

1 ENGROSSED HOUSE
2 BILL NO. 2358

By: Meredith of the House

3 and

4 Pemberton of the Senate

5
6
7 [public safety - driver licenses - allowing
8 appropriate agencies to receive photographs through
9 certain electronic systems - effective dates]
10
11

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
14 last amended by Section 1, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
15 2018, Section 6-101), is amended to read as follows:

16 Section 6-101. A. No person, except those hereinafter
17 expressly exempted in Sections 6-102 and 6-102.1 of this title,
18 shall operate any motor vehicle upon a highway in this state unless
19 the person has a valid Oklahoma driver license for the class of
20 vehicle being operated under the provisions of this title. No
21 person shall be permitted to possess more than one valid license at
22 any time, except as provided in paragraph 4 of subsection F of this
23 section.
24

1 B. 1. No person shall operate a Class A commercial motor
2 vehicle unless the person is eighteen (18) years of age or older and
3 holds a valid Class A commercial license, except as provided in
4 paragraph 5 of this subsection and subsection F of this section.
5 Any person holding a valid Class A commercial license shall be
6 permitted to operate motor vehicles in Classes A, B, C and D, except
7 as provided for in paragraph 4 of this subsection.

8 2. No person shall operate a Class B commercial motor vehicle
9 unless the person is eighteen (18) years of age or older and holds a
10 valid Class B commercial license, except as provided in paragraph 5
11 of subsection F of this section. Any person holding a valid Class B
12 commercial license shall be permitted to operate motor vehicles in
13 Classes B, C and D, except as provided for in paragraph 4 of this
14 subsection.

15 3. No person shall operate a Class C commercial motor vehicle
16 unless the person is eighteen (18) years of age or older and holds a
17 valid Class C commercial license, except as provided in subsection F
18 of this section. Any person holding a valid Class C commercial
19 license shall be permitted to operate motor vehicles in Classes C
20 and D, except as provided for in paragraph 4 of this subsection.

21 4. No person under twenty-one (21) years of age shall be
22 licensed to operate any motor vehicle which is required to be
23 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
24 subpart F, except as provided in subsection F of this section;

1 provided, a person eighteen (18) years of age or older may be
2 licensed to operate a farm vehicle which is required to be placarded
3 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
4 except as provided in subsection F of this section.

5 5. A person at least seventeen (17) years of age who
6 successfully completes all examinations required by law may be
7 issued by the Department:

8 a. a restricted Class A commercial license which shall
9 grant to the licensee the privilege to operate a Class
10 A or Class B commercial motor vehicle for harvest
11 purposes or a Class D motor vehicle, or

12 b. a restricted Class B commercial license which shall
13 grant to the licensee the privilege to operate a Class
14 B commercial motor vehicle for harvest purposes or a
15 Class D motor vehicle.

16 6. No person shall operate a Class D motor vehicle unless the
17 person is sixteen (16) years of age or older and holds a valid Class
18 D license, except as provided for in Section 6-102 or 6-105 of this
19 title. Any person holding a valid Class D license shall be
20 permitted to operate motor vehicles in Class D only.

21 C. Any person issued a driver license pursuant to this section
22 may exercise the privilege thereby granted upon all streets and
23 highways in this state.

24

1 D. No person shall operate a motorcycle or motor-driven cycle
2 without having a valid Class A, B, C or D license with a motorcycle
3 endorsement. Except as otherwise provided by law, any new applicant
4 for an original driver license shall be required to successfully
5 complete a written examination, vision examination, and driving
6 examination for a motorcycle as prescribed by the Department of
7 Public Safety, and a certified state-approved motorcycle basic rider
8 course approved by the Department if the applicant is seventeen (17)
9 years of age or younger to be eligible for a motorcycle endorsement
10 thereon. The written examination and driving examination for a
11 motorcycle shall be waived by the Department of Public Safety upon
12 verification that the person has successfully completed a certified
13 Motorcycle Safety Foundation rider course approved by the
14 Department.

15 E. Except as otherwise provided by law, any person who lawfully
16 possesses a valid Oklahoma driver license which is eligible for
17 renewal shall be required to successfully complete a written
18 examination, vision examination, and driving examination for a
19 motorcycle as prescribed by the Department, and a certified state-
20 approved motorcycle basic rider course approved by the Department if
21 the person is seventeen (17) years of age or younger to be eligible
22 for a motorcycle endorsement. The written examination and driving
23 examination for a motorcycle shall be waived by the Department of
24 Public Safety upon verification that the person has successfully

1 completed a certified Motorcycle Safety Foundation rider course
2 approved by the Department.

3 F. 1. Any person eighteen (18) years of age or older may apply
4 for a restricted Class A, B or C commercial learner permit. The
5 Department, after the applicant has passed all parts of the
6 examination for a Class D license and has successfully passed all
7 parts of the examination for a Class A, B or C commercial license
8 other than the driving examination, may issue to the applicant a
9 commercial learner permit which shall entitle the person having
10 immediate lawful possession of the commercial learner permit and a
11 valid Oklahoma driver license or provisional driver license pursuant
12 to Section 6-212 of this title to operate a Class A, B or C
13 commercial motor vehicle upon the public highways solely for the
14 purpose of behind-the-wheel training in accordance with rules
15 promulgated by the Department.

16 2. This commercial learner permit shall be issued for a period
17 as provided in Section 6-115 of this title of one hundred eighty
18 (180) days, which may be renewed one time for an additional one
19 hundred eighty (180) days; provided, such commercial learner permit
20 may be suspended, revoked, canceled, denied or disqualified at the
21 discretion of the Department for violation of the restrictions, for
22 failing to give the required or correct information on the
23 application, or for violation of any traffic laws of this state
24 pertaining to the operation of a motor vehicle. Except as otherwise

1 provided, the lawful possessor of a commercial learner permit who
2 has been issued a commercial learner permit for a minimum of
3 fourteen (14) days may have the restriction requiring an
4 accompanying driver removed by satisfactorily completing a driver's
5 examination; provided, the removal of a restriction shall not
6 authorize the operation of a Class A, B or C commercial motor
7 vehicle if such operation is otherwise prohibited by law.

