

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 259

By: Pemberton

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6 AS INTRODUCED

7 An Act relating to driver licenses; amending 47 O.S.
8 2011, Section 6-101, as last amended by Section 1,
9 Chapter 1, O.S.L. 2017 (47 O.S. Supp. 2018, Section
10 6-101), which relates to identification photographs
11 database; directing retrieval through OLETS; amending
12 47 O.S. 2011, Section 6-101, as last amended by
13 Section 8, Chapter 229, O.S.L. 2017 (47 O.S. Supp.
14 2018, Section 6-101), which relates to identification
15 photographs database; directing retrieval through
16 OLETS; and providing effective dates.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-101, as
19 last amended by Section 1, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
20 2018, Section 6-101), is amended to read as follows:

21 Section 6-101. A. No person, except those hereinafter
22 expressly exempted in Sections 6-102 and 6-102.1 of this title,
23 shall operate any motor vehicle upon a highway in this state unless
24 the person has a valid Oklahoma driver license for the class of
25 vehicle being operated under the provisions of this title. No
26 person shall be permitted to possess more than one valid license at

1 any time, except as provided in paragraph 4 of subsection F of this
2 section.

3 B. 1. No person shall operate a Class A commercial motor
4 vehicle unless the person is eighteen (18) years of age or older and
5 holds a valid Class A commercial license, except as provided in
6 paragraph 5 of this subsection and subsection F of this section.
7 Any person holding a valid Class A commercial license shall be
8 permitted to operate motor vehicles in Classes A, B, C and D, except
9 as provided for in paragraph 4 of this subsection.

10 2. No person shall operate a Class B commercial motor vehicle
11 unless the person is eighteen (18) years of age or older and holds a
12 valid Class B commercial license, except as provided in paragraph 5
13 of subsection F of this section. Any person holding a valid Class B
14 commercial license shall be permitted to operate motor vehicles in
15 Classes B, C and D, except as provided for in paragraph 4 of this
16 subsection.

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

23 4. No person under twenty-one (21) years of age shall be
24 licensed to operate any motor vehicle which is required to be

1 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
2 subpart F, except as provided in subsection F of this section;
3 provided, a person eighteen (18) years of age or older may be
4 licensed to operate a farm vehicle which is required to be placarded
5 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
6 except as provided in subsection F of this section.

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

- 10 a. a restricted Class A commercial license which shall
11 grant to the licensee the privilege to operate a Class
12 A or Class B commercial motor vehicle for harvest
13 purposes or a Class D motor vehicle, or
14 b. a restricted Class B commercial license which shall
15 grant to the licensee the privilege to operate a Class
16 B commercial motor vehicle for harvest purposes or a
17 Class D motor vehicle.

18 6. No person shall operate a Class D motor vehicle unless the
19 person is sixteen (16) years of age or older and holds a valid Class
20 D license, except as provided for in Section 6-102 or 6-105 of this
21 title. Any person holding a valid Class D license shall be
22 permitted to operate motor vehicles in Class D only.
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1 C. Any person issued a driver license pursuant to this section
2 may exercise the privilege thereby granted upon all streets and
3 highways in this state.

4 D. No person shall operate a motorcycle or motor-driven cycle
5 without having a valid Class A, B, C or D license with a motorcycle
6 endorsement. Except as otherwise provided by law, any new applicant
7 for an original driver license shall be required to successfully
8 complete a written examination, vision examination, and driving
9 examination for a motorcycle as prescribed by the Department of
10 Public Safety, and a certified state-approved motorcycle basic rider
11 course approved by the Department if the applicant is seventeen (17)
12 years of age or younger to be eligible for a motorcycle endorsement
13 thereon. The written examination and driving examination for a
14 motorcycle shall be waived by the Department of Public Safety upon
15 verification that the person has successfully completed a certified
16 Motorcycle Safety Foundation rider course approved by the
17 Department.

18 E. Except as otherwise provided by law, any person who lawfully
19 possesses a valid Oklahoma driver license which is eligible for
20 renewal shall be required to successfully complete a written
21 examination, vision examination, and driving examination for a
22 motorcycle as prescribed by the Department, and a certified state-
23 approved motorcycle basic rider course approved by the Department if
24 the person is seventeen (17) years of age or younger to be eligible

1 for a motorcycle endorsement. The written examination and driving
2 examination for a motorcycle shall be waived by the Department of
3 Public Safety upon verification that the person has successfully
4 completed a certified Motorcycle Safety Foundation rider course
5 approved by the Department.

