

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3191

By: Newton

AS INTRODUCED

An Act relating to driver licenses; amending 47 O.S. 2021, Section 6-102, as amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-102), which relate to persons exempt; allowing certain resident drivers to operate a vehicle without a license; amending 47 O.S. 2021, Section 6-105, as last amended by Section 1, Chapter 229, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105), which relates to graduated class D licenses; allowing certain residents to receive driver education; defining term; allowing for waiving over certain examination; amending 47 O.S. 2021, Section 6-105.2, as amended by Section 43, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-105.2), which relates to instructor permit; authorizing driver education instructors to instruct certain drivers; defining term; amending 47 O.S. 2021, Section 801, which relates to definitions; modifying definitions; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-102, as amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-102), is amended to read as follows:

1 Section 6-102. A. A nonresident who is sixteen (16) years of
2 age or older may operate a motor vehicle in this state as authorized
3 by the class, restrictions, and endorsements specified on the
4 license, if the nonresident is:

5 1. Properly licensed in the home state or country to operate a
6 commercial or noncommercial motor vehicle and who has immediate
7 possession of a valid driver license issued by the home state or
8 country; or

9 2. A member of the Armed Forces of the United States or the
10 spouse or dependent of such member who has been issued and is in
11 possession of a valid driver license issued by an overseas component
12 of the Armed Forces of the United States.

13 B. A resident who is at least fifteen (15) years of age may
14 operate a vehicle in this state without a driver license, if the
15 resident is:

16 1. Operating a vehicle pursuant to subsection B of Section 6-
17 105 of this title; or

18 2. Taking the driving skills examination as required by Section
19 6-110 of this title, when accompanied by a Driver License Examiner
20 of Service Oklahoma or by a designated examiner approved and
21 certified by Service Oklahoma.

22 C. A resident who is at least thirteen and one-half (13 1/2)
23 years of age may operate a vehicle in this state without a driver
24 license if the resident:
--

1 1. Either resides upon a farm in this state or is employed for
2 compensation upon a farm in this state. For purposes of this
3 subsection, the term "farm" means any parcel of land for which the
4 owner has an agricultural exemption permit issued by the Oklahoma
5 Tax Commission;

6 2. Is operating a vehicle pursuant to subsection B of Section
7 6-105 of this title; or

8 3. Is taking the driving skills examination as required by
9 Sections 6-105 and 6-110 of this title when accompanied by a driver
10 license examiner of Service Oklahoma or by a designated examiner
11 approved and certified by Service Oklahoma.

12 D. Any person, while in the performance of official duties, may
13 operate any class of motor vehicle if the person possesses any class
14 of valid Oklahoma driver license or a valid driver license issued by
15 another state, if the person is:

16 1. A member of the Armed Forces of the United States who is on
17 active duty;

18 2. A member of the military reserves, not including United
19 States reserve technician;

20 3. A member of the National Guard who is on active duty,
21 including National Guard military technicians;

22 4. A member of the National Guard who is on part-time National
23 Guard training, including National Guard military technicians; or
24
--

1 5. A member of the United States Coast Guard who is on active
2 duty.

3 ~~D.~~ E. The Director of Service Oklahoma is hereby authorized to
4 adopt rules as may be necessary to enter into reciprocity agreements
5 with foreign countries. The rules shall specify that the driver
6 license standards of the foreign country shall be comparable to
7 those of this state. The rules shall also require foreign drivers,
8 who are operating a motor vehicle in Oklahoma under such a
9 reciprocity agreement, to comply with the compulsory motor vehicle
10 liability insurance and financial responsibility laws of this state.

11 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-105, as
12 last amended by Section 1, Chapter 229, O.S.L. 2023 (47 O.S. Supp.
13 2023, Section 6-105), is amended to read as follows:

14 Section 6-105. A. Unless a legal custodial parent or legal
15 guardian has filed an objection to licensure pursuant to Section 6-
16 103.1 of this title, any person under eighteen (18) years of age may
17 be permitted to operate:

- 18 1. A Class D motor vehicle under the graduated driver license
19 provisions prescribed in subsections B through E of this section;
- 20 2. A motorcycle under the provisions prescribed in subsection H
21 of this section; or
- 22 3. A farm vehicle under the provisions prescribed in subsection
23 I of this section.