8 3. No person shall apply for and the Department shall not issue
9 an original Class A, B or C driver license until the person has been
10 issued a commercial learner permit and held the permit for at least
11 fourteen (14) days. Any person who currently holds a Class B or C
12 license and who wishes to apply for another class of commercial
13 driver license shall be required to apply for a commercial learner
14 permit and to hold the permit for at least fourteen (14) days before
15 applying for the Class A or B license, as applicable. Any person
16 who currently holds a Class A, B or C license and who wishes to add
17 an endorsement or remove a restriction for which a skills
18 examination is required shall be required to apply for a commercial
19 learner permit and to hold the permit for at least fourteen (14)
20 days before applying for the endorsement.

21 4. A commercial learner permit shall be issued by the
22 Department as a separate and unique document which shall be valid
23 only in conjunction with a valid Oklahoma driver license or
24 provisional driver license pursuant to Section 6-212 of this title,

1 both of which shall be in the possession of the person to whom they
2 have been issued whenever that person is operating a commercial
3 motor vehicle as provided in this subsection.

4 5. After one renewal of a commercial learner permit, as
5 provided in paragraph 2 of this subsection, a commercial permit
6 shall not be renewed again. Any person who has held a commercial
7 learner permit for the initial issuance period and one renewal
8 period shall not be eligible for and the Department shall not issue
9 another renewal of the permit; provided, the person may reapply for
10 a new commercial learner permit, as provided for in this subsection.

11 6. Enrollment in or successful completion of a commercial
12 driver training school shall not be required for any commercial
13 learner permit applicant who requests a skills examination for a
14 Class A, B or C license, nor shall any student enrolled in a
15 commercial driver training school be prohibited from taking a skills
16 examination for a Class A, B or C license upon request with a
17 Department of Public Safety examiner regardless of whether the
18 person has completed the course, is still enrolled in the course to
19 be completed or has voluntarily withdrawn from the course.

20 G. 1. For purposes of this title:

21 a. "REAL ID Compliant Driver License" or "Identification
22 Card" means a driver license or identification card
23 issued by the State of Oklahoma that has been
24 certified by the United States Department of Homeland

1 Security (USDHS) as compliant with the requirements of
2 the REAL ID Act of 2005, Public Law No. 109-13. A
3 REAL ID Compliant Driver License or Identification
4 Card and the process through which it is issued
5 incorporate a variety of security measures designed to
6 protect the integrity and trustworthiness of the
7 license or card. A REAL ID Compliant Driver License
8 or Identification Card will be clearly marked on the
9 face indicating that it is a compliant document, and

10 b. "REAL ID Noncompliant Driver License" or
11 "Identification Card" means a driver license or
12 identification card issued by the State of Oklahoma
13 that has not been certified by the United States
14 Department of Homeland Security (USDHS) as being
15 compliant with the requirements of the REAL ID Act. A
16 REAL ID Noncompliant Driver License or Identification
17 Card will be clearly marked on the face indicating
18 that it is not compliant with the federal REAL ID Act
19 and is not acceptable for official federal purposes.
20 The driver license or identification card will have a
21 unique design or color indicator that clearly
22 distinguishes it from a compliant license or card.

23 2. Original Driver License and Identification Card Issuance:
24

- 1 a. Application for an original REAL ID Compliant or REAL
2 ID Noncompliant Driver License or Identification Card
3 shall be made to the Department of Public Safety.
- 4 b. Department of Public Safety employees shall perform
5 all document recognition and other requirements needed
6 for approval of an original REAL ID Compliant or REAL
7 ID Noncompliant Driver License or Identification Card
8 application.
- 9 c. Upon approval of an original REAL ID Compliant or REAL
10 ID Noncompliant Driver License or Identification Card
11 application, the applicant may take the approved
12 application document to a motor license agent to
13 receive a temporary driver license or identification
14 card.
- 15 d. The motor license agent shall process the approved
16 REAL ID Compliant or REAL ID Noncompliant Driver
17 License or Identification Card application and upon
18 payment shall provide the applicant a temporary driver
19 license or identification card. A temporary driver
20 license or identification card shall afford the holder
21 the privileges otherwise granted by the specific class
22 of driver license or identification card for the
23 period of time listed on the temporary driver license
24 or identification card or the period of time prior to

1 the applicant receiving a REAL ID Compliant or REAL ID
2 Noncompliant Driver License or Identification Card,
3 whichever time period is shorter.

4 3. REAL ID Compliant Driver License and Identification Card

5 Renewal and Replacement:

- 6 a. Application for renewal or replacement of a REAL ID
7 Compliant Driver License or Identification Card may be
8 made to the Department of Public Safety or to a motor
9 license agent, provided such motor license agent is
10 authorized to process application for REAL ID
11 Compliant Driver Licenses and Identification Cards;
12 and further provided, no motor license agent shall
13 process an application for a Class A, B or C
14 commercial license.
- 15 b. Department of Public Safety employees or authorized
16 motor license agents shall perform all document
17 recognition and other requirements needed for approval
18 of a renewal or replacement REAL ID Compliant Driver
19 License or Identification Card application; provided,
20 no motor license agent shall perform such document
21 recognition and other requirements needed for approval
22 of an application for a Class A, B or C commercial
23 license.

