6 2. Who operates a commercial, company-owned or personal motor  
7 vehicle during the course of business in the course of his or her

8 employment with the employer, may automatically be notified,  
9 pursuant to a fee schedule established by the Department, should the

10 driving record of a person reflect a traffic conviction in any court  
11 or an administrative action by the Department which alters the

12 status of the commercial driving privileges of the person, or any  
13 other change to the driving status. The notification system shall

14 include electronic delivery of a Motor Vehicle Report at least  
15 annually for any employee who is a commercial driver licensee or who

16 operates a commercial motor vehicle, as required by 49 C.F.R.,  
17 Section 391.25, or who operates a company-owned or personal motor

18 vehicle during the course of business. All monies received by the  
19 Commissioner of Public Safety and the officers and employees of the

20 Department pursuant to this subsection shall be deposited in the  
21 Department of Public Safety Restricted Revolving Fund; ~~provided, the~~

22 ~~fee received for electronic delivery of a Motor Vehicle Report shall~~  
23 ~~be deposited as provided in subsection G of this section.~~ For each

24 Motor Vehicle Report furnished by the Department, through the

1 electronic notification system, the Department shall collect the sum  
2 of Twenty-five Dollars (\$25.00); Eighteen Dollars (\$18.00) of which  
3 shall be deposited in the General Revenue Fund in the State  
4 Treasury. Five Dollars (\$5.00) shall be deposited in the Department  
5 of Public Safety Revolving Fund. Two Dollars (\$2.00) shall be  
6 retained by the Department or its authorized agent for the purpose  
7 of development and maintenance of the electronic notification  
8 system.

9 F. The Commissioner is authorized to establish a procedure for  
10 reviewing the driving records of state residents who are existing  
11 policyholders of any insurance company licensed to operate in this  
12 state during specified periods of time and producing a report which  
13 identifies the policyholders which have had violation and/or status  
14 changes to their driving records during such time period. The  
15 Department may sell such report to the insurance company or its  
16 agent at a fee to be set by the Department. Any such report sold by  
17 the Department shall only consist of information otherwise lawfully  
18 obtainable by the insurance company or its agent. The fee shall be  
19 sufficient to recover all costs incurred by the Department and  
20 insure that there will be no net revenue loss to the state. Such  
21 fee shall be deposited in the Department of Public Safety Revolving  
22 Fund.

23 G. All monies received by the Commissioner of Public Safety and  
24 the officers and employees of the Department shall be remitted to

1 the State Treasurer to be credited to the General Revenue Fund in  
2 the State Treasury except as otherwise provided for by law.

3 SECTION 2. This act shall become effective November 1, 2017.

4 Passed the Senate the 13th day of March, 2017.

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\_\_\_\_\_  
Presiding Officer of the Senate

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8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

9 2017.

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Presiding Officer of the House  
of Representatives

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