6 F. 1. Any person eighteen (18) years of age or older may apply
7 for a restricted Class A, B or C commercial learner permit. The
8 Department, after the applicant has passed all parts of the
9 examination for a Class D license and has successfully passed all
10 parts of the examination for a Class A, B or C commercial license
11 other than the driving examination, may issue to the applicant a
12 commercial learner permit which shall entitle the person having
13 immediate lawful possession of the commercial learner permit and a
14 valid Oklahoma driver license or provisional driver license pursuant
15 to Section 6-212 of this title to operate a Class A, B or C
16 commercial motor vehicle upon the public highways solely for the
17 purpose of behind-the-wheel training in accordance with rules
18 promulgated by the Department.

19 2. This commercial learner permit shall be issued for a period
20 as provided in Section 6-115 of this title of one hundred eighty
21 (180) days, which may be renewed one time for an additional one
22 hundred eighty (180) days; provided, such commercial learner permit
23 may be suspended, revoked, canceled, denied or disqualified at the
24 discretion of the Department for violation of the restrictions, for

1 failing to give the required or correct information on the
2 application, or for violation of any traffic laws of this state
3 pertaining to the operation of a motor vehicle. Except as otherwise
4 provided, the lawful possessor of a commercial learner permit who
5 has been issued a commercial learner permit for a minimum of
6 fourteen (14) days may have the restriction requiring an
7 accompanying driver removed by satisfactorily completing a driver's
8 examination; provided, the removal of a restriction shall not
9 authorize the operation of a Class A, B or C commercial motor
10 vehicle if such operation is otherwise prohibited by law.

11 3. No person shall apply for and the Department shall not issue
12 an original Class A, B or C driver license until the person has been
13 issued a commercial learner permit and held the permit for at least
14 fourteen (14) days. Any person who currently holds a Class B or C
15 license and who wishes to apply for another class of commercial
16 driver license shall be required to apply for a commercial learner
17 permit and to hold the permit for at least fourteen (14) days before
18 applying for the Class A or B license, as applicable. Any person
19 who currently holds a Class A, B or C license and who wishes to add
20 an endorsement or remove a restriction for which a skills
21 examination is required shall be required to apply for a commercial
22 learner permit and to hold the permit for at least fourteen (14)
23 days before applying for the endorsement.

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

8 5. After one renewal of a commercial learner permit, as
9 provided in paragraph 2 of this subsection, a commercial permit
10 shall not be renewed again. Any person who has held a commercial
11 learner permit for the initial issuance period and one renewal
12 period shall not be eligible for and the Department shall not issue
13 another renewal of the permit; provided, the person may reapply for
14 a new commercial learner permit, as provided for in this subsection.

15 6. Enrollment in or successful completion of a commercial
16 driver training school shall not be required for any commercial
17 learner permit applicant who requests a skills examination for a
18 Class A, B or C license, nor shall any student enrolled in a
19 commercial driver training school be prohibited from taking a skills
20 examination for a Class A, B or C license upon request with a
21 Department of Public Safety examiner regardless of whether the
22 person has completed the course, is still enrolled in the course to
23 be completed or has voluntarily withdrawn from the course.

24 G. 1. For purposes of this title:
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1 a. "REAL ID Compliant Driver License" or "Identification
2 Card" means a driver license or identification card
3 issued by the State of Oklahoma that has been
4 certified by the United States Department of Homeland
5 Security (USDHS) as compliant with the requirements of
6 the REAL ID Act of 2005, Public Law No. 109-13. A
7 REAL ID Compliant Driver License or Identification
8 Card and the process through which it is issued
9 incorporate a variety of security measures designed to
10 protect the integrity and trustworthiness of the
11 license or card. A REAL ID Compliant Driver License
12 or Identification Card will be clearly marked on the
13 face indicating that it is a compliant document, and

14 b. "REAL ID Noncompliant Driver License" or
15 "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. A
20 REAL ID Noncompliant Driver License or Identification
21 Card will be clearly marked on the face indicating
22 that it is not compliant with the federal REAL ID Act
23 and is not acceptable for official federal purposes.
24 The driver license or identification card will have a

1 unique design or color indicator that clearly
2 distinguishes it from a compliant license or card.