1 c. Upon approval of a renewal or replacement REAL ID
2 Compliant Driver License or Identification Card
3 application, the applicant may receive a temporary
4 driver license or identification card from the
5 Department of Public Safety or an authorized motor
6 license agent.

7 d. A temporary driver license or identification card
8 acquired under the provisions of this paragraph shall
9 afford the holder the privileges otherwise granted by
10 the specific class of driver license or identification
11 card being renewed or replaced for the period of time
12 listed on the temporary driver license or
13 identification card or the period of time prior to the
14 applicant receiving a REAL ID Compliant Driver License
15 or Identification Card, whichever time period is
16 shorter.

17 e. For purposes of this title, an application for a REAL
18 ID Compliant Driver License or Identification Card by
19 an individual with a valid Oklahoma-issued driver
20 license or identification card shall be considered a
21 renewal of a REAL ID Compliant Driver License or
22 Identification Card.

23 4. REAL ID Noncompliant Driver License and Identification Card

24 Renewal and Replacement:

- 1 a. Application for renewal or replacement of a REAL ID
2 Noncompliant Driver License or Identification Card may
3 be made to the Department of Public Safety or to a
4 motor license agent; provided, no motor license agent
5 shall process an application for a Class A, B or C
6 commercial license.
- 7 b. Department of Public Safety employees or motor license
8 agents shall perform all document recognition and
9 other requirements needed for approval of a renewal or
10 replacement REAL ID Noncompliant Driver License or
11 Identification Card application; provided, no motor
12 license agent shall perform such document recognition
13 and other requirements needed for approval of an
14 application for a Class A, B or C commercial license.
- 15 c. Upon approval of a renewal or replacement REAL ID
16 Noncompliant Driver License or Identification Card
17 application, the applicant may receive a temporary
18 driver license or identification card from the
19 Department of Public Safety or a motor license agent.
- 20 d. A temporary driver license or identification card
21 acquired under the provisions of this paragraph shall
22 afford the holder the privileges otherwise granted by
23 the specific class of driver license or identification
24 card being renewed or replaced for the period of time

1 listed on the temporary driver license or
2 identification card or the period of time prior to the
3 applicant receiving a REAL ID Noncompliant Driver
4 License or Identification Card, whichever time period
5 is shorter.

6 H. 1. The fee charged for an approved application for an
7 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
8 License or an approved application for the addition of an
9 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
10 Noncompliant Driver License shall be assessed in accordance with the
11 following schedule:

| | | |
|----|--|---------|
| 12 | Class A Commercial Learner Permit..... | \$25.00 |
| 13 | Class A Commercial License..... | \$25.00 |
| 14 | Class B Commercial Learner Permit..... | \$15.00 |
| 15 | Class B Commercial License..... | \$15.00 |
| 16 | Class C Commercial Learner Permit..... | \$15.00 |
| 17 | Class C Commercial License..... | \$15.00 |
| 18 | Class D License..... | \$ 4.00 |
| 19 | Motorcycle Endorsement..... | \$ 4.00 |

20 2. Notwithstanding the provisions of Section 1104 of this
21 title, all monies collected from the fees charged for Class A, B and
22 C commercial licenses pursuant to the provisions of this subsection
23 shall be deposited in the General Revenue Fund of this state.
24

1 I. The fee charged for any failed examination shall be Four
2 Dollars (\$4.00) for any license classification. Notwithstanding the
3 provisions of Section 1104 of this title, all monies collected from
4 such examination fees pursuant to the provisions of this subsection
5 shall be deposited in the General Revenue Fund of this state.

6 J. In addition to any fee charged pursuant to the provisions of
7 subsection H of this section, the fee charged for the issuance or
8 renewal of a REAL ID Noncompliant Driver License shall be in
9 accordance with the following schedule; provided, that any applicant
10 who has a CDL Learner Permit shall be charged only the replacement
11 fee for the issuance of the license:

| | | |
|----|--|---------|
| 12 | Class A Commercial Learner Permit..... | \$56.50 |
| 13 | Class A Commercial License..... | \$56.50 |
| 14 | Class B Commercial Learner Permit..... | \$56.50 |
| 15 | Class B Commercial License..... | \$56.50 |
| 16 | Class C Commercial License..... | \$46.50 |
| 17 | Class D License..... | \$38.50 |

18 K. In addition to any fee charged pursuant to the provisions of
19 subsection H of this section, the fee charged for the issuance or
20 renewal of a REAL ID Compliant Driver License shall be in accordance
21 with the following schedule; provided, that any applicant who has a
22 CDL Learner Permit shall be charged only the replacement fee for the
23 issuance of the license:

| | | |
|----|---|---------|
| 24 | REAL ID Compliant Class A Commercial Learner Permit.. | \$56.50 |
|----|---|---------|

- 1 REAL ID Compliant Class A Commercial License.....\$56.50
- 2 REAL ID Compliant Class B Commercial Learner Permit..\$56.50
- 3 REAL ID Compliant Class B Commercial License.....\$56.50
- 4 REAL ID Compliant Class C Commercial License.....\$46.50
- 5 REAL ID Compliant Class D License.....\$38.50

6 L. A commercial learner permit may be renewed one time for a
7 period of one hundred eighty (180) days. The cost for the renewed
8 permit shall be the same as for the original permit.

