

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1018

6 By: Schulz

7 COMMITTEE SUBSTITUTE

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

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-111, as
17 last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp.
18 2015, Section 6-111), is amended to read as follows:

19 Section 6-111. A. 1. The Department of Public Safety shall,
20 upon payment of the required fee, issue to every applicant
21 qualifying therefor a Class A, B, C or D driver license or
22 identification card as applied for, which license or card shall bear
23 thereon a distinguishing alphanumeric identification assigned to the
24 licensee or cardholder, date of issuance and date of expiration of
the license or card, the full name, signature or computerized

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

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

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

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

22 5. It is unlawful for any person to apply, adhere, or otherwise
23 attach to a driver license or identification card any decal,
24 sticker, label, or other attachment. Any law enforcement officer is

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

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

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

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

24 a. farm retail outlets and suppliers,

- b. agri-chemical businesses,
- c. custom harvesters, and
- d. livestock feeders.

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

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

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

- a. diesel fuel in quantities of one thousand (1,000) gallons or less,
- b. liquid fertilizers in vehicles with total capacities of three thousand (3,000) gallons or less, and
- c. solid fertilizers that are not mixed with any organic substance.

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

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

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

5 2. A J-1 Exchange Visitor Program participant lawfully present
6 in the United States as indicated on a valid and unexpired J-1
7 Visitor Visa issued by the United States Customs and Immigration
8 Service.

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

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

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

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

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

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

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

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

22 SECTION 2. This act shall become effective November 1, 2016.
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