

1 ENGROSSED SENATE
2 BILL NO. 1766

By: Hall, Seifried, and
Stephens of the Senate

3 and

4 Kerbs of the House

5
6 An Act relating to commercial driver training
7 schools; amending 47 O.S. 2021, Section 6-102, as
8 last amended by Section 39, Chapter 282, O.S.L. 2022
9 (47 O.S. Supp. 2023, Section 6-102), which relates to
10 operation of motor vehicles; changing certain age
11 requirement; amending 47 O.S. 2021, Sections 6-105,
12 as last amended by Section 1, Chapter 55, O.S.L.
13 2023, 6-105.2, as amended by Section 43, Chapter 282,
14 O.S.L. 2022, and 6-110, as last amended by Section 1,
15 Chapter 82, O.S.L. 2023 (47 O.S. Supp. 2023, Sections
16 6-105, 6-105.2, and 6-110), which relate to driver
17 education; changing certain age requirement; adding
18 reference to certain permit; adding examples of
19 certain third parties; adding eligibility for driver
20 education for certain persons; directing publication
21 of dates for certain courses; authorizing additional
22 trainings; requiring certain disclosure; amending 47
23 O.S. 2021, Section 6-206.1, which relates to driver
24 improvement; removing certain instructor educational
requirement; amending 47 O.S. 2021, Sections 801,
803, as amended by Section 27, Chapter 310, O.S.L.
2023, and 805, as amended by Section 29, Chapter 310,
O.S.L. 2023 (47 O.S. Supp. 2023, Sections 803 and
805), which relate to commercial driver training
schools; adding reference to certain permit; making
language gender neutral; directing the acceptance of
electronic signature on certain documents; adding
reference to certain permit; creating certain four-
year licenses; setting fees for certain licenses;
updating statutory references; updating statutory
language; and providing an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-102, as
2 last amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 6-102), is amended to read as follows:

4 Section 6-102. A. A nonresident who is sixteen (16) years of
5 age or older may operate a motor vehicle in this state as authorized
6 by the class, restrictions, and endorsements specified on the
7 license, if the nonresident is:

8 1. Properly licensed in the home state or country to operate a
9 commercial or noncommercial motor vehicle and who has immediate
10 possession of a valid driver license issued by the home state or
11 country; or

12 2. A member of the Armed Forces of the United States or the
13 spouse or dependent of such member who has been issued and is in
14 possession of a valid driver license issued by an overseas component
15 of the Armed Forces of the United States.

16 B. A resident who is at least ~~fifteen (15)~~ thirteen and one-
17 half (13 1/2) years of age may operate a vehicle in this state
18 without a driver license, if the resident is:

19 1. Operating a vehicle pursuant to subsection B of Section 6-
20 105 of this title; or

21 2. Taking the driving skills examination as required by Section
22 6-110 of this title, when accompanied by a Driver License Examiner
23 of Service Oklahoma or by a designated examiner approved and
24 certified by Service Oklahoma.

1 C. Any person, while in the performance of official duties, may
2 operate any class of motor vehicle if the person possesses any class
3 of valid Oklahoma driver license or a valid driver license issued by
4 another state, if the person is:

5 1. A member of the Armed Forces of the United States who is on
6 active duty;

7 2. A member of the military reserves, not including United
8 States reserve technician;

9 3. A member of the National Guard who is on active duty,
10 including National Guard military technicians;

11 4. A member of the National Guard who is on part-time National
12 Guard training, including National Guard military technicians; or

13 5. A member of the United States Coast Guard who is on active
14 duty.

15 D. The Director of Service Oklahoma is hereby authorized to
16 adopt rules as may be necessary to enter into reciprocity agreements
17 with foreign countries. The rules shall specify that the driver
18 license standards of the foreign country shall be comparable to
19 those of this state. The rules shall also require foreign drivers,
20 who are operating a motor vehicle in Oklahoma under such a
21 reciprocity agreement, to comply with the compulsory motor vehicle
22 liability insurance and financial responsibility laws of this state.