9 M. Notwithstanding the provisions of Section 1104 of this
10 title, of each fee charged pursuant to the provisions of subsections
11 J, K and L of this section:

12 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
13 the Trauma Care Assistance Revolving Fund created in Section 1-
14 2530.9 of Title 63 of the Oklahoma Statutes;

15 2. Six Dollars and seventy-five cents (\$6.75) shall be
16 deposited to the Department of Public Safety Computer Imaging System
17 Revolving Fund to be used solely for the purpose of administration
18 and maintenance of the computerized imaging system of the
19 Department;

20 3. Ten Dollars (\$10.00) shall be deposited to the Department of
21 Public Safety Revolving Fund for all original or renewal issuances
22 of licenses;

23 4. Three Dollars (\$3.00) shall be deposited to the State Public
24 Safety Fund created in Section 2-147 of this title; and

1 5. Two Dollars (\$2.00) of the fee provided for in subsection J
2 of this section related to the issuance or renewal of a driver
3 license by a motor license agent that does not process approved
4 applications or renewals for REAL ID Compliant Driver Licenses and
5 Identification Cards shall be deposited, in addition to the amount
6 authorized by paragraph 4 of this subsection, to the State Public
7 Safety Fund created in Section 2-147 of this title.

8 N. All original and renewal driver licenses shall expire as
9 provided in Section 6-115 of this title.

10 O. Any person sixty-two (62) years of age or older during the
11 calendar year of issuance of a Class D license or motorcycle
12 endorsement shall be charged the following prorated fee:

| | |
|-------------------------|---------|
| 13 Age 62..... | \$21.25 |
| 14 Age 63..... | \$17.50 |
| 15 Age 64..... | \$13.75 |
| 16 Age 65..... | -0- |

17 P. No person who has been honorably discharged from active
18 service in any branch of the Armed Forces of the United States or
19 Oklahoma National Guard and who has been certified by the United
20 States Department of Veterans Affairs, its successor, or the Armed
21 Forces of the United States to be a disabled veteran in receipt of
22 compensation at the one-hundred-percent rate for a permanent
23 disability sustained through military action or accident or
24 resulting from disease contracted while in such active service shall

1 be charged a fee for the issuance or renewal of an Oklahoma driver
2 license.

3 Q. In accordance with the provisions of subsection G of this
4 section, the Department of Public Safety and the Oklahoma Tax
5 Commission are authorized to promulgate rules for the issuance and
6 renewal of driver licenses authorized pursuant to the provisions of
7 Sections 6-101 through 6-309 of this title; provided, that no such
8 rules applicable to the issuance or renewal of REAL ID Noncompliant
9 Driver Licenses shall create more stringent standards than such
10 rules applicable as of January 1, 2017, unless directly related to a
11 specific change in statutory law concerning standards for REAL ID
12 Noncompliant Driver Licenses. Applications, upon forms approved by
13 the Department of Public Safety, for such licenses shall be handled,
14 in accordance with the provisions of subsection G of this section,
15 by the motor license agents; provided, the Department of Public
16 Safety is authorized to assume these duties in any county of this
17 state. Each motor license agent accepting applications for driver
18 licenses shall receive Four Dollars (\$4.00) to be deducted from the
19 total collected for each license or renewal application accepted; in
20 addition to such amount, each motor license agent that processes
21 approved applications or renewals for REAL ID Compliant Driver
22 Licenses shall receive Two Dollars (\$2.00) to be deducted from the
23 total fee collected under the provisions of subsections J and K of
24 this section for each license or renewal application accepted. The

1 fees received by the motor license agent, authorized by this
2 subsection, shall be used for operating expenses.

3 R. Notwithstanding the provisions of Section 1104 of this title
4 and subsection Q of this section and except as provided in
5 subsections H and M of this section, the first Sixty Thousand
6 Dollars (\$60,000.00) of all monies collected pursuant to this
7 section shall be paid by the Oklahoma Tax Commission to the State
8 Treasurer to be deposited in the General Revenue Fund of the State
9 Treasury.

10 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
11 collected pursuant to this section shall be paid by the Tax
12 Commission to the State Treasurer to be deposited each fiscal year
13 under the provisions of this section to the credit of the Department
14 of Public Safety Restricted Revolving Fund for the purpose of the
15 Statewide Law Enforcement Communications System. All other monies
16 collected in excess of Five Hundred Sixty Thousand Dollars
17 (\$560,000.00) each fiscal year shall be apportioned as provided in
18 Section 1104 of this title, except as otherwise provided in this
19 section.

20 S. The Department of Public Safety shall retain the images
21 displayed on licenses and identification cards issued pursuant to
22 the provisions of Sections 6-101 through 6-309 of this title which
23 may be used only:

24

1 1. By a law enforcement agency for purposes of criminal
2 investigations, missing person investigations, or any law
3 enforcement purpose which is deemed necessary by the Commissioner of
4 Public Safety;

5 2. By the driver licensing agency of another state for its
6 official purpose; and

7 3. As provided in Section 2-110 of this title.

8 All agencies approved to receive photographs or computerized
9 images may obtain them through the Oklahoma Law Enforcement
10 Telecommunications System (OLETS) or through the National Law
11 Enforcement Telecommunications System (NLETS) or through an entity
12 approved by the Commissioner of the Department of Public Safety.

13 The computer system and related equipment acquired for this
14 purpose must conform to industry standards for interoperability and
15 open architecture. The Department of Public Safety may promulgate
16 rules to implement the provisions of this subsection.

17 T. No person may hold more than one state-issued or territory-
18 issued REAL ID Compliant Driver License or REAL ID Compliant
19 Identification Card from Oklahoma or any other state or territory.
20 The Department shall not issue a REAL ID Compliant Driver License to
21 a person who has been previously issued a REAL ID Compliant Driver
22 License or REAL ID Compliant Identification Card until such license
23 or identification card has been surrendered to the Department by the
24 applicant. The Department may promulgate rules related to the

1 issuance of replacement REAL ID Compliant Driver Licenses in the
2 event of loss or theft.

