

1 **SENATE FLOOR VERSION**

2 February 26, 2015

3 **AS AMENDED**

4 SENATE BILL NO. 34

By: Barrington of the Senate

and

Christian of the House

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

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

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-111, as
21 amended by Section 5, Chapter 259, O.S.L. 2013 (47 O.S. Supp. 2014,
22 Section 6-111), is amended to read as follows:

23 Section 6-111. A. 1. The Department of Public Safety shall,
24 upon payment of the required fee, issue to every applicant
qualifying therefor a Class A, B, C or D driver license or
identification card as applied for, which license or card shall bear
thereon a distinguishing alphanumeric identification assigned to the

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

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

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

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

24 |

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

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

22 B. The Department may issue a temporary permit to an applicant
23 for a driver license permitting such applicant to operate a motor
24 vehicle while the Department is completing its investigation and

1 determination of all facts relative to such applicant's privilege to
2 receive a license. Such permit must be in the immediate possession
3 of the driver while operating a motor vehicle, and it shall be
4 invalid when the applicant's driver license has been issued or for
5 good cause has been refused.

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

- 9 a. farm retail outlets and suppliers,
- 10 b. agri-chemical businesses,
- 11 c. custom harvesters, and
- 12 d. livestock feeders.

13 The applicant shall hold a valid Oklahoma driver license and
14 shall meet all the requirements for a commercial driver license.
15 The restricted commercial driver license shall not exceed a total of
16 one hundred eighty (180) days within any twelve-month period.

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

- 23 a. diesel fuel in quantities of one thousand (1,000)
24 gallons or less,

1 b. liquid fertilizers in vehicles with total capacities
2 of three thousand (3,000) gallons or less, and

3 c. solid fertilizers that are not mixed with any organic
4 substance.

5 No other placarded hazardous materials shall be transported by
6 holders of such licenses.

7 D. 1. The Department shall develop a procedure whereby a
8 person applying for an original, renewal or replacement Class A, B,
9 C or D driver license or identification card who is required to
10 register as a convicted sex offender with the Department of
11 Corrections pursuant to the provisions of the Sex Offenders
12 Registration Act and who the Department of Corrections designates as
13 an aggravated or habitual offender pursuant to subsection J of
14 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
15 license or card bearing the words "Sex Offender".

16 2. The Department shall notify every person subject to
17 registration under the provisions of Section 1-101 et seq. of this
18 title who holds a current Class A, B, C or D driver license or
19 identification card that such person is required to surrender the
20 license or card to the Department within one hundred eighty (180)
21 days from the date of the notice.

22 3. Upon surrendering the license or card for the reason set
23 forth in this subsection, application may be made with the
24

1 Department for a replacement license or card bearing the words "Sex
2 Offender".

3 4. Failure to comply with the requirements set forth in such
4 notice shall result in cancellation of the person's license or card.
5 Such cancellation shall be in effect for one (1) year, after which
6 time the person may make application with the Department for a new
7 license or card bearing the words "Sex Offender". Continued use of
8 a canceled license or card shall constitute a misdemeanor and shall,
9 upon conviction thereof, be punishable by a fine of not less than
10 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
11 (\$200.00). When an individual is no longer required to register as
12 a convicted sex offender with the Department of Corrections pursuant
13 to the provisions of the Sex Offenders Registration Act, the
14 individual shall be eligible to receive a driver license or
15 identification card which does not bear the words "Sex Offender".

16 E. Nothing in subsection D of this section shall be deemed to
17 impose any liability upon or give rise to a cause of action against
18 any employee, agent or official of the Department of Corrections for
19 failing to designate a sex offender as an aggravated or habitual
20 offender pursuant to subsection J of Section 584 of Title 57 of the
21 Oklahoma Statutes.

22 F. The Department shall develop a procedure whereby a person
23 subject to an order for the installation of an ignition interlock
24 device shall be required by the Department to submit their driver

1 license for a replacement. The replacement driver license shall
2 bear the words "Interlock Required" and such designation shall
3 remain on the driver license for the duration of the order requiring
4 the ignition interlock device. The replacement license shall be
5 subject to the same expiration and renewal procedures provided by
6 law. Upon completion of the requirements for the interlock device,
7 a person may apply for a replacement driver license.

8 G. The Department shall develop a procedure whereby a person
9 applying for an original, renewal or replacement Class D driver
10 license who has been granted modified driving privileges under this
11 title shall be issued a Class D driver license which identifies the
12 license as a modified license.

13 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-122, as
14 amended by Section 4, Chapter 280, O.S.L. 2012 (47 O.S. Supp. 2014,
15 Section 6-122), is amended to read as follows:

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

SECTION 3. This act shall become effective November 1, 2015.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 26, 2015 - DO PASS AS AMENDED

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