

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 2554

By: Wright and Russ of the  
House

6 and

Schulz of the Senate

7  
8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to commercial driver licenses;  
11 amending 47 O.S. 2011, Section 6-111, as last amended  
12 by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
13 2015, Section 6-111), which relates to commercial  
14 driver licenses; authorizing certain driver licenses  
15 to be issued; stating requirements; allowing rules  
16 for implementation; providing an effective date; and  
17 declaring an emergency.

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

19 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-111, as  
20 last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
21 2015, Section 6-111), is amended to read as follows:

22 Section 6-111. A. 1. The Department of Public Safety shall,  
23 upon payment of the required fee, issue to every applicant  
24 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.

24 |

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.

24

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

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

21 ~~G.~~ 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, 2016.

4 SECTION 3. It being immediately necessary for the preservation  
5 of the public peace, health and 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.

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