3 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-101, as
4 last amended by Section 8, Chapter 229, O.S.L. 2017 (47 O.S. Supp.
5 2018, Section 6-101), is amended to read as follows:

6 Section 6-101. A. No person, except those hereinafter
7 expressly exempted in Sections 6-102 and 6-102.1 of this title,
8 shall operate any motor vehicle upon a highway in this state unless
9 the person has a valid Oklahoma driver license for the class of
10 vehicle being operated under the provisions of this title. No
11 person shall be permitted to possess more than one valid license at
12 any time, except as provided in paragraph 4 of subsection F of this
13 section.

14 B. 1. No person shall operate a Class A commercial motor
15 vehicle unless the person is eighteen (18) years of age or older and
16 holds a valid Class A commercial license, except as provided in
17 paragraph 5 of this subsection and subsection F of this section.
18 Any person holding a valid Class A commercial license shall be
19 permitted to operate motor vehicles in Classes A, B, C and D, except
20 as provided for in paragraph 4 of this subsection.

21 2. No person shall operate a Class B commercial motor vehicle
22 unless the person is eighteen (18) years of age or older and holds a
23 valid Class B commercial license, except as provided in paragraph 5
24 of subsection F of this section. Any person holding a valid Class B

1 commercial license shall be permitted to operate motor vehicles in
2 Classes B, C and D, except as provided for in paragraph 4 of this
3 subsection.

4 3. No person shall operate a Class C commercial motor vehicle
5 unless the person is eighteen (18) years of age or older and holds a
6 valid Class C commercial license, except as provided in subsection F
7 of this section. Any person holding a valid Class C commercial
8 license shall be permitted to operate motor vehicles in Classes C
9 and D, except as provided for in paragraph 4 of this subsection.

10 4. No person under twenty-one (21) years of age shall be
11 licensed to operate any motor vehicle which is required to be
12 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
13 subpart F, except as provided in subsection F of this section;
14 provided, a person eighteen (18) years of age or older may be
15 licensed to operate a farm vehicle which is required to be placarded
16 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
17 except as provided in subsection F of this section.

18 5. A person at least seventeen (17) years of age who
19 successfully completes all examinations required by law may be
20 issued by the Department:

21 a. a restricted Class A commercial license which shall
22 grant to the licensee the privilege to operate a Class
23 A or Class B commercial motor vehicle for harvest
24 purposes or a Class D motor vehicle, or

1 b. a restricted Class B commercial license which shall
2 grant to the licensee the privilege to operate a Class
3 B commercial motor vehicle for harvest purposes or a
4 Class D motor vehicle.

5 6. No person shall operate a Class D motor vehicle unless the
6 person is sixteen (16) years of age or older and holds a valid Class
7 D license, except as provided for in Section 6-102 or 6-105 of this
8 title. Any person holding a valid Class D license shall be
9 permitted to operate motor vehicles in Class D only.

10 C. Any person issued a driver license pursuant to this section
11 may exercise the privilege thereby granted upon all streets and
12 highways in this state.

13 D. No person shall operate a motorcycle or motor-driven cycle
14 without having a valid Class A, B, C or D license with a motorcycle
15 endorsement. Except as otherwise provided by law, any new applicant
16 for an original driver license shall be required to successfully
17 complete a written examination, vision examination, and driving
18 examination for a motorcycle as prescribed by the Department of
19 Public Safety, and a certified state-approved motorcycle basic rider
20 course approved by the Department if the applicant is seventeen (17)
21 years of age or younger to be eligible for a motorcycle endorsement
22 thereon. The written examination and driving examination for a
23 motorcycle shall be waived by the Department of Public Safety upon
24 verification that the person has successfully completed a certified

1 Motorcycle Safety Foundation rider course approved by the
2 Department.

3 E. Except as otherwise provided by law, any person who lawfully
4 possesses a valid Oklahoma driver license which is eligible for
5 renewal shall be required to successfully complete a written
6 examination, vision examination, and driving examination for a
7 motorcycle as prescribed by the Department, and a certified state-
8 approved motorcycle basic rider course approved by the Department if
9 the person is seventeen (17) years of age or younger to be eligible
10 for a motorcycle endorsement. The written examination and driving
11 examination for a motorcycle shall be waived by the Department of
12 Public Safety upon verification that the person has successfully
13 completed a certified Motorcycle Safety Foundation rider course
14 approved by the Department.

15 F. 1. Any person eighteen (18) years of age or older may apply
16 for a restricted Class A, B or C commercial learner permit. The
17 Department, after the applicant has passed all parts of the
18 examination for a Class D license and has successfully passed all
19 parts of the examination for a Class A, B or C commercial license
20 other than the driving examination, may issue to the applicant a
21 commercial learner permit which shall entitle the person having
22 immediate lawful possession of the commercial learner permit and a
23 valid Oklahoma driver license or provisional driver license pursuant
24 to Section 6-212 of this title to operate a Class A, B or C

1 commercial motor vehicle upon the public highways solely for the
2 purpose of behind-the-wheel training in accordance with rules
3 promulgated by the Department.

4 2. This commercial learner permit shall be issued for a period
5 as provided in Section 6-115 of this title of one hundred eighty
6 (180) days, which may be renewed one time for an additional one
7 hundred eighty (180) days; provided, such commercial learner permit
8 may be suspended, revoked, canceled, denied or disqualified at the
9 discretion of the Department for violation of the restrictions, for
10 failing to give the required or correct information on the
11 application, or for violation of any traffic laws of this state
12 pertaining to the operation of a motor vehicle. Except as otherwise
13 provided, the lawful possessor of a commercial learner permit who
14 has been issued a commercial learner permit for a minimum of
15 fourteen (14) days may have the restriction requiring an
16 accompanying driver removed by satisfactorily completing a driver's
17 examination; provided, the removal of a restriction shall not
18 authorize the operation of a Class A, B or C commercial motor
19 vehicle if such operation is otherwise prohibited by law.