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1 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-105, as
2 last amended by Section 1, Chapter 55, O.S.L. 2023 (47 O.S. Supp.
3 2023, Section 6-105), is amended to read as follows:

4 Section 6-105. A. Unless a legal custodial parent or legal
5 guardian has filed an objection to licensure pursuant to Section 6-
6 103.1 of this title, any person under eighteen (18) years of age ~~who~~
7 ~~is in compliance with or not subject to Section 6-107.3 of this~~
8 ~~title~~ may be permitted to operate:

9 1. A Class D motor vehicle under the graduated driver license
10 provisions prescribed in subsections B through E of this section;

11 2. A motorcycle under the provisions prescribed in subsection H
12 of this section; or

13 3. A farm vehicle under the provisions prescribed in subsection
14 I of this section.

15 B. Any person who is at least ~~fifteen (15)~~ thirteen and one-
16 half (13 1/2) years of age may drive during a session in which the
17 driver is being instructed in a driver education course, as set out
18 in subparagraphs a, b, c, d and e of paragraph 1 of subsection C of
19 this section, by a certified driver education instructor who is
20 seated in the right front seat of the motor vehicle.

21 C. Any person:

22 1. Who is at least fifteen and one-half (15 1/2) years of age
23 and is currently receiving instruction in or has successfully
24

1 completed driver education. For purposes of this section, the term
2 "driver education" shall mean:

- 3 a. a prescribed secondary school driver education course,
4 as provided for in Sections 19-113 through ~~19-121~~ 19-
5 123 of Title 70 of the Oklahoma Statutes,
- 6 b. a driver education course, certified by the Department
7 of Public Safety, from a parochial, private, or other
8 nonpublic secondary school,
- 9 c. a commercial driver training course, as defined by
10 Sections 801 through 808 of this title,
- 11 d. a parent-taught driver education course, certified by
12 the Department of Public Safety. The Department shall
13 promulgate rules for any parent-taught driver
14 education course, or
- 15 e. a driver education course certified by a state other
16 than Oklahoma; or

17 2. Who is at least sixteen (16) years of age,
18 may, upon successfully passing all parts of the driver license
19 examination administered by Service Oklahoma, or an approved written
20 examination proctor, except the driving examination, be issued a
21 learner permit which will grant the permittee the privilege to
22 operate a Class D motor vehicle upon the public highways only
23 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
24 by a licensed driver who is at least twenty-one (21) years of age

1 and who is actually occupying a seat beside the permittee; provided,
2 the written examination for a learner permit may be waived by
3 Service Oklahoma upon verification that the person has successfully
4 completed driver education.

5 D. 1. Any person:

6 a. who has applied for, been issued, and has possessed a
7 learner permit for a minimum of six (6) months,

8 b. whose custodial legal parent or legal guardian
9 certifies to Service Oklahoma by sworn affidavit that
10 the person has received a minimum of fifty (50) hours
11 of actual behind-the-wheel training, of which at least
12 ten (10) hours of such training ~~was~~ were at night,
13 from a licensed driver who was at least twenty-one
14 (21) years of age and who was properly licensed to
15 operate a Class D motor vehicle for a minimum of two
16 (2) years, and

17 c. who has completed a free course approved by the
18 ~~Oklahoma~~ Department of Transportation on teen driver
19 work zone and first responder safety,

20 may be issued an intermediate Class D license upon successfully
21 passing all parts of the driver license examinations administered by
22 Service Oklahoma; provided, the written examination, if it has not
23 previously been administered or waived, may be waived by Service
24 Oklahoma upon verification that the person has successfully

1 completed driver education or the driving examination may be waived
2 by Service Oklahoma upon successful passage of the examination
3 administered by a certified designated examiner, as provided for in
4 Section 6-110 of this title. However, notwithstanding the date of
5 issuance of the learner permit, if the person has been convicted of
6 a traffic offense which is reported on the driving record of that
7 person, the time period specified in subparagraph a of this
8 paragraph shall be recalculated to begin from the date of conviction
9 for the traffic offense, and must elapse before that person may be
10 issued an intermediate Class D license. If the person has been
11 convicted of more than one traffic offense which is reported on the
12 driving record of that person, the time period specified in
13 subparagraph a of this paragraph shall be recalculated to begin from
14 the most recent date of conviction, and must elapse before that
15 person may be issued an intermediate Class D license.

