1	ENGROSSED SENATE			
2	BILL NO. 1057	Ву:	Thompson and Hall of Senate	the
3			and	
4			Wallace and Hilbert o House	f the
5			nouse	
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7	An Act relating to driver 2011, Section 6-101, as 1		-	
8	Enrolled House Bill No. 1 the 58th Oklahoma Legisla	.059 of t	he 1st Session of	
9	driver license fees, expi renewal; allowing certain	ration,	issuance and	
10	fees; providing an expira amending 47 O.S. 2011, Se			
11	amended by Section 2 of E of the 1st Session of the			
12	which relates to issuance allowing certain identifi	.cation c	ard; modifying	
13	certain fees; amending 47 as last amended by Section	on 3 of E	nrolled House Bill	
14	No. 1059 of the 1st Sessi Legislature, which relate	es to exa	mination of	
15	applicants; removing cert O.S. 2011, Section 6-115,	as last	amended by Section	
16	3, Chapter 170, O.S.L. 20 Section 6-115), which rel	ates to	expiration and	
17	renewal of driver license modifying fees for certai	n annual	license; creating	
18	the "License and ID Appor Revolving Fund"; providin	ng purpos	e of fund; requiring	
19	certain reporting; provid repealing Section 3 of Er	rolled H	ouse Bill No. 1679	
20	of the 1st Session of the repealing Section 1 of En	rolled H	ouse Bill No. 2183	
21	of the 1st Session of the repealing Section 2 of En	rolled H	ouse Bill No. 2465	
22	of the 1st Session of the and declaring an emergenc		tanoma Legislature;	
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2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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3 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as 4 last amended by Section 1 of Enrolled House Bill No. 1059 of the 1st 5 Session of the 58th Oklahoma Legislature, is amended to read as 6 follows:

A. No person, except those hereinafter 7 Section 6-101. expressly exempted in Sections 6-102 and 6-102.1 of this title, 8 9 shall operate any motor vehicle upon a highway in this state unless 10 the person has a valid Oklahoma driver license for the class of 11 vehicle being operated under the provisions of this title. No 12 person shall be permitted to possess more than one valid license at 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
vehicle unless the person is eighteen (18) years of age or older and
holds a valid Class A commercial license, except as provided in
paragraph 5 of this subsection and subsection F of this section.
Any person holding a valid Class A commercial license shall be
permitted to operate motor vehicles in Classes A, B, C and D, except
as provided for in paragraph 4 of this subsection.

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

of subsection F of this section. Any person holding a valid Class B
 commercial license shall be permitted to operate motor vehicles in
 Classes B, C and D, except as provided for in paragraph 4 of this
 subsection.

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

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

19 5. A person at least seventeen (17) years of age who 20 successfully completes all examinations required by law may be 21 issued by the Department:

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

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

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

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

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motorcycle shall be waived by the Department of Public Safety upon
 verification that the person has successfully completed a certified
 Motorcycle Safety Foundation rider course approved by the
 Department.

5 Ε. Except as otherwise provided by law, any person who lawfully possesses a valid Oklahoma driver license which is eligible for 6 renewal shall be required to successfully complete a written 7 examination, vision examination, and driving examination for a 8 9 motorcycle as prescribed by the Department, and a certified state-10 approved motorcycle basic rider course approved by the Department if 11 the person is seventeen (17) years of age or younger to be eligible 12 for a motorcycle endorsement. The written examination and driving examination for a motorcycle shall be waived by the Department of 13 Public Safety upon verification that the person has successfully 14 completed a certified Motorcycle Safety Foundation rider course 15 16 approved by the Department.

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

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1 valid Oklahoma driver license or provisional driver license pursuant 2 to Section 6-212 of this title to operate a Class A, B or C 3 commercial motor vehicle upon the public highways solely for the 4 purpose of behind-the-wheel training in accordance with rules 5 promulgated by the Department.

This commercial learner permit shall be issued for a period 6 2. as provided in Section 6-115 of this title of one hundred eighty 7 (180) days, which may be renewed one time for an additional one 8 9 hundred eighty (180) days; provided, such commercial learner permit 10 may be suspended, revoked, canceled, denied or disqualified at the 11 discretion of the Department for violation of the restrictions, for 12 failing to give the required or correct information on the application τ or for violation of any traffic laws of this state 13 pertaining to the operation of a motor vehicle. Except as otherwise 14 15 provided, the lawful possessor of a commercial learner permit who has been issued a commercial learner permit for a minimum of 16 fourteen (14) days may have the restriction requiring an 17 accompanying driver removed by satisfactorily completing a driver's 18 examination; provided, the removal of a restriction shall not 19 authorize the operation of a Class A, B or C commercial motor 20 vehicle if such operation is otherwise prohibited by law. 21

3. No person shall apply for and the Department shall not issue an original Class A, B or C driver license until the person has been issued a commercial learner permit and held the permit for at least

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1 fourteen (14) days. Any person who currently holds a Class B or C 2 license and who wishes to apply for another class of commercial 3 driver license shall be required to apply for a commercial learner permit and to hold the permit for at least fourteen (14) days before 4 5 applying for the Class A or B license, as applicable. Any person who currently holds a Class A, B or C license and who wishes to add 6 an endorsement or remove a restriction for which a skills 7 examination is required shall be required to apply for a commercial 8 9 learner permit and to hold the permit for at least fourteen (14) 10 days before applying for the endorsement.