24
--

1 B. 1. Any person who is at least fifteen (15) years of age or
2 who is at least thirteen and one-half (13 1/2) years of age, and
3 either resides upon a farm in this state or is employed for
4 compensation upon a farm in this state, may drive during a session
5 in which the driver is being instructed in a driver education
6 course, as set out in subparagraphs a, b, c, d and e of paragraph 1
7 of subsection C of this section, by a certified driver education
8 instructor who is seated in the right front seat of the motor
9 vehicle.

10 2. For purposes of this subsection, the term "farm" means any
11 parcel of land for which the owner has an agricultural exemption
12 permit issued by the Oklahoma Tax Commission.

13 C. Any person:

14 1. Who is at least fifteen and one-half (15 1/2) years of age
15 and is currently receiving instruction in or has successfully
16 completed driver education. For purposes of this section, the term
17 "driver education" shall mean:

18 a. a prescribed secondary school driver education course,
19 as provided for in Sections 19-113 through 19-121 of
20 Title 70 of the Oklahoma Statutes,

21 b. a driver education course, certified by the Department
22 of Public Safety, from a parochial, private, or other
23 nonpublic secondary school,
24
--

- c. a commercial driver training course, as defined by Sections 801 through 808 of this title,
- d. a parent-taught driver education course, certified by the Department of Public Safety. The Department shall promulgate rules for any parent-taught driver education course, or
- e. a driver education course certified by a state other than Oklahoma; or

2. Who is at least sixteen (16) years of age,

may, upon successfully passing all parts of the driver license examination administered by Service Oklahoma, or an approved written examination proctor, except the driving examination, be issued a learner permit which will grant the permittee the privilege to operate a Class D motor vehicle upon the public highways only between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied by a licensed driver who is at least twenty-one (21) years of age and who is actually occupying a seat beside the permittee; provided, the written examination for a learner permit may be waived by Service Oklahoma upon verification that the person has successfully completed driver education.

D. 1. Any person:

- a. who has applied for, been issued, and has possessed a learner permit for a minimum of six (6) months, and

1 b. whose custodial legal parent or legal guardian
2 certifies to Service Oklahoma by sworn affidavit that
3 the person has received a minimum of fifty (50) hours
4 of actual behind-the-wheel training, of which at least
5 ten (10) hours of such training was at night, from a
6 licensed driver who was at least twenty-one (21) years
7 of age and who was properly licensed to operate a
8 Class D motor vehicle for a minimum of two (2) years,
9 may be issued an intermediate Class D license upon successfully
10 passing all parts of the driver license examinations administered by
11 Service Oklahoma; provided, the written examination, if it has not
12 previously been administered or waived, may be waived by Service
13 Oklahoma upon verification that the person has successfully
14 completed driver education or the driving examination may be waived
15 by Service Oklahoma upon successful passage of the examination
16 administered by a certified designated examiner, as provided for in
17 Section 6-110 of this title. However, notwithstanding the date of
18 issuance of the learner permit, if the person has been convicted of
19 a traffic offense which is reported on the driving record of that
20 person, the time period specified in subparagraph a of this
21 paragraph shall be recalculated to begin from the date of conviction
22 for the traffic offense, and must elapse before that person may be
23 issued an intermediate Class D license. If the person has been
24 convicted of more than one traffic offense which is reported on the

1 driving record of that person, the time period specified in
2 subparagraph a of this paragraph shall be recalculated to begin from
3 the most recent date of conviction, and must elapse before that
4 person may be issued an intermediate Class D license.

5 2. A person who has been issued an intermediate Class D license
6 under the provisions of this subsection:

7 a. shall be granted the privilege to operate a Class D
8 motor vehicle upon the public highways:

9 (1) only between the hours of 5:00 a.m. and 10:00
10 p.m., except for driving to and from work,

11 school, school activities, and church activities,
12 or

13 (2) at any time, if a licensed driver who is at least
14 twenty-one (21) years of age is actually

15 occupying a seat beside the intermediate Class D
16 licensee, or if the intermediate Class D licensee

17 is a farm or ranch resident, and is operating a
18 motor vehicle while engaged in farming or

19 ranching operations outside the limits of a
20 municipality, or driving to and from work,

21 school, school activities, or church activities,
22 and

23 b. shall not operate a motor vehicle with more than one
24 passenger unless:
--

- (1) all passengers live in the same household as the custodial legal parent or legal guardian, or
- (2) a licensed driver at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee.

