

1 STATE OF OKLAHOMA

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

3 SENATE BILL 410

By: Pederson

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6 AS INTRODUCED

7 An Act relating to commercial driver licenses;
8 amending 47 O.S. 2011, Section 6-119, which relates
9 to physical conditions hazardous to public safety;
allowing for certain exemption; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-119, is
14 amended to read as follows:

15 Section 6-119. A. When the Department of Public Safety has
16 good cause to believe that a licensee or applicant for license to
17 drive a motor vehicle may be afflicted with any physical or mental
18 ailment or condition including diabetes which may cause loss of
19 control or partial control or may otherwise be incapable of properly
20 controlling a motor vehicle, or when a licensee's or applicant's
21 accident or violation record indicates the licensee or applicant may
22 be a hazard to public safety, the Department of Public Safety is
23 hereby authorized to require the licensee or applicant to submit to
24 a physical and/or psychological examination as prescribed by the

1 Commissioner based upon recommendations of the State Driver's
2 License Medical Advisory Committee or its selected representative,
3 and/or complete a driver improvement school, and/or be examined
4 again as provided by Section 6-110 of this title. All physical
5 and/or mental examinations shall be conducted in the county of the
6 residence of the applicant or licensee or in the nearest county to
7 the applicant or licensee where the examination can be completed.
8 Any driver improvement school or examination as provided by Section
9 6-110 of this title shall be completed in the same location as other
10 applicants or licensees living in the same county as the applicant
11 or licensee who is required to complete the school or examination.
12 Unless the Department receives a verified written report as provided
13 for in subsection B of this section specifying the need for an
14 examination of the applicant or licensee, persons afflicted by
15 diabetes shall not be required to submit to any additional
16 requirements beyond those requirements for a person not affected by
17 diabetes before receiving a license or a renewal of a license to
18 operate a motor vehicle.

19 B. Every license issued to a person specified in subsection A
20 of this section shall be renewable upon payment of the required fee;
21 provided, the Department of Public Safety has not received a report
22 from a law enforcement officer stating that the person is a hazard
23 to the public safety and should be evaluated pursuant to the
24 provisions of subsection A of this section or a verified medical

1 report from a licensed physician stating that the person is
2 incapable of properly controlling a motor vehicle. If any report
3 indicates that the physical or mental ailment or condition has
4 failed to remain stable or that the condition is progressive to a
5 degree that the person is deemed to be a hazard to the public safety
6 or is incapable of properly controlling a motor vehicle, the
7 Department of Public Safety shall evaluate the person to determine
8 if additional verified medical reports shall be required before
9 issuing or renewing any drivers license or during the period a
10 license is valid.

11 C. The Department may require any person specified in
12 subsection A of this section to be retested any time prior to such
13 person's application for renewal of a license if the Department
14 receives a written report from any law enforcement officer, a
15 verified report from a licensed physician, or a verified report from
16 such other person authorized by the Department indicating the
17 person's physical or mental ailment or condition has contributed to
18 an accident or has deteriorated since issuance of the license to
19 such a degree the person could lose control or partial control or
20 may otherwise cause such person to be incapable of properly
21 controlling a motor vehicle.

22 D. The Department may provide an exemption to the vision
23 standard in Federal Motor Carrier Safety Regulations under this
24 section if the applicant is qualified under all of the other

1 physical standards provided for in 49 CFR 391.41 and the applicant
2 is approved for an exemption from the federal vision standard at the
3 discretion of the Federal Motor Carrier Safety Administration.

4 SECTION 2. This act shall become effective November 1, 2019.

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