

1 **SENATE FLOOR VERSION**

2 February 22, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 24

By: Allen of the Senate

and

5 Roberts (Dustin) of the  
6 House

7  
8 **[ driver licenses - records - inclusions - effective  
9 date ]**

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

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

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

19 1. All applications denied and on each thereof note the reasons  
20 for the denial;

21 2. All applications granted;

22 3. The name of every person whose driving privilege has been  
23 suspended, revoked, cancelled, or disqualified by the Department and  
24 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~~ motor vehicle in the course of his  
7 or her employment with the employer, may automatically be notified,  
8 pursuant to a fee schedule established by the Department, should the  
9 driving record of a person reflect a traffic conviction in any court  
10 or an administrative action by the Department which alters the  
11 status of the commercial or non-commercial driving privileges of the  
12 person, or any other change to the driving status. The notification

13 system shall include electronic delivery of a Motor Vehicle Report  
14 at least annually for any employee who is a commercial driver

15 licensee or who operates a commercial motor vehicle, as required by  
16 49 C.F.R., Section 391.25, or who operates a non-commercial motor

17 vehicle during the course of business. All monies received by the

18 Commissioner of Public Safety and the officers and employees of the  
19 Department pursuant to this subsection shall be deposited in the

20 Department of Public Safety Restricted Revolving Fund; ~~provided, the~~  
21 ~~fee received for electronic delivery of a Motor Vehicle Report shall~~

22 ~~be deposited as provided in subsection C of this section~~. For each

23 Motor Vehicle Report furnished by the Department, through the

24 electronic notification system, the Department shall collect the sum

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

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

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

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 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
5 February 22, 2017 - DO PASS AS AMENDED  
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