E. Any person who has been issued an intermediate Class D license for a minimum of:

1. One (1) year; or

2. Six (6) months, if the person has completed both the driver education and the parent-certified behind-the-wheel training provisions of subparagraph b of paragraph 1 of subsection D of this section,

may be issued a Class D license. However, notwithstanding the date of issuance of the Class D license, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalculated to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued a Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalculated to begin from the most recent date of conviction, and must elapse before that person may be issued a Class D license.

1 F. Learner permits and intermediate Class D licenses shall be
2 issued for the same period as all other driver licenses. The
3 licenses may be suspended or canceled at the discretion of the
4 Department for violation of restrictions, for failing to give the
5 required or correct information on the application, for knowingly
6 giving false or inaccurate information on the application or any
7 subsequent documentation related to the granting of driving
8 privileges, for using a hand-held electronic device while operating
9 a motor vehicle for non-life-threatening emergency purposes or for
10 violation of any traffic laws of this state pertaining to the
11 operation of a motor vehicle.

12 G. Service Oklahoma shall promulgate rules establishing
13 procedures for removal of learner permit and intermediate Class D
14 license restrictions from the permit or license upon the permittee
15 or licensee qualifying for a less restricted or an unrestricted
16 license.

17 H. Any person fourteen (14) years of age or older may apply for
18 a restricted Class D license with a motorcycle-only restriction.
19 After the person has successfully passed all parts of the motorcycle
20 examination other than the driving examination, has successfully
21 completed a certified state-approved motorcycle basic rider course
22 approved by the Department of Public Safety, in conjunction with
23 Service Oklahoma, and has met all requirements provided for in the
24 rules of the Department and Service Oklahoma, Service Oklahoma shall
--

1 issue to the person a restricted Class D license with a motorcycle-
2 only restriction which shall grant to the person, while having the
3 license in the person's immediate possession, the privilege to
4 operate a motorcycle or motor-driven cycle:

5 1. With a piston displacement not to exceed three hundred (300)
6 cubic centimeters;

7 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

8 3. While wearing approved protective headgear; and

9 4. While accompanied by and receiving instruction from any
10 person who is at least twenty-one (21) years of age and who is
11 properly licensed pursuant to the laws of this state to operate a
12 motorcycle or motor-driven cycle, and who has visual contact with
13 the restricted licensee.

14 The restricted licensee may apply on or after thirty (30) days
15 from date of issuance of the restricted Class D license with a
16 motorcycle-only restriction to have the restriction of being
17 accompanied by a licensed driver removed by successfully completing
18 the driving portion of an examination.

19 The written examination and driving examination for a restricted
20 Class D license with a motorcycle-only endorsement shall be waived
21 by Service Oklahoma upon verification that the person has
22 successfully completed a certified state-approved motorcycle basic
23 rider course approved by the Department and Service Oklahoma.

1 I. 1. Any person who is less than seventeen (17) years of age
2 but is at least fourteen (14) years of age and who resides upon a
3 farm in this state or is employed for compensation upon a farm in
4 this state may apply to Service Oklahoma for a farm permit
5 authorizing such person, while possessing the permit, to operate any
6 Class D motor vehicle.

7 2. a. A farm permit shall entitle the licensee, who is at
8 least fourteen (14) years of age but less than sixteen
9 (16) years of age, to operate the appropriate motor
10 vehicles at any time:

- 11 (1) while going to or from or in connection with any
12 farm job, employment, or other farm-related work,
13 (2) on days while school is in session, over the most
14 direct and accessible route between the
15 licensee's residence and school of enrollment for
16 the purpose of school attendance; provided, that
17 the privilege shall only extend to those
18 licensees who reside on a farm and commute
19 directly from their place of residence to the
20 school in which they are enrolled, or
21 (3) when the licensee is operating a passenger car at
22 any time when accompanied by an adult who is the
23 holder of a valid commercial driver license,
24

1 Class A, B, C, or D driver license and who is
2 actually occupying a seat beside the driver.

3 b. For a period of six (6) months, a farm permit shall
4 entitle the licensee who is at least sixteen (16)
5 years of age to operate the appropriate motor vehicles
6 at any time:

7 (1) from 5:00 a.m. to 9:00 p.m.,

8 (2) while going to or from or in connection with any
9 farm job, employment, or other farm-related work,

10 (3) while going to or from authorized school
11 activities,

12 (4) while going directly to or from any religious
13 worship service held by a religious organization,
14 or

15 (5) while the licensee is operating a passenger car
16 at any time while accompanied by an adult who is
17 the holder of a valid commercial driver license,
18 Class A, B, or C driver license, and who is
19 actually occupying a seat beside the driver.

