

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 682

By: Pederson

4  
5  
6 AS INTRODUCED

7 An Act relating to non-domiciled commercial driver  
8 license; amending 47 O.S. 2021, Section 6-111, as  
9 last amended by Section 53, Chapter 282, O.S.L. 2022  
10 (47 O.S. Supp. 2022, Section 6-111), which relates to  
11 issuance of license or identification card; removing  
12 certain non-domiciled commercial learner permit or  
13 driver license conditions; and providing an effective  
14 date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-111, as  
17 last amended by Section 53, Chapter 282, O.S.L. 2022 (47 O.S. Supp.  
18 2022, Section 6-111), is amended to read as follows:

19 Section 6-111. A. 1. Service Oklahoma shall, upon payment of  
20 the required fee, issue to every applicant qualifying therefor a  
21 Class A, B, C or D driver license or identification card as applied  
22 for, which license or card shall bear thereon a distinguishing  
23 alphanumeric identification assigned to the licensee or cardholder,  
24 date of issuance and date of expiration of the license or card, the  
full legal name, signature or computerized signature, date of birth,  
residence address, unless specified as an exception in the Code of

1 Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized  
2 color image of the licensee or cardholder taken in accordance with  
3 Service Oklahoma rules and security features as determined by  
4 Service Oklahoma. The image shall depict a full front unobstructed  
5 view of the entire face of the licensee or cardholder; provided, a  
6 commercial learner permit shall not bear the image of the licensee.  
7 When any person is issued both a driver license and an  
8 identification card, Service Oklahoma shall ensure the information  
9 on both the license and the card are the same, unless otherwise  
10 provided by law.

11 2. A driver license or identification card issued by Service  
12 Oklahoma on or after March 1, 2004, shall bear thereon the county of  
13 residence of the licensee or cardholder.

14 3. Service Oklahoma may cancel the distinguishing number, when  
15 that distinguishing number is another person's Social Security  
16 number, assign a new distinguishing alphanumeric identification, and  
17 issue a new license or identification card without charge to the  
18 licensee or cardholder.

19 4. Service Oklahoma may promulgate rules for inclusion of the  
20 height and a brief description of the licensee or cardholder on the  
21 face of the card or license identifying the licensee or cardholder  
22 as deaf or hard-of-hearing.

23 5. It is unlawful for any person to apply, adhere, or otherwise  
24 attach to a driver license or identification card any decal,

1 sticker, label, or other attachment. Any law enforcement officer is  
2 authorized to remove and dispose of any unlawful decal, sticker,  
3 label, or other attachment from the driver license of a person. The  
4 law enforcement officer, the employing agency of the officer,  
5 Service Oklahoma, and the State of Oklahoma shall be immune from any  
6 liability for any loss suffered by the licensee, cardholder, or the  
7 owner of the decal, sticker, label, or other attachment caused by  
8 the removal and destruction of the decal, sticker, label, or other  
9 attachment.

10 6. Service Oklahoma may develop by rule a procedure which  
11 complies with the provisions of subsection G of Section 6-101 of  
12 this title whereby a person may apply for a renewal or replacement  
13 Oklahoma Class D license or Oklahoma identification card.

14 B. 1. Service Oklahoma may issue or authorize the issuance of  
15 a temporary permit or license to an applicant for a driver license  
16 permitting such applicant to operate a motor vehicle while Service  
17 Oklahoma is completing its investigation and determination of all  
18 facts relative to such applicant's privilege to receive a license,  
19 or while a permanent driver license is being produced and delivered  
20 to the applicant. Such permit or license must be in the immediate  
21 possession of the driver while operating a motor vehicle, and it  
22 shall be invalid when the applicant's permanent driver license has  
23 been issued and delivered or for good cause has been refused.

1           2. Service Oklahoma may issue or authorize the issuance of a  
2 temporary identification card to an applicant, permitting the holder  
3 the privileges otherwise granted by identification cards, while a  
4 permanent driver license is being provided and delivered to the  
5 applicant. Such card shall be invalid when the applicant's  
6 permanent identification card has been issued and delivered, or for  
7 good cause has been refused.

8           C. 1. Service Oklahoma may issue a restricted commercial  
9 driver license to drivers eighteen (18) years of age or older for  
10 any of the following specific farm-related service industries:

- 11           a. farm retail outlets and suppliers,
- 12           b. agri-chemical businesses,
- 13           c. custom harvesters, and
- 14           d. livestock feeders.

