

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1324

By: Dahm

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6 AS INTRODUCED

7 An Act relating to driver licenses; amending 47 O.S.
8 2011, Section 2-112, which relates to authority to
9 grant or refuse applications; allowing certain time
10 frame for investigation; amending 47 O.S. 2011,
11 Section 6-106, as last amended by Section 1, Chapter
12 302, O.S.L. 2019 (47 O.S. Supp. 2019, Section 6-106),
13 which relates to application for license; modifying
14 certain requirements; updating statutory reference;
15 and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-112, is
amended to read as follows:

Section 2-112. A. The Department shall examine and determine
the genuineness, regularity and legality of every application,
driver license and any other application lawfully made to the
Department, and may in all cases make investigation as may be deemed
necessary or require additional information, and shall reject any
such application if not satisfied of the genuineness, regularity or
legality thereof or the truth of any statement contained therein, or
for any other reason, when authorized by law. If a person making

1 application to the Department presents any document to the
2 Department which the Department has reason to believe is false,
3 fraudulent, or being used by a person not authorized to use such
4 document, the Department shall confiscate the document until such
5 time it is determined by the Department whether the document is
6 false, fraudulent, or being used by a person not authorized to use
7 such document.

8 B. The Department shall have twenty-one (21) days from date of
9 application submission to complete investigation as provided in
10 subsection A of this section.

11 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-106, as
12 last amended by Section 1, Chapter 302, O.S.L. 2019 (47 O.S. Supp.
13 2019, Section 6-106), is amended to read as follows:

14 Section 6-106. A. 1. Every application for a driver license
15 or identification card shall be made by the applicant upon a form
16 furnished by the Department of Public Safety.

17 2. Every original, renewal, or replacement application for a
18 driver license or identification card made by a male applicant who
19 is at least sixteen (16) but less than twenty-six (26) years of age
20 shall include a statement that by submitting the application, the
21 applicant is consenting to registration with the Selective Service
22 System. The pertinent information from the application shall be
23 forwarded by the Department to the Data Management Center of the
24 Selective Service System in order to register the applicant as

1 required by law with the Selective Service System. Any applicant
2 refusing to sign the consent statement shall be denied a driver
3 license or identification card.

4 3. Except as provided for in subsections G and H of this
5 section, every applicant for a driver license or identification card
6 shall provide to the Department at the time of application a
7 document showing proof of identity. The Department shall promulgate
8 rules prescribing forms of primary and secondary identification
9 acceptable for an original Oklahoma driver license.

10 B. Every applicant for a driver license shall provide the
11 following information:

12 1. Full name;

13 2. Date of birth;

14 3. Sex;

15 4. Address of principal residence and county of such residence
16 which shall be referenced on the REAL ID Compliant Driver License or
17 Identification Card; proof of principal residency, as prescribed by
18 rules promulgated by the Department, documenting provided address;

19 5. Current and complete mailing address to be maintained by the
20 Department for the purpose of giving notice, if necessary, as
21 required by Section 2-116 of this title;

22 6. Medical information, as determined by the Department, which
23 shall assure the Department that the person is not prohibited from
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1 being licensed as provided by paragraph 7 of subsection A of Section
2 6-103 of this title;

3 7. Whether the applicant is deaf or hard-of-hearing;

4 8. A brief description of the applicant, as determined by the
5 Department;

6 9. Whether the applicant has previously been licensed within
7 the immediately preceding five (5) years, and, if so, when and by
8 what state or country, and in the immediately preceding five (5)
9 years, whether any license has ~~ever~~ been suspended or revoked, or
10 whether an application has ~~ever~~ been refused, and, if so, the date
11 of and reason for the suspension, revocation or refusal;

12 10. Whether the applicant is an alien eligible to be considered
13 for licensure and is not prohibited from licensure pursuant to
14 paragraph 9 of subsection A of Section 6-103 of this title;

15 11. Whether the applicant has:

16 a. previously been licensed and, if so, when and by what
17 state or country, and

18 b. held more than one license at the same time during the
19 immediately preceding ~~ten (10)~~ five (5) years; and

20 12. Social Security number.

21 No person shall request the Department to use the Social Security
22 number of that person as the driver license number. Upon renewal or
23 replacement of any driver license issued after ~~the effective date of~~
24 ~~this act~~ July 1, 2001, the licensee shall advise the Department or

1 the motor license agent if the present driver license number of the
2 licensee is the Social Security number of the licensee. If the
3 driver license number is the Social Security number, the Department
4 or the motor license agent shall change the driver license number to
5 a computer-generated alphanumeric identification.