20 After such six-month period, if the licensee has complied with the
21 provisions of this subsection, such farm permit shall entitle the
22 licensee to operate the appropriate motor vehicles at any time
23 without the restrictions required by this subsection.

24 3. A farm permit shall be issued only if:
--

- 1 a. the applicant can prove that such applicant resides or
2 works on a farm by submitting the signed affidavit of
3 either a parent or guardian stating that the applicant
4 lives on a farm,
- 5 b. the applicant has successfully completed the
6 examination requirements in Section 6-110 of this
7 title. The written examination for a farm permit may
8 be waived by Service Oklahoma upon verification that
9 the person has successfully completed driver
10 education, and
- 11 c. the applicant does not live on a farm but works on a
12 farm and the applicant submits the signed affidavit of
13 the applicant's employer and parent or guardian
14 attesting to such employment.

15 4. Any licensee issued a farm permit under this subsection:

- 16 a. who is less than sixteen (16) years of age shall not
17 operate any motor vehicle with nonsibling minor
18 passengers,
- 19 b. who is at least sixteen (16) years of age, for a
20 period of six (6) months after reaching sixteen (16)
21 years of age, shall not operate any motor vehicle with
22 more than one passenger who is less than eighteen (18)
23 years of age and who is not a member of the licensee's
24 immediate family, or
--

1 c. who is at least fourteen (14) years of age, but less
2 than sixteen (16) years of age, shall not operate any
3 motor vehicle on interstate or turnpike highway
4 systems, nor shall a licensee operate a motor vehicle
5 within the limits of a city with a population in
6 excess of one hundred thousand (100,000) persons
7 according to the latest Federal Decennial Census.

8 Any conviction for violating this paragraph shall be construed as a
9 moving traffic violation. Service Oklahoma may, in its discretion,
10 suspend the permit of an individual for violation of this paragraph.

11 5. Any licensee issued a farm permit under this subsection
12 shall not operate a wireless communication device while driving a
13 motor vehicle, except that a licensee may operate a wireless
14 communication device while driving a motor vehicle to report illegal
15 activity or to summon medical or other emergency help.

16 6. As used in this subsection, "farm" means any parcel of land
17 for which the owner has an agricultural exemption permit issued by
18 the Oklahoma Tax Commission.

19 7. a. A farm permit issued under this subsection is subject
20 to suspension or revocation in the same manner as any
21 other driver license.

22 b. A farm permit may be suspended in accordance with
23 Section 6-113 of this title for any violation of
24 restrictions under this subsection.
--

1 c. Service Oklahoma shall suspend the farm permit upon
2 receiving satisfactory evidence that the licensee has
3 been involved in two or more accidents chargeable to
4 the licensee and such suspended license shall not be
5 reinstated for one (1) year.

6 8. Any licensee issued a farm permit under this subsection
7 shall provide, prior to reaching sixteen (16) years of age, a signed
8 affidavit of either a parent or guardian stating that the applicant
9 has completed at least fifty (50) hours of adult-supervised driving
10 with at least ten (10) of those hours being at night. The adult-
11 supervised driving required by this paragraph shall be conducted by
12 an adult who is at least twenty-one (21) years of age and is the
13 holder of a valid commercial driver license, Class A, B, C, or D
14 driver license. Evidence of failure of any licensee who was
15 required to complete the fifty (50) hours of adult-supervised
16 driving under this subsection shall not be admissible in any action
17 for the purpose of determining any aspect of comparative negligence
18 or mitigation of damages.

19 9. Any licensee issued a farm permit under this subsection who:
20 a. is under sixteen (16) years of age and is convicted of
21 two or more moving traffic violations committed on
22 separate occasions shall not be eligible to receive a
23 driver license which is not restricted, in accordance
24 with the provisions of subparagraph a of paragraph 2
--

1 of this subsection, until the person reaches seventeen
2 (17) years of age,

3 b. is at least sixteen (16) years of age but less than
4 seventeen (17) years of age and is convicted of two or
5 more moving traffic violations committed on separate
6 occasions shall not be eligible to receive a driver
7 license which is not restricted, in accordance with
8 the provisions of subparagraph b of paragraph 2 of
9 this subsection, until the person reaches eighteen
10 (18) years of age, or

11 c. fails to provide the affidavit required under
12 paragraph 8 of this subsection shall not be eligible
13 to receive a driver license which is not restricted,
14 in accordance with the provisions of subparagraph a of
15 paragraph 2 of this subsection, until the person
16 provides such affidavit to Service Oklahoma or the
17 person reaches seventeen (17) years of age, whichever
18 occurs first.

