

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 19

By: Pemberton of the Senate

and

Newton of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to driver licenses; amending 47 O.S.
12 2011, Section 6-106, as last amended by Section 3,
13 Chapter 1, O.S.L. 2017 (47 O.S. Supp. 2018, Section
14 6-106), which relates to the application for license;
15 modifying provided documentation; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-106, as
19 last amended by Section 3, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
20 2018, Section 6-106), is amended to read as follows:

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

1 2. Every original, renewal, or replacement application for a
2 driver license or identification card made by a male applicant who
3 is at least sixteen (16) but less than twenty-six (26) years of age
4 shall include a statement that by submitting the application, the
5 applicant is consenting to registration with the Selective Service
6 System. The pertinent information from the application shall be
7 forwarded by the Department to the Data Management Center of the
8 Selective Service System in order to register the applicant as
9 required by law with the Selective Service System. Any applicant
10 refusing to sign the consent statement shall be denied a driver
11 license or identification card.

12 3. Except as provided for in subsections G and H of this
13 section, every applicant for a driver license or identification card
14 shall provide to the Department at the time of application ~~both~~
15 ~~primary and secondary proofs~~ a document showing proof of identity.
16 The Department shall promulgate rules prescribing forms of primary
17 and secondary identification acceptable for an original Oklahoma
18 driver license.

19 B. Every applicant for a driver license shall provide the
20 following information:

- 21 1. Full name;
- 22 2. Date of birth;
- 23 3. Sex;

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1 4. Address of principal residence and county of such residence
2 which shall be referenced on the ~~license~~ REAL ID Compliant Driver
3 License or Identification Card; proof of principal residency, as
4 prescribed by rules promulgated by the Department, documenting
5 provided address;

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

9 6. Medical information, as determined by the Department, which
10 shall assure the Department that the person is not prohibited from
11 being licensed as provided by paragraph 7 of subsection A of Section
12 6-103 of this title;

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

14 8. A brief description of the applicant, as determined by the
15 Department;

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

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

24 11. Whether the applicant has:

- 1 a. previously been licensed and, if so, when and by what
2 state or country, and
3 b. held more than one license at the same time during the
4 immediately preceding ten (10) years; and

5 12. Social Security number.

6 No person shall request the Department to use the Social Security
7 number of that person as the driver license number. Upon renewal or
8 replacement of any driver license issued after the effective date of
9 this act, the licensee shall advise the Department or the motor
10 license agent if the present driver license number of the licensee
11 is the Social Security number of the licensee. If the driver
12 license number is the Social Security number, the Department or the
13 motor license agent shall change the driver license number to a
14 computer-generated alphanumeric identification.

15 C. 1. In addition to the requirements of subsections A and B
16 of this section, every applicant for a commercial driver license who
17 is subject to the requirements of 49 C.F.R., Part 391, and is
18 applying for an original, renewal, or replacement license, and every
19 person who, upon ~~the effective date of this act~~ or after May 8,
20 2012, is currently the holder of a commercial driver license and is
21 subject to the requirements of 49 C.F.R., Part 391, and who does not
22 apply for a renewal or replacement license prior to January 30,
23 2014, shall submit to the Department and maintain with the
24 Department a current approved medical examination certificate signed

1 by a licensed physician authorized to perform and approve medical
2 examination certifications. The Department shall adopt rules for
3 maintaining medical examination certificates pursuant to the
4 requirements in 49 C.F.R., Parts 383 and 384. Any commercial driver
5 licensee subject to the requirements of this paragraph who fails to
6 maintain on file with the Department a current, approved medical
7 examination certificate shall have the driving privileges of the
8 person downgraded to a Class D driver license by the Department.

9 2. If the applicant is applying for an original commercial
10 driver license in Oklahoma or is transferring a commercial driver
11 license from another state to Oklahoma, the Department shall review
12 the driving record of the applicant in other states for the
13 immediately preceding ten (10) years, unless the record review has
14 already been performed by the Department. As a result of the
15 review, if it is determined by the Department that the applicant is
16 subject to a period of disqualification as prescribed by Section 6-
17 205.2 of this title which has not yet been imposed, the Department
18 shall impose the period of disqualification and the applicant shall
19 serve the period of disqualification before a commercial driver
20 license is issued to the applicant; provided, nothing in this
21 paragraph shall be construed to prevent the issuance of a Class D
22 driver license to the applicant.

23 3. If the applicant has or is applying for a hazardous material
24 endorsement, the applicant shall submit to a security threat

1 assessment performed by the Transportation Security Administration
2 of the Department of Homeland Security as required by and pursuant
3 to 49 C.F.R., Part 1572, which shall be used to determine whether
4 the applicant is eligible for the endorsement pursuant to federal
5 law and regulation.

6 4. The Department of Public Safety shall notify each commercial
7 driving school of the passage of this section, and each commercial
8 driving school shall notify prospective students of its school of
9 the hazardous material endorsement requirement.

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

23 E. Whenever application is received from a person previously
24 licensed in another jurisdiction, the Department shall request a

1 copy of the driving record from the other jurisdiction and,
2 effective September 1, 2005, from all other jurisdictions in which
3 the person was licensed within the immediately previous ten (10)
4 years. When received, the driving record shall become a part of the
5 driving record of the person in this state with the same force and
6 effect as though entered on the driver's record in this state in the
7 original instance.

8 F. Whenever the Department receives a request for a driving
9 record from another licensing jurisdiction, the record shall be
10 forwarded without charge.

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

22 H. A valid and unexpired U.S. passport shall serve as both
23 primary and secondary proofs of identity whenever application for a
24 driver license or identification card is submitted to the

1 Department. The Department shall promulgate rules necessary to
2 implement and administer the provisions of this subsection.

3 SECTION 2. This act shall become effective November 1, 2019.
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5 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/10/2019 - DO PASS,
6 As Amended.
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