16 2. A person who has been issued an intermediate Class D license
17 under the provisions of this subsection:

18 a. shall be granted the privilege to operate a Class D
19 motor vehicle upon the public highways:

20 (1) only between the hours of 5:00 a.m. and 10:00
21 p.m., except for driving to and from work,
22 school, school activities, and church activities,
23 or
24

1 (2) at any time, if a licensed driver who is at least
2 twenty-one (21) years of age is actually
3 occupying a seat beside the intermediate Class D
4 licensee, or if the intermediate Class D licensee
5 is a farm or ranch resident, and is operating a
6 motor vehicle while engaged in farming or
7 ranching operations outside the limits of a
8 municipality, or driving to and from work,
9 school, school activities, or church activities,
10 and

11 b. shall not operate a motor vehicle with more than one
12 passenger unless:

13 (1) all passengers live in the same household as the
14 custodial legal parent or legal guardian, or

15 (2) a licensed driver at least twenty-one (21) years
16 of age is actually occupying a seat beside the
17 intermediate Class D licensee.

18 E. Any person who has been issued an intermediate Class D
19 license for a minimum of:

20 1. One (1) year; or

21 2. Six (6) months, if the person has completed both the driver
22 education and the parent-certified behind-the-wheel training
23 provisions of subparagraph b of paragraph 1 of subsection D of this
24 section,

1 may be issued a Class D license. However, notwithstanding the date
2 of issuance of the Class D license, if the person has been convicted
3 of a traffic offense which is reported on the driving record of that
4 person, the time periods specified in paragraph 1 or 2 of this
5 subsection, as applicable, shall be recalculated to begin from the
6 date of conviction for the traffic offense, and must elapse before
7 that person may be issued a Class D license. If the person has been
8 convicted of more than one traffic offense which is reported on the
9 driving record of that person, the time periods specified in
10 paragraph 1 or 2 of this subsection, as applicable, shall be
11 recalculated to begin from the most recent date of conviction, and
12 must elapse before that person may be issued a Class D license.

13 F. Learner permits and intermediate Class D licenses shall be
14 issued for the same period as all other driver licenses. The
15 licenses may be suspended or canceled at the discretion of ~~the~~
16 ~~Department~~ Service Oklahoma for violation of restrictions, for
17 failing to give the required or correct information on the
18 application, for knowingly giving false or inaccurate information on
19 the application or any subsequent documentation related to the
20 granting of driving privileges, for using a hand-held electronic
21 device while operating a motor vehicle for non-life-threatening
22 emergency purposes or for violation of any traffic laws of this
23 state pertaining to the operation of a motor vehicle.

24

1 G. Service Oklahoma shall promulgate rules establishing
2 procedures for removal of learner permit and intermediate Class D
3 license restrictions from the permit or license upon the permittee
4 or licensee qualifying for a less restricted or an unrestricted
5 license.

6 H. Any person fourteen (14) years of age or older may apply for
7 a restricted Class D license with a motorcycle-only restriction.
8 After the person has successfully passed all parts of the motorcycle
9 examination other than the driving examination, has successfully
10 completed a certified state-approved motorcycle basic rider course
11 approved by the Department of Public Safety, in conjunction with
12 Service Oklahoma, and has met all requirements provided for in the
13 rules of the Department and Service Oklahoma, Service Oklahoma shall
14 issue to the person a restricted Class D license with a motorcycle-
15 only restriction which shall grant to the person, while having the
16 license in the person's immediate possession, the privilege to
17 operate a motorcycle or motor-driven cycle:

18 1. With a piston displacement not to exceed three hundred (300)
19 cubic centimeters;

20 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

21 3. While wearing approved protective headgear; and

22 4. While accompanied by and receiving instruction from any
23 person who is at least twenty-one (21) years of age and who is
24 properly licensed pursuant to the laws of this state to operate a

1 motorcycle or motor-driven cycle, and who has visual contact with
2 the restricted licensee.

3 The restricted licensee may apply on or after thirty (30) days
4 from date of issuance of the restricted Class D license with a
5 motorcycle-only restriction to have the restriction of being
6 accompanied by a licensed driver removed by successfully completing
7 the driving portion of an examination.