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

18 5. After one renewal of a commercial learner permit, as 19 provided in paragraph 2 of this subsection, a commercial permit 20 shall not be renewed again. Any person who has held a commercial 21 learner permit for the initial issuance period and one renewal 22 period shall not be eligible for and the Department shall not issue 23 another renewal of the permit; provided, the person may reapply for 24 a new commercial learner permit, as provided for in this subsection.

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G. 1. For purposes of this title:

"REAL ID Compliant Driver License" or "Identification 2 a. Card" means a driver license or identification card 3 issued by the State of Oklahoma that has been 4 5 certified by the United States Department of Homeland Security (USDHS) as compliant with the requirements of 6 the REAL ID Act of 2005, Public Law No. 109-13. 7 А REAL ID Compliant Driver License or Identification 8 9 Card and the process through which it is issued 10 incorporate a variety of security measures designed to 11 protect the integrity and trustworthiness of the 12 license or card. A REAL ID Compliant Driver License 13 or Identification Card will be clearly marked on the face indicating that it is a compliant document, and 14 "REAL ID Noncompliant Driver License" or 15 b. "Identification Card" means a driver license or 16 identification card issued by the State of Oklahoma 17 that has not been certified by the United States 18 Department of Homeland Security (USDHS) as being 19 compliant with the requirements of the REAL ID Act. 20 А REAL ID Noncompliant Driver License or Identification 21 Card will be clearly marked on the face indicating 22 23 that it is not compliant with the federal REAL ID Act and is not acceptable for official federal purposes. 24

1		The driver license or identification card will have a
2		unique design or color indicator that clearly
3		distinguishes it from a compliant license or card.
4	2. Origi	nal Driver License and Identification Card Issuance:
5	a.	Application for an original REAL ID Compliant or REAL
6		ID Noncompliant Driver License or Identification Card
7		shall be made to the Department of Public Safety.
8	b.	Department of Public Safety employees shall perform
9		all document recognition and other requirements needed
10		for approval of an original REAL ID Compliant or REAL
11		ID Noncompliant Driver License or Identification Card
12		application.
13	с.	Upon approval of an original REAL ID Compliant or REAL
14		ID Noncompliant Driver License or Identification Card
15		application, the applicant may take the approved
16		application document to a motor license agent to
17		receive a temporary driver license or identification
18		card.
19	d.	The motor license agent shall process the approved
20		REAL ID Compliant or REAL ID Noncompliant Driver
21		License or Identification Card application and upon
22		payment shall provide the applicant a temporary driver
23		license or identification card. A temporary driver
24		license or identification card shall afford the holder

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1the privileges otherwise granted by the specific class2of driver license or identification card for the3period of time listed on the temporary driver license4or identification card or the period of time prior to5the applicant receiving a REAL ID Compliant or REAL ID6Noncompliant Driver License or Identification Card,7whichever time period is shorter.

8 3. REAL ID Compliant Driver License and Identification Card9 Renewal and Replacement:

10 Application for renewal or replacement of a REAL ID a. 11 Compliant Driver License or Identification Card may be 12 made to the Department of Public Safety or to a motor license agent; provided, such motor license agent is 13 authorized to process application for REAL ID 14 Compliant Driver Licenses and Identification Cards. A 15 16 motor license agent may process the voluntary downgrade of a REAL ID Compliant Commercial Driver 17 License to any lower class license upon request of the 18 licensee; provided, no additional endorsements or 19 restrictions are placed on the license. 20 b. Department of Public Safety employees or authorized 21

motor license agents shall perform all document

recognition and other requirements needed for approval

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of a renewal or replacement REAL ID Compliant Driver License or Identification Card application.

- c. Upon approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application, the applicant may receive a temporary driver license or identification card from the Department of Public Safety or an authorized motor license agent.
- 9 d. A temporary driver license or identification card 10 acquired under the provisions of this paragraph shall 11 afford the holder the privileges otherwise granted by the specific class of driver license or identification 12 13 card being renewed or replaced for the period of time listed on the temporary driver license or 14 identification card or the period of time prior to the 15 applicant receiving a REAL ID Compliant Driver License 16 or Identification Card, whichever time period is 17 shorter. 18
- e. For purposes of this title, an application for a REAL
 ID Compliant Driver License or Identification Card by
 an individual with a valid Oklahoma-issued driver
 license or identification card shall be considered a
 renewal of a REAL ID Compliant Driver License or
 Identification Card.

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4. REAL ID Noncompliant Driver License and Identification Card
 2 Renewal and Replacement:

- 3 Application for renewal or replacement of a REAL ID a. Noncompliant Driver License or Identification Card may 4 5 be made to the Department of Public Safety or to a 6 motor license agent. A motor license agent may 7 process the voluntary downgrade of a REAL ID Noncompliant Commercial Driver License to any lower 8 9 class license upon request of the licensee; provided, 10 no additional endorsements or restrictions are added 11 to the license.
- b. Department of Public Safety employees or motor license
 agents shall perform all document recognition and
 other requirements needed for approval of a renewal or
 replacement REAL ID Noncompliant Driver License or
 Identification Card application.
- Upon approval of a renewal or replacement REAL ID 17 с. Noncompliant Driver License or Identification Card 18 application, the applicant may receive a temporary 19 driver license or identification card from the 20 Department of Public Safety or a motor license agent. 21 d. A temporary driver license or identification card 22 acquired under the provisions of this paragraph shall 23 afford the holder the privileges otherwise granted by 24

1the specific class of driver license or identification2card being renewed or replaced for the period of time3listed on the temporary driver license or4identification card or the period of time prior to the5applicant receiving a REAL ID Noncompliant Driver6License or Identification Card, whichever time period7is shorter.