20 3. No person shall apply for and the Department shall not issue
21 an original Class A, B or C driver license until the person has been
22 issued a commercial learner permit and held the permit for at least
23 fourteen (14) days. Any person who currently holds a Class B or C
24 license and who wishes to apply for another class of commercial

1 driver license shall be required to apply for a commercial learner
2 permit and to hold the permit for at least fourteen (14) days before
3 applying for the Class A or B license, as applicable. Any person
4 who currently holds a Class A, B or C license and who wishes to add
5 an endorsement or remove a restriction for which a skills
6 examination is required shall be required to apply for a commercial
7 learner permit and to hold the permit for at least fourteen (14)
8 days before applying for the endorsement.

9 4. A commercial learner permit shall be issued by the
10 Department as a separate and unique document which shall be valid
11 only in conjunction with a valid Oklahoma driver license or
12 provisional driver license pursuant to Section 6-212 of this title,
13 both of which shall be in the possession of the person to whom they
14 have been issued whenever that person is operating a commercial
15 motor vehicle as provided in this subsection.

16 5. After one renewal of a commercial learner permit, as
17 provided in paragraph 2 of this subsection, a commercial permit
18 shall not be renewed again. Any person who has held a commercial
19 learner permit for the initial issuance period and one renewal
20 period shall not be eligible for and the Department shall not issue
21 another renewal of the permit; provided, the person may reapply for
22 a new commercial learner permit, as provided for in this subsection.

23 6. Enrollment in or successful completion of a commercial
24 driver training school shall not be required for any commercial

1 learner permit applicant who requests a skills examination for a
2 Class A, B or C license, nor shall any student enrolled in a
3 commercial driver training school be prohibited from taking a skills
4 examination for a Class A, B or C license upon request with a
5 Department of Public Safety examiner regardless of whether the
6 person has completed the course, is still enrolled in the course to
7 be completed or has voluntarily withdrawn from the course.

8 G. 1. For purposes of this title:

- 9 a. "REAL ID Compliant Driver License" or "Identification
10 Card" means a driver license or identification card
11 issued by the State of Oklahoma that has been
12 certified by the United States Department of Homeland
13 Security (USDHS) as compliant with the requirements of
14 the REAL ID Act of 2005, Public Law No. 109-13. A
15 REAL ID Compliant Driver License or Identification
16 Card and the process through which it is issued
17 incorporate a variety of security measures designed to
18 protect the integrity and trustworthiness of the
19 license or card. A REAL ID Compliant Driver License
20 or Identification Card will be clearly marked on the
21 face indicating that it is a compliant document, and
- 22 b. "REAL ID Noncompliant Driver License" or
23 "Identification Card" means a driver license or
24 identification card issued by the State of Oklahoma

1 that has not been certified by the United States
2 Department of Homeland Security (USDHS) as being
3 compliant with the requirements of the REAL ID Act. A
4 REAL ID Noncompliant Driver License or Identification
5 Card will be clearly marked on the face indicating
6 that it is not compliant with the federal REAL ID Act
7 and is not acceptable for official federal purposes.
8 The driver license or identification card will have a
9 unique design or color indicator that clearly
10 distinguishes it from a compliant license or card.

11 2. Original Driver License and Identification Card Issuance:

- 12 a. Application for an original REAL ID Compliant or REAL
13 ID Noncompliant Driver License or Identification Card
14 shall be made to the Department of Public Safety.
- 15 b. Department of Public Safety employees shall perform
16 all document recognition and other requirements needed
17 for approval of an original REAL ID Compliant or REAL
18 ID Noncompliant Driver License or Identification Card
19 application.
- 20 c. Upon approval of an original REAL ID Compliant or REAL
21 ID Noncompliant Driver License or Identification Card
22 application, the applicant may take the approved
23 application document to a motor license agent to
24

1 receive a temporary driver license or identification
2 card.

3 d. The motor license agent shall process the approved
4 REAL ID Compliant or REAL ID Noncompliant Driver
5 License or Identification Card application and upon
6 payment shall provide the applicant a temporary driver
7 license or identification card. A temporary driver
8 license or identification card shall afford the holder
9 the privileges otherwise granted by the specific class
10 of driver license or identification card for the
11 period of time listed on the temporary driver license
12 or identification card or the period of time prior to
13 the applicant receiving a REAL ID Compliant or REAL ID
14 Noncompliant Driver License or Identification Card,
15 whichever time period is shorter.

16 3. REAL ID Compliant Driver License and Identification Card

17 Renewal and Replacement:

18 a. Application for renewal or replacement of a REAL ID
19 Compliant Driver License or Identification Card may be
20 made to the Department of Public Safety or to a motor
21 license agent, provided such motor license agent is
22 authorized to process application for REAL ID
23 Compliant Driver Licenses and Identification Cards;
24 and further provided, no motor license agent shall

1 process an application for a Class A, B or C
2 commercial license.

3 b. Department of Public Safety employees or authorized
4 motor license agents shall perform all document
5 recognition and other requirements needed for approval
6 of a renewal or replacement REAL ID Compliant Driver
7 License or Identification Card application; provided,
8 no motor license agent shall perform such document
9 recognition and other requirements needed for approval
10 of an application for a Class A, B or C commercial
11 license.

12 c. Upon approval of a renewal or replacement REAL ID
13 Compliant Driver License or Identification Card
14 application, the applicant may receive a temporary
15 driver license or identification card from the
16 Department of Public Safety or an authorized motor
17 license agent.

18 d. A temporary driver license or identification card
19 acquired under the provisions of this paragraph shall
20 afford the holder the privileges otherwise granted by
21 the specific class of driver license or identification
22 card being renewed or replaced for the period of time
23 listed on the temporary driver license or
24 identification card or the period of time prior to the

1 applicant receiving a REAL ID Compliant Driver License
2 or Identification Card, whichever time period is
3 shorter.