8 The written examination and driving examination for a restricted
9 Class D license with a motorcycle-only endorsement shall be waived
10 by Service Oklahoma upon verification that the person has
11 successfully completed a certified state-approved motorcycle basic
12 rider course approved by the Department and Service Oklahoma.

13 I. Service Oklahoma may in its discretion issue a special
14 permit to any person who has attained the age of fourteen (14)
15 years, authorizing such person to operate farm vehicles between the
16 farm and the market to haul commodities grown on the farm; provided,
17 that the special permit shall be temporary and shall expire not more
18 than thirty (30) days after the issuance of the special permit.
19 Special permits shall be issued only to farm residents and shall be
20 issued only during the time of the harvest of the principal crops
21 grown on such farm. Provided, however, Service Oklahoma shall not
22 issue a special permit pursuant to this subsection until Service
23 Oklahoma is fully satisfied after the examination of the application
24 and other evidence furnished in support thereof, that the person is

1 physically and mentally developed to such a degree that the
2 operation of a motor vehicle by the person would not be inimical to
3 public safety.

4 J. As used in this section:

5 1. "Hand-held electronic device" means a mobile telephone or
6 electronic device with which a user engages in a telephone call,
7 plays or stores media, including but not limited to music and video,
8 or sends or reads a text message while requiring the use of at least
9 one hand; and

10 2. "Using a hand-held electronic device" means engaging any
11 function on an electronic device.

12 K. All driver education courses provided for in paragraph 1 of
13 subsection C of this section shall include education regarding the
14 dangers of texting while driving and the effects of being under the
15 influence of alcohol or other intoxicating substance while driving.

16 SECTION 3. AMENDATORY 47 O.S. 2021, Section 6-105.2, as
17 amended by Section 43, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
18 Section 6-105.2), is amended to read as follows:

19 Section 6-105.2. Service Oklahoma may issue an instructor
20 permit to any qualified secondary school driver education instructor
21 as defined by the State Board of Education ~~Rules~~ rules and
22 ~~Regulations~~ regulations for Oklahoma High School Driver and Traffic
23 Safety Education or any driver education instructor, certified by
24 Service Oklahoma, of a parochial, private, or other nonpublic

1 secondary school upon a proper application to the State Board of
2 Education or the Department of Public Safety in the case of
3 secondary schools that are not regulated by the State Board of
4 Education or a commercial driver training course instructor, as
5 provided for in Sections 801 through 808 of this title. Service
6 Oklahoma shall promulgate rules for the issuance of the permits.
7 Any instructor as defined in this subsection who has been issued a
8 permit may instruct any person who is at least fifteen and one-half
9 (15 1/2) years of age, any person who qualifies for the farm permit
10 as defined in Section 6-105 of this title, or any person who is at
11 least ~~fifteen (15)~~ thirteen and one-half (13 1/2) years of age and
12 of secondary school or higher educational standing while regularly
13 enrolled and certified by the instructor as a student taking a
14 prescribed course of secondary school driver education or a driver
15 education course, certified by Service Oklahoma, from a parochial,
16 private, or other nonpublic secondary school or a commercial driver
17 training course, as defined by Sections 801 through 808 of this
18 title, to operate a motor vehicle while accompanied by and receiving
19 instruction from the instructor who is actually occupying a seat
20 beside the driver.

21 SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-110, as
22 last amended by Section 1, Chapter 82, O.S.L. 2023 (47 O.S. Supp.
23 2023, Section 6-110), is amended to read as follows:

24

1 Section 6-110. A. 1. Service Oklahoma shall establish
2 procedures to ensure every applicant for an original Class A, B, C
3 or D license and for any endorsements thereon is examined by Service
4 Oklahoma, or an approved written examination proctor, except as
5 otherwise provided in Section 6-101 et seq. of this title or as
6 provided in paragraph 2 of this subsection or in subsections D and E
7 of this section. Service Oklahoma is authorized to approve and
8 enter into agreements with third parties including but not limited
9 to public school districts, technology center districts overseen by
10 the Oklahoma Department of Career Technology Education, institutions
11 of higher education, or commercial driver training schools, to act
12 as approved written examination proctors with regard to any written
13 examination required by this section. The examination shall include
14 a test of the applicant's:

- 15 a. eyesight,
- 16 b. ability to read and understand highway signs
17 regulating, warning and directing traffic,
- 18 c. knowledge of the traffic laws of this state including
19 a portion on bicycle and motorcycle safety, and
- 20 d. ability, by actual demonstration, to exercise ordinary
21 and reasonable control in the operation of a motor
22 vehicle. The actual demonstration shall be conducted
23 in the type of motor vehicle for the class of driver
24 license being applied for.

