

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1766

By: Brooks

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5
6 AS INTRODUCED

7 An Act relating to driver licenses; amending 47 O.S.
8 2011, Section 6-106, as last amended by Section 1,
9 Chapter 302, O.S.L. 2019 (47 O.S. Supp. 2019, Section
10 6-106), which relates to application for license;
11 allowing certain proofs of identity; prohibiting
12 certain requirement; updating statutory reference;
13 and 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 6-106, as
16 last amended by Section 1, Chapter 302, O.S.L. 2019 (47 O.S. Supp.
17 2019, Section 6-106), is amended to read as follows:

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

21 2. Every original, renewal, or replacement application for a
22 driver license or identification card made by a male applicant who
23 is at least sixteen (16) but less than twenty-six (26) years of age
24 shall include a statement that by submitting the application, the
25 applicant is consenting to registration with the Selective Service

1 System. The pertinent information from the application shall be
2 forwarded by the Department to the Data Management Center of the
3 Selective Service System in order to register the applicant as
4 required by law with the Selective Service System. Any applicant
5 refusing to sign the consent statement shall be denied a driver
6 license or identification card.

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

13 B. Every applicant for a driver license shall provide the
14 following information:

- 15 1. Full name;
- 16 2. Date of birth;
- 17 3. Sex;
- 18 4. Address of principal residence and county of such residence
19 which shall be referenced on the REAL ID Compliant Driver License or
20 Identification Card; proof of principal residency, as prescribed by
21 rules promulgated by the Department, documenting provided address;
- 22 5. Current and complete mailing address to be maintained by the
23 Department for the purpose of giving notice, if necessary, as
24 required by Section 2-116 of this title;

1 6. Medical information, as determined by the Department, which
2 shall assure the Department that the person is not prohibited from
3 being licensed as provided by paragraph 7 of subsection A of Section
4 6-103 of this title;

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

6 8. A brief description of the applicant, as determined by the
7 Department;

8 9. Whether the applicant has previously been licensed, and, if
9 so, when and by what state or country, and whether any license has
10 ever been suspended or revoked, or whether an application has ever
11 been refused, and, if so, the date of and reason for the suspension,
12 revocation or refusal;

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

16 11. Whether the applicant has:

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

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

21 12. Social Security number.

22 No person shall request the Department to use the Social Security
23 number of that person as the driver license number. Upon renewal or
24 replacement of any driver license issued after ~~the effective date of~~

1 ~~this act~~ July 1, 2001, the licensee shall advise the Department or
2 the motor license agent if the present driver license number of the
3 licensee is the Social Security number of the licensee. If the
4 driver license number is the Social Security number, the Department
5 or the motor license agent shall change the driver license number to
6 a computer-generated alphanumeric identification.

7 C. 1. In addition to the requirements of subsections A and B
8 of this section, every applicant for a commercial driver license who
9 is subject to the requirements of 49 C.F.R., Part 391, and is
10 applying for an original, renewal, or replacement license, and every
11 person who, upon or after May 8, 2012, is currently the holder of a
12 commercial driver license and is subject to the requirements of 49
13 C.F.R., Part 391, and who does not apply for a renewal or
14 replacement license prior to January 30, 2014, shall submit to the
15 Department and maintain with the Department a current approved
16 medical examination certificate signed by a licensed physician
17 authorized to perform and approve medical examination
18 certifications. The Department shall adopt rules for maintaining
19 medical examination certificates pursuant to the requirements in 49
20 C.F.R., Parts 383 and 384. Any commercial driver licensee subject
21 to the requirements of this paragraph who fails to maintain on file
22 with the Department a current, approved medical examination
23 certificate shall have the driving privileges of the person
24 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) years, unless the record review has
6 already been performed by the Department. As a result of the
7 review, if it is determined by the Department that the applicant is
8 subject to a period of disqualification as prescribed by Section 6-
9 205.2 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 years. When received, the driving record shall become a part of the
22 driving record of the person in this state with the same force and
23 effect as though entered on the driver's record in this state in the
24 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.

8 H. A valid and unexpired Oklahoma driver license shall serve as
9 both primary and secondary proofs of identity whenever an
10 application for either a REAL ID Noncompliant Identification Card or
11 a REAL ID Noncompliant Driver License is submitted to the
12 Department. The provisions of subsection B of Section 1550.42 of
13 Title 21 of the Oklahoma Statutes shall not apply when issuing an
14 identification card pursuant to the provisions of this subsection.
15 The Department shall promulgate rules necessary to implement and
16 administer the provisions of this subsection. The Department shall
17 be prohibited from requiring proof of identity documentation
18 sufficient for a REAL ID Compliant Driver License for an applicant
19 making application for a REAL ID Noncompliant Driver License.

20 ~~H.~~ I. A valid and unexpired U.S. passport shall serve as both
21 primary and secondary proofs of identity whenever application for a
22 driver license or identification card is submitted to the
23 Department. The Department shall promulgate rules necessary to
24 implement and administer the provisions of this subsection.

1 SECTION 2. This act shall become effective November 1, 2020.

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