19 J. As used in this section:

20 1. "Hand-held electronic device" means a mobile telephone or
21 electronic device with which a user engages in a telephone call,
22 plays or stores media, including but not limited to music and video,
23 or sends or reads a text message while requiring the use of at least
24 one hand; and
--

1 2. "Using a hand-held electronic device" means engaging any
2 function on an electronic device.

3 K. All driver education courses provided for in paragraph 1 of
4 subsection C of this section shall include education regarding the
5 dangers of texting while driving and the effects of being under the
6 influence of alcohol or other intoxicating substance while driving.

7 SECTION 3. AMENDATORY 47 O.S. 2021, Section 6-105.2, as
8 amended by Section 43, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
9 Section 6-105.2), is amended to read as follows:

10 Section 6-105.2 Service Oklahoma may issue an instructor permit
11 to any qualified secondary school driver education instructor as
12 defined by the State Board of Education Rules and Regulations for
13 Oklahoma High School Driver and Traffic Safety Education or any
14 driver education instructor, certified by Service Oklahoma, of a
15 parochial, private, or other nonpublic secondary school upon a
16 proper application to the State Board of Education or the Department
17 of Public Safety in the case of secondary schools that are not
18 regulated by the State Board of Education or a commercial driver
19 training course instructor, as provided for in Sections 801 through
20 808 of this title. Service Oklahoma shall promulgate rules for the
21 issuance of the permits. Any instructor as defined in this
22 subsection who has been issued a permit may instruct any person who
23 is at least:

1 1. fifteen and one-half (15 1/2) years of age ~~or who is at~~
2 ~~least;~~

3 2. fifteen (15) years of age and of secondary school or higher
4 educational standing while regularly enrolled and certified by the
5 instructor as a student taking a prescribed course of secondary
6 school driver education or a driver education course, certified by
7 Service Oklahoma, from a parochial, private, or other nonpublic
8 secondary school or a commercial driver training course, as defined
9 by Sections 801 through 808 of this title, to operate a motor
10 vehicle while accompanied by and receiving instruction from the
11 instructor who is actually occupying a seat beside the driver; or

12 3. thirteen and one-half (13 1/2) years of age and either
13 resides upon a farm in this state or is employed for compensation
14 upon a farm in this state. For purposes of this section, the term
15 "farm" means any parcel of land for which the owner has an
16 agricultural exemption permit issued by the Oklahoma Tax Commission.

17 SECTION 4. AMENDATORY 47 O.S. 2021, Section 801, is
18 amended to read as follows:

19 Section 801. As used in Section 801 et seq. of this title:

20 (A) "Commercial driver training school" or "school" means a
21 business enterprise conducted by an individual, association,
22 partnership, or corporation, for the education and training of
23 persons, either practically or theoretically, or both, to operate or
24 drive motor vehicles and/or to prepare an applicant for an
..

1 examination given by the state for a driver license including a
2 restricted Class D license for persons fifteen and one-half (15 1/2)
3 years old and a farm permit for persons thirteen and one-half (13
4 1/2) years of age as defined in Section 6-105 of this title, and
5 charging a consideration or tuition for such services.

6 (B) "Instructor" means any person, whether acting for himself
7 as operator of a commercial driver training school or for any such
8 school for compensation, who teaches, conducts classes of, gives
9 demonstrations to, or supervises practice of persons learning to
10 operate or drive motor vehicles or preparing to take an examination
11 for a driver license including a restricted Class D license for
12 persons fifteen and one-half (15 1/2) years ~~old~~ of age and a farm
13 permit for persons thirteen and one-half (13 1/2) years of age as
14 defined in Section 6-105 of this title, and any person who
15 supervises the work of any other such instructor.

16 (C) "Commissioner" means the Commissioner of Public Safety.

17 SECTION 5. This act shall become effective November 1, 2024.

18
19 59-2-8960 JBH 01/09/24
20
21
22
23
24
--