

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 23, 2024

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB1766

By: Hall, Seifried, et al. of the Senate and Kerbs of the House


Title: Commercial driver training schools; modifying certain age requirement for certain vehicle operation; allowing farm permit holders to take driver education; adding eligibility for driver education for certain persons; creating certain four-year licenses. Effective date.

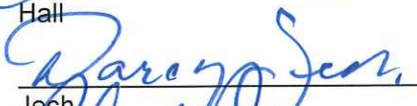
together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:


1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute (Request #3810) be adopted.

Respectfully submitted,

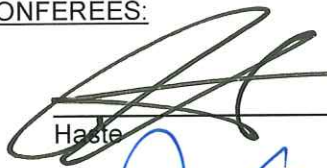
SENATE CONFEREES:



Hall


Jech


Pederson



Haste


Dosett

HOUSE CONFEREES:

Conference Committee on Transportation

Senate Action _____ Date _____ House Action _____ Date _____

HOUSE CONFEREES

Conley, Sherrie



Culver, Bob

Dobrinski, Mike



Grego, Jim

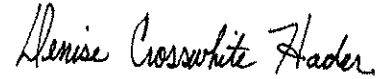
Hays, Neil



Menz, Annie

Sims, Lonnie

Crosswhite Hader,
Denise

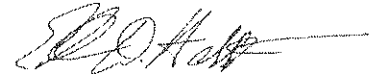


Dempsey, Eddy



Goodwin, Regina

Harris, Erick



Johns, Ronny



Patzkowsky, Kenton



STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 1766

By: Hall, Seifried, and
Stephens of the Senate

and

Kerbs of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to commercial driver training schools; amending 47 O.S. 2021, Section 6-102, as last amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-102), which relates to operation of motor vehicles; authorizing certain residents to operate a vehicle without a license; stating conditions for operation; amending 47 O.S. 2021, Sections 6-105, as last amended by Section 1, Chapter 55, O.S.L. 2023, 6-105.2, as amended by Section 43, Chapter 282, O.S.L. 2022, and 6-110, as last amended by Section 1, Chapter 82, O.S.L. 2023 (47 O.S. Supp. 2023, Sections 6-105, 6-105.2, and 6-110), which relate to driver education; modifying certain age requirement for certain vehicle operation; adding reference to certain permit; adding examples of certain third parties; adding eligibility for driver education for certain persons; directing publication of dates for certain courses; authorizing additional trainings; requiring certain disclosure; amending 47 O.S. 2021, Section 6-206.1, which relates to driver improvement; modifying credentials for certain qualified instructors; modifying amount of required classroom instruction; deleting enrollment fee requirement; amending 47 O.S. 2021, Sections 801, 803, as amended by Section 27, Chapter 310, O.S.L. 2023, and 805, as amended by Section 29, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Sections 803 and 805), which relate to commercial driver training schools; adding reference to certain permit; making

1 language gender neutral; directing the acceptance of
2 electronic signature on certain documents; adding
3 reference to certain permit; creating certain four-
4 year licenses; setting fees for certain licenses;
5 updating statutory references; updating statutory
6 language; and providing an effective date.

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

8 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-102, as
9 last amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
10 2023, Section 6-102), is amended to read as follows:

11 Section 6-102. A. A nonresident who is sixteen (16) years of
12 age or older may operate a motor vehicle in this state as authorized
13 by the class, restrictions, and endorsements specified on the
14 license, if the nonresident is:

15 1. Properly licensed in the home state or country to operate a
16 commercial or noncommercial motor vehicle and who has immediate
17 possession of a valid driver license issued by the home state or
18 country; or

19 2. A member of the Armed Forces of the United States or the
20 spouse or dependent of such member who has been issued and is in
21 possession of a valid driver license issued by an overseas component
22 of the Armed Forces of the United States.

23 B. A resident who is at least fifteen (15) years of age may
24 operate a vehicle in this state without a driver license, if the
resident is:

1 1. Operating a vehicle pursuant to subsection B of Section 6-
2 105 of this title; or

3 2. Taking the driving skills examination as required by Section
4 6-110 of this title, when accompanied by a ~~Driver License Examiner~~
5 driver license examiner of Service Oklahoma or by a designated
6 examiner approved and certified by Service Oklahoma.