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

14	Class A Commercial Learner Permit	\$25.00
15	Class A Commercial License	\$25.00
16	Class B Commercial Learner Permit	\$15.00
17	Class B Commercial License	\$15.00
18	Class C Commercial Learner Permit	\$15.00
19	Class C Commercial License	\$15.00
20	Class D License	\$ 4.00
21	Motorcycle Endorsement	\$ 4.00

22 2. Notwithstanding the provisions of Section 1104 of this23 title, all monies collected from the fees charged for Class A, B and

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C commercial licenses pursuant to the provisions of this subsection
 shall be deposited in the General Revenue Fund of this state.

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

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

14	License Class	4-year	8-year
15	Class A Commercial Learner Permit	\$56.50	\$113.00
16	Class A Commercial License	\$56.50	\$113.00
17	Class B Commercial Learner Permit	\$56.50	\$113.00
18	Class B Commercial License	\$56.50	\$113.00
19	<u>Class C Commercial Learner Permit</u>	\$46.50	\$93.00
20	Class C Commercial License	\$46.50	\$93.00
21	Class D License	\$38.50	\$77.00

K. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Compliant Driver License shall be in accordance

1 with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the 2 issuance of the license: 3 4 License Class 4-year 8-year 5 REAL ID Compliant Class A Commercial Learner Permit \$56.50 6 \$113.00 7 REAL ID Compliant Class A Commercial License \$56.50 8 \$113.00 9 REAL ID Compliant Class B 10 Commercial Learner Permit \$56.50 \$113.00 11 REAL ID Compliant Class B Commercial License 12 \$56.50 \$113.00 REAL ID Compliant Class C 13 Commercial Leaner Permit 14 \$46.50 \$93.00 15 REAL ID Compliant Class C Commercial License \$46.50 16 \$93.00 REAL ID Compliant Class D 17 License \$38.50 18 \$77.00 L. A commercial learner permit may be renewed one time for a 19 period of one hundred eighty (180) days. The cost for the renewed 20 permit shall be the same as for the original permit. 21 M. Notwithstanding the provisions of Section 1104 of this 22 title, of each fee charged pursuant to the provisions of subsections 23 J, K and L of this section: 24

1 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or 2 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to the Trauma Care Assistance Revolving Fund created in Section 1-3 2530.9 of Title 63 of the Oklahoma Statutes; 4 5 2. Six Dollars and seventy-five cents (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year 6 7 license shall be deposited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the 8 9 purpose of administration and maintenance of the computerized 10 imaging system of the Department; 11 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars 12 (\$20.00) of an 8-year license shall be deposited to the Department 13 of Public Safety Revolving Fund for all original or renewal issuances of licenses; and 14 4. Three Dollars (\$3.00) Five Dollars (\$5.00) of a 4-year 15 license or Six Dollars (\$6.00) of an 8-year license shall be 16 17 deposited to the State Public Safety Fund created in Section 2-147 of this title; and 18 5. Two Dollars (\$2.00) of the fee provided for in subsection J 19 of this section related to the issuance or renewal of a driver 20 license by a motor license agent that does not process approved 21 applications or renewals for REAL ID Compliant Driver Licenses and 22 Identification Cards shall be deposited, in addition to the amount 23 24

authorized by paragraph 4 of this subsection, to the State Public
 Safety Fund created in Section 2-147 of this title.

N. All original and renewal driver licenses shall expire asprovided in Section 6-115 of this title.

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

8	<u>4-year</u>	<u>8-year</u>
9	Age 62	\$21.25 <u>\$42.50</u>
10	Age 63	\$17.50 <u>\$35.00</u>
11	Age 64	\$13.75 <u>\$27.50</u>
12	Age 65	-0-

13 P. No person who has been honorably discharged from active service in any branch of the Armed Forces of the United States or 14 Oklahoma National Guard and who has been certified by the United 15 States Department of Veterans Affairs, its successor $_{\tau}$ or the Armed 16 17 Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent 18 disability sustained through military action or accident resulting 19 from disease contracted while in such active service and registered 20 with the veterans registry created by the Oklahoma Department of 21 Veterans Affairs shall be charged a fee for the issuance, 22 replacement or renewal of an Oklahoma driver license; provided, that 23 if a veteran has been previously exempt from a fee pursuant to this 24

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subsection, no registration with the veterans registry shall be
 required.

