

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 34 By: Barrington of the Senate  
3 and  
4 Christian of the House  
5  
6

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 6-111, as amended by Section 5, Chapter  
9 259, O.S.L. 2013 (47 O.S. Supp. 2014, Section 6-111),  
10 which relates to licenses and identification cards;  
11 allowing the Department of Public Safety to develop a  
12 rule for renewal of licenses; amending 47 O.S. 2011,  
13 Section 6-122, as amended by Section 4, Chapter 280,  
14 O.S.L. 2012 (47 O.S. Supp. 2014, Section 6-122),  
15 which relates to driver license and identification  
16 card renewal; allowing online renewal; and providing  
17 an effective date.

18 AMENDMENT NO. 1. Page 1, line 15, insert new Sections 1, 2, and 3  
19 to read

20 "SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-105.3, as  
21 last amended by Section 3, Chapter 259, O.S.L. 2013 (47 O.S. Supp.  
22 2014, Section 6-105.3), is amended to read as follows:

23 Section 6-105.3 A. In addition to the licenses to operate  
24 motor vehicles, the Department of Public Safety may issue cards to  
Oklahoma residents for purposes of identification only. The  
identification cards shall be issued, renewed, replaced, canceled  
and denied in the same manner as driver licenses in this state. The

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

13 B. The fee charged for the issuance, renewal, or replacement of  
14 an identification card pursuant to this section shall be Twenty  
15 Dollars (\$20.00); however, no person sixty-five (65) years of age or  
16 older shall be charged a fee for an identification card. Of each  
17 fee charged pursuant to the provisions of this subsection:

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

20 2. Three Dollars (\$3.00) shall be credited to the Department of  
21 Public Safety Computer Imaging System Revolving Fund to be used  
22 solely for the purpose of the administration and maintenance of the  
23 computerized imaging system of the Department; and  
24

1       3. Ten Dollars (\$10.00) shall be deposited in the Department of  
2 Public Safety Revolving Fund.

3       C. The Oklahoma Tax Commission is hereby authorized to  
4 reimburse, from funds available to that agency, each motor license  
5 agent issuing an identification card to a person sixty-five (65)  
6 years of age or older, an amount not to exceed One Dollar (\$1.00)  
7 for each card or driver license so issued. The Tax Commission shall  
8 develop procedures for claims for reimbursement.

9       D. When a person makes application for a new identification  
10 card, or makes application to renew an identification card, and the  
11 person has been convicted of, or received a deferred judgment for,  
12 any offense required to register pursuant to the Sex Offenders  
13 Registration Act, the identification card shall be valid for a  
14 period of one (1) year from the month of issuance, but may be  
15 renewed yearly during the time the person is registered on the Sex  
16 Offender Registry. The cost for such identification card shall be  
17 the same as for other identification cards and renewals.

18       SECTION 2.       AMENDATORY       47 O.S. 2011, Section 6-107, is  
19 amended to read as follows:

20       Section 6-107. A. In addition to the requirements of Section  
21 6-106 of this title, the application of any unemancipated person  
22 under the age of eighteen (18) years for a restricted license shall  
23 be signed and verified by the legal custodial parent or legal  
24 guardian of the applicant, either in person before a person

1 authorized to administer oaths, electronically if completing an  
2 online application, or by a notarized affidavit signed by a  
3 custodial legal parent or legal guardian and submitted with the  
4 application by the person under the age of eighteen (18) years  
5 before a person authorized to administer oaths. The signature of  
6 the legal custodial parent or legal guardian shall be evidence that  
7 the legal custodial parent or legal guardian is willing to assume  
8 the obligation imposed under ~~this act~~ Section 1-101 et seq. of this  
9 title upon a person signing the application of a person under the  
10 age of eighteen (18) years. Provided, however, any unemancipated  
11 person under the age of eighteen (18) years who is in the permanent  
12 custody of the Department of Human Services, upon proof of financial  
13 responsibility in respect to the operation of a motor vehicle owned  
14 by him or her or if not the owner of a motor vehicle then with  
15 respect to the operation of any motor vehicle, in form and in  
16 amounts as required under the motor vehicle financial responsibility  
17 laws of this state, shall not be required to have his or her  
18 application for restricted license signed or verified by another  
19 person.