7 C. A resident who is at least thirteen and one-half (13 1/2)
8 years of age who will qualify for the permit to operate farm
9 vehicles as provided for in Section 6-105 of this title may operate
10 a vehicle in this state without a driver license, if the resident
11 is:

12 1. Operating a vehicle pursuant to subsection B of Section 6-
13 105 of this title; or

14 2. Taking the driving skills examination as required by Section
15 6-110 of this title, when accompanied by a driver license examiner
16 of Service Oklahoma or by a designated examiner approved and
17 certified by Service Oklahoma.

18 D. Any person, while in the performance of official duties, may
19 operate any class of motor vehicle if the person possesses any class
20 of valid Oklahoma driver license or a valid driver license issued by
21 another state, if the person is:

22 1. A member of the Armed Forces of the United States who is on
23 active duty;

1 2. A member of the military reserves, not including United
2 States reserve ~~technician~~ technicians;

3 3. A member of the National Guard who is on active duty,
4 including National Guard military technicians;

5 4. A member of the National Guard who is on part-time National
6 Guard training, including National Guard military technicians; or

7 5. A member of the United States Coast Guard who is on active
8 duty.

9 ~~D.~~ E. The Executive Director of Service Oklahoma is hereby
10 authorized to adopt rules as may be necessary to enter into
11 reciprocity agreements with foreign countries. The rules shall
12 specify that the driver license standards of the foreign country
13 shall be comparable to those of this state. The rules shall also
14 require foreign drivers, who are operating a motor vehicle in
15 Oklahoma under such a reciprocity agreement, to comply with the
16 compulsory motor vehicle liability insurance and financial
17 responsibility laws of this state.

18 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-105, as
19 last amended by Section 1, Chapter 55, O.S.L. 2023 (47 O.S. Supp.
20 2023, Section 6-105), is amended to read as follows:

21 Section 6-105. A. Unless a legal custodial parent or legal
22 guardian has filed an objection to licensure pursuant to Section 6-
23 103.1 of this title, any person under eighteen (18) years of age who
24

1 ~~is in compliance with or not subject to Section 6-107.3 of this~~
2 ~~title~~ may be permitted to operate:

3 1. A Class D motor vehicle under the graduated driver license
4 provisions prescribed in subsections B through E of this section;

5 2. A motorcycle under the provisions prescribed in subsection H
6 of this section; or

7 3. A farm vehicle under the provisions prescribed in subsection
8 I of this section.

9 B. Any person who is at least thirteen and one-half (13 1/2)
10 years of age who will qualify for the permit to operate farm
11 vehicles as provided for in subsection I of this section or fifteen
12 (15) years of age may drive during a session in which the driver is
13 being instructed in a driver education course, as set out in
14 subparagraphs a, b, c, d and e of paragraph 1 of subsection C of
15 this section, by a certified driver education instructor who is
16 seated in the right front seat of the motor vehicle.

17 C. Any person:

18 1. Who is at least fifteen and one-half (15 1/2) years of age
19 and is currently receiving instruction in or has successfully
20 completed driver education. For purposes of this section, the term
21 "driver education" shall mean:

22 a. a prescribed secondary school driver education course,
23 as provided for in Sections 19-113 through ~~19-121~~ 19-
24 123 of Title 70 of the Oklahoma Statutes,

- b. a driver education course, certified by ~~the Department of Public Safety~~ Service Oklahoma, from a parochial, private, or other nonpublic secondary school,
- c. a commercial driver training course, as defined by Sections 801 through 808 of this title,
- d. a parent-taught driver education course, certified by ~~the Department of Public Safety~~ Service Oklahoma. ~~The Department~~ Service Oklahoma shall promulgate rules for any parent-taught driver education course, or
- e. a driver education course certified by a state other than Oklahoma; or

2. Who is at least sixteen (16) years of age, may, upon successfully passing all parts of the driver license examination administered by Service Oklahoma, or an approved written examination proctor, except the driving examination, be issued a learner permit which will grant the permittee the privilege to operate a Class D motor vehicle upon the public highways only between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied by a licensed driver who is at least twenty-one (21) years of age and who is actually occupying a seat beside the permittee; provided, the written examination for a learner permit may be waived by Service Oklahoma upon verification that the person has successfully completed driver education.

