

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 56th Legislature (2017)

4       ENGROSSED SENATE  
5       BILL NO. 24

                                  By: Allen of the Senate

  and

  Roberts (Dustin) of the  
  House

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

14  
15  
16       BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

3 2. All applications granted;

4 3. The name of every person whose driving privilege has been  
5 suspended, revoked, cancelled, or disqualified by the Department and  
6 after each such name note the reasons for the action. Any notation  
7 of suspension of the driving privilege of a person for reason of  
8 nonpayment of a fine shall be removed from the driving record after  
9 the person has paid the fine and the driving privilege of the person  
10 is reinstated as provided for by law;

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

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

21 B. The Department shall file all collision reports and  
22 abstracts of court records of convictions received by it pursuant to  
23 the laws of this state and maintain convenient records of the  
24 records and reports or make suitable notations in order that an

1 individual record of a person showing the convictions of the person  
2 and the traffic collisions in which the person has been involved  
3 shall be readily ascertainable and available for the consideration  
4 of the Department of Public Safety upon any application for a driver  
5 license or renewal of a driver license and at other suitable times.  
6 Any abstract, index or other entry relating to a driving record  
7 according to the licensing authority in another state or a province  
8 of Canada may be posted upon the driving record of any resident of  
9 this state when notice thereof is received by documentation or by  
10 electronic transmission. The individual record of a person shall  
11 not include any collision reports and abstracts of court records  
12 involving a collision in which the person was not issued a citation  
13 or if a citation is issued and the person was not convicted.

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

18 a. beginning on July 1, 2011, through June 30, 2013,  
19 Fifteen Dollars (\$15.00), of which Eight Dollars  
20 (\$8.00) shall be deposited by the Commissioner to the  
21 credit of the Department of Public Safety Revolving  
22 Fund and, in addition to other purposes authorized by  
23 law, the expenditures from that fund of monies derived  
24 from the Eight Dollars (\$8.00) pursuant to this

1           subparagraph shall be used to fund any Oklahoma  
2 Highway Patrol Trooper Academy provided by the  
3 Department. Any remaining funds shall be deposited in  
4 an account to be utilized exclusively for future  
5 expenses directly related to the operation of an  
6 Oklahoma Highway Patrol Academy, and

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

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

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

22           D. The Department of Public Safety or any motor license agent  
23 upon request shall prepare and furnish to any authorized person a  
24 Motor Vehicle Report of any person subject to the provisions of the

1 motor vehicle laws of this state. However, the Department shall not  
2 be required to furnish personal information from a driving record  
3 contrary to the provisions of the Driver's Privacy Protection Act,  
4 18 United States Code, Sections 2721 through 2725. The Motor  
5 Vehicle Report shall be a summary of the driving record of the  
6 person and shall include the enumeration of any motor vehicle  
7 collisions, reference to convictions for violations of motor vehicle  
8 laws, and any action taken against the privilege of the person to  
9 operate a motor vehicle, as shown by the files of the Department for  
10 the three (3) years preceding the date of the request. The  
11 Department shall not be required to release to any person, in whole  
12 or in part and in any format, a driving index, as described in  
13 subsection A of this section, except as otherwise provided for by  
14 law. For each Motor Vehicle Report furnished by the Department of  
15 Public Safety, the Department shall collect the sum of Twenty-five  
16 Dollars (\$25.00), Twenty Dollars (\$20.00) of which shall be  
17 deposited in the General Revenue Fund and Five Dollars (\$5.00) shall  
18 be deposited in the Department of Public Safety Revolving Fund. For  
19 each Motor Vehicle Report furnished by a motor license agent, the  
20 agent shall collect the sum of Twenty-five Dollars (\$25.00),  
21 Eighteen Dollars (\$18.00) of which shall be paid to the Oklahoma Tax  
22 Commission for deposit in the General Revenue Fund in the State  
23 Treasury, Five Dollars (\$5.00) shall be deposited in the Department  
24 of Public Safety Revolving Fund and Two Dollars (\$2.00) of which

1 shall be retained by the motor license agent. Persons sixty-five  
2 (65) years of age or older shall not be required to pay a fee for  
3 their own Motor Vehicle Report furnished by the Department or a  
4 motor license agent. For purposes of this subsection, a Motor  
5 Vehicle Report shall include a report which indicates that no  
6 driving record is on file with the Department of Public Safety for  
7 the information received by the Department in the request for the  
8 Motor Vehicle Report.

9 E. The Department of Public Safety may develop procedures  
10 whereby an acting agent of an employer or an employer of a person:  
11 1. Who has a Class A, B ~~or~~, C or D driver license; and  
12 2. Who operates a commercial, company-owned or personal motor  
13 vehicle during the course of business in the course of his or her  
14 employment with the employer, may automatically be notified,  
15 pursuant to a fee schedule established by the Department, should the  
16 driving record of a person reflect a traffic conviction in any court  
17 or an administrative action by the Department which alters the  
18 status of the commercial driving privileges of the person, or any  
19 other change to the driving status. The notification system shall  
20 include electronic delivery of a Motor Vehicle Report at least  
21 annually for any employee who is a commercial driver licensee or who  
22 operates a commercial motor vehicle, as required by 49 C.F.R.,  
23 Section 391.25, or who operates a company-owned or personal motor  
24 vehicle during the course of business. All monies received by the

1 Commissioner of Public Safety and the officers and employees of the  
2 Department pursuant to this subsection shall be deposited in the  
3 Department of Public Safety Restricted Revolving Fund; ~~provided, the~~  
4 ~~fee received for electronic delivery of a Motor Vehicle Report shall~~  
5 ~~be deposited as provided in subsection C of this section.~~ For each  
6 Motor Vehicle Report furnished by the Department, through the  
7 electronic notification system, the Department shall collect the sum  
8 of Twenty-five Dollars (\$25.00); Eighteen Dollars (\$18.00) of which  
9 shall be deposited in the General Revenue Fund in the State  
10 Treasury. Five Dollars (\$5.00) shall be deposited in the Department  
11 of Public Safety Revolving Fund. Two Dollars (\$2.00) shall be  
12 retained by the Department or its authorized agent for the purpose  
13 of development and maintenance of the electronic notification  
14 system.

15 F. The Commissioner is authorized to establish a procedure for  
16 reviewing the driving records of state residents who are existing  
17 policyholders of any insurance company licensed to operate in this  
18 state during specified periods of time and producing a report which  
19 identifies the policyholders which have had violation and/or status  
20 changes to their driving records during such time period. The  
21 Department may sell such report to the insurance company or its  
22 agent at a fee to be set by the Department. Any such report sold by  
23 the Department shall only consist of information otherwise lawfully  
24 obtainable by the insurance company or its agent. The fee shall be

1 sufficient to recover all costs incurred by the Department and  
2 insure that there will be no net revenue loss to the state. Such  
3 fee shall be deposited in the Department of Public Safety Revolving  
4 Fund.

5 G. All monies received by the Commissioner of Public Safety and  
6 the officers and employees of the Department shall be remitted to  
7 the State Treasurer to be credited to the General Revenue Fund in  
8 the State Treasury except as otherwise provided for by law.

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

10

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
12 04/11/2017 - DO PASS.

13

14

15

16

17

18

19

20

21

22

23

24