20 B. Any negligence or willful misconduct of a person under the  
21 age of eighteen (18) years when driving a motor vehicle upon a  
22 highway with the knowledge and consent of the person who signed the  
23 application for the restricted license shall be imputed to the  
24 person who has signed the application. Such person shall be jointly

1 and severally liable with the minor for any damages caused by such  
2 negligence or willful misconduct, except as otherwise provided in  
3 subsection C of this section.

4 C. In the event a person under the age of eighteen (18) years  
5 deposits, or there is deposited upon his or her behalf, proof of  
6 financial responsibility in respect to the operation of a motor  
7 vehicle owned by him or her or if not the owner of a motor vehicle  
8 then with respect to the operation of any motor vehicle, in form and  
9 in amounts as required under the motor vehicle financial  
10 responsibility laws of this state, then the Department may accept  
11 the application of such person when signed by the legal custodial  
12 parent or the legal guardian of such person, and while such proof is  
13 maintained the legal custodial parent or legal guardian shall not be  
14 subject to the liability imposed under subsection B of this section.

15 D. The Department may, at its discretion, cancel or suspend the  
16 license of any person under the age of eighteen (18) years for any  
17 unlawful act, negligence or misconduct while driving a motor  
18 vehicle.

19 E. As provided in Section 6-103.1 of this title, any legal  
20 custodial parent or legal guardian who has signed the application of  
21 a person under the age of eighteen (18) years for a license may  
22 thereafter file with the Department of Public Safety a verified  
23 written request that the license of that person so granted be  
24 canceled. The Department shall then cancel the license of the

1 person and the legal custodial parent or legal guardian who signed  
2 the application of the person shall be relieved from the liability  
3 imposed under ~~this act~~ Section 1-101 et seq. of this title by reason  
4 of having signed the application on account of any subsequent  
5 negligence or willful misconduct of the person in operating a motor  
6 vehicle.

7 F. The Department of Public Safety upon receipt of satisfactory  
8 evidence of the death of the legal custodial parent or legal  
9 guardian who signed the application of a person under the age of  
10 eighteen (18) years for a license shall cancel the license and shall  
11 not issue a new license until such time as a new application, duly  
12 signed and verified, is made as required by this chapter. This  
13 provision shall not apply in the event the person has attained the  
14 age of eighteen (18) years.

15 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-110, as  
16 last amended by Section 2, Chapter 199, O.S.L. 2014 (47 O.S. Supp.  
17 2014, Section 6-110), is amended to read as follows:

18 Section 6-110. A. 1. The Department of Public Safety shall  
19 examine every applicant for an original Class A, B, C or D license  
20 and for any endorsements thereon, except as otherwise provided in  
21 Section 6-101 et seq. of this title or as provided in paragraph 2 of  
22 this subsection or in subsection D of this section. The examination  
23 shall include a test of the applicant's:

24 a. eyesight,

- 1           b. ability to read and understand highway signs  
2           regulating, warning and directing traffic,  
3           c. knowledge of the traffic laws of this state, including  
4           a portion on bicycle and motorcycle safety, and  
5           d. ability, by actual demonstration, to exercise ordinary  
6           and reasonable control in the operation of a motor  
7           vehicle. The actual demonstration shall be conducted  
8           in the type of motor vehicle for the class of driver  
9           license being applied for.

10           The Department may create a knowledge test that may be taken on  
11 the Internet by an applicant applying for a Class D license.

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

16           2. The Department of Public Safety shall have the authority to  
17 waive the requirement of any part of the examination required in  
18 paragraph 1 of this subsection for those applicants ~~who surrender~~  
19 whose driving record meets the standards set by the Department of  
20 Public Safety and surrenders either of the following:

- 21           a. a valid unexpired driver license issued by any state  
22           or country for the same type or types of vehicles,  
23           ~~provided that the applicant's driving record meets the~~  
24           ~~standards set by the Department of Public Safety or~~

1           **b. an expired driver license that:**

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

4                   **(2) is not a Class A, B or C commercial driver**  
5                                   **license or commercial driver license permit.**

6           3. The Department shall accept skills test results from another  
7 state for Class A, B or C license applicants who have successfully  
8 completed commercial motor vehicle driver training in that state and  
9 successfully passed the skills test in that state; provided, the  
10 Department shall not accept skills test results from another state  
11 when the applicant has not successfully completed commercial motor  
12 vehicle driver training in that state. Nothing in this section  
13 shall be construed to prohibit the Department from administering the  
14 skills test to any applicant who has successfully completed  
15 commercial vehicle driver training in another state.