1 The Department of Public Safety, in conjunction with Service
2 Oklahoma, may create a knowledge test that may be taken on the
3 Internet by an applicant applying for a Class D license.

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

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

12 a. a valid unexpired driver license issued by any state
13 or country for the same type or types of vehicles, or

14 b. an expired driver license that:

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

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

19 3. Service Oklahoma shall accept skills test results from
20 another state for Class A, B or C license applicants who have
21 successfully completed commercial motor vehicle driver training in
22 that state and successfully passed the skills test in that state;
23 provided, Service Oklahoma shall not accept skills test results from
24 another state when the applicant has not successfully completed

1 commercial motor vehicle driver training in that state. Nothing in
2 this section shall be construed to prohibit Service Oklahoma from
3 administering the skills test to any applicant who has successfully
4 completed commercial vehicle driver training in another state.

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

13 5. Service Oklahoma, or an approved written examination
14 proctor, shall give the complete examination as provided for in this
15 section within thirty (30) days from the date the application is
16 received, and the examination shall be given at a location within
17 one hundred (100) miles of the residence of the applicant. Service
18 Oklahoma shall make every effort to make the examination locations
19 and times convenient for applicants. Service Oklahoma shall
20 consider giving the examination at any public or private site, if
21 economically feasible and practicable, and if Service Oklahoma and
22 the owner or the governing body agree.

23 B. Any person holding a valid Oklahoma Class D license or
24 provisional driver license pursuant to Section 6-212 of this title

1 and applying for a Class A, B or C commercial license shall be
2 required to successfully complete all examinations as required for
3 the specified class. Failure to submit to Service Oklahoma
4 federally required medical certification information pursuant to 49
5 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade
6 of a commercial license to a Class D license. Provided, however,
7 once the required medical certification information has been
8 received by Service Oklahoma, the license shall be reinstated to the
9 classification of the commercial license prior to the downgrade and
10 the holder of such a license shall not be required to reapply.

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

17 D. 1. Any certified driver education instructor who is
18 currently an operator or an employee of a commercial driver training
19 school in this state or any driver education instructor employed by
20 any school district in this state shall be eligible to apply to be a
21 designated examiner of Service Oklahoma for the purposes of
22 administering the Class D driving skills portion of the Oklahoma
23 driving examination to any person who is eligible to take the
24 Oklahoma driving examination including but not limited to a person

1 who has been issued a learner permit or farm permit. Service
2 Oklahoma shall to the maximum extent possible accept electronic
3 signatures for all applications to be a designated examiner.

4 2. The Department of Public Safety, in conjunction with Service
5 Oklahoma, shall adopt a curriculum of required courses and training
6 to be offered to applicants who are qualified to apply to be a
7 designated examiner. The courses and training for certification
8 shall meet the same standards as required for driver examiners of
9 Service Oklahoma. Within thirty (30) days of the effective date of
10 this act, and by October 1 of each subsequent year, Service Oklahoma
11 shall publish a schedule for the subsequent calendar year of courses
12 and trainings which shall occur no less than twice per calendar
13 year. Service Oklahoma may schedule additional courses and
14 trainings based on demand. Service Oklahoma shall disclose how many
15 slots are available for each course or training and any restrictions
16 on how those slots may be allocated at the time of publishing the
17 schedule.