3 2. Original Driver License and Identification Card Issuance:

- 4 a. Application for an original REAL ID Compliant or REAL
5 ID Noncompliant Driver License or Identification Card
6 shall be made to the Department of Public Safety.
- 7 b. Department of Public Safety employees shall perform
8 all document recognition and other requirements needed
9 for approval of an original REAL ID Compliant or REAL
10 ID Noncompliant Driver License or Identification Card
11 application.
- 12 c. Upon approval of an original REAL ID Compliant or REAL
13 ID Noncompliant Driver License or Identification Card
14 application, the applicant may take the approved
15 application document to a motor license agent to
16 receive a temporary driver license or identification
17 card.
- 18 d. The motor license agent shall process the approved
19 REAL ID Compliant or REAL ID Noncompliant Driver
20 License or Identification Card application and upon
21 payment shall provide the applicant a temporary driver
22 license or identification card. A temporary driver
23 license or identification card shall afford the holder
24 the privileges otherwise granted by the specific class

1 of driver license or identification card for the
2 period of time listed on the temporary driver license
3 or identification card or the period of time prior to
4 the applicant receiving a REAL ID Compliant or REAL ID
5 Noncompliant Driver License or Identification Card,
6 whichever time period is shorter.

7 3. REAL ID Compliant Driver License and Identification Card

8 Renewal and Replacement:

9 a. Application for renewal or replacement of a REAL ID
10 Compliant Driver License or Identification Card may be
11 made to the Department of Public Safety or to a motor
12 license agent, provided such motor license agent is
13 authorized to process application for REAL ID
14 Compliant Driver Licenses and Identification Cards;
15 and further provided, no motor license agent shall
16 process an application for a Class A, B or C
17 commercial license.

18 b. Department of Public Safety employees or authorized
19 motor license agents shall perform all document
20 recognition and other requirements needed for approval
21 of a renewal or replacement REAL ID Compliant Driver
22 License or Identification Card application; provided,
23 no motor license agent shall perform such document
24 recognition and other requirements needed for approval

1 of an application for a Class A, B or C commercial
2 license.

3 c. Upon approval of a renewal or replacement REAL ID
4 Compliant Driver License or Identification Card
5 application, the applicant may receive a temporary
6 driver license or identification card from the
7 Department of Public Safety or an authorized motor
8 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
12 the specific class of driver license or identification
13 card being renewed or replaced for the period of time
14 listed on the temporary driver license or
15 identification card or the period of time prior to the
16 applicant receiving a REAL ID Compliant Driver License
17 or Identification Card, whichever time period is
18 shorter.

19 e. For purposes of this title, an application for a REAL
20 ID Compliant Driver License or Identification Card by
21 an individual with a valid Oklahoma-issued driver
22 license or identification card shall be considered a
23 renewal of a REAL ID Compliant Driver License or
24 Identification Card.

1 4. REAL ID Noncompliant Driver License and Identification Card

2 Renewal and Replacement:

- 3 a. Application for renewal or replacement of a REAL ID
4 Noncompliant Driver License or Identification Card may
5 be made to the Department of Public Safety or to a
6 motor license agent; provided, no motor license agent
7 shall process an application for a Class A, B or C
8 commercial license.
- 9 b. Department of Public Safety employees or motor license
10 agents shall perform all document recognition and
11 other requirements needed for approval of a renewal or
12 replacement REAL ID Noncompliant Driver License or
13 Identification Card application; provided, no motor
14 license agent shall perform such document recognition
15 and other requirements needed for approval of an
16 application for a Class A, B or C commercial license.
- 17 c. Upon approval of a renewal or replacement REAL ID
18 Noncompliant Driver License or Identification Card
19 application, the applicant may receive a temporary
20 driver license or identification card from the
21 Department of Public Safety or a motor license agent.
- 22 d. A temporary driver license or identification card
23 acquired under the provisions of this paragraph shall
24 afford the holder the privileges otherwise granted by

1 the specific class of driver license or identification
2 card being renewed or replaced for the period of time
3 listed on the temporary driver license or
4 identification card or the period of time prior to the
5 applicant receiving a REAL ID Noncompliant Driver
6 License or Identification Card, whichever time period
7 is shorter.