16           4. All applicants requiring a hazardous materials endorsement  
17 shall be required, for the renewal of the endorsement, to  
18 successfully complete the examination and to submit to a security  
19 threat assessment performed by the Transportation Security  
20 Administration of the Department of Homeland Security as required by  
21 and pursuant to 49 C.F.R., Part 1572, which shall be used to  
22 determine whether the applicant is eligible for renewal of the  
23 endorsement pursuant to federal law and regulation.



1           5. The Department of Public Safety shall give the complete  
2 examination as provided for in this section within thirty (30) days  
3 from the date the application is received, and the examination shall  
4 be given at a location within one hundred (100) miles of the  
5 residence of the applicant. The Department shall make every effort  
6 to make the examination locations and times convenient for  
7 applicants. The Department shall consider giving the examination at  
8 various school sites if the district board of education for the  
9 district in which the site is located agrees and if economically  
10 feasible and practicable.

11           B. Any person holding a valid Oklahoma Class D license and  
12 applying for a Class A, B or C commercial license shall be required  
13 to successfully complete all examinations as required for the  
14 specified class. Failure to submit to the Department federally  
15 required medical certification information pursuant to 49 C.F.R.,  
16 Part 391.41 et seq. shall result in an automatic downgrade of a  
17 commercial license to a Class D license. Provided, however, once  
18 the required medical certification information has been received by  
19 the Department, the license shall be reinstated to the  
20 classification of the commercial license prior to the downgrade and  
21 the holder of such a license shall not be required to reapply.

22           C. Except as provided in subsection E of Section 6-101 of this  
23 title, any person holding a valid Oklahoma Class A, B or C  
24 commercial license shall, upon time for renewal thereof, be entitled

1 to a Class D license without any type of testing or examination,  
2 except for any endorsements thereon as otherwise provided for by  
3 Section 6-110.1 of this title.

4 D. 1. Any certified driver education instructor who is  
5 currently an operator or an employee of a commercial driver training  
6 school in this state or any driver education instructor employed by  
7 any school district in this state shall be eligible to apply to be a  
8 designated examiner of the Department of Public Safety for the  
9 purposes of administering the Class D driving skills portion of the  
10 Oklahoma driving examination to any person who has not previously  
11 been a student of the instructor.

12 2. The Department of Public Safety shall adopt a curriculum of  
13 required courses and training to be offered to applicants who are  
14 qualified to apply to be a designated examiner. The courses and  
15 training for certification shall meet the same standards as required  
16 for driver examiners of the Department of Public Safety.

17 3. Each person applying to be a designated examiner shall be  
18 required to pay an initial designated examiner certification fee of  
19 One Thousand Dollars (\$1,000.00). Upon successful completion of  
20 training prescribed by paragraph 2 of this subsection, the person  
21 shall be required to pay an annual designated examiner certification  
22 fee of Five Hundred Dollars (\$500.00). If an applicant for the  
23 designated examiner program is employed by an Oklahoma public school  
24 system that offers driver education, and he or she administers the

1 skills test only to students enrolled in a public school driver  
2 education program, the certification fee may be waived by the  
3 Department. Each designated examiner certification shall expire on  
4 the last day of the calendar year and may be renewed upon  
5 application to the Department of Public Safety. The designated  
6 examiner certification fees collected by the Department pursuant to  
7 this subsection shall be deposited to the credit of the Department  
8 of Public Safety Restricted Revolving Fund to be used for the  
9 purposes of this subsection. No designated examiner certification  
10 fee shall be refunded in the event that certification is denied,  
11 suspended or revoked.

12 4. A designated examiner may charge a fee of no more than  
13 Twenty-five Dollars (\$25.00) for each Class D driving skills  
14 examination given, whether the person being examined passes or fails  
15 the examination.

16 5. The Department shall conduct an annual complete nationwide  
17 criminal history background check on each designated examiner and a  
18 complete nationwide criminal history background check on each  
19 designated examiner applicant. The fees for the background check  
20 shall be borne by the designated examiner or designated examiner  
21 applicant.

22 6. The Department of Public Safety shall promulgate rules to  
23 implement and administer the provisions of this subsection."

24 and renumber subsequent sections

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and amend the title to conform

Passed the House of Representatives the 23rd day of April, 2015.

\_\_\_\_\_  
Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2015.