3 In accordance with the provisions of subsection G of this Ο. section, the Department of Public Safety and the Oklahoma Tax 4 5 Commission are authorized to promulgate rules for the issuance and renewal of driver licenses authorized pursuant to the provisions of 6 Sections 6-101 through 6-309 of this title; provided, that no such 7 rules applicable to the issuance or renewal of REAL ID Noncompliant 8 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, in accordance with the provisions of subsection G of this section, 14 by the motor license agents; provided, the Department of Public 15 Safety is authorized to assume these duties in any county of this 16 17 state. Each motor license agent accepting applications for driver licenses shall receive Four Dollars (\$4.00) Six Dollars (\$6.00) for 18 a 4-year REAL ID Noncompliant Driver License or Twelve Dollars 19 (\$12.00) for an 8-year REAL ID Noncompliant Driver License or Ten 20 Dollars (\$10.00) for a 4-year REAL ID Compliant Driver License or 21 Twenty Dollars (\$20.00) for an 8-year REAL ID Compliant Driver 22 License to be deducted from the total collected for each license or 23 renewal application accepted; in addition to such amount, each motor 24

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1 license agent that processes approved applications or renewals for
2 REAL ID Compliant Driver Licenses shall receive Two Dollars (\$2.00)
3 to be deducted from the total fee collected under the provisions of
4 subsections J and K of this section for each license or renewal
5 application accepted. The fees received by the motor license agent,
6 authorized by this subsection, shall be used for operating expenses.

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

The next Five Hundred Thousand Dollars (\$500,000.00) of monies 14 15 collected pursuant to this section shall be paid by the Tax 16 Commission to the State Treasurer to be deposited each fiscal year 17 under the provisions of this section to the credit of the Department of Public Safety Restricted Revolving Fund for the purpose of the 18 Statewide Law Enforcement Communications System. All other monies 19 collected in excess of Five Hundred Sixty Thousand Dollars 20 (\$560,000.00) each fiscal year shall be apportioned as provided in 21 Section 1104 of this title, except as otherwise provided in this 22 section. 23

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

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

9 2. By the driver licensing agency of another state for its10 official purpose; and

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

All agencies approved by the Oklahoma Law Enforcement Telecommunications System (OLETS) or the National Law Enforcement Telecommunications System (NLETS) to receive photographs or computerized images may obtain them through OLETS or through NLETS. Photographs or computerized images may be obtained by law enforcement one inquiry at a time.

18 The computer system and related equipment acquired for this 19 purpose must conform to industry standards for interoperability and 20 open architecture. The Department of Public Safety may promulgate 21 rules to implement the provisions of this subsection.

T. No person may hold more than one state-issued or territoryissued REAL ID Compliant Driver License or REAL ID Compliant
Identification Card from Oklahoma or any other state or territory.

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The Department shall not issue a REAL ID Compliant Driver License to a person who has been previously issued a REAL ID Compliant Driver License or REAL ID Compliant Identification Card until such license or identification card has been surrendered to the Department by the applicant. The Department may promulgate rules related to the issuance of replacement REAL ID Compliant Driver Licenses in the event of loss or theft.

U. Upon the effective date of this act and ending on April 30, 8 9 2023, in addition to the amounts provided in subsection Q of this 10 section, a motor license agent shall receive Five Dollars (\$5.00) 11 for each processed application for a REAL ID Compliant 4-year Driver 12 License and Ten Dollars (\$10.00) for each processed application for a REAL ID Compliant 8-year Driver License. Any additional amounts 13 provided pursuant to this subsection shall not be retained by the 14 15 Department of Public Safety.

16 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105.3, as 17 last amended by Section 2 of Enrolled House Bill No. 1059 of the 1st 18 Session of the 58th Oklahoma Legislature, is amended to read as 19 follows:

20 Section 6-105.3. A. In addition to the licenses to operate 21 motor vehicles, the Department of Public Safety may issue cards to 22 Oklahoma residents for purposes of identification only. The 23 identification cards shall be issued, renewed, replaced, canceled 24 and denied in the same manner as driver licenses in this state. A

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1 licensee whose record reflects a notation of the person's proof of 2 legal presence, verified by the U.S. Department of Homeland 3 Security, or proof of U.S. citizenship, may obtain a REAL ID Compliant Identification Card or a Noncompliant Identification Card 4 5 from a motor license agent or the Department of Public Safety, regardless of the status of the license held by the licensee. 6 7 Provided, the licensee must comply with all REAL ID documentation requirements to obtain a REAL ID Compliant Identification Card. A 8 9 person shall not apply for or possess more than one state-issued or 10 territory-issued REAL ID Compliant Identification Card pursuant to the provisions of Section 6-101 of this title. 11

12 The application for an identification card by any person under the age of eighteen (18) years shall be signed and verified by a 13 custodial legal parent or legal guardian, either in person before a 14 person authorized to administer oaths or electronically if 15 completing an online application, or a notarized affidavit signed by 16 a custodial legal parent or legal guardian submitted before a person 17 authorized to administer oaths by the person under the age of 18 eighteen (18) years with the application. Except as otherwise 19 provided in this section, the identification cards shall be valid 20 for a period of either four (4) years from the month of issuance or 21 eight (8) years from the month of issuance; however, the 22 identification cards issued to persons sixty-five (65) years of age 23 or older shall be valid indefinitely from the month of issuance. 24