D. 1. Any person:

- 1 a. who has applied for, been issued, and has possessed a
2 learner permit for a minimum of six (6) months,
3 b. whose custodial legal parent or legal guardian
4 certifies to Service Oklahoma by sworn affidavit that
5 the person has received a minimum of fifty (50) hours
6 of actual behind-the-wheel training, of which at least
7 ten (10) hours of such training ~~was~~ were at night,
8 from a licensed driver who was at least twenty-one
9 (21) years of age and who was properly licensed to
10 operate a Class D motor vehicle for a minimum of two
11 (2) years, and
12 c. who has completed a free course approved by the
13 ~~Oklahoma~~ Department of Transportation on teen driver
14 work zone and first responder safety,

15 may be issued an intermediate Class D license upon successfully
16 passing all parts of the driver license examinations administered by
17 Service Oklahoma; provided, the written examination, if it has not
18 previously been administered or waived, may be waived by Service
19 Oklahoma upon verification that the person has successfully
20 completed driver education or the driving examination may be waived
21 by Service Oklahoma upon successful passage of the examination
22 administered by a certified designated examiner, as provided for in
23 Section 6-110 of this title. However, notwithstanding the date of
24 issuance of the learner permit, if the person has been convicted of

1 a traffic offense which is reported on the driving record of that
2 person, the time period specified in subparagraph a of this
3 paragraph shall be recalculated to begin from the date of conviction
4 for the traffic offense, and must elapse before that person may be
5 issued an intermediate Class D license. If the person has been
6 convicted of more than one traffic offense which is reported on the
7 driving record of that person, the time period specified in
8 subparagraph a of this paragraph shall be recalculated to begin from
9 the most recent date of conviction, and must elapse before that
10 person may be issued an intermediate Class D license.

11 2. A person who has been issued an intermediate Class D license
12 under the provisions of this subsection:

13 a. shall be granted the privilege to operate a Class D
14 motor vehicle upon the public highways:

15 (1) only between the hours of 5:00 a.m. and 10:00
16 p.m., except for driving to and from work,
17 school, school activities, and church activities,
18 or

19 (2) at any time, if a licensed driver who is at least
20 twenty-one (21) years of age is actually
21 occupying a seat beside the intermediate Class D
22 licensee, or if the intermediate Class D licensee
23 is a farm or ranch resident, and is operating a
24 motor vehicle while engaged in farming or

1 ranching operations outside the limits of a
2 municipality, or driving to and from work,
3 school, school activities, or church activities,
4 and

5 b. shall not operate a motor vehicle with more than one
6 passenger unless:

7 (1) all passengers live in the same household as the
8 custodial legal parent or legal guardian, or

9 (2) a licensed driver at least twenty-one (21) years
10 of age is actually occupying a seat beside the
11 intermediate Class D licensee.

12 E. Any person who has been issued an intermediate Class D
13 license for a minimum of:

14 1. One (1) year; or

15 2. Six (6) months, if the person has completed both the driver
16 education and the parent-certified behind-the-wheel training
17 provisions of subparagraph b of paragraph 1 of subsection D of this
18 section,

19 may be issued a Class D license. However, notwithstanding the date
20 of issuance of the Class D license, if the person has been convicted
21 of a traffic offense which is reported on the driving record of that
22 person, the time periods specified in paragraph 1 or 2 of this
23 subsection, as applicable, shall be recalculated to begin from the
24 date of conviction for the traffic offense, and must elapse before

1 that person may be issued a Class D license. If the person has been
2 convicted of more than one traffic offense which is reported on the
3 driving record of that person, the time periods specified in
4 paragraph 1 or 2 of this subsection, as applicable, shall be
5 recalculated to begin from the most recent date of conviction, and
6 must elapse before that person may be issued a Class D license.

