

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 942

6 By: Murdock and Bergstrom

7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 2021, Section 6-111, which relates to driver
10 licenses; adding requirements for certain licenses;
11 defining term; providing an effective date; and
12 declaring an emergency.

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

14 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-111, is
15 amended to read as follows:

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

1 37.17, sex, a computerized color image of the licensee or cardholder
2 taken in accordance with Department rules and security features as
3 determined by the Department. The image shall depict a full front
4 unobstructed view of the entire face of the licensee or cardholder;
5 provided, a commercial learner permit shall not bear the image of
6 the licensee. When any person is issued both a driver license and
7 an identification card, the Department 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 the
11 Department on or after March 1, 2004, shall bear thereon the county
12 of residence of the licensee or cardholder.

13 3. The Department 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. The Department 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, the
4 Department of Public Safety, and the State of Oklahoma shall be
5 immune from any liability for any loss suffered by the licensee,
6 cardholder, or the owner of the decal, sticker, label, or other
7 attachment caused by the removal and destruction of the decal,
8 sticker, label, or other attachment.

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

14 B. 1. The Department may issue or authorize the issuance of a
15 temporary permit or license to an applicant for a driver license
16 permitting such applicant to operate a motor vehicle while the
17 Department 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.

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1 2. The Department 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. The Department may issue a restricted commercial driver
9 license to drivers eighteen (18) years of age or older for any of
10 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~~ have held a valid ~~Oklahoma~~ driver
16 license for at least one year. Applicants with more than two (2)
17 years of driving experience shall have a good driving record for the
18 most recent two (2) years and shall meet all the requirements for a
19 commercial driver license. The restricted commercial driver license
20 shall not exceed ~~a total of one hundred eighty (180) days within any~~
21 ~~twelve-month period~~ the maximum total days that federal law allows.
22 Applicants for the restricted commercial driver license shall be
23 exempt from the knowledge and skills test. Application of the

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1 restricted commercial driver license does not have to be used in
2 consecutive days; use of permit shall be declared at application.

3 2. A "good driving record" as used in this subsection shall
4 mean an applicant:

5 a. has not had more than one license,

6 b. has not had any license suspended, revoked, or
7 cancelled,

8 c. has not had any conviction for any type of
9 disqualifying offenses or serious traffic violations,
10 or

11 d. has not had any conviction for a violation of state or
12 local law relating to motor vehicle traffic control,
13 other than a parking violation, arising in connection
14 with any traffic accident, and has no record of an
15 accident in which they were at fault.

16 3. The restricted commercial driver license shall not be valid
17 for operators of commercial motor vehicles beyond one hundred fifty
18 (150) miles from the place of business or the farm currently being
19 served. Such license shall be limited to Class B or C vehicles.

20 Holders of such licenses who transport hazardous materials which are
21 required to be placarded shall be limited to the following:

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

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- 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. The Department may issue a non-domiciled commercial learner
8 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 Department rules. The issued
21 license shall be valid until the expiration of the visa for the non-
22 domiciled worker. The Department may promulgate rules for the
23 implementation of the process to carry out the provisions of this
24 section.

1 E. 1. The Department 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. The Department 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 the Department 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 the
18 Department 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 the Department 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 the Department to
17 submit their 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. The Department 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 July 1, 2022.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health or safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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