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1	B. <u>1.</u> The Department of Corrections shall coordinate with the
2	Department of Public Safety to provide REAL ID Noncompliant
3	Identification Cards to all inmates who do not have a current state-
4	issued identification card or driver license upon their release from
5	custody. The identification cards shall be issued, replaced,
6	canceled and denied in the same manner as driver licenses in this
7	state.
8	2. If an inmate is unable to provide a valid identification
9	document and no other form of identification is available, the
10	Department of Public Safety shall allow the use of a Department of
11	Corrections-issued consolidated record card to serve as a valid
12	identification document to obtain a REAL ID Noncompliant
13	Identification Card.
14	3. REAL ID Noncompliant Identification Cards issued with a
15	consolidated record card from the Department of Corrections for
16	inmates shall be valid for a period of four (4) years from the month
17	of issuance for an allowable fee to be determined by the Department
18	of Public Safety and are nonrenewable and nontransferable.
19	4. The fee charged for the issuance or replacement of a REAL ID
20	Noncompliant Identification Card pursuant to this subsection shall
21	be deposited in the Department of Public Safety Revolving Fund.
22	Provided, however, REAL ID Noncompliant Identification Cards issued
23	to individuals required to register pursuant to the Sex Offenders
24	Registration Act shall only be valid for a period of one (1) year.

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<u>No person sixty-five (65) years of age or older shall be charged a</u>
 fee for a REAL ID Noncompliant Identification Card.

3 <u>5. The Department of Public Safety is authorized to promulgate</u>
4 rules and procedures to implement the provisions of this subsection.

5 С. No person shall hold more than one state-issued or territory-issued REAL ID Compliant Driver License or REAL ID 6 Compliant Identification Card, as defined in subsection G of Section 7 6-101 of this title. The Department shall not issue a REAL ID 8 9 Compliant Identification Card to any applicant who has been 10 previously issued a REAL ID Compliant Driver License or REAL ID 11 Compliant Identification Card unless such license or identification 12 card has been surrendered to the Department by the applicant. The Department may promulgate rules related to the issuance of 13 replacement REAL ID Compliant Identification Cards in the event of 14 loss or theft. 15

D. The fee charged for the issuance τ or renewal τ or replacement 16 of a REAL ID Compliant Identification Card shall be Twenty-five 17 Dollars (\$25.00) for a 4-year card and Fifty Dollars (\$50.00) for an 18 8-year card. The fee charged for the issuance τ or renewal $\frac{1}{2}$ 19 replacement of a REAL ID Noncompliant Identification Card pursuant 20 to this section shall be Twenty-five Dollars (\$25.00) for a 4-year 21 card and Fifty Dollars (\$50.00) for an 8-year card; however, no 22 person sixty-five (65) years of age or older, or one hundred percent 23 (100%) disabled veteran described in subsection P of Section 6-101 24

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of this title shall be charged a fee for an identification card. Of 1 each fee charged pursuant to the provisions of this subsection: 2 3 1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars 4 (\$14.00) of an 8-year card shall be apportioned as provided in 5 Section 1104 of this title; 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars 6 7 (\$6.00) of an 8-year card shall be credited to the Department of Public Safety Computer Imaging System Revolving Fund to be used 8 9 solely for the purpose of the administration and maintenance of the 10 computerized imaging system of the Department; 11 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars 12 (\$20.00) of an 8-year card shall be deposited in the Department of 13 Public Safety Revolving Fund; 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars 14 (\$6.00) of an 8-year card shall be deposited to the State Public 15 Safety Fund created in Section 2-147 of this title; and 16 Two Dollars (\$2.00) of the fee authorized by this 17 5. a. subsection related to the issuance, renewal or 18 replacement of an identification card by a motor 19 20 license agent that does not process approved applications or renewals for REAL ID Compliant Driver 21 Licenses or Identification Cards shall be deposited, 22 in addition to the amount authorized by paragraph 4 of 23 24

1	this subsection, to the State Public Safety Fund
2	created in Section 2-147 of this title, or
3	b. Two Dollars (\$2.00) for a 4-year card and Four Dollars
4	(\$4.00) for an 8-year card
5	of the fee authorized by this subsection related to the issuance $_{m au}$ <u>or</u>
6	renewal or replacement of an identification card by a motor license
7	agent that does process approved applications or renewals for REAL
8	ID Compliant and REAL ID Non-Compliant Driver Licenses or
9	Identification Cards shall be retained by the motor license agent.
10	E. The fee charged for replacement of a REAL ID Compliant
11	Identification Card, or REAL ID Non-Compliant Identification Card,
12	shall be Twenty-five Dollars (\$25.00); however, no person sixty-five
13	(65) years of age or older shall be charged a fee for an
14	identification card replacement. Of each fee charged pursuant to
15	the provisions of this subsection:
16	1. Seven Dollars (\$7.00) shall be apportioned as provided in
17	Section 1104 of this title;
18	2. Three Dollars (\$3.00) shall be credited to the Department of
19	Public Safety Computer Imaging System Revolving Fund to be used
20	solely for the purpose of the administration and maintenance of the
21	computerized imaging system of the Department;
22	3. Ten Dollars (\$10.00) shall be deposited in the Department of
23	Public Safety Revolving Fund;
24	

14. Three Dollars (\$3.00) shall be deposited to the State Public2Safety Fund created in Section 2-147 of this title; and

<u>5. Two Dollars (\$2.00) of the fee authorized by this subsection</u>
<u>related to the replacement of an identification card by a motor</u>
<u>license agent that does process approved applications or renewals</u>
<u>for REAL ID Compliant or REAL ID Non-Compliant Driver Licenses or</u>
<u>Identification Cards shall be retained by the motor license agent.</u>

8 <u>F.</u> The Oklahoma Tax Commission is hereby authorized to 9 reimburse, from funds available to that agency, each motor license 10 agent issuing an identification card to a person sixty-five (65) 11 years of age or older, an amount not to exceed One Dollar (\$1.00) 12 for each card or driver license so issued. The Tax Commission shall 13 develop procedures for claims for reimbursement.

