

1 ENGROSSED SENATE  
2 BILL NO. 997

By: Barrington of the Senate

3 and

4 Roberts (Dustin) of the  
5 House

6  
7 An Act relating to driver licenses; amending 47 O.S.  
8 2011, Section 6-122, as last amended by Section 5,  
9 Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section  
10 6-122), which relates to renewal by mail; modifying  
11 inclusions; authorizing certain renewals for active  
12 military; amending 47 O.S. 2011, Section 6-303, as  
13 amended by Section 1, Chapter 382, O.S.L. 2015 (47  
14 O.S. Supp. 2015, Section 6-303), which relates to  
15 driving while license under suspension; modifying  
16 language; and providing an effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-122, as  
19 last amended by Section 5, Chapter 266, O.S.L. 2015 (47 O.S. Supp.  
20 2014, Section 6-122), is amended to read as follows:

21 Section 6-122. The Department of Public Safety may develop  
22 procedures whereby driver licenses issued under the provisions of  
23 Section 6-101 et seq. of this title may be renewed or replaced by  
24 the applicant by mail or online except for licenses to be renewed or  
replaced by aliens as prescribed by subsection E of Section 6-115 of  
this title. Any license issued pursuant to this section shall be

1 valid for a period as prescribed in Section 6-115 of this title.  
2 The Department shall not renew or replace a license by mail or  
3 online unless the immediately preceding issuance ~~or~~ , renewal or  
4 replacement was done in person by the applicant.

5 Provided, any person or the spouse or dependent of a person:

6 1. Who is on active duty with the Armed Forces of the United  
7 States; or

8 2. Who is currently employed as a civilian contractor with the  
9 Armed Forces of the United States,

10 living outside of Oklahoma and having a valid class D driver license  
11 issued by the State of Oklahoma, requiring no material change, may  
12 apply for no more than three consecutive renewals or replacement of  
13 such license by mail or online, in accordance with Department rules.  
14 A fourth consecutive renewal or replacement must be done in person.

15 SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-303, as  
16 amended by Section 1, Chapter 382, O.S.L. 2015 (47 O.S. Supp. 2015,  
17 Section 6-303), is amended to read as follows:

18 Section 6-303. A. No person shall operate a motor vehicle upon  
19 the public roads, streets, highways, turnpikes or other public place  
20 of this state without having a valid driver license for the class of  
21 vehicle being operated from the Department of Public Safety, except  
22 as herein specifically exempted.

23 Any violation of the provisions of this subsection shall  
24 constitute a misdemeanor and shall be punishable by a fine of not

1 less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars  
2 (\$300.00) plus costs or by imprisonment for not more than thirty  
3 (30) days, or by both such fine and imprisonment.

4 Any person charged with violating this section who produces in  
5 court, on or before the court date, a renewal or replacement driver  
6 license issued to him or her shall be entitled to dismissal of such  
7 charge without payment of court costs and fine.

8 B. Any person who drives a motor vehicle on any public roads,  
9 streets, highways, turnpikes or other public place of this state at  
10 a time when the person's privilege to do so is canceled, denied,  
11 suspended or revoked or at a time when the person is disqualified  
12 from so doing shall be guilty of a misdemeanor and upon conviction  
13 shall be punished by a fine:

14 1. For a first conviction, of not less than One Hundred Dollars  
15 (\$100.00) and not more than Five Hundred Dollars (\$500.00);

16 2. For a second conviction, of not less than Two Hundred  
17 Dollars (\$200.00) and not more than Seven Hundred Fifty Dollars  
18 (\$750.00); ~~or~~

19 3. For a third and subsequent conviction, of not less than  
20 Three Hundred Dollars (\$300.00) and not more than One Thousand  
21 Dollars (\$1,000.00) ~~;~~ ;

22 or by imprisonment for not more than one (1) year or by both  
23 such fine and imprisonment. Each act of driving on the highways as  
24 prohibited shall constitute a separate offense.