15           The applicant shall hold a valid Oklahoma driver license and  
16 shall meet all the requirements for a commercial driver license.  
17 The restricted commercial driver license shall not exceed a total of  
18 one hundred eighty (180) days within any twelve-month period.

19           2. The restricted commercial driver license shall not be valid  
20 for operators of commercial motor vehicles beyond one hundred fifty  
21 (150) miles from the place of business or the farm currently being  
22 served. Such license shall be limited to Class B vehicles. Holders  
23 of such licenses who transport hazardous materials which are  
24 required to be placarded shall be limited to the following:

- a. diesel fuel in quantities of one thousand (1,000) gallons or less,
- b. liquid fertilizers in vehicles with total capacities of three thousand (3,000) gallons or less, and
- c. solid fertilizers that are not mixed with any organic substance.

No other placarded hazardous materials shall be transported by holders of such licenses.

D. Service Oklahoma may issue a non-domiciled commercial learner permit or a non-domiciled commercial driver license to:

~~1. An H2A Temporary Agricultural worker lawfully present in the United States as indicated on an original, valid and unexpired I-94 immigration status document issued by the United States Customs and Immigration Service; and~~

~~2. A J-1 Exchange Visitor Program participant lawfully present in the United States as indicated on a valid and unexpired J-1 Visitor Visa issued by the United States Customs and Immigration Service and who is enrolled in an agricultural education training program.~~

A person applying for such permit or license must comply with all testing and licensing requirements in accordance with applicable federal regulations, state laws and Service Oklahoma rules. The issued license shall be valid until the expiration of the visa for the non-domiciled worker. Service Oklahoma may promulgate rules for

1 the implementation of the process to carry out the provisions of  
2 this section.

3 E. 1. Service Oklahoma shall develop a procedure whereby a  
4 person applying for an original, renewal or replacement Class A, B,  
5 C or D driver license or identification card who is required to  
6 register as a convicted sex offender with the Department of  
7 Corrections pursuant to the provisions of the Sex Offenders  
8 Registration Act and who the Department of Corrections designates as  
9 an aggravated or habitual offender pursuant to subsection J of  
10 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a  
11 license or card bearing the words "Sex Offender".

12 2. Service Oklahoma shall notify every person subject to  
13 registration under the provisions of Section 1-101 et seq. of this  
14 title who holds a current Class A, B, C or D driver license or  
15 identification card that such person is required to surrender the  
16 license or card to Service Oklahoma within one hundred eighty (180)  
17 days from the date of the notice.

18 3. Upon surrendering the license or card for the reason set  
19 forth in this subsection, application may be made with Service  
20 Oklahoma for a replacement license or card bearing the words "Sex  
21 Offender".

22 4. Failure to comply with the requirements set forth in such  
23 notice shall result in cancellation of the person's license or card.  
24 Such cancellation shall be in effect for one (1) year, after which

1 time the person may make application with Service Oklahoma for a new  
2 license or card bearing the words "Sex Offender". Continued use of  
3 a canceled license or card shall constitute a misdemeanor and shall,  
4 upon conviction thereof, be punishable by a fine of not less than  
5 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars  
6 (\$200.00). When an individual is no longer required to register as  
7 a convicted sex offender with the Department of Corrections pursuant  
8 to the provisions of the Sex Offenders Registration Act, the  
9 individual shall be eligible to receive a driver license or  
10 identification card which does not bear the words "Sex Offender".

11 F. Nothing in subsection E of this section shall be deemed to  
12 impose any liability upon or give rise to a cause of action against  
13 any employee, agent or official of the Department of Corrections for  
14 failing to designate a sex offender as an aggravated or habitual  
15 offender pursuant to subsection J of Section 584 of Title 57 of the  
16 Oklahoma Statutes.

17 G. A person subject to an order for the installation of an  
18 ignition interlock device shall be required by Service Oklahoma to  
19 submit his or her driver license for a replacement. The replacement  
20 driver license shall bear the words "Interlock Required" and such  
21 designation shall remain on the driver license for the duration of  
22 the order requiring the ignition interlock device. The replacement  
23 license shall be subject to the same expiration and renewal  
24 procedures provided by law. Upon completion of the requirements for

1 the interlock device, a person may apply for a replacement driver  
2 license.

3 H. Service Oklahoma shall develop a procedure whereby a person  
4 applying for an original, renewal or replacement Class D driver  
5 license who has been granted modified driving privileges under this  
6 title shall be issued a Class D driver license which identifies the  
7 license as a modified license.

8 SECTION 2. This act shall become effective November 1, 2023.

9

10 59-1-1016 JES 1/18/2023 12:26:39 PM

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25