

1 **SENATE FLOOR VERSION**

2 February 7, 2023

3 SENATE BILL NO. 682

By: Pederson

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

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

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

18 Section 6-111. A. 1. Service Oklahoma shall, upon payment of
19 the required fee, issue to every applicant qualifying therefor a
20 Class A, B, C or D driver license or identification card as applied
21 for, which license or card shall bear thereon a distinguishing
22 alphanumeric identification assigned to the licensee or cardholder,
23 date of issuance and date of expiration of the license or card, the
24 full legal name, signature or computerized signature, date of birth,
residence address, unless specified as an exception in the Code of
Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized

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

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

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

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

22 5. It is unlawful for any person to apply, adhere, or otherwise
23 attach to a driver license or identification card any decal,
24 sticker, label, or other attachment. Any law enforcement officer is

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

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

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

23 2. Service Oklahoma may issue or authorize the issuance of a
24 temporary identification card to an applicant, permitting the holder

1 the privileges otherwise granted by identification cards, while a
2 permanent driver license is being provided and delivered to the
3 applicant. Such card shall be invalid when the applicant's
4 permanent identification card has been issued and delivered, or for
5 good cause has been refused.

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

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

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

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

- 23 a. diesel fuel in quantities of one thousand (1,000)
24 gallons or less,

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

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

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

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

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

18 A person applying for such permit or license must comply with
19 all testing and licensing requirements in accordance with applicable
20 federal regulations, state laws and Service Oklahoma rules. The
21 issued license shall be valid until the expiration of the visa for
22 the non-domiciled worker. Service Oklahoma may promulgate rules for
23 the implementation of the process to carry out the provisions of
24 this section.

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

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

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

20 4. Failure to comply with the requirements set forth in such
21 notice shall result in cancellation of the person's license or card.
22 Such cancellation shall be in effect for one (1) year, after which
23 time the person may make application with Service Oklahoma for a new
24 license or card bearing the words "Sex Offender". Continued use of

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

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

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

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

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

7 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
8 February 7, 2023 - DO PASS

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