

1 **SENATE FLOOR VERSION**

2 April 11, 2024

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 3191

6 By: Newton and Echols of the
7 House

8 and

9 Jech of the Senate

10 An Act relating to driver licenses; amending 47 O.S.
11 2021, Section 6-102, as amended by Section 39,
12 Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
13 6-102), which relate to persons exempt; modifying
14 certain age requirement; allowing certain resident
15 drivers to operate a vehicle without a license if
16 certain conditions are met; amending 47 O.S. 2021,
17 Section 6-105, as last amended by Section 1, Chapter
18 229, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105),
19 which relates to graduated class D licenses;
20 modifying certain age requirement; allowing certain
21 residents to receive driver education; defining term;
22 deleting certain Class D license restrictions;
23 allowing for waiving of certain examination; deleting
24 certain farm permit restriction; 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;
modifying certain age requirement; 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:

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

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

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

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

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

19 1. Operating a vehicle pursuant to subsection B of Section 6-
20 105 of this title; or

21 2. Taking the driving skills examination as required by Section
22 6-110 of this title, when accompanied by a Driver License Examiner
23 of Service Oklahoma or by a designated examiner approved and
24 certified by Service Oklahoma.

1 C. A resident who is at least thirteen and one-half (13 1/2)
2 years of age may operate a vehicle in this state without a driver
3 license if the resident either resides upon a farm in this state or
4 is employed for compensation upon a farm in this state and the
5 resident:

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

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

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

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

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

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

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

3 5. A member of the United States Coast Guard who is on active
4 duty.

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

13 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-105, as
14 last amended by Section 1, Chapter 229, O.S.L. 2023 (47 O.S. Supp.
15 2023, Section 6-105), is amended to read as follows:

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

20 1. A Class D motor vehicle under the graduated driver license
21 provisions prescribed in subsections B through E of this section;

22 2. A motorcycle under the provisions prescribed in subsection H
23 of this section; or
24

1 3. A farm vehicle under the provisions prescribed in subsection
2 I of this section.

3 B. 1. Any person who is at least ~~fifteen (15)~~ fourteen (14)
4 years of age, or who is at least thirteen and one-half (13 1/2)
5 years of age and either resides upon a farm in this state or is
6 employed for compensation upon a farm in this state, may drive
7 during a session in which the driver is being instructed in a driver
8 education course, as set out in subparagraphs a, b, c, d and e of
9 paragraph 1 of subsection C of this section, by a certified driver
10 education instructor who is seated in the right front seat of the
11 motor vehicle.

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

15 C. Any person:

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

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

23

24

- 1 b. a driver education course, certified by the Department
2 of Public Safety, from a parochial, private, or other
3 nonpublic secondary school,
4 c. a commercial driver training course, as defined by
5 Sections 801 through 808 of this title,
6 d. a parent-taught driver education course, certified by
7 the Department of Public Safety. The Department shall
8 promulgate rules for any parent-taught driver
9 education course, or
10 e. a driver education course certified by a state other
11 than Oklahoma; or

12 2. Who is at least sixteen (16) years of age,
13 may, upon successfully passing all parts of the driver license
14 examination administered by Service Oklahoma, or an approved written
15 examination proctor, except the driving examination, be issued a
16 learner permit which will grant the permittee the privilege to
17 operate a Class D motor vehicle upon the public highways only
18 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
19 by a licensed driver who is at least twenty-one (21) years of age
20 and who is actually occupying a seat beside the permittee; provided,
21 the written examination for a learner permit may be waived by
22 Service Oklahoma upon verification that the person has successfully
23 completed driver education.

24 D. 1. Any person:

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

1 issued an intermediate Class D license. If the person has been
2 convicted of more than one traffic offense which is reported on the
3 driving record of that person, the time period specified in
4 subparagraph a of this paragraph shall be recalculated to begin from
5 the most recent date of conviction, and must elapse before that
6 person may be issued an intermediate Class D license.

