

1 ENGROSSED HOUSE  
2 BILL NO. 3013

By: Faught of the House  
and  
Sykes of the Senate

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7 An Act relating to driver license requirements;  
8 amending 47 O.S. 2011, Section 6-107.3, which relates  
9 to driver licenses for minors; adding exemption from  
10 license requirements for certain students; requiring  
11 verification by parent or guardian; providing  
12 administrative fine for falsified verification; and  
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-107.3, is  
16 amended to read as follows:

17 Section 6-107.3 A. The Department of Public Safety shall deny  
18 a license, restricted license, or instruction permit for the  
19 operation of a motor vehicle to any person under eighteen (18) years  
20 of age who does not, at the time of application, present  
21 documentation that such person:

- 22 1. a. is a student enrolled in a public or private secondary  
23 school, including any technology center school, of  
24 this state or any other state,

- 1           b.    has received a diploma or certificate of completion  
2                    issued to the person from a secondary school of this  
3                    state or any other state,  
4           c.    is enrolled and making satisfactory progress in a  
5                    program leading to a Certificate of High School  
6                    Equivalency issued by the State Department of  
7                    Education, or has obtained such certificate,  
8           d.    is excused from such requirement pursuant to a lawful  
9                    excuse as defined in subsection € F of this section or  
10                   due to circumstances beyond the control of the person,  
11                   or  
12           e.    is excused from such requirement pursuant to  
13                   subsection € B of this section; and

14           2.    Has successfully passed the criterion-referenced reading  
15 test required for all eighth grade students or an alternative  
16 reading proficiency test approved by the State Department of  
17 Education, pursuant to the provisions of Section 1210.515 of Title  
18 70 of the Oklahoma Statutes, demonstrating reading proficiency at  
19 the eighth-grade reading level, unless such student is excused from  
20 such requirement pursuant to the provisions of Section 1210.515 of  
21 Title 70 of the Oklahoma Statutes.

22           Provided, during the summer months when school is not in regular  
23 session, as established by the school district pursuant to Section  
24 1-109 of Title 70 of the Oklahoma Statutes, a person under eighteen

1 (18) years of age may satisfy the documentation requirement of this  
2 subsection by providing a notarized written statement from and  
3 signed by the legal custodial parent or legal guardian of the person  
4 to the Department of Public Safety stating that the person completed  
5 the immediately previous school year and is enrolled or intends to  
6 enroll for the immediately subsequent school year.

7 B. 1. ~~A person under eighteen (18) years of age who is~~  
8 ~~receiving education by other means, including education at home~~  
9 ~~pursuant to Section 4 of Article XIII of the Oklahoma Constitution,~~  
10 ~~shall satisfy the documentation requirement of paragraph 1 of~~  
11 ~~subsection A of this section by providing a written statement from~~  
12 ~~and signed by the legal custodial parent or legal guardian of the~~  
13 ~~person to the Department of Public Safety stating that the person is~~  
14 ~~receiving instruction by other means pursuant to Section 4 of~~  
15 ~~Article XIII of the Oklahoma Constitution.~~

16 2. ~~Any person who falsifies the information required in such~~  
17 ~~documentation, upon conviction, shall be guilty of a misdemeanor.~~

18 C. 1. A person under eighteen (18) years of age, who does not  
19 meet the requirements of subparagraphs a through c of paragraph 1 of  
20 subsection A of this section ~~or the requirements of subsection B of~~  
21 ~~this section,~~ may retain or be issued a driver license if:

22 a. the person is employed at least twenty-four (24) hours  
23 per week, and

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1           ~~b.~~ the employer of the person verifies the employment on  
2           a form prescribed by the Department of Public Safety,  
3           or  
4           b. the person is receiving education by other means,  
5           including education at home, pursuant to Section 4 of  
6           Article XIII of the Oklahoma Constitution and the  
7           parent or legal guardian of the person verifies this  
8           on a form prescribed by the Department of Public  
9           Safety.

10           2. Any person who has retained or been issued a driver license  
11 pursuant to subparagraph a of paragraph 1 of this subsection who  
12 leaves such employment shall have fifteen (15) days from the date of  
13 termination of employment to provide verification of employment from  
14 a new employer.

15           3. Any ~~employer~~ person who falsifies a verification of  
16 employment or education required by paragraph 1 of this subsection  
17 shall be subject to an administrative fine of not more than Fifty  
18 Dollars (\$50.00), to be assessed by the Department of Public Safety.

19           ~~D.~~ C. 1. School district attendance officers, upon request,  
20 shall provide a documentation of enrollment status form, established  
21 and approved by the Department of Public Safety, to any person under  
22 eighteen (18) years of age who is properly enrolled in a school for  
23 which the attendance officer is responsible, for presentation to the  
24 Department of Public Safety upon application for or reinstatement of

1 an instruction permit, restricted license, or license to operate a  
2 motor vehicle.