1 C. Any person who drives a motor vehicle on any public roads,  
2 streets, highways, turnpikes or other public roads of this state at  
3 a time when the driving privilege of that person is canceled,  
4 denied, suspended or revoked, pursuant to paragraph 1 of subsection  
5 A of Section 6-205.1 of this title, shall be guilty of a misdemeanor  
6 and upon conviction shall be punished by a fine:

7 1. For a first conviction, of not less than Five Hundred  
8 Dollars (\$500.00) and not more than One Thousand Dollars  
9 (\$1,000.00);

10 2. For a second conviction, of not less than One Thousand  
11 Dollars (\$1,000.00) and not more than Two Thousand Dollars  
12 (\$2,000.00); ~~or~~

13 3. For a third and subsequent conviction, of not less than Two  
14 Thousand Dollars (\$2,000.00) and not more than Five Thousand Dollars  
15 (\$5,000.00);

16 or by imprisonment for not more than one (1) year or by both  
17 such fine and imprisonment. Each act of driving on the highways as  
18 prohibited shall constitute a separate offense.

19 D. The Department, upon receiving a record of conviction of an  
20 offense committed by any person whose license or privilege to  
21 operate motor vehicles is under suspension or revocation, shall  
22 extend the period of such suspension or revocation for an additional  
23 three-month period of time. The additional orders of suspension or  
24

1 revocation shall be dated and become effective the day following the  
2 date terminating the prior order of suspension or revocation.

3 E. The Department, upon receiving a record of conviction of an  
4 offense committed by any person whose license or privilege to  
5 operate motor vehicles is under revocation, pursuant to paragraph 1,  
6 2, or 3 of subsection A of Section 6-205.1 of this title, shall  
7 extend the period of such revocation for an additional four-month  
8 period of time. The additional orders of revocation shall be dated  
9 and become effective the day following the date terminating the  
10 prior order of revocation.

11 F. The Department, upon receiving a record of conviction for a  
12 person convicted of an offense specified in Section 11-905 of this  
13 title, shall extend the period of such suspension, revocation or  
14 denial of driving privilege for an additional twelve-month period of  
15 time. The additional orders of suspension, revocation or denial of  
16 driving privilege shall be dated and become effective the day  
17 following the date terminating the prior order of suspension,  
18 revocation or denial of driving privilege.

19 G. It shall be a misdemeanor punishable by imprisonment for not  
20 less than seven (7) days nor more than six (6) months, or by a fine  
21 of not more than Five Hundred Dollars (\$500.00), or by both such  
22 fine and imprisonment, for any person to apply for a renewal or a  
23 replacement license to operate a motor vehicle while the person's  
24 license, permit or other evidence of driving privilege is in the

1 custody of a law enforcement officer or the Department. A notice  
2 regarding this offense and the penalty therefor shall be included on  
3 the same form containing the notice of revocation issued by the  
4 officer.

5 H. Any fine collected pursuant to a second or subsequent  
6 conviction, as provided in subsections B and C of this section,  
7 shall be deposited to the Trauma Care Assistance Revolving Fund  
8 created in Section 1-2530.9 of Title 63 of the Oklahoma Statutes.

9 I. Any person who drives a motorcycle or motor-driven cycle, as  
10 defined in this title, on public roads, streets, highways, turnpikes  
11 or other public place of this state without the proper endorsement  
12 on a current state-issued license shall be guilty of a misdemeanor.  
13 Any person charged with violating this section may request a six-  
14 month deferral for the purpose of obtaining the following:

15 1. Proof of successful completion of a Motorcycle Safety  
16 Foundation rider course approved by the Department; and

17 2. Proper motorcycle endorsement on the person's valid driver  
18 license.

19 Upon presenting the court with proof of satisfaction of both  
20 requirements within the deferral period, the offender shall be  
21 entitled to dismissal of the charge, and may be subject to a reduced  
22 payment of court costs and fine.

23 SECTION 3. This act shall become effective November 1, 2016.  
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1 Passed the Senate the 8th day of March, 2016.

2  
3 Presiding Officer of the Senate

4  
5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2016.

7  
8 Presiding Officer of the House  
9 of Representatives