8 H. 1. The fee charged for an approved application for an
9 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
10 License or an approved application for the addition of an
11 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
12 Noncompliant Driver License shall be assessed in accordance with the
13 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 this
23 title, all monies collected from the fees charged for Class A, B and
24

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

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

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

14	Class A Commercial Learner Permit	\$56.50
15	Class A Commercial License	\$56.50
16	Class B Commercial Learner Permit	\$56.50
17	Class B Commercial License	\$56.50
18	Class C Commercial License	\$46.50
19	Class D License	\$38.50

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

3	REAL ID Compliant Class A Commercial Learner Permit	\$56.50
4	REAL ID Compliant Class A Commercial License	\$56.50
5	REAL ID Compliant Class B Commercial Learner Permit	\$56.50
6	REAL ID Compliant Class B Commercial License	\$56.50
7	REAL ID Compliant Class C Commercial License	\$46.50
8	REAL ID Compliant Class D License	\$38.50

9 L. A commercial learner permit may be renewed one time for a
10 period of one hundred eighty (180) days. The cost for the renewed
11 permit shall be the same as for the original permit.

12 M. Notwithstanding the provisions of Section 1104 of this
13 title, of each fee charged pursuant to the provisions of subsections
14 J, K and L of this section:

15 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
16 the Trauma Care Assistance Revolving Fund created in Section 1-
17 2530.9 of Title 63 of the Oklahoma Statutes;

18 2. Six Dollars and seventy-five cents (\$6.75) shall be
19 deposited to the Department of Public Safety Computer Imaging System
20 Revolving Fund to be used solely for the purpose of administration
21 and maintenance of the computerized imaging system of the
22 Department;

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1 3. Ten Dollars (\$10.00) shall be deposited to the Department of
2 Public Safety Revolving Fund for all original or renewal issuances
3 of licenses;

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

6 5. Two Dollars (\$2.00) of the fee provided for in subsection J
7 of this section related to the issuance or renewal of a driver
8 license by a motor license agent that does not process approved
9 applications or renewals for REAL ID Compliant Driver Licenses and
10 Identification Cards shall be deposited, in addition to the amount
11 authorized by paragraph 4 of this subsection, to the State Public
12 Safety Fund created in Section 2-147 of this title.

13 N. All original and renewal driver licenses shall expire as
14 provided in Section 6-115 of this title.

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

18	Age 62	\$21.25
19	Age 63	\$17.50
20	Age 64	\$13.75
21	Age 65	-0-

22 P. No person who has been honorably discharged from active
23 service in any branch of the Armed Forces of the United States or
24 Oklahoma National Guard and who has been certified by the United

1 States Department of Veterans Affairs, its successor, or the Armed
2 Forces of the United States to be a disabled veteran in receipt of
3 compensation at the one-hundred-percent rate for a permanent
4 disability sustained through military action or accident resulting
5 from disease contracted while in such active service shall be
6 charged a fee for the issuance or renewal of an Oklahoma driver
7 license.

8 Q. In accordance with the provisions of subsection G of this
9 section, the Department of Public Safety and the Oklahoma Tax
10 Commission are authorized to promulgate rules for the issuance and
11 renewal of driver licenses authorized pursuant to the provisions of
12 Sections 6-101 through 6-309 of this title; provided, that no such
13 rules applicable to the issuance or renewal of REAL ID Noncompliant
14 Driver Licenses shall create more stringent standards than such
15 rules applicable as of January 1, 2017, unless directly related to a
16 specific change in statutory law concerning standards for REAL ID
17 Noncompliant Driver Licenses. Applications, upon forms approved by
18 the Department of Public Safety, for such licenses shall be handled,
19 in accordance with the provisions of subsection G of this section,
20 by the motor license agents; provided, the Department of Public
21 Safety is authorized to assume these duties in any county of this
22 state. Each motor license agent accepting applications for driver
23 licenses shall receive Four Dollars (\$4.00) to be deducted from the
24 total collected for each license or renewal application accepted; in

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

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

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

1 S. The Department of Public Safety shall retain the images
2 displayed on licenses and identification cards issued pursuant to
3 the provisions of Sections 6-101 through 6-309 of this title which
4 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 its
10 official purpose; and

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

12 All agencies approved to receive photographs or computerized
13 images may obtain them through the Oklahoma Law Enforcement
14 Telecommunications System (OLETS) and/or through the National Law
15 Enforcement Telecommunications System (NLETS) or through an entity
16 approved by the Commissioner of the Department of Public Safety.

