

1 ENGROSSED HOUSE
2 BILL NO. 1408

By: Pfeiffer of the House

3 and

4 Murdock of the Senate

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6
7 An Act relating to motor vehicles; amending 47 O.S.
8 2021, Section 6-111, which relates to driver
9 licenses; adding requirements for certain licenses;
10 defining term; providing an effective date; and
11 declaring an emergency.

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

13 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-111, is
14 amended to read as follows:

15 Section 6-111. A. 1. The Department of Public Safety shall,
16 upon payment of the required fee, issue to every applicant
17 qualifying therefor a Class A, B, C or D driver license or
18 identification card as applied for, which license or card shall bear
19 thereon a distinguishing alphanumeric identification assigned to the
20 licensee or cardholder, date of issuance and date of expiration of
21 the license or card, the full legal name, signature or computerized
22 signature, date of birth, residence address, unless specified as an
23 exception in the Code of Federal Regulations per 6 C.F.R., Section
24 37.17, sex, a computerized color image of the licensee or cardholder
taken in accordance with Department rules and security features as

1 determined by the Department. The image shall depict a full front
2 unobstructed view of the entire face of the licensee or cardholder;
3 provided, a commercial learner permit shall not bear the image of
4 the licensee. When any person is issued both a driver license and
5 an identification card, the Department shall ensure the information
6 on both the license and the card are the same, unless otherwise
7 provided by law.

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

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

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

20 5. It is unlawful for any person to apply, adhere, or otherwise
21 attach to a driver license or identification card any decal,
22 sticker, label, or other attachment. Any law enforcement officer is
23 authorized to remove and dispose of any unlawful decal, sticker,
24 label, or other attachment from the driver license of a person. The

1 law enforcement officer, the employing agency of the officer, the
2 Department of Public Safety, and the State of Oklahoma shall be
3 immune from any liability for any loss suffered by the licensee,
4 cardholder, or the owner of the decal, sticker, label, or other
5 attachment caused by the removal and destruction of the decal,
6 sticker, label, or other attachment.

7 6. The Department of Public Safety may develop by rule a
8 procedure which complies with the provisions of subsection G of
9 Section 6-101 of this title whereby a person may apply for a renewal
10 or replacement Oklahoma Class D license or Oklahoma identification
11 card.

12 B. 1. The Department may issue or authorize the issuance of a
13 temporary permit or license to an applicant for a driver license
14 permitting such applicant to operate a motor vehicle while the
15 Department is completing its investigation and determination of all
16 facts relative to such applicant's privilege to receive a license,
17 or while a permanent driver license is being produced and delivered
18 to the applicant. Such permit or license must be in the immediate
19 possession of the driver while operating a motor vehicle, and it
20 shall be invalid when the applicant's permanent driver license has
21 been issued and delivered or for good cause has been refused.

22 2. The Department may issue or authorize the issuance of a
23 temporary identification card to an applicant, permitting the holder
24 the privileges otherwise granted by identification cards, while a

1 permanent driver license is being provided and delivered to the
2 applicant. Such card shall be invalid when the applicant's
3 permanent identification card has been issued and delivered, or for
4 good cause has been refused.

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

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

12 The applicant shall ~~hold~~ have held a valid ~~Oklahoma~~ driver
13 license for at least one (1) year. Applicants with more than two
14 (2) years of driving experience shall have a good driving record for
15 the most recent two (2) years and shall meet all the requirements
16 for a commercial driver license. The restricted commercial driver
17 license shall not exceed ~~a total of one hundred eighty (180) days~~
18 ~~within any twelve month period~~ the maximum total days that federal
19 law allows. Applicants for the restricted commercial driver license
20 shall be exempt from the knowledge and skills test. Application of
21 the restricted commercial driver license does not have to be used in
22 consecutive days; use of permit shall be declared at application.