18 3. Each person applying to be a designated examiner shall be
19 required to pay an initial designated examiner certification fee of
20 One Thousand Dollars (\$1,000.00). Upon successful completion of
21 training prescribed by paragraph 2 of this subsection, the person
22 shall be required to pay an annual designated examiner certification
23 fee of Five Hundred Dollars (\$500.00). If an applicant for the
24 designated examiner program is employed by an Oklahoma public school

1 system that offers driver education, and he or she administers the
2 skills test only to students enrolled in a public school driver
3 education program, the certification fee may be waived by Service
4 Oklahoma. Each designated examiner certification shall expire on
5 the last day of the calendar year and may be renewed upon
6 application to Service Oklahoma. The designated examiner
7 certification fees collected by Service Oklahoma pursuant to this
8 subsection shall be deposited to the credit of the Department of
9 Public Safety Restricted Revolving Fund to be used for the purposes
10 of this subsection, through October 31, 2022. Beginning November 1,
11 2022, the designated examiner certification fees collected by
12 Service Oklahoma pursuant to this subsection shall be deposited to
13 the credit of the Service Oklahoma Revolving Fund. No designated
14 examiner certification fee shall be refunded in the event that
15 certification is denied, suspended or revoked.

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

19 5. Service Oklahoma shall conduct an annual complete nationwide
20 criminal history background check on each designated examiner and a
21 complete nationwide criminal history background check on each
22 designated examiner applicant. The fees for the background check
23 shall be borne by the designated examiner or designated examiner
24 applicant.

1 6. The Department of Public Safety, in conjunction with Service
2 Oklahoma, shall promulgate rules to implement and administer the
3 provisions of this subsection.

4 E. 1. Upon application and approval of Service Oklahoma, any
5 public or private commercial truck driving school that has or
6 maintains a program instructing students for a Class A, B or C
7 license, public transit agency, state, county or municipal
8 government agency in this state, such as local school districts, the
9 Oklahoma Department of Career and Technology Education, or
10 institutions of higher education, or a private entity, shall be
11 authorized to hire or employ designated examiners approved by
12 Service Oklahoma to be third-party examiners of the Class A, B or C
13 driving skills portion and/or knowledge written portion, pursuant to
14 paragraph A of this section, of the Oklahoma driving examination.
15 All designated examiners must successfully have completed the
16 courses and training as outlined in paragraph 2 of this subsection.
17 Service Oklahoma shall be required to approve at least one public
18 transit agency that has or maintains a program instructing students
19 for a Class A, B or C license to hire or employ third-party
20 examiners pursuant to this section. It shall be permissible for any
21 public transit agency operating in ~~the State of Oklahoma~~ this state
22 to utilize the third-party examiners hired or employed by a public
23 transit agency approved by Service Oklahoma.

1 2. The Department of Public Safety, in conjunction with Service
2 Oklahoma, shall adopt a curriculum of required courses and training
3 to be offered to third-party examiners. The courses and training
4 for certification shall meet the same standards as required for
5 commercial driver examiners of Service Oklahoma.

6 3. Service Oklahoma shall require each third-party examiner
7 applicant and commercial school driver education instructor
8 applicant to submit to an electronic national criminal history
9 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
10 Statutes. On or before December 1, 2022, Service Oklahoma shall
11 require each third-party examiner or commercial school driver
12 education instructor to submit to an electronic national criminal
13 history record check pursuant to Section 150.9 of Title 74 of the
14 Oklahoma Statutes. The fees for the background check shall be borne
15 by the third-party examiner, third-party examiner applicant,
16 commercial school driver education instructor or commercial school
17 driver education instructor applicant.

18 F. Service Oklahoma shall promulgate rules to:

19 1. Implement and administer the provisions of this section
20 based on requirements set forth in Section 383.75 of Title 49 of the
21 Code of Federal Regulations;

22 2. Establish a process to inform any school, public transit
23 agency, examiner, or state, county or municipal government agency,
24 who has been denied, within forty-five (45) days from the denial;

1 3. Create an appeal process for any school, public transit
2 agency, examiner, or state, county or municipal government agency
3 denied; and

4 4. If the initial application for approval was denied, limit
5 the number of times an individual school, public transit agency,
6 individual examiner applicant, or state, county or municipal
7 government agency may reapply in a calendar year to two
8 reapplications.