7 F. Learner permits and intermediate Class D licenses shall be
8 issued for the same period as all other driver licenses. The
9 licenses may be suspended or canceled at the discretion of ~~the~~
10 ~~Department~~ Service Oklahoma for violation of restrictions, for
11 failing to give the required or correct information on the
12 application, for knowingly giving false or inaccurate information on
13 the application or any subsequent documentation related to the
14 granting of driving privileges, for using a hand-held electronic
15 device while operating a motor vehicle for non-life-threatening
16 emergency purposes or for violation of any traffic laws of this
17 state pertaining to the operation of a motor vehicle.

18 G. Service Oklahoma shall promulgate rules establishing
19 procedures for removal of learner permit and intermediate Class D
20 license restrictions from the permit or license upon the permittee
21 or licensee qualifying for a less restricted or an unrestricted
22 license.

23 H. Any person fourteen (14) years of age or older may apply for
24 a restricted Class D license with a motorcycle-only restriction.

1 After the person has successfully passed all parts of the motorcycle
2 examination other than the driving examination, has successfully
3 completed a certified state-approved motorcycle basic rider course
4 approved by the Department of Public Safety, in conjunction with
5 Service Oklahoma, and has met all requirements provided for in the
6 rules of the Department and Service Oklahoma, Service Oklahoma shall
7 issue to the person a restricted Class D license with a motorcycle-
8 only restriction which shall grant to the person, while having the
9 license in the person's immediate possession, the privilege to
10 operate a motorcycle or motor-driven cycle:

- 11 1. With a piston displacement not to exceed three hundred (300)
12 cubic centimeters;
- 13 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;
- 14 3. While wearing approved protective headgear; and
- 15 4. While accompanied by and receiving instruction from any
16 person who is at least twenty-one (21) years of age and who is
17 properly licensed pursuant to the laws of this state to operate a
18 motorcycle or motor-driven cycle, and who has visual contact with
19 the restricted licensee.

20 The restricted licensee may apply on or after thirty (30) days
21 from date of issuance of the restricted Class D license with a
22 motorcycle-only restriction to have the restriction of being
23 accompanied by a licensed driver removed by successfully completing
24 the driving portion of an examination.

1 The written examination and driving examination for a restricted
2 Class D license with a motorcycle-only endorsement shall be waived
3 by Service Oklahoma upon verification that the person has
4 successfully completed a certified state-approved motorcycle basic
5 rider course approved by the Department and Service Oklahoma.

6 I. Service Oklahoma may in its discretion issue a special
7 permit to any person who has attained the age of fourteen (14)
8 years, authorizing such person to operate farm vehicles between the
9 farm and the market to haul commodities grown on the farm; provided,
10 that the special permit shall be temporary and shall expire not more
11 than thirty (30) days after the issuance of the special permit.

12 Special permits shall be issued only to farm residents and shall be
13 issued only during the time of the harvest of the principal crops
14 grown on such farm. Provided, however, Service Oklahoma shall not
15 issue a special permit pursuant to this subsection until Service
16 Oklahoma is fully satisfied after the examination of the application
17 and other evidence furnished in support thereof, that the person is
18 physically and mentally developed to such a degree that the
19 operation of a motor vehicle by the person would not be inimical to
20 public safety.

21 J. As used in this section:

22 1. ~~"Hand-held~~ "Handheld electronic device" means a mobile
23 telephone or electronic device with which a user engages in a
24 telephone call, plays or stores media, including but not limited to

1 music and video, or sends or reads a text message while requiring
2 the use of at least one hand; and

3 2. "Using a ~~hand-held~~ handheld electronic device" means
4 engaging any function on an electronic device.

5 K. All driver education courses provided for in paragraph 1 of
6 subsection C of this section shall include education regarding the
7 dangers of texting while driving and the effects of being under the
8 influence of alcohol or other intoxicating substance while driving.