6 C. 1. In addition to the requirements of subsections A and B
7 of this section, every applicant for a commercial driver license who
8 is subject to the requirements of 49 C.F.R., Part 391, and is
9 applying for an original, renewal, or replacement license, and every
10 person who, upon or after May 8, 2012, is currently the holder of a
11 commercial driver license and is subject to the requirements of 49
12 C.F.R., Part 391, and who does not apply for a renewal or
13 replacement license prior to January 30, 2014, shall submit to the
14 Department and maintain with the Department a current approved
15 medical examination certificate signed by a licensed physician
16 authorized to perform and approve medical examination
17 certifications. The Department shall adopt rules for maintaining
18 medical examination certificates pursuant to the requirements in 49
19 C.F.R., Parts 383 and 384. Any commercial driver licensee subject
20 to the requirements of this paragraph who fails to maintain on file
21 with the Department a current, approved medical examination
22 certificate shall have the driving privileges of the person
23 downgraded to a Class D driver license by the Department.

1 2. If the applicant is applying for an original commercial
2 driver license in Oklahoma or is transferring a commercial driver
3 license from another state to Oklahoma, the Department shall review
4 the driving record of the applicant in other states for the
5 immediately preceding ~~ten (10)~~ five (5) years, unless the record
6 review has already been performed by the Department. As a result of
7 the review, if it is determined by the Department that the applicant
8 is subject to a period of disqualification as prescribed by Section
9 6-205.2 of this title which has not yet been imposed, the Department
10 shall impose the period of disqualification and the applicant shall
11 serve the period of disqualification before a commercial driver
12 license is issued to the applicant; provided, nothing in this
13 paragraph shall be construed to prevent the issuance of a Class D
14 driver license to the applicant.

15 3. If the applicant has or is applying for a hazardous material
16 endorsement, the applicant shall submit to a security threat
17 assessment performed by the Transportation Security Administration
18 of the Department of Homeland Security as required by and pursuant
19 to 49 C.F.R., Part 1572, which shall be used to determine whether
20 the applicant is eligible for the endorsement pursuant to federal
21 law and regulation.

22 4. The Department of Public Safety shall notify each commercial
23 driving school of the passage of this section, and each commercial
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1 driving school shall notify prospective students of its school of
2 the hazardous material endorsement requirement.

3 D. In addition to the requirements of subsections A and B of
4 this section, every applicant shall be given an option on the
5 application for issuance of a driver license or identification card
6 or renewal pursuant to Section 6-115 of this title to provide an
7 emergency contact person. The emergency contact information
8 requested may include full name, address, and phone number. The
9 emergency contact information shall be maintained by the Department
10 and shall be used by the Department and law enforcement for
11 emergency purposes only. A person listed as an emergency contact
12 may request to be removed at any time. Any update to a change of
13 name, address, or phone number may be made by the applicant listing
14 the emergency contact person or by the person listed as the
15 emergency contact.

16 E. Whenever application is received from a person previously
17 licensed in another jurisdiction, the Department shall request a
18 copy of the driving record from the other jurisdiction and,
19 effective September 1, 2005, from all other jurisdictions in which
20 the person was licensed within the immediately previous ~~ten (10)~~
21 five (5) years. When received, the driving record shall become a
22 part of the driving record of the person in this state with the same
23 force and effect as though entered on the driver's record in this
24 state in the original instance.

1 F. Whenever the Department receives a request for a driving
2 record from another licensing jurisdiction, the record shall be
3 forwarded without charge.

4 G. A person shall not apply for or possess more than one state-
5 issued or territory-issued REAL ID Compliant Driver License or
6 Identification Card pursuant to the provisions of Section 6-101 of
7 this title. A valid and unexpired Oklahoma driver license shall
8 serve as both primary and secondary proofs of identity whenever
9 application for a REAL ID Noncompliant Identification Card is
10 submitted to the Department. The provisions of subsection B of
11 Section 1550.42 of Title 21 of the Oklahoma Statutes shall not apply
12 when issuing an identification card pursuant to the provisions of
13 this subsection. The Department shall promulgate rules necessary to
14 implement and administer the provisions of this subsection.

15 H. A valid and unexpired U.S. passport shall serve as both
16 primary and secondary proofs of identity whenever application for a
17 driver license or identification card is submitted to the
18 Department. The Department shall promulgate rules necessary to
19 implement and administer the provisions of this subsection.

20 SECTION 3. This act shall become effective November 1, 2020.

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