7 2. A person who has been issued an intermediate Class D license
8 under the provisions of this subsection~~+~~

9 ~~a.~~ shall be granted the privilege to operate a Class D
10 motor vehicle upon the public highways:

11 ~~(1)~~

12 a. only between the hours of 5:00 a.m. and 10:00 p.m.,
13 except for driving to and from work, school, school
14 activities, and church activities, or

15 ~~(2)~~

16 b. at any time, if a licensed driver who is at least
17 twenty-one (21) years of age is actually occupying a
18 seat beside the intermediate Class D licensee, or if
19 the intermediate Class D licensee is a farm or ranch
20 resident, and is operating a motor vehicle while
21 engaged in farming or ranching operations outside the
22 limits of a municipality, or driving to and from work,
23 school, school activities, or church activities,~~and~~

24

1 ~~b. shall not operate a motor vehicle with more than one~~
2 ~~passenger unless:~~

3 ~~(1) all passengers live in the same household as the~~
4 ~~custodial legal parent or legal guardian, or~~

5 ~~(2) a licensed driver at least twenty one (21) years~~
6 ~~of age is actually occupying a seat beside the~~
7 ~~intermediate Class D licensee.~~

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

10 1. One (1) year; or

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

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

1 recalculated to begin from the most recent date of conviction, and
2 must elapse before that person may be issued a Class D license.

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

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

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

1 Service Oklahoma, and has met all requirements provided for in the
2 rules of the Department and Service Oklahoma, Service Oklahoma shall
3 issue to the person a restricted Class D license with a motorcycle-
4 only restriction which shall grant to the person, while having the
5 license in the person's immediate possession, the privilege to
6 operate a motorcycle or motor-driven cycle:

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

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

10 3. While wearing approved protective headgear; and

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

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

21 The written examination and driving examination for a restricted
22 Class D license with a motorcycle-only endorsement shall be waived
23 by Service Oklahoma upon verification that the person has

24

1 successfully completed a certified state-approved motorcycle basic
2 rider course approved by the Department and Service Oklahoma.

3 I. 1. Any person who is less than ~~seventeen (17)~~ **eighteen (18)**
4 years of age but is at least fourteen (14) years of age and who
5 resides upon a farm in this state or is employed for compensation
6 upon a farm in this state may apply to Service Oklahoma for a farm
7 permit authorizing such person, while possessing the permit, to
8 operate any Class D motor vehicle.

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

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

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

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

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

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

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

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

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

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

1 3. A farm permit shall be issued only if:

2 a. the applicant can prove that such applicant resides or
3 works on a farm by submitting the signed affidavit of
4 either a parent or guardian stating that the applicant
5 lives on a farm,

6 b. the applicant has successfully completed the
7 examination requirements in Section 6-110 of this
8 title. The written examination for a farm permit may
9 be waived by Service Oklahoma upon verification that
10 the person has successfully completed driver
11 education, and

12 c. the applicant does not live on a farm but works on a
13 farm and the applicant submits the signed affidavit of
14 the applicant's employer and parent or guardian
15 attesting to such employment.

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

17 a. who is less than sixteen (16) years of age shall not
18 operate any motor vehicle with nonsibling minor
19 passengers, or

20 b. ~~who is at least sixteen (16) years of age, for a~~
21 ~~period of six (6) months after reaching sixteen (16)~~
22 ~~years of age, shall not operate any motor vehicle with~~
23 ~~more than one passenger who is less than eighteen (18)~~

1 ~~years of age and who is not a member of the licensee's~~
2 ~~immediate family, or~~

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

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

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

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

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

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

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

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

22 9. Any licensee issued a farm permit under this subsection who:

23 a. is under sixteen (16) years of age and is convicted of
24 two or more moving traffic violations committed on

1 separate occasions shall not be eligible to receive a
2 driver license which is not restricted, in accordance
3 with the provisions of subparagraph a of paragraph 2
4 of this subsection, until the person reaches seventeen
5 (17) years of age,

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

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

22 J. As used in this section:

23 1. "Hand-held electronic device" means a mobile telephone or
24 electronic device with which a user engages in a telephone call,

1 plays or stores media, including but not limited to music and video,
2 or sends or reads a text message while requiring the use of at least
3 one hand; and

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

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

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

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

1 subsection who has been issued a permit may instruct any person who
2 is at least fifteen;

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

5 2. Fourteen (14) years of age and of secondary school or higher
6 educational standing while regularly enrolled and certified by the
7 instructor as a student taking a prescribed course of secondary
8 school driver education or a driver education course, certified by
9 Service Oklahoma, from a parochial, private, or other nonpublic
10 secondary school or a commercial driver training course, as defined
11 by Sections 801 through 808 of this title, to operate a motor
12 vehicle while accompanied by and receiving instruction from the
13 instructor who is actually occupying a seat beside the driver; or

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

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

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

22 (A) "Commercial driver training school" or "school" means a
23 business enterprise conducted by an individual, association,
24 partnership, or corporation, for the education and training of

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

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

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
21 April 11, 2024 - DO PASS AS AMENDED
22
23
24