9 SECTION 3. AMENDATORY 47 O.S. 2021, Section 6-105.2, as
10 amended by Section 43, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
11 Section 6-105.2), is amended to read as follows:

12 Section 6-105.2. Service Oklahoma may issue an instructor
13 permit to any qualified secondary school driver education instructor
14 as defined by the State Board of Education ~~Rules~~ rules and
15 ~~Regulations~~ regulations for Oklahoma ~~High School Driver~~ high school
16 driver and ~~Traffic Safety Education~~ traffic safety education or any
17 driver education instructor, certified by Service Oklahoma, of a
18 parochial, private, or other nonpublic secondary school upon a
19 proper application to the State Board of Education or the Department
20 of Public Safety in the case of secondary schools that are not
21 regulated by the State Board of Education or a commercial driver
22 training course instructor, as provided for in Sections 801 through
23 808 of this title. Service Oklahoma shall promulgate rules for the
24 issuance of the permits. Any instructor as defined in this

1 ~~subsection~~ section who has been issued a permit may instruct any
2 person who is at least fifteen and one-half (15 1/2) years of age,
3 any person who is at least thirteen and one-half (13 1/2) years of
4 age who will qualify for the permit to operate farm vehicles as
5 provided for in Section 6-105 of this title, or any person who is at
6 least fifteen (15) years of age and of secondary school or higher
7 educational standing while regularly enrolled and certified by the
8 instructor as a student taking a prescribed course of secondary
9 school driver education or a driver education course, certified by
10 Service Oklahoma, from a parochial, private, or other nonpublic
11 secondary school or a commercial driver training course, as defined
12 by Sections 801 through 808 of this title, to operate a motor
13 vehicle while accompanied by and receiving instruction from the
14 instructor who is actually occupying a seat beside the driver.

15 SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-110, as
16 last amended by Section 1, Chapter 82, O.S.L. 2023 (47 O.S. Supp.
17 2023, Section 6-110), is amended to read as follows:

18 Section 6-110. A. 1. Service Oklahoma shall establish
19 procedures to ensure every applicant for an original Class A, B, C
20 or D license and for any endorsements thereon is examined by Service
21 Oklahoma, or an approved written examination proctor, except as
22 otherwise provided in Section 6-101 et seq. of this title or as
23 provided in paragraph 2 of this subsection or in subsections D and E
24 of this section. Service Oklahoma is authorized to approve and

1 enter into agreements with third parties including, but not limited
2 to, public school districts, technology center districts overseen by
3 the Oklahoma Department of Career and Technology Education,
4 institutions of higher education, or commercial driver training
5 schools, to act as approved written examination proctors with regard
6 to any written examination required by this section. The
7 examination shall include a test of the applicant's:

- 8 a. eyesight,
- 9 b. ability to read and understand highway signs
10 regulating, warning and directing traffic,
- 11 c. knowledge of the traffic laws of this state including
12 a portion on bicycle and motorcycle safety, and
- 13 d. ability, by actual demonstration, to exercise ordinary
14 and reasonable control in the operation of a motor
15 vehicle. The actual demonstration shall be conducted
16 in the type of motor vehicle for the class of driver
17 license being applied for.

18 The Department of Public Safety, in conjunction with Service
19 Oklahoma, may create a knowledge test that may be taken on the
20 Internet by an applicant applying for a Class D license.

21 Any licensee seeking to apply for a driver license of another class
22 which is not covered by the licensee's current driver license shall
23 be considered an applicant for an original license for that class.

1 2. Service Oklahoma shall have the authority to waive the
2 requirement of any part of the examination required in paragraph 1
3 of this subsection for those applicants whose driving record meets
4 the standards set by the Department of Public Safety and surrender
5 either of the following:

- 6 a. a valid unexpired driver license issued by any state
7 or country for the same type or types of vehicles, or
- 8 b. an expired driver license that:

- 9 (1) is not expired more than six (6) months past the
10 expiration date listed on the driver license, and
- 11 (2) is not a Class A, B or C commercial driver
12 license or commercial driver license permit.

13 3. Service Oklahoma shall accept skills test results from
14 another state for Class A, B or C license applicants who have
15 successfully completed commercial motor vehicle driver training in
16 that state and successfully passed the skills test in that state;
17 provided, Service Oklahoma shall not accept skills test results from
18 another state when the applicant has not successfully completed
19 commercial motor vehicle driver training in that state. Nothing in
20 this section shall be construed to prohibit Service Oklahoma from
21 administering the skills test to any applicant who has successfully
22 completed commercial vehicle driver training in another state.