9 SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-206.1, is
10 amended to read as follows:

11 Section 6-206.1. A. ~~Driver~~ A driver improvement or defensive
12 driving course is a course which offers an educational setting, ~~and~~
13 provides for driving concepts which encourage attitude or behavioral
14 changes in the responsibility of operating a motor vehicle in a safe
15 and responsible manner.

16 B. It shall be the responsibility of the institution or
17 organization to provide:

- 18 1. Adequate facilities which meet or exceed state and local
19 fire, health and safety codes;
- 20 2. Adequate equipment, in good working order, and instructional
21 materials for such courses;
- 22 3. Qualified instructors who shall:
 - 23 a. possess an undergraduate degree ~~and have nine (9)~~
24 ~~college or university credit hours in traffic safety~~

1 ~~education,~~ or ~~is~~ be a peace officer certified by the
2 Council on Law Enforcement Education and Training
3 (CLEET),

4 b. have no alcohol or drug-related convictions or
5 revocations in the past five (5) years,

6 c. have no more than five (5) points accumulated on the
7 driving record in the past three (3) years in
8 accordance with the Oklahoma Mandatory Point System,

9 d. have a valid Oklahoma driver license, and

10 e. complete a course of training through the approved
11 organization or institution;

12 4. A course of study designed to inform the participant of
13 driver improvement and defensive driving concepts while encouraging
14 attitude or behavioral changes in the responsibility of operating a
15 motor vehicle in a safe and responsible manner. The curriculum,
16 which means the complete lesson plans which include instructional
17 strategy, presentation methods and resources utilized to incorporate
18 the concepts of traffic safety, must provide for but not be limited
19 to the following:

20 a. driver personality traits - behavioral attitudes,

21 b. driver qualifications and limitations,

22 c. effects of alcohol and other drugs, and

23 d. current accident prevention and defensive driving
24 techniques: speed control, perception, reactions,

1 lane positioning, safe turning and passing, occupant
2 restraints, following distance and rules of the road;
3 and

4 5. Provide at least six (6) hours of classroom instruction.

5 C. Organizations or institutions desirous of making application
6 shall submit the following to the Department of Public Safety:

7 1. Evidence of organizational or institutional status which
8 meet statutory requirements;

9 2. Copy of proposed course curriculum which includes lesson
10 objectives, presentation materials, instructional strategy and
11 resources utilized;

12 3. Certification that instructors meet statutory requirements;
13 and

14 4. Upon Department of Public Safety approval, ~~said the~~ the
15 organization or institution shall be considered for point credits as
16 set forth in this section.

17 D. The Department of Public Safety is authorized to grant a ~~two~~
18 ~~point~~ two-point credit towards the Oklahoma Point System Regulations
19 to any person who successfully completes a course pursuant to this
20 section provided only one such course shall be acknowledged once
21 every twenty-four (24) months.

22 E. The Department, upon giving of notice and hearing, may
23 decline to grant credit points to any organization or institution
24 for:

- 1 1. Unethical conduct of an instructor or official of an
2 institution or organization;
 - 3 2. Failure to satisfactorily resolve citizens' complaints;
 - 4 3. Falsifying or misrepresenting any document or information to
5 the Department or student;
 - 6 4. Failure of an organization or instructor to meet statutory
7 requirements;
 - 8 5. Conflict of interest by the organization or institution
9 and/or its personnel; or
 - 10 6. Failure of an organization, institution or instructor to
11 continue to meet statutory requirements as provided for in this
12 section.
- 13 F. Course enrollment will be limited to not more than thirty
14 students with an enrollment fee of Fifty Dollars (\$50.00) per
15 student.
- 16 G. Enrollment in the course shall not be limited to persons
17 ordered to enroll, attend and successfully complete the course.
- 18 H. The organization or institution shall within fifteen (15)
19 days of the completion certify to the Department of Public Safety
20 all persons who successfully complete the course on a form approved
21 or furnished by the Department. This shall include the person's
22 full name, address, date of birth and driver license number.
- 23 I. Department personnel shall be admitted to any course without
24 charge, upon request and display of proper credentials.

1 J. Each organization or institution shall develop auditing
2 procedures which could be utilized to show compliance with this
3 section.