- 4 e. For purposes of this title, an application for a REAL
5 ID Compliant Driver License or Identification Card by
6 an individual with a valid Oklahoma-issued driver
7 license or identification card shall be considered a
8 renewal of a REAL ID Compliant Driver License or
9 Identification Card.

10 4. REAL ID Noncompliant Driver License and Identification Card

11 Renewal and Replacement:

- 12 a. Application for renewal or replacement of a REAL ID
13 Noncompliant Driver License or Identification Card may
14 be made to the Department of Public Safety or to a
15 motor license agent; provided, no motor license agent
16 shall process an application for a Class A, B or C
17 commercial license.
- 18 b. Department of Public Safety employees or motor license
19 agents shall perform all document recognition and
20 other requirements needed for approval of a renewal or
21 replacement REAL ID Noncompliant Driver License or
22 Identification Card application; provided, no motor
23 license agent shall perform such document recognition
24

1 and other requirements needed for approval of an
2 application for a Class A, B or C commercial license.

3 c. Upon approval of a renewal or replacement REAL ID
4 Noncompliant Driver License or Identification Card
5 application, the applicant may receive a temporary
6 driver license or identification card from the
7 Department of Public Safety or a motor license agent.

8 d. A temporary driver license or identification card
9 acquired under the provisions of this paragraph shall
10 afford the holder the privileges otherwise granted by
11 the specific class of driver license or identification
12 card being renewed or replaced for the period of time
13 listed on the temporary driver license or
14 identification card or the period of time prior to the
15 applicant receiving a REAL ID Noncompliant Driver
16 License or Identification Card, whichever time period
17 is shorter.

18 H. 1. The fee charged for an approved application for an
19 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
20 License or an approved application for the addition of an
21 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
22 Noncompliant Driver License shall be assessed in accordance with the
23 following schedule:

24 Class A Commercial Learner Permit.....\$25.00

| | | |
|---|--|---------|
| 1 | Class A Commercial License..... | \$25.00 |
| 2 | Class B Commercial Learner Permit..... | \$15.00 |
| 3 | Class B Commercial License..... | \$15.00 |
| 4 | Class C Commercial Learner Permit..... | \$15.00 |
| 5 | Class C Commercial License..... | \$15.00 |
| 6 | Class D License..... | \$ 4.00 |
| 7 | Motorcycle Endorsement..... | \$ 4.00 |

8 2. Notwithstanding the provisions of Section 1104 of this
9 title, all monies collected from the fees charged for Class A, B and
10 C commercial licenses pursuant to the provisions of this subsection
11 shall be deposited in the General Revenue Fund of this state.

12 I. The fee charged for any failed examination shall be Four
13 Dollars (\$4.00) for any license classification. Notwithstanding the
14 provisions of Section 1104 of this title, all monies collected from
15 such examination fees pursuant to the provisions of this subsection
16 shall be deposited in the General Revenue Fund of this state.

17 J. In addition to any fee charged pursuant to the provisions of
18 subsection H of this section, the fee charged for the issuance or
19 renewal of a REAL ID Noncompliant Driver License shall be in
20 accordance with the following schedule; provided, that any applicant
21 who has a CDL Learner Permit shall be charged only the replacement
22 fee for the issuance of the license:

| | | |
|----|--|---------|
| 23 | Class A Commercial Learner Permit..... | \$56.50 |
| 24 | Class A Commercial License..... | \$56.50 |

| | | |
|---|--|---------|
| 1 | Class B Commercial Learner Permit..... | \$56.50 |
| 2 | Class B Commercial License..... | \$56.50 |
| 3 | Class C Commercial License..... | \$46.50 |
| 4 | Class D License..... | \$38.50 |

5 K. In addition to any fee charged pursuant to the provisions of
6 subsection H of this section, the fee charged for the issuance or
7 renewal of a REAL ID Compliant Driver License shall be in accordance
8 with the following schedule; provided, that any applicant who has a
9 CDL Learner Permit shall be charged only the replacement fee for the
10 issuance of the license:

| | | |
|----|---|---------|
| 11 | REAL ID Compliant Class A Commercial Learner Permit.. | \$56.50 |
| 12 | REAL ID Compliant Class A Commercial License..... | \$56.50 |
| 13 | REAL ID Compliant Class B Commercial Learner Permit.. | \$56.50 |
| 14 | REAL ID Compliant Class B Commercial License..... | \$56.50 |
| 15 | REAL ID Compliant Class C Commercial License..... | \$46.50 |
| 16 | REAL ID Compliant Class D License..... | \$38.50 |

17 L. A commercial learner permit may be renewed one time for a
18 period of one hundred eighty (180) days. The cost for the renewed
19 permit shall be the same as for the original permit.

20 M. Notwithstanding the provisions of Section 1104 of this
21 title, of each fee charged pursuant to the provisions of subsections
22 J, K and L of this section:

23
24

1 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
2 the Trauma Care Assistance Revolving Fund created in Section 1-
3 2530.9 of Title 63 of the Oklahoma Statutes;

4 2. Six Dollars and seventy-five cents (\$6.75) shall be
5 deposited to the Department of Public Safety Computer Imaging System
6 Revolving Fund to be used solely for the purpose of administration
7 and maintenance of the computerized imaging system of the
8 Department;

9 3. Ten Dollars (\$10.00) shall be deposited to the Department of
10 Public Safety Revolving Fund for all original or renewal issuances
11 of licenses;

12 4. Three Dollars (\$3.00) shall be deposited to the State Public
13 Safety Fund created in Section 2-147 of this title; and

14 5. Two Dollars (\$2.00) of the fee provided for in subsection J
15 of this section related to the issuance or renewal of a driver
16 license by a motor license agent that does not process approved
17 applications or renewals for REAL ID Compliant Driver Licenses and
18 Identification Cards shall be deposited, in addition to the amount
19 authorized by paragraph 4 of this subsection, to the State Public
20 Safety Fund created in Section 2-147 of this title.