23 2. "Good driving record" as used in this subsection shall mean
24 an applicant:

- 1 a. has not had more than one license,
2 b. has not had any license suspended, revoked, or
3 canceled,
4 c. has not had any conviction for any type of
5 disqualifying offenses or serious traffic violations,
6 or
7 d. has not had any conviction for a violation of state or
8 local law relating to motor vehicle traffic control,
9 other than a parking violation, arising in connection
10 with any traffic accident, and has no record of an
11 accident in which he or she was at fault.

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

- 18 a. diesel fuel in quantities of one thousand (1,000)
19 gallons or less,
20 b. liquid fertilizers in vehicles with total capacities
21 of three thousand (3,000) gallons or less, and
22 c. solid fertilizers that are not mixed with any organic
23 substance.
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1 No other placarded hazardous materials shall be transported by
2 holders of such licenses.

3 D. The Department may issue a non-domiciled commercial learner
4 permit or a non-domiciled commercial driver license to:

5 1. An H2A-Temporary Agricultural worker lawfully present in the
6 United States as indicated on an original, valid and unexpired I-94
7 immigration status document issued by the United States Customs and
8 Immigration Service; and

9 2. A J-1 Exchange Visitor Program participant lawfully present
10 in the United States as indicated on a valid and unexpired J-1
11 Visitor Visa issued by the United States Customs and Immigration
12 Service and who is enrolled in an agricultural education training
13 program.

14 A person applying for such permit or license must comply with
15 all testing and licensing requirements in accordance with applicable
16 federal regulations, state laws and Department rules. The issued
17 license shall be valid until the expiration of the visa for the non-
18 domiciled worker. The Department may promulgate rules for the
19 implementation of the process to carry out the provisions of this
20 section.

21 E. 1. The Department shall develop a procedure whereby a
22 person applying for an original, renewal or replacement Class A, B,
23 C or D driver license or identification card who is required to
24 register as a convicted sex offender with the Department of

1 Corrections pursuant to the provisions of the Sex Offenders
2 Registration Act and who the Department of Corrections designates as
3 an aggravated or habitual offender pursuant to subsection J of
4 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
5 license or card bearing the words "Sex Offender".

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

12 3. Upon surrendering the license or card for the reason set
13 forth in this subsection, application may be made with the
14 Department for a replacement license or card bearing the words "Sex
15 Offender".

16 4. Failure to comply with the requirements set forth in such
17 notice shall result in cancellation of the person's license or card.
18 Such cancellation shall be in effect for one (1) year, after which
19 time the person may make application with the Department for a new
20 license or card bearing the words "Sex Offender". Continued use of
21 a canceled license or card shall constitute a misdemeanor and shall,
22 upon conviction thereof, be punishable by a fine of not less than
23 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
24 (\$200.00). When an individual is no longer required to register as

1 a convicted sex offender with the Department of Corrections pursuant
2 to the provisions of the Sex Offenders Registration Act, the
3 individual shall be eligible to receive a driver license or
4 identification card which does not bear the words "Sex Offender".

5 F. Nothing in subsection E of this section shall be deemed to
6 impose any liability upon or give rise to a cause of action against
7 any employee, agent or official of the Department of Corrections for
8 failing to designate a sex offender as an aggravated or habitual
9 offender pursuant to subsection J of Section 584 of Title 57 of the
10 Oklahoma Statutes.

11 G. A person subject to an order for the installation of an
12 ignition interlock device shall be required by the Department to
13 submit their driver license for a replacement. The replacement
14 driver license shall bear the words "Interlock Required" and such
15 designation shall remain on the driver license for the duration of
16 the order requiring the ignition interlock device. The replacement
17 license shall be subject to the same expiration and renewal
18 procedures provided by law. Upon completion of the requirements for
19 the interlock device, a person may apply for a replacement driver
20 license.

21 H. The Department shall develop a procedure whereby a person
22 applying for an original, renewal or replacement Class D driver
23 license who has been granted modified driving privileges under this
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1 title shall be issued a Class D driver license which identifies the
2 license as a modified license.

3 SECTION 2. This act shall become effective July 1, 2022.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 Passed the House of Representatives the 23rd day of March, 2022.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2022.

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Presiding Officer of the Senate

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