F. When G. Notwithstanding any other provision of law, when a 14 15 person makes application for a new identification card, or makes application to renew an identification card, and the person has been 16 convicted of, or received a deferred judgment for, any offense 17 required to register pursuant to the Sex Offenders Registration Act, 18 the identification card shall be valid for a period of one (1) year 19 from the month of issuance, but may be renewed yearly during the 20 time the person is subject to registration on the Sex Offender 21 Registry. The cost for such identification card shall be the same 22 as for other identification cards and renewals. 23

24

SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-110, as
 last amended by Section 3 of Enrolled House Bill No. 1059 of the 1st
 Session of the 58th Oklahoma Legislature, is amended to read as
 follows:

5 Section 6-110. A. 1. The Department of Public Safety shall examine every establish procedures to ensure every applicant for an 6 7 original Class A, B, C or D license and for any endorsements thereon is examined by the Department, or an approved written examination 8 9 proctor, except as otherwise provided in Section 6-101 et seq. of 10 this title or as provided in paragraph 2 of this subsection or in subsections D and E of this section. The Department is authorized 11 12 to approve and enter into agreements with local school districts, 13 the Oklahoma Department of Career and Technology Education, or institutions of higher education to act as approved written 14 examination proctors with regard to any written examination required 15 by this section. The examination shall include a test of the 16 applicant's: 17

18 a. eyesight,

b. ability to read and understand highway signs
 regulating, warning and directing traffic,

- c. knowledge of the traffic laws of this state, including
 a portion on bicycle and motorcycle safety, and
- d. ability, by actual demonstration, to exercise ordinaryand reasonable control in the operation of a motor

vehicle. The actual demonstration shall be conducted
 in the type of motor vehicle for the class of driver
 license being applied for.

4 The Department <u>of Public Safety</u> may create a knowledge test that may 5 be taken on the Internet by an applicant applying for a Class D 6 license.

7 Any licensee seeking to apply for a driver license of another class
8 which is not covered by the licensee's current driver license shall
9 be considered an applicant for an original license for that class.

10 2. The Department of Public Safety shall have the authority to 11 waive the requirement of any part of the examination required in 12 paragraph 1 of this subsection for those applicants whose driving 13 record meets the standards set by the Department of Public Safety 14 and surrender either of the following:

a. a valid unexpired driver license issued by any state
or country for the same type or types of vehicles, or
b. an expired driver license that:

(1) is not expired more than six (6) months past the
expiration date listed on the driver license, and

20

(2) is not a Class A, B or C commercial driver license or commercial driver license permit.

3. The Department <u>of Public Safety</u> shall accept skills test
results from another state for Class A, B or C license applicants
who have successfully completed commercial motor vehicle driver

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training in that state and successfully passed the skills test in 1 2 that state; provided, the Department shall not accept skills test 3 results from another state when the applicant has not successfully completed commercial motor vehicle driver training in that state. 4 5 Nothing in this section shall be construed to prohibit the Department of Public Safety from administering the skills test to 6 any applicant who has successfully completed commercial vehicle 7 driver training in another state. 8

9 4. All applicants requiring a hazardous materials endorsement 10 shall be required, for the renewal of the endorsement, to 11 successfully complete the examination and to submit to a security 12 threat assessment performed by the Transportation Security 13 Administration of the Department of Homeland Security as required by and pursuant to 49 C.F.R., Part 1572, which shall be used to 14 determine whether the applicant is eligible for renewal of the 15 endorsement pursuant to federal law and regulation. 16

5. The Department of Public Safety, or an approved written 17 examination proctor, shall give the complete examination as provided 18 for in this section within thirty (30) days from the date the 19 application is received, and the examination shall be given at a 20 location within one hundred (100) miles of the residence of the 21 applicant. The Department of Public Safety shall make every effort 22 to make the examination locations and times convenient for 23 applicants. The Department of Public Safety shall consider giving 24

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1 the examination at various school sites if the district board of 2 education for the district in which the site is located agrees and 3 if economically feasible and practicable.

Any person holding a valid Oklahoma Class D license or 4 Β. 5 provisional driver license pursuant to Section 6-212 of this title and applying for a Class A, B or C commercial license shall be 6 required to successfully complete all examinations as required for 7 the specified class. Failure to submit to the Department of Public 8 9 Safety federally required medical certification information pursuant 10 to 49 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade of a commercial license to a Class D license. Provided, 11 12 however, once the required medical certification information has been received by the Department of Public Safety, the license shall 13 be reinstated to the classification of the commercial license prior 14 15 to the downgrade and the holder of such a license shall not be 16 required to reapply.

C. Except as provided in subsection E of Section 6-101 of this title, any person holding a valid Oklahoma Class A, B or C commercial license shall, upon time for renewal thereof, be entitled to a Class D license without any type of testing or examination, except for any endorsements thereon as otherwise provided for by Section 6-110.1 of this title.