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

1 ENGROSSED SENATE  
2 BILL NO. 34

By: Barrington of the Senate

3 and

4 Christian of the House

5  
6 An Act relating to motor vehicles; amending 47 O.S.  
7 2011, Section 6-111, as amended by Section 5, Chapter  
8 259, O.S.L. 2013 (47 O.S. Supp. 2014, Section 6-111),  
9 which relates to licenses and identification cards;  
10 allowing the Department of Public Safety to develop a  
11 rule for renewal of licenses; amending 47 O.S. 2011,  
12 Section 6-122, as amended by Section 4, Chapter 280,  
13 O.S.L. 2012 (47 O.S. Supp. 2014, Section 6-122),  
14 which relates to driver license and identification  
15 card renewal; allowing online renewal; and providing  
16 an effective date.

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

18 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-111, as  
19 amended by Section 5, Chapter 259, O.S.L. 2013 (47 O.S. Supp. 2014,  
20 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  
thereon a distinguishing alphanumeric identification assigned to the  
licensee or cardholder, date of issuance and date of expiration of  
the license or card, the full name, signature or computerized

1 signature, date of birth, residence address, sex, a color photograph  
2 or computerized image of the licensee or cardholder and security  
3 features as determined by the Department. The photograph or image  
4 shall depict a full front unobstructed view of the entire face of  
5 the licensee or cardholder; provided, a commercial learner permit  
6 shall not bear the photograph or image of the licensee. When any  
7 person is issued both a driver license and an identification card,  
8 the Department shall ensure the information on both the license and  
9 the card are the same, unless otherwise provided by law.

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

13 3. The Department may cancel the distinguishing number, when  
14 that distinguishing number is another person's Social Security  
15 number, assign a new distinguishing alphanumeric identification, and  
16 issue a new license or identification card without charge to the  
17 licensee or cardholder.

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

22 5. It is unlawful for any person to apply, adhere, or otherwise  
23 attach to a driver license or identification card any decal,  
24 sticker, label, or other attachment. Any law enforcement officer is

1 authorized to remove and dispose of any unlawful decal, sticker,  
2 label, or other attachment from the driver license of a person. The  
3 law enforcement officer, the employing agency of the officer, the  
4 Department of Public Safety, and the State of Oklahoma shall be  
5 immune from any liability for any loss suffered by the licensee,  
6 cardholder, or the owner of the decal, sticker, label, or other  
7 attachment caused by the removal and destruction of the decal,  
8 sticker, label, or other attachment.

9 6. The Department of Public Safety ~~shall~~ may develop by rule an  
10 alternative procedure whereby a person ~~applying~~ may apply for a  
11 renewal or replacement Oklahoma Class D license or Oklahoma  
12 identification card, ~~when the person satisfactorily demonstrates to~~  
13 ~~the Department the inability to appear personally to be photographed~~  
14 ~~because the person is not in the state at the time of renewal or at~~  
15 ~~a time a replacement is required by the person, may be issued a~~  
16 ~~license or card; provided, immediately upon returning to Oklahoma,~~  
17 ~~the person shall obtain a replacement license or card as provided in~~  
18 ~~Section 6-114 of this title.~~

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

1 invalid when the applicant's driver license has been issued or for  
2 good cause has been refused.

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

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

10 The applicant shall hold a valid Oklahoma driver license and  
11 shall meet all the requirements for a commercial driver license.

12 The restricted commercial driver license shall not exceed a total of  
13 one hundred eighty (180) days within any twelve-month period.

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

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

24



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 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 5. AMENDATORY 47 O.S. 2011, Section 6-122, as  
12 amended by Section 4, Chapter 280, O.S.L. 2012 (47 O.S. Supp. 2014,  
13 Section 6-122), is amended to read as follows:

14 Section 6-122. The Department of Public Safety ~~shall~~ may  
15 develop procedures whereby driver licenses issued under the  
16 provisions of Section 6-101 et seq. of this title may be renewed by  
17 the applicant by mail or online except for licenses to be renewed by  
18 aliens as prescribed by subsection E of Section 6-115 of this title.  
19 Any license issued pursuant to this section shall be valid for a  
20 period as prescribed in Section 6-115 of this title. The Department  
21 shall not renew a license by mail or online unless the immediately  
22 preceding issuance or renewal was done in person by the applicant.

23 SECTION 6. This act shall become effective November 1, 2015.  
24