4 K. Any point credit allowed must comply with the Department's
5 Point System Regulations.

6 SECTION 6. AMENDATORY 47 O.S. 2021, Section 801, is
7 amended to read as follows:

8 Section 801. As used in Section 801 et seq. of this title:

9 ~~(A)~~ 1. "Commercial driver training school" or "school" means a
10 business enterprise conducted by an individual, association,
11 partnership, or corporation, for the education and training of
12 persons, either practically or theoretically, or both, to operate or
13 drive motor vehicles and/or to prepare an applicant for an
14 examination given by the state for a driver license including a
15 restricted Class D license for persons fifteen and one-half (15 1/2)
16 years old or for a farm permit as defined in Section 6-105 of this
17 title, and charging a consideration or tuition for such services~~;~~

18 ~~(B)~~ 2. "Instructor" means any person, whether acting for
19 himself or herself as operator of a commercial driver training
20 school or for any such school for compensation, who teaches,
21 conducts classes of, gives demonstrations to, or supervises practice
22 of persons learning to operate or drive motor vehicles or preparing
23 to take an examination for a driver license including a restricted
24 Class D license for persons fifteen and one-half (15 1/2) years old

1 ~~as defined in~~ or for a permit to operate vehicles issued under
2 Section 6-105 of this title, and any person who supervises the work
3 of any other such instructor-; and

4 ~~(C)~~ 3. "Commissioner" means the Commissioner of Public Safety.

5 SECTION 7. AMENDATORY 47 O.S. 2021, Section 803, as
6 amended by Section 27, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023,
7 Section 803), is amended to read as follows:

8 Section 803. ~~(A)~~ A. No commercial driver training school shall
9 be established nor any such existing school continued on or after
10 ~~the effective date of this act~~ August 10, 1967, unless such school
11 applies for and obtains from Service Oklahoma a license in the
12 manner and form prescribed by Service Oklahoma.

13 ~~(B)~~ B. Regulations adopted by Service Oklahoma, in conjunction
14 with the Department of Public Safety, shall state the requirements
15 for a school license, including requirements concerning location,
16 equipment, courses of instruction, instructors, previous records of
17 the school and instructors, financial statements, schedule of fees
18 and charges, character and reputation of the operators and
19 instructors, insurance in such sum and with such provisions as
20 Service Oklahoma, in conjunction with the Department of Public
21 Safety, deems necessary to protect adequately the interests of the
22 public, and such other matters as Service Oklahoma may prescribe for
23 the protection of the public. Such regulations shall allow the use
24

1 of electronic signatures on all documents submitted by a school or
2 instructor.

3 ~~(C)~~ C. Every school offering instruction for a restricted Class
4 D license for persons fifteen and one-half (15 1/2) years old ~~as~~
5 ~~defined in~~ or a permit to operate vehicles issued under Section 6-
6 105 of this title must provide for a minimum number of hours of
7 actual classroom and field driving instruction as determined by
8 Service Oklahoma, in conjunction with the Department of Public
9 Safety.

10 SECTION 8. AMENDATORY 47 O.S. 2021, Section 805, as
11 amended by Section 29, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023,
12 Section 805), is amended to read as follows:

13 Section 805. All licenses shall expire on the last day of the
14 calendar year and may be renewed upon application to Service
15 Oklahoma as prescribed by its regulation. Each application for an
16 original or renewal school license shall be accompanied by a fee of
17 Twenty-five Dollars (\$25.00) for a one-year license or One Hundred
18 Dollars (\$100.00) for a four-year license. Each application for an
19 original or renewal instructor's license shall be accompanied by a
20 fee of Five Dollars (\$5.00) for a one-year license or Twenty Dollars
21 (\$20.00) for a four-year license. The license fees collected
22 pursuant to Sections 801 through 808 of this title shall be remitted
23 to the State Treasurer to be credited to the General Revenue Fund in
24

1 the State Treasury. No license fee shall be refunded in the event
2 that the license is rejected, suspended, or revoked.

3 SECTION 9. This act shall become effective November 1, 2024.

4 Passed the Senate the 7th day of March, 2024.

5

6

Presiding Officer of the Senate

7

8 Passed the House of Representatives the ____ day of _____,
9 2024.

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Presiding Officer of the House
of Representatives

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