23 4. All applicants requiring a hazardous materials endorsement
24 shall be required, for the renewal of the endorsement, to

1 successfully complete the examination and to submit to a security
2 threat assessment performed by the Transportation Security
3 Administration of the Department of Homeland Security as required by
4 and pursuant to 49 C.F.R., Part 1572, which shall be used to
5 determine whether the applicant is eligible for renewal of the
6 endorsement pursuant to federal law and regulation.

7 5. Service Oklahoma, or an approved written examination
8 proctor, shall give the complete examination as provided for in this
9 section within thirty (30) days from the date the application is
10 received, and the examination shall be given at a location within
11 one hundred (100) miles of the residence of the applicant. Service
12 Oklahoma shall make every effort to make the examination locations
13 and times convenient for applicants. Service Oklahoma shall
14 consider giving the examination at any public or private site, if
15 economically feasible and practicable, and if Service Oklahoma and
16 the owner or the governing body agree.

17 B. Any person holding a valid Oklahoma Class D license or
18 provisional driver license pursuant to Section 6-212 of this title
19 and applying for a Class A, B or C commercial license shall be
20 required to successfully complete all examinations as required for
21 the specified class. Failure to submit to Service Oklahoma
22 federally required medical certification information pursuant to 49
23 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade
24 of a commercial license to a Class D license. Provided, however,

1 once the required medical certification information has been
2 received by Service Oklahoma, the license shall be reinstated to the
3 classification of the commercial license prior to the downgrade and
4 the holder of such a license shall not be required to reapply.

5 C. Except as provided in subsection E of Section 6-101 of this
6 title, any person holding a valid Oklahoma Class A, B or C
7 commercial license shall, upon time for renewal thereof, be entitled
8 to a Class D license without any type of testing or examination,
9 except for any endorsements thereon as otherwise provided for by
10 Section 6-110.1 of this title.

11 D. 1. Any certified driver education instructor who is
12 currently an operator or an employee of a commercial driver training
13 school in this state or any driver education instructor employed by
14 any school district in this state shall be eligible to apply to be a
15 designated examiner of Service Oklahoma for the purposes of
16 administering the Class D driving skills portion of the Oklahoma
17 driving examination to any person who is eligible to take the
18 Oklahoma driving examination including, but not limited to, a person
19 who has been issued a learner permit or farm permit. Service
20 Oklahoma shall to the maximum extent possible accept electronic
21 signatures for all applications to be a designated examiner.

22 2. The Department of Public Safety, in conjunction with Service
23 Oklahoma, shall adopt a curriculum of required courses and training
24 to be offered to applicants who are qualified to apply to be a

1 designated examiner. The courses and training for certification
2 shall meet the same standards as required for driver examiners of
3 Service Oklahoma. Within thirty (30) days of the effective date of
4 this act, and by October 1 of each subsequent year, Service Oklahoma
5 shall publish a schedule for the subsequent calendar year of courses
6 and trainings which shall occur no less than twice per calendar
7 year. Service Oklahoma may schedule additional courses and
8 trainings based on demand. Service Oklahoma shall disclose how many
9 slots are available for each course or training and any restrictions
10 on how those slots may be allocated at the time of publishing the
11 schedule.

12 3. Each person applying to be a designated examiner shall be
13 required to pay an initial designated examiner certification fee of
14 One Thousand Dollars (\$1,000.00). Upon successful completion of
15 training prescribed by paragraph 2 of this subsection, the person
16 shall be required to pay an annual designated examiner certification
17 fee of Five Hundred Dollars (\$500.00). If an applicant for the
18 designated examiner program is employed by an Oklahoma public school
19 system that offers driver education, and he or she administers the
20 skills test only to students enrolled in a public school driver
21 education program, the certification fee may be waived by Service
22 Oklahoma. Each designated examiner certification shall expire on
23 the last day of the calendar year and may be renewed upon
24 application to Service Oklahoma. The designated examiner

1 certification fees collected by Service Oklahoma pursuant to this
2 subsection shall be deposited to the credit of the Department of
3 Public Safety Restricted Revolving Fund to be used for the purposes
4 of this subsection, through October 31, 2022. Beginning November 1,
5 2022, the designated examiner certification fees collected by
6 Service Oklahoma pursuant to this subsection shall be deposited to
7 the credit of the Service Oklahoma Revolving Fund. No designated
8 examiner certification fee shall be refunded in the event that
9 certification is denied, suspended or revoked.

