

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 411

By: Crain

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5
6 AS INTRODUCED

7 An Act relating to commercial driver licenses;
8 defining terms; directing the Department of Public
9 Safety to adopt and prescribe certain rules and
10 regulations; requiring annual inspections; requiring
11 commercial driver license training schools and
12 instructors to obtain license; specifying licensing
13 requirements for schools and instructors; providing
14 for the issuance and renewal of licenses; stating
15 fees; requiring annual background checks; providing
16 for the cancelation, suspension, revocation and
17 refusal of licenses; providing for codification; and
18 providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 811 of Title 47, unless there is
22 created a duplication in numbering, reads as follows:

23 As used in Sections 1 through 7 of this act:

24 1. "Commercial driver license training school" means a business
enterprise conducted by an individual, association, partnership or
corporation, licensed by the Department of Public Safety that
charges a tuition for the education and training of persons to
operate a commercial motor vehicle, and prepares an applicant for

1 the written and skills portion of the examination for a Class A, B
2 or C commercial driver license; and

3 2. "Commercial driver license training instructor" means an
4 employee of a commercial driver license training school who teaches,
5 conducts classes, gives demonstrations or supervises the practice of
6 persons learning to operate or drive commercial motor vehicles, and
7 is licensed by the Department of Public Safety to administer the
8 written and skills portion of the examination for a Class A, B or C
9 commercial driver license.

10 SECTION 2. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 812 of Title 47, unless there is
12 created a duplication in numbering, reads as follows:

13 The Department of Public Safety shall adopt and prescribe such
14 rules and regulations concerning the administration and enforcement
15 of this act as are necessary to carry out the intent of this act and
16 to protect the public. The Department shall conduct annual
17 inspections of the commercial driver license training school
18 facilities and equipment.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 813 of Title 47, unless there is
21 created a duplication in numbering, reads as follows:

22 A. No commercial driver license training school shall be
23 established unless such school applies for and obtains from the
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1 Department of Public Safety a license in the manner and form
2 prescribed by the Department.

3 B. Regulations adopted by the Department shall state the
4 requirements for a commercial driver license training school
5 license, including requirements concerning location, equipment,
6 courses of instruction, instructors, financial statements, schedule
7 of fees and charges, character and reputation of the operators and
8 instructors, insurance in such sum and with such provisions as the
9 Department deems necessary to protect adequately the interests of
10 the public, and such other matters as the Department may prescribe
11 for the protection of the public.

12 C. Every school offering instruction for a Class A, B or C
13 commercial driver license must provide for a minimum number of hours
14 of actual classroom and field driving instruction as determined by
15 the Department.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 814 of Title 47, unless there is
18 created a duplication in numbering, reads as follows:

19 A. No person shall act as a commercial driver license training
20 instructor unless such person applies for and obtains from the
21 Department of Public Safety a license in the manner and form
22 prescribed by the Department.

23 B. Rules promulgated by the Department shall state the
24 requirements for a commercial driver license training instructor's

1 license, including requirements concerning moral character, physical
2 condition, knowledge of the courses of instruction, motor vehicle
3 laws and safety principles and practices, previous personnel and
4 employment records, and such other matters as the Department may
5 prescribe for the protection of the public.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 815 of Title 47, unless there is
8 created a duplication in numbering, reads as follows:

9 All licenses issued pursuant to the provisions of this act shall
10 expire on the last day of the calendar year and may be renewed upon
11 application to the Department of Public Safety as prescribed by
12 regulation. Each application for an original or renewal commercial
13 driver license training school license shall be accompanied by a fee
14 of Two Thousand Five Hundred Dollars (\$2,500.00). Each application
15 for an original or renewal commercial driver license training
16 instructor's license shall be accompanied by a fee of One Thousand
17 Dollars (\$1,000.00). The license fees collected pursuant to this
18 section shall be deposited to the credit of the Department of Public
19 Safety Restricted Revolving Fund to be used for the purposes of this
20 act. No license fee shall be refunded in the event that the license
21 is denied, suspended, or revoked.

22 SECTION 6. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 816 of Title 47, unless there is
24 created a duplication in numbering, reads as follows:

1 The Department shall conduct an annual complete nationwide
2 criminal history background check on each commercial driver license
3 training instructor. The fees for the background check shall be
4 borne by the commercial driver license training instructor.

5 SECTION 7. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 817 of Title 47, unless there is
7 created a duplication in numbering, reads as follows:

8 The Department of Public Safety may cancel, suspend, revoke or
9 refuse to issue or renew a commercial driver license training school
10 or commercial driver license training instructor's license in any
11 case where the Department finds the licensee or applicant has not
12 complied with, or has violated, any of the provisions of this act or
13 any regulation adopted by the Department hereunder. Any canceled,
14 suspended or revoked license shall be returned to the Department by
15 the licensee, and the holder of the license shall not be eligible to
16 apply for a license under this act until twelve (12) months have
17 elapsed since the date of suspension or revocation.

18 SECTION 8. This act shall become effective November 1, 2015.

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