D. 1. Any certified driver education instructor who is
currently an operator or an employee of a commercial driver training

school in this state or any driver education instructor employed by
 any school district in this state shall be eligible to apply to be a
 designated examiner of the Department of Public Safety for the
 purposes of administering the Class D driving skills portion of the
 Oklahoma driving examination to any person who has not previously
 been a student of the instructor been issued a learner permit.

7 2. The Department of Public Safety shall adopt a curriculum of
8 required courses and training to be offered to applicants who are
9 qualified to apply to be a designated examiner. The courses and
10 training for certification shall meet the same standards as required
11 for driver examiners of the Department of Public Safety.

12 3. Each person applying to be a designated examiner shall be required to pay an initial designated examiner certification fee of 13 One Thousand Dollars (\$1,000.00). Upon successful completion of 14 training prescribed by paragraph 2 of this subsection, the person 15 shall be required to pay an annual designated examiner certification 16 17 fee of Five Hundred Dollars (\$500.00). If an applicant for the designated examiner program is employed by an Oklahoma public school 18 system that offers driver education, and he or she administers the 19 skills test only to students enrolled in a public school driver 20 education program, the certification fee may be waived by the 21 Department of Public Safety. Each designated examiner certification 22 shall expire on the last day of the calendar year and may be renewed 23 upon application to the Department of Public Safety. The designated 24

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examiner certification fees collected by the Department <u>of Public</u>
Safety pursuant to this subsection shall be deposited to the credit
of the Department of Public Safety Restricted Revolving Fund to be
used for the purposes of this subsection. No designated examiner
certification fee shall be refunded in the event that certification
is denied, suspended or revoked.

7 4. A designated examiner may charge a fee for each Class D
8 driving skills examination given, whether the person being examined
9 passes or fails the examination.

5. The Department <u>of Public Safety</u> shall conduct an annual
 complete nationwide criminal history background check on each
 designated examiner and a complete nationwide criminal history
 background check on each designated examiner applicant. The fees
 for the background check shall be borne by the designated examiner
 or designated examiner applicant.

16 6. The Department of Public Safety shall promulgate rules to17 implement and administer the provisions of this subsection.

E. 1. Upon application and approval of the Commissioner of the Department of Public Safety, any public or private commercial truck driving school that has or maintains a program instructing students for a Class A, B or C license, public transit agency or state, county or municipal government agency in the State of Oklahoma this state shall be authorized to hire or employ designated examiners approved by the Department of Public Safety to be third-party

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1 examiners of the Class A, B or C driving skills portion of the Oklahoma driving examination. All designated examiners must 2 3 successfully have completed the courses and training as outlined in paragraph 2 of this subsection. The Department of Public Safety 4 5 shall be required to approve at least one public transit agency that has or maintains a program instructing students for a Class A, B or 6 7 C license to hire or employ third-party examiners pursuant to this section. It shall be permissible for any public transit agency 8 9 operating in the State of Oklahoma to utilize the third-party 10 examiners hired or employed by a public transit agency approved by 11 the Department.

The Department of Public Safety shall adopt a curriculum of
 required courses and training to be offered to third-party
 examiners. The courses and training for certification shall meet
 the same standards as required for commercial driver examiners of
 the Department of Public Safety.

3. The Department of Public Safety shall require each third-17 party examiner applicant and commercial school driver education 18 instructor applicant to submit to an electronic national criminal 19 history record check pursuant to Section 150.9 of Title 74 of the 20 Oklahoma Statutes. On or before December 1, 2022, the Department 21 shall require each third-party examiner or commercial school driver 22 education instructor to submit to an electronic national criminal 23 history record check pursuant to Section 150.9 of Title 74 of the 24

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1 Oklahoma Statutes. The fees for the background check shall be borne by the third-party examiner, third-party examiner applicant, 2 commercial school driver education instructor or commercial school 3 driver education instructor applicant. 4 5 F. The Department of Public Safety shall promulgate rules no later than December 15, 2019 2021, to: 6 Implement and administer the provisions of this section 7 1. based on requirements set forth in Section 383.75 of Title 49 of the 8 9 Code of Federal Regulations; 10 2. Establish a process to inform any school or, public transit 11 agency, examiner, or state, county or municipal government agency, 12 who has been denied, within forty-five (45) days from the denial; 3. Create an appeal process for any school or, public transit 13 agency, examiner, or state, county or municipal government agency 14 15 denied; and 4. If the initial application for approval was denied, limit 16 the number of times an individual school or, public transit agency, 17 individual examiner applicant, or state, county or municipal 18 government agency may reapply in a calendar year to two 19 reapplications. 20 SECTION 4. AMENDATORY 47 O.S. 2011, Section 6-115, as 21 last amended by Section 3, Chapter 170, O.S.L. 2016 (47 O.S. Supp. 22 2020, Section 6-115), is amended to read as follows: 23 24

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Section 6-115. A. Except as otherwise provided in this
 section, every driver license shall be issued for a period of no
 more than either four (4) years or eight (8) years; provided, if the
 applicant or licensee is an alien, the license shall be issued for a
 period which does not exceed the lesser of:

6 1. Four (4) years <u>or eight (8) years</u>; or

7 2. The expiration date on the valid documentation authorizing
8 the presence of the applicant or licensee in the United States, as
9 required by paragraph 9 of subsection A of Section 6-103 of this
10 title.