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

21 T. No person may hold more than one state-issued or territory-
22 issued REAL ID Compliant Driver License or REAL ID Compliant
23 Identification Card from Oklahoma or any other state or territory.
24 The Department shall not issue a REAL ID Compliant Driver License to

1 a person who has been previously issued a REAL ID Compliant Driver
2 License or REAL ID Compliant Identification Card until such license
3 or identification card has been surrendered to the Department by the
4 applicant. The Department may promulgate rules related to the
5 issuance of replacement REAL ID Compliant Driver Licenses in the
6 event of loss or theft.

7 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-101, as
8 last amended by Section 8, Chapter 229, O.S.L. 2017 (47 O.S. Supp.
9 2018, Section 6-101), is amended to read as follows:

10 Section 6-101. A. No person, except those hereinafter
11 expressly exempted in Sections 6-102 and 6-102.1 of this title,
12 shall operate any motor vehicle upon a highway in this state unless
13 the person has a valid Oklahoma driver license for the class of
14 vehicle being operated under the provisions of this title. No
15 person shall be permitted to possess more than one valid license at
16 any time, except as provided in paragraph 4 of subsection F of this
17 section.

18 B. 1. No person shall operate a Class A commercial motor
19 vehicle unless the person is eighteen (18) years of age or older and
20 holds a valid Class A commercial license, except as provided in
21 paragraph 5 of this subsection and subsection F of this section.
22 Any person holding a valid Class A commercial license shall be
23 permitted to operate motor vehicles in Classes A, B, C and D, except
24 as provided for in paragraph 4 of this subsection.

1 2. No person shall operate a Class B commercial motor vehicle
2 unless the person is eighteen (18) years of age or older and holds a
3 valid Class B commercial license, except as provided in paragraph 5
4 of subsection F of this section. Any person holding a valid Class B
5 commercial license shall be permitted to operate motor vehicles in
6 Classes B, C and D, except as provided for in paragraph 4 of this
7 subsection.

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

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

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

- 1 a. a restricted Class A commercial license which shall
2 grant to the licensee the privilege to operate a Class
3 A or Class B commercial motor vehicle for harvest
4 purposes or a Class D motor vehicle, or
5 b. a restricted Class B commercial license which shall
6 grant to the licensee the privilege to operate a Class
7 B commercial motor vehicle for harvest purposes or a
8 Class D motor vehicle.

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

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

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

1 years of age or younger to be eligible for a motorcycle endorsement
2 thereon. The written examination and driving examination for a
3 motorcycle shall be waived by the Department of Public Safety upon
4 verification that the person has successfully completed a certified
5 Motorcycle Safety Foundation rider course approved by the
6 Department.

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

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

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

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

1 3. No person shall apply for and the Department shall not issue
2 an original Class A, B or C driver license until the person has been
3 issued a commercial learner permit and held the permit for at least
4 fourteen (14) days. Any person who currently holds a Class B or C
5 license and who wishes to apply for another class of commercial
6 driver license shall be required to apply for a commercial learner
7 permit and to hold the permit for at least fourteen (14) days before
8 applying for the Class A or B license, as applicable. Any person
9 who currently holds a Class A, B or C license and who wishes to add
10 an endorsement or remove a restriction for which a skills
11 examination is required shall be required to apply for a commercial
12 learner permit and to hold the permit for at least fourteen (14)
13 days before applying for the endorsement.

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

21 5. After one renewal of a commercial learner permit, as
22 provided in paragraph 2 of this subsection, a commercial permit
23 shall not be renewed again. Any person who has held a commercial
24 learner permit for the initial issuance period and one renewal

1 period shall not be eligible for and the Department shall not issue
2 another renewal of the permit; provided, the person may reapply for
3 a new commercial learner permit, as provided for in this subsection.

4 6. Enrollment in or successful completion of a commercial
5 driver training school shall not be required for any commercial
6 learner permit applicant who requests a skills examination for a
7 Class A, B or C license, nor shall any student enrolled in a
8 commercial driver training school be prohibited from taking a skills
9 examination for a Class A, B or C license upon request with a
10 Department of Public Safety examiner regardless of whether the
11 person has completed the course, is still enrolled in the course to
12 be completed or has voluntarily withdrawn from the course.