3 2. Except as provided in subsection ~~E~~ D of this section,  
4 whenever a person over fourteen (14) years of age and under eighteen  
5 (18) years of age, who has a driver license or permit issued by the  
6 Department of Public Safety, withdraws from school, the attendance  
7 officer shall notify the Department of Public Safety of such  
8 withdrawal through a documentation of enrollment status form.

9 3. Within fifteen (15) working days of the receipt of such  
10 notice, the Department of Public Safety shall provide written notice  
11 to the person, by first class, postage prepaid mail, that the  
12 license of the person will be canceled thirty (30) days following  
13 the date the notice to the person was sent, unless documentation of  
14 compliance with the provisions of this section is received by the  
15 Department of Public Safety before such time. After the thirty-day  
16 period, the Department of Public Safety shall cancel the driving  
17 privileges of the person.

18 ~~E~~ D. When the withdrawal from school of a person under  
19 eighteen (18) years of age is:

- 20 1. Due to circumstances beyond the control of the person;
- 21 2. Pursuant to any lawful excuse; or
- 22 3. For the purpose of transfer to another school, including  
23 education by other means, including education at home, pursuant to  
24 Section 4 of Article XIII of the Oklahoma Constitution, as confirmed

1 in writing by the legal custodial parent or legal guardian of the  
2 person,  
3 no notice as required by subsection ~~D~~ C of this section shall be  
4 sent to the Department of Public Safety, or, if sent, such notice  
5 shall be disregarded by the Department of Public Safety. If the  
6 person is applying for a license, restricted license, or instruction  
7 permit, the attendance officer shall provide the person with  
8 documentation to present to the Department of Public Safety to  
9 excuse the person from the requirements of this section.

10 ~~F.~~ E. Every school district shall, upon request, provide  
11 documentation of reading proficiency for any person under eighteen  
12 (18) years of age enrolled in such school district by certifying  
13 passage of a reading examination pursuant to the provisions of  
14 Section 1210.515 of Title 70 of the Oklahoma Statutes.

15 ~~G.~~ F. As used in Sections 6-107.3 through 6-107.6 of this  
16 title:

17 1. "Withdrawal" means more than ten (10) consecutive days, or  
18 parts of days, of unexcused absences or fifteen (15) days, or parts  
19 of days, total unexcused absences during a single semester;

20 2. "Lawful excuse" means absence from school pursuant to any  
21 valid physical or mental illness or pursuant to any legal excuse as  
22 provided in Section 10-105 of Title 70 of the Oklahoma Statutes;  
23 provided, however, the meaning of such term shall not include  
24 marriage;

1           3. "Circumstances beyond the control of the person" shall not  
2 include marriage, suspension or expulsion from school, or  
3 imprisonment in a jail, penitentiary or other correctional  
4 institution;

5           4. "Documentation of enrollment status form" means the document  
6 established and approved by the Department of Public Safety to  
7 substantiate information concerning the eligibility of a person  
8 under eighteen (18) years of age to apply for or to retain a license  
9 or permit to drive. Such documentation shall not include any  
10 information which is considered an education record pursuant to the  
11 Family Education Rights and Privacy Act, 20 U.S.C., Sections 1232g  
12 through 1232i, unless compliance is made with the restrictions  
13 regarding disclosure of the information; and

14           5. "Documentation of reading proficiency" means information  
15 provided by a school authorized by subsection B of Section 1210.515  
16 of Title 70 of the Oklahoma Statutes to certify the eligibility of a  
17 person under eighteen (18) years of age to apply for a license or  
18 permit based on passage of a reading proficiency test approved by  
19 the State Department of Education, or pursuant to the alternative  
20 documentation criteria provided in subsection C of Section 1210.515  
21 of Title 70 of the Oklahoma Statutes. Such documentation shall not  
22 include any information which is considered an education record  
23 pursuant to the Family Education Rights and Privacy Act, 20 U.S.C.,  
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1 Sections 1232g through 1232i, unless compliance is made with the  
2 restrictions regarding disclosure of the information.

3 ~~H.~~ G. The provisions of this section shall be inapplicable with  
4 respect to any person under eighteen (18) years of age upon whom  
5 rights of majority have been conferred pursuant to Sections 91  
6 through 94 of Title 10 of the Oklahoma Statutes.

7 ~~F.~~ H. The Department of Public Safety shall establish and  
8 approve documentation forms and certificates required by this  
9 section for use by school districts to comply with the provisions of  
10 this section. Upon establishment and approval of such forms and  
11 certificates, the Department of Public Safety shall notify each  
12 school district and the State Board of Education of the content  
13 thereof.

14 SECTION 2. This act shall become effective November 1, 2018.

15 Passed the House of Representatives the 12th day of March, 2018.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2018.

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Presiding Officer of the Senate

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