B. Except as otherwise provided in this section, the expiration date of an initial license shall be no more than <u>either</u> four (4) years <u>or eight (8) years</u> from the last day of the month of issuance or no more than <u>either</u> four (4) years <u>or eight (8) years</u> from the last day of the birth month of the applicant immediately preceding the date of issuance, if requested by the applicant.

17 C. Except as otherwise provided in this section, the expiration18 date of a renewal license shall be:

For a renewal during the month of expiration, <u>either</u> four
 (4) years <u>or eight (8) years</u> from the last day of the month of
 expiration of the expiring license or <u>either</u> four (4) <u>or eight (8)</u>
 years from the last day of the birth month of the licensee
 immediately preceding the expiration date of the expiring license,
 if requested by the licensee; or

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For a renewal prior to the month of expiration, as provided
 by rule of the Department, <u>either four (4) or eight (8)</u> years from
 the last day of the month of expiration of the current license;
 provided, no license shall be issued with an expiration date of more
 than five (5) years from the date of renewal <u>on a four (4) year</u>
 <u>license or nine (9) years from the date of renewal on an eight (8)</u>
 year license.

D. Notwithstanding the provisions of subsection E of Section
1550.42 of Title 21 of the Oklahoma Statutes, any Oklahoma driver
license that is not more than one (1) year past the date of
expiration provided on the driver license shall be presumed to be a
valid form of identification for the purposes of renewing an
Oklahoma driver license.

Except as otherwise provided in this section, every driver 14 Ε. license shall be renewable by the licensee upon application to 15 either the Department of Public Safety or a motor license agent, 16 furnishing both primary and secondary proofs of identity, the 17 current mailing address of the person and payment of the required 18 fee, if the person is otherwise eligible for renewal. 19 If the licensee is an alien, the licensee shall appear before a driver 20 license examiner of the Department and, after furnishing primary and 21 secondary proofs of identity as required in this section, shall be 22 issued a renewal driver license for a period which does not exceed 23 the lesser of: 24

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1. Four (4) years or eight (8) years; or

2 2. The expiration date on the valid documentation authorizing
 3 the presence of the applicant or licensee in the United States, as
 4 required by paragraph 9 of subsection A of Section 6-103 of this
 5 title.

F. All applicants for renewals of driver licenses who have
proven collision records or apparent physical defects may be
required to take an examination as specified by the Commissioner of
Public Safety.

10 G. When a person makes application for a driver license, or 11 makes application to renew a driver license, and the person has been 12 convicted of, or received a deferred judgment for, any offense required to register pursuant to the Sex Offenders Registration Act, 13 the driver license shall be valid for a period of one (1) year from 14 the month of issuance, but may be renewed yearly during the time the 15 person is registered on the Sex Offender Registry. The 16 17 Notwithstanding any other provision of law, the cost for such license shall be the same as for other driver licenses and renewals. 18 The Department of Public Safety shall promulgate rules 19 Η. prescribing forms of primary and secondary identification acceptable 20 for the renewal of an Oklahoma driver license; provided, however, a 21 valid and unexpired U.S. passport shall be acceptable as both 22 primary and secondary identification. 23

25 primary and secondary identifie

24

SECTION 5. NEW LAW A new section of law to be codified
 in the Oklahoma Statutes as Section 1140.2 of Title 47, unless there
 is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund 4 5 for the Oklahoma Tax Commission to be designated the "License and ID Apportionment Reimbursement Revolving Fund". The fund shall be a 6 7 continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated to the fund by law. All monies 8 9 accruing to the credit of the fund are hereby appropriated and may 10 be expended by the Oklahoma Tax Commission to offset the increased 11 fees retained by motor license agents, pursuant to the provisions of 12 Section 6-101 of Title 47 of the Oklahoma Statutes, beginning upon 13 the effective date of this act and ending on February 28, 2023.

14 SECTION 6. NEW LAW A new section of law to be codified 15 in the Oklahoma Statutes as Section 1140.3 of Title 47, unless there 16 is created a duplication in numbering, reads as follows:

The Oklahoma Tax Commission shall submit a monthly report of the apportionment reimbursed out of the License and ID Apportionment Reimbursement Revolving Fund, created in Section 5 of this act, to the Chair of the Senate Appropriations Committee and Chair of the House of Representatives Appropriations and Budget Committee.

22 SECTION 7. REPEALER Section 3 of Enrolled House Bill No. 23 1679 of the 1st Session of the 58th Oklahoma Legislature, is hereby 24 repealed.

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1	SECTION 8. REPEALER Section 1 of Enrolled House Bill No.
2	2183 of the 1st Session of the 58th Oklahoma Legislature, is hereby
3	repealed.
4	SECTION 9. REPEALER Section 2 of Enrolled House Bill No.
5	2465 of the 1st Session of the 58th Oklahoma Legislature, is hereby
6	repealed.
7	SECTION 10. It being immediately necessary for the preservation
8	of the public peace, health or safety, an emergency is hereby
9	declared to exist, by reason whereof this act shall take effect and
10	be in full force from and after its passage and approval.
11	Passed the Senate the 18th day of May, 2021.
12	
13	Presiding Officer of the Senate
14	
15	Passed the House of Representatives the day of,
16	2021.
17	
18	Presiding Officer of the House
19	of Representatives
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