13 G. 1. For purposes of this title:

14 a. "REAL ID Compliant Driver License" or "Identification
15 Card" means a driver license or identification card
16 issued by the State of Oklahoma that has been
17 certified by the United States Department of Homeland
18 Security (USDHS) as compliant with the requirements of
19 the REAL ID Act of 2005, Public Law No. 109-13. A
20 REAL ID Compliant Driver License or Identification
21 Card and the process through which it is issued
22 incorporate a variety of security measures designed to
23 protect the integrity and trustworthiness of the
24 license or card. A REAL ID Compliant Driver License

1 or Identification Card will be clearly marked on the
2 face indicating that it is a compliant document, and
3 b. "REAL ID Noncompliant Driver License" or
4 "Identification Card" means a driver license or
5 identification card issued by the State of Oklahoma
6 that has not been certified by the United States
7 Department of Homeland Security (USDHS) as being
8 compliant with the requirements of the REAL ID Act. A
9 REAL ID Noncompliant Driver License or Identification
10 Card will be clearly marked on the face indicating
11 that it is not compliant with the federal REAL ID Act
12 and is not acceptable for official federal purposes.
13 The driver license or identification card will have a
14 unique design or color indicator that clearly
15 distinguishes it from a compliant license or card.

16 2. Original Driver License and Identification Card Issuance:

- 17 a. Application for an original REAL ID Compliant or REAL
18 ID Noncompliant Driver License or Identification Card
19 shall be made to the Department of Public Safety.
20 b. Department of Public Safety employees shall perform
21 all document recognition and other requirements needed
22 for approval of an original REAL ID Compliant or REAL
23 ID Noncompliant Driver License or Identification Card
24 application.

1 c. Upon approval of an original REAL ID Compliant or REAL
2 ID Noncompliant Driver License or Identification Card
3 application, the applicant may take the approved
4 application document to a motor license agent to
5 receive a temporary driver license or identification
6 card.

7 d. The motor license agent shall process the approved
8 REAL ID Compliant or REAL ID Noncompliant Driver
9 License or Identification Card application and upon
10 payment shall provide the applicant a temporary driver
11 license or identification card. A temporary driver
12 license or identification card shall afford the holder
13 the privileges otherwise granted by the specific class
14 of driver license or identification card for the
15 period of time listed on the temporary driver license
16 or identification card or the period of time prior to
17 the applicant receiving a REAL ID Compliant or REAL ID
18 Noncompliant Driver License or Identification Card,
19 whichever time period is shorter.

20 3. REAL ID Compliant Driver License and Identification Card

21 Renewal and Replacement:

22 a. Application for renewal or replacement of a REAL ID
23 Compliant Driver License or Identification Card may be
24 made to the Department of Public Safety or to a motor
25

1 license agent, provided such motor license agent is
2 authorized to process application for REAL ID
3 Compliant Driver Licenses and Identification Cards;
4 and further provided, no motor license agent shall
5 process an application for a Class A, B or C
6 commercial license.

7 b. Department of Public Safety employees or authorized
8 motor license agents shall perform all document
9 recognition and other requirements needed for approval
10 of a renewal or replacement REAL ID Compliant Driver
11 License or Identification Card application; provided,
12 no motor license agent shall perform such document
13 recognition and other requirements needed for approval
14 of an application for a Class A, B or C commercial
15 license.

16 c. Upon approval of a renewal or replacement REAL ID
17 Compliant 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 an authorized motor
21 license agent.

22 d. A temporary driver license or identification card
23 acquired under the provisions of this paragraph shall
24 afford the holder the privileges otherwise granted by
25

1 the specific class of driver license or identification
2 card being renewed or replaced for the period of time
3 listed on the temporary driver license or
4 identification card or the period of time prior to the
5 applicant receiving a REAL ID Compliant Driver License
6 or Identification Card, whichever time period is
7 shorter.

- 8 e. For purposes of this title, an application for a REAL
9 ID Compliant Driver License or Identification Card by
10 an individual with a valid Oklahoma-issued driver
11 license or identification card shall be considered a
12 renewal of a REAL ID Compliant Driver License or
13 Identification Card.

