

1 ENGROSSED HOUSE
2 BILL NO. 2554

By: Wright and Russ of the
House

3 and

4 Schulz of the Senate
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8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 6-111, as last amended by Section 4,
10 Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section
11 6-111), which relates to the issuance of driver
12 licenses and identification cards; authorizing the
13 Department of Public Safety to issue nondomiciled
14 commercial learner permits or driver licenses;
15 stating requirements for obtaining nondomiciled
16 commercial learner permits or driver licenses;
17 authorizing the Department to promulgate certain
18 rules; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-111, as
last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
2015, Section 6-111), is amended to read as follows:

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

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

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

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

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

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

12 6. The Department of Public Safety may develop by rule an
13 alternative procedure whereby a person may apply for a renewal or
14 replacement Oklahoma Class D license or Oklahoma identification
15 card.

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

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

- 4 a. farm retail outlets and suppliers,
- 5 b. agri-chemical businesses,
- 6 c. custom harvesters, and
- 7 d. livestock feeders.

8 The applicant shall hold a valid Oklahoma driver license and
9 shall meet all the requirements for a commercial driver license.

10 The restricted commercial driver license shall not exceed a total of
11 one hundred eighty (180) days within any twelve-month period.

12 2. 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 vehicles. Holders
16 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.

1 No other placarded hazardous materials shall be transported by
2 holders of such licenses.

3 3. The Department may issue a nondomiciled commercial learner
4 permit or a nondomiciled commercial driver license to an H2A-
5 Temporary Agricultural worker lawfully present in the United States
6 as indicated on an original, valid and unexpired I-94 immigration
7 status document issued by United States Customs and Immigration
8 Service. A person applying for such permit or license must comply
9 with all testing and licensing requirements in accordance with
10 applicable federal regulations, state laws and Department rules.
11 The Department may promulgate rules for the implementation of the
12 process to carry out the provisions of this paragraph.

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

22 2. The Department shall notify every person subject to
23 registration under the provisions of Section 1-101 et seq. of this
24 title who holds a current Class A, B, C or D driver license or

1 identification card that such person is required to surrender the
2 license or card to the Department within one hundred eighty (180)
3 days from the date of the notice.

4 3. Upon surrendering the license or card for the reason set
5 forth in this subsection, application may be made with the
6 Department for a replacement license or card bearing the words "Sex
7 Offender".

8 4. Failure to comply with the requirements set forth in such
9 notice shall result in cancellation of the person's license or card.
10 Such cancellation shall be in effect for one (1) year, after which
11 time the person may make application with the Department for a new
12 license or card bearing the words "Sex Offender". Continued use of
13 a canceled license or card shall constitute a misdemeanor and shall,
14 upon conviction thereof, be punishable by a fine of not less than
15 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
16 (\$200.00). When an individual is no longer required to register as
17 a convicted sex offender with the Department of Corrections pursuant
18 to the provisions of the Sex Offenders Registration Act, the
19 individual shall be eligible to receive a driver license or
20 identification card which does not bear the words "Sex Offender".

21 E. Nothing in subsection D of this section shall be deemed to
22 impose any liability upon or give rise to a cause of action against
23 any employee, agent or official of the Department of Corrections for
24 failing to designate a sex offender as an aggravated or habitual

1 offender pursuant to subsection J of Section 584 of Title 57 of the
2 Oklahoma Statutes.

3 F. The Department shall develop a procedure whereby a person
4 subject to an order for the installation of an ignition interlock
5 device shall be required by the Department to submit ~~their~~ his or
6 her driver license for a replacement. The replacement driver
7 license shall bear the words "Interlock Required" and such
8 designation shall remain on the driver license for the duration of
9 the order requiring the ignition interlock device. The replacement
10 license shall be subject to the same expiration and renewal
11 procedures provided by law. Upon completion of the requirements for
12 the interlock device, a person may apply for a replacement driver
13 license.

14 G. The Department shall develop a procedure whereby a person
15 applying for an original, renewal or replacement Class D driver
16 license who has been granted modified driving privileges under this
17 title shall be issued a Class D driver license which identifies the
18 license as a modified license.

19 SECTION 2. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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