10 4. A designated examiner may charge a fee for each Class D
11 driving skills examination given, whether the person being examined
12 passes or fails the examination.

13 5. Service Oklahoma shall conduct an annual complete nationwide
14 criminal history background check on each designated examiner and a
15 complete nationwide criminal history background check on each
16 designated examiner applicant. The fees for the background check
17 shall be borne by the designated examiner or designated examiner
18 applicant.

19 6. The Department of Public Safety, in conjunction with Service
20 Oklahoma, shall promulgate rules to implement and administer the
21 provisions of this subsection.

22 E. 1. Upon application and approval of Service Oklahoma, any
23 public or private commercial truck driving school that has or
24 maintains a program instructing students for a Class A, B or C

1 license, public transit agency, state, county or municipal
2 government agency in this state, such as local school districts, the
3 Oklahoma Department of Career and Technology Education, or
4 institutions of higher education, or a private entity, shall be
5 authorized to hire or employ designated examiners approved by
6 Service Oklahoma to be third-party examiners of the Class A, B or C
7 driving skills portion and/or knowledge written portion, pursuant to
8 ~~paragraph~~ subsection A of this section, of the Oklahoma driving
9 examination. All designated examiners must successfully have
10 completed the courses and training as outlined in paragraph 2 of
11 this subsection. Service Oklahoma shall be required to approve at
12 least one public transit agency that has or maintains a program
13 instructing students for a Class A, B or C license to hire or employ
14 third-party examiners pursuant to this section. It shall be
15 permissible for any public transit agency operating in ~~the State of~~
16 ~~Oklahoma~~ this state to utilize the third-party examiners hired or
17 employed by a public transit agency approved by Service Oklahoma.

18 2. The Department of Public Safety, in conjunction with Service
19 Oklahoma, shall adopt a curriculum of required courses and training
20 to be offered to third-party examiners. The courses and training
21 for certification shall meet the same standards as required for
22 commercial driver examiners of Service Oklahoma.

23 3. Service Oklahoma shall require each third-party examiner
24 applicant and commercial school driver education instructor

1 applicant to submit to an electronic national criminal history
2 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
3 Statutes. On or before December 1, 2022, Service Oklahoma shall
4 require each third-party examiner or commercial school driver
5 education instructor to submit to an electronic national criminal
6 history record check pursuant to Section 150.9 of Title 74 of the
7 Oklahoma Statutes. The fees for the background check shall be borne
8 by the third-party examiner, third-party examiner applicant,
9 commercial school driver education instructor or commercial school
10 driver education instructor applicant.

11 F. Service Oklahoma shall promulgate rules to:

12 1. Implement and administer the provisions of this section
13 based on requirements set forth in Section 383.75 of Title 49 of the
14 Code of Federal Regulations;

15 2. Establish a process to inform any school, public transit
16 agency, examiner, or state, county or municipal government agency,
17 who has been denied, within forty-five (45) days from the denial;

18 3. Create an appeal process for any school, public transit
19 agency, examiner, or state, county or municipal government agency
20 denied; and

21 4. If the initial application for approval was denied, limit
22 the number of times an individual school, public transit agency,
23 individual examiner applicant, or state, county or municipal
24

1 government agency may reapply in a calendar year to two
2 reapplications.

3 SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-206.1, is
4 amended to read as follows:

5 Section 6-206.1. A. ~~Driver~~ A driver improvement or defensive
6 driving course is a course which offers an educational setting, and
7 provides for driving concepts which encourage attitude or behavioral
8 changes in the responsibility of operating a motor vehicle in a safe
9 and responsible manner.