14 4. REAL ID Noncompliant Driver License and Identification Card

15 Renewal and Replacement:

- 16 a. Application for renewal or replacement of a REAL ID
17 Noncompliant Driver License or Identification Card may
18 be made to the Department of Public Safety or to a
19 motor license agent; provided, no motor license agent
20 shall process an application for a Class A, B or C
21 commercial license.
- 22 b. Department of Public Safety employees or motor license
23 agents shall perform all document recognition and
24 other requirements needed for approval of a renewal or

1 replacement REAL ID Noncompliant Driver License or
2 Identification Card application; provided, no motor
3 license agent shall perform such document recognition
4 and other requirements needed for approval of an
5 application for a Class A, B or C commercial license.

6 c. Upon approval of a renewal or replacement REAL ID
7 Noncompliant Driver License or Identification Card
8 application, the applicant may receive a temporary
9 driver license or identification card from the
10 Department of Public Safety or a motor license agent.

11 d. A temporary driver license or identification card
12 acquired under the provisions of this paragraph shall
13 afford the holder the privileges otherwise granted by
14 the specific class of driver license or identification
15 card being renewed or replaced for the period of time
16 listed on the temporary driver license or
17 identification card or the period of time prior to the
18 applicant receiving a REAL ID Noncompliant Driver
19 License or Identification Card, whichever time period
20 is shorter.

21 H. 1. The fee charged for an approved application for an
22 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
23 License or an approved application for the addition of an
24 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID

1 Noncompliant Driver License shall be assessed in accordance with the
2 following schedule:

3	Class A Commercial Learner Permit	\$25.00
4	Class A Commercial License	\$25.00
5	Class B Commercial Learner Permit	\$15.00
6	Class B Commercial License	\$15.00
7	Class C Commercial Learner Permit	\$15.00
8	Class C Commercial License	\$15.00
9	Class D License	\$ 4.00
10	Motorcycle Endorsement	\$ 4.00

11 2. Notwithstanding the provisions of Section 1104 of this
12 title, all monies collected from the fees charged for Class A, B and
13 C commercial licenses pursuant to the provisions of this subsection
14 shall be deposited in the General Revenue Fund of this state.

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

20 J. In addition to any fee charged pursuant to the provisions of
21 subsection H of this section, the fee charged for the issuance or
22 renewal of a REAL ID Noncompliant Driver License shall be in
23 accordance with the following schedule; provided, that any applicant
24

1 who has a CDL Learner Permit shall be charged only the replacement
2 fee for the issuance of the license:

3	Class A Commercial Learner Permit	\$56.50
4	Class A Commercial License	\$56.50
5	Class B Commercial Learner Permit	\$56.50
6	Class B Commercial License	\$56.50
7	Class C Commercial License	\$46.50
8	Class D License	\$38.50

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

15	REAL ID Compliant Class A Commercial Learner Permit	\$56.50
16	REAL ID Compliant Class A Commercial License	\$56.50
17	REAL ID Compliant Class B Commercial Learner Permit	\$56.50
18	REAL ID Compliant Class B Commercial License	\$56.50
19	REAL ID Compliant Class C Commercial License	\$46.50
20	REAL ID Compliant Class D License	\$38.50

21 L. A commercial learner permit may be renewed one time for a
22 period of one hundred eighty (180) days. The cost for the renewed
23 permit shall be the same as for the original permit.

1 M. Notwithstanding the provisions of Section 1104 of this
2 title, of each fee charged pursuant to the provisions of subsections
3 J, K and L of this section:

4 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
5 the Trauma Care Assistance Revolving Fund created in Section 1-
6 2530.9 of Title 63 of the Oklahoma Statutes;

7 2. Six Dollars and seventy-five cents (\$6.75) shall be
8 deposited to the Department of Public Safety Computer Imaging System
9 Revolving Fund to be used solely for the purpose of administration
10 and maintenance of the computerized imaging system of the
11 Department;

12 3. Ten Dollars (\$10.00) shall be deposited to the Department of
13 Public Safety Revolving Fund for all original or renewal issuances
14 of licenses;

15 4. Three Dollars (\$3.00) shall be deposited to the State Public
16 Safety Fund created in Section 2-147 of this title; and

17 5. Two Dollars (\$2.00) of the fee provided for in subsection J
18 of this section related to the issuance or renewal of a driver
19 license by a motor license agent that does not process approved
20 applications or renewals for REAL ID Compliant Driver Licenses and
21 Identification Cards shall be deposited, in addition to the amount
22 authorized by paragraph 4 of this subsection, to the State Public
23 Safety Fund created in Section 2-147 of this title.