21 N. All original and renewal driver licenses shall expire as
22 provided in Section 6-115 of this title.

1 O. Any person sixty-two (62) years of age or older during the
2 calendar year of issuance of a Class D license or motorcycle
3 endorsement shall be charged the following prorated fee:

| | | |
|---|-------------|---------|
| 4 | Age 62..... | \$21.25 |
| 5 | Age 63..... | \$17.50 |
| 6 | Age 64..... | \$13.75 |
| 7 | Age 65..... | -0- |

8 P. No person who has been honorably discharged from active
9 service in any branch of the Armed Forces of the United States or
10 Oklahoma National Guard and who has been certified by the United
11 States Department of Veterans Affairs, its successor, or the Armed
12 Forces of the United States to be a disabled veteran in receipt of
13 compensation at the one-hundred-percent rate for a permanent
14 disability sustained through military action or accident or
15 resulting from disease contracted while in such active service and
16 registered with the veterans registry created by the Oklahoma
17 Department of Veterans Affairs shall be charged a fee for the
18 issuance or renewal of an Oklahoma driver license; provided, that if
19 a veteran has been previously exempt from a fee pursuant to this
20 subsection, no registration with the veterans registry shall be
21 required.

22 Q. In accordance with the provisions of subsection G of this
23 section, the Department of Public Safety and the Oklahoma Tax
24 Commission are authorized to promulgate rules for the issuance and

1 renewal of driver licenses authorized pursuant to the provisions of
2 Sections 6-101 through 6-309 of this title; provided, that no such
3 rules applicable to the issuance or renewal of REAL ID Noncompliant
4 Driver Licenses shall create more stringent standards than such
5 rules applicable as of January 1, 2017, unless directly related to a
6 specific change in statutory law concerning standards for REAL ID
7 Noncompliant Driver Licenses. Applications, upon forms approved by
8 the Department of Public Safety, for such licenses shall be handled,
9 in accordance with the provisions of subsection G of this section,
10 by the motor license agents; provided, the Department of Public
11 Safety is authorized to assume these duties in any county of this
12 state. Each motor license agent accepting applications for driver
13 licenses shall receive Four Dollars (\$4.00) to be deducted from the
14 total collected for each license or renewal application accepted; in
15 addition to such amount, each motor license agent that processes
16 approved applications or renewals for REAL ID Compliant Driver
17 Licenses shall receive Two Dollars (\$2.00) to be deducted from the
18 total fee collected under the provisions of subsections J and K of
19 this section for each license or renewal application accepted. The
20 fees received by the motor license agent, authorized by this
21 subsection, shall be used for operating expenses.

22 R. Notwithstanding the provisions of Section 1104 of this title
23 and subsection Q of this section and except as provided in
24 subsections H and M of this section, the first Sixty Thousand

1 Dollars (\$60,000.00) of all monies collected pursuant to this
2 section shall be paid by the Oklahoma Tax Commission to the State
3 Treasurer to be deposited in the General Revenue Fund of the State
4 Treasury.

5 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
6 collected pursuant to this section shall be paid by the Tax
7 Commission to the State Treasurer to be deposited each fiscal year
8 under the provisions of this section to the credit of the Department
9 of Public Safety Restricted Revolving Fund for the purpose of the
10 Statewide Law Enforcement Communications System. All other monies
11 collected in excess of Five Hundred Sixty Thousand Dollars
12 (\$560,000.00) each fiscal year shall be apportioned as provided in
13 Section 1104 of this title, except as otherwise provided in this
14 section.

15 S. The Department of Public Safety shall retain the images
16 displayed on licenses and identification cards issued pursuant to
17 the provisions of Sections 6-101 through 6-309 of this title which
18 may be used only:

19 1. By a law enforcement agency for purposes of criminal
20 investigations, missing person investigations, or any law
21 enforcement purpose which is deemed necessary by the Commissioner of
22 Public Safety;

23 2. By the driver licensing agency of another state for its
24 official purpose; and

1 3. As provided in Section 2-110 of this title.

2 All agencies approved to receive photographs or computerized
3 images may obtain them through the Oklahoma Law Enforcement
4 Telecommunications System (OLETS) or through the National Law
5 Enforcement Telecommunications System (NLETS) or through an entity
6 approved by the Commissioner of the Department of Public Safety.

7 The computer system and related equipment acquired for this
8 purpose must conform to industry standards for interoperability and
9 open architecture. The Department of Public Safety may promulgate
10 rules to implement the provisions of this subsection.

11 T. No person may hold more than one state-issued or territory-
12 issued REAL ID Compliant Driver License or REAL ID Compliant
13 Identification Card from Oklahoma or any other state or territory.
14 The Department shall not issue a REAL ID Compliant Driver License to
15 a person who has been previously issued a REAL ID Compliant Driver
16 License or REAL ID Compliant Identification Card until such license
17 or identification card has been surrendered to the Department by the
18 applicant. The Department may promulgate rules related to the
19 issuance of replacement REAL ID Compliant Driver Licenses in the
20 event of loss or theft.

21 SECTION 3. Section 1 of this act shall become effective
22 November 1, 2019.

23 SECTION 4. Section 2 of this act shall become effective
24 November 1, 2020.

1 Passed the House of Representatives the 14th day of March, 2019.

2
3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

6
7
8 _____
9 Presiding Officer of the Senate