1 N. All original and renewal driver licenses shall expire as
2 provided in Section 6-115 of this title.

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

6	Age 62	\$21.25
7	Age 63	\$17.50
8	Age 64	\$13.75
9	Age 65	-0-

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

23 Q. In accordance with the provisions of subsection G of this
24 section, the Department of Public Safety and the Oklahoma Tax

1 Commission are authorized to promulgate rules for the issuance and
2 renewal of driver licenses authorized pursuant to the provisions of
3 Sections 6-101 through 6-309 of this title; provided, that no such
4 rules applicable to the issuance or renewal of REAL ID Noncompliant
5 Driver Licenses shall create more stringent standards than such
6 rules applicable as of January 1, 2017, unless directly related to a
7 specific change in statutory law concerning standards for REAL ID
8 Noncompliant Driver Licenses. Applications, upon forms approved by
9 the Department of Public Safety, for such licenses shall be handled,
10 in accordance with the provisions of subsection G of this section,
11 by the motor license agents; provided, the Department of Public
12 Safety is authorized to assume these duties in any county of this
13 state. Each motor license agent accepting applications for driver
14 licenses shall receive Four Dollars (\$4.00) to be deducted from the
15 total collected for each license or renewal application accepted; in
16 addition to such amount, each motor license agent that processes
17 approved applications or renewals for REAL ID Compliant Driver
18 Licenses shall receive Two Dollars (\$2.00) to be deducted from the
19 total fee collected under the provisions of subsections J and K of
20 this section for each license or renewal application accepted. The
21 fees received by the motor license agent, authorized by this
22 subsection, shall be used for operating expenses.

23 R. Notwithstanding the provisions of Section 1104 of this title
24 and subsection Q of this section and except as provided in
25

1 subsections H and M of this section, the first Sixty Thousand
2 Dollars (\$60,000.00) of all monies collected pursuant to this
3 section shall be paid by the Oklahoma Tax Commission to the State
4 Treasurer to be deposited in the General Revenue Fund of the State
5 Treasury.

6 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
7 collected pursuant to this section shall be paid by the Tax
8 Commission to the State Treasurer to be deposited each fiscal year
9 under the provisions of this section to the credit of the Department
10 of Public Safety Restricted Revolving Fund for the purpose of the
11 Statewide Law Enforcement Communications System. All other monies
12 collected in excess of Five Hundred Sixty Thousand Dollars
13 (\$560,000.00) each fiscal year shall be apportioned as provided in
14 Section 1104 of this title, except as otherwise provided in this
15 section.

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

20 1. By a law enforcement agency for purposes of criminal
21 investigations, missing person investigations, or any law
22 enforcement purpose which is deemed necessary by the Commissioner of
23 Public Safety;

1 2. By the driver licensing agency of another state for its
2 official purpose; and

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

4 All agencies approved to receive photographs or computerized
5 images may obtain them through the Oklahoma Law Enforcement
6 Telecommunications System (OLETS) and/or through the National Law
7 Enforcement Telecommunications System (NLETS) or through an entity
8 approved by the Commissioner of the Department of Public Safety.

9 The computer system and related equipment acquired for this
10 purpose must conform to industry standards for interoperability and
11 open architecture. The Department of Public Safety may promulgate
12 rules to implement the provisions of this subsection.

13 T. No person may hold more than one state-issued or territory-
14 issued REAL ID Compliant Driver License or REAL ID Compliant
15 Identification Card from Oklahoma or any other state or territory.
16 The Department shall not issue a REAL ID Compliant Driver License to
17 a person who has been previously issued a REAL ID Compliant Driver
18 License or REAL ID Compliant Identification Card until such license
19 or identification card has been surrendered to the Department by the
20 applicant. The Department may promulgate rules related to the
21 issuance of replacement REAL ID Compliant Driver Licenses in the
22 event of loss or theft.

23 SECTION 3. Section 1 of this act shall become effective
24 November 1, 2019.

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SECTION 4. Section 2 of this act shall become effective
November 1, 2020.

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