10 B. It shall be the responsibility of the institution or
11 organization to provide:

12 1. Adequate facilities which meet or exceed state and local
13 fire, health and safety codes;

14 2. Adequate equipment, in good working order, and instructional
15 materials for such courses;

16 3. Qualified instructors who shall:

17 a. possess an undergraduate degree ~~and have nine (9)~~
18 ~~college or university credit hours in traffic safety~~
19 ~~education, have possessed an instructor's license~~
20 ~~pursuant to Section 804 of this title for at least~~
21 ~~five (5) years, or is be~~ a peace officer certified by
22 the Council on Law Enforcement Education and Training
23 (CLEET),
24

- b. have no alcohol or drug-related convictions or revocations in the past five (5) years,
- c. have no more than five (5) points accumulated on the driving record in the past three (3) years in accordance with the Oklahoma Mandatory Point System,
- d. have a valid Oklahoma driver license, and
- e. complete a course of training through the approved organization or institution;

4. A course of study designed to inform the participant of driver improvement and defensive driving concepts while encouraging attitude or behavioral changes in the responsibility of operating a motor vehicle in a safe and responsible manner. The curriculum, which means the complete lesson plans which include instructional strategy, presentation methods and resources utilized to incorporate the concepts of traffic safety, must provide for but not be limited to the following:

- a. driver personality traits - behavioral attitudes,
- b. driver qualifications and limitations,
- c. effects of alcohol and other drugs, and
- d. current accident prevention and defensive driving techniques: speed control, perception, reactions, lane positioning, safe turning and passing, occupant restraints, following distance and rules of the road; and

1 5. Provide at least ~~six (6)~~ four (4) hours of classroom
2 instruction.

3 C. Organizations or institutions desirous of making application
4 shall submit the following to the Department of Public Safety:

5 1. Evidence of organizational or institutional status which
6 meet statutory requirements;

7 2. Copy of proposed course curriculum which includes lesson
8 objectives, presentation materials, instructional strategy and
9 resources utilized;

10 3. Certification that instructors meet statutory requirements;
11 and

12 4. Upon Department of Public Safety approval ~~said~~, the
13 organization or institution shall be considered for point credits as
14 set forth in this section.

15 D. The Department of Public Safety is authorized to grant a ~~two~~
16 ~~point~~ two-point credit towards the Oklahoma Point System Regulations
17 to any person who successfully completes a course pursuant to this
18 section provided only one such course shall be acknowledged once
19 every twenty-four (24) months.

20 E. The Department, upon giving of notice and hearing, may
21 decline to grant credit points to any organization or institution
22 for:

23 1. Unethical conduct of an instructor or official of an
24 institution or organization;

2. Failure to satisfactorily resolve citizens' complaints;

3. Falsifying or misrepresenting any document or information to the Department or student;

4. Failure of an organization or instructor to meet statutory requirements;

5. Conflict of interest by the organization or institution and/or its personnel; or

6. Failure of an organization, institution or instructor to continue to meet statutory requirements as provided for in this section.

F. Course enrollment ~~will~~ shall be limited to not more than thirty students ~~with an enrollment fee of Fifty Dollars (\$50.00) per student.~~

G. Enrollment in the course shall not be limited to persons ordered to enroll, attend and successfully complete the course.

H. The organization or institution shall within fifteen (15) days of the completion certify to the Department of Public Safety all persons who successfully complete the course on a form approved or furnished by the Department. This shall include the person's full name, address, date of birth and driver license number.

I. Department personnel shall be admitted to any course without charge, upon request and display of proper credentials.

1 J. Each organization or institution shall develop auditing
2 procedures which could be utilized to show compliance with this
3 section.

4 K. Any point credit allowed must comply with the Department's
5 Point System Regulations.

6 SECTION 6. AMENDATORY 47 O.S. 2021, Section 801, is
7 amended to read as follows:

8 Section 801. As used in Section 801 et seq. of this title:

9 ~~(A)~~ 1. "Commercial driver training school" or "school" means a
10 business enterprise conducted by an individual, association,
11 partnership, or corporation, for the education and training of
12 persons, either practically or theoretically, or both, to operate or
13 drive motor vehicles and/or to prepare an applicant for an
14 examination given by the state for a driver license including a
15 restricted Class D license for persons fifteen and one-half (15 1/2)
16 years old or for a permit to operate farm vehicles as defined
17 provided for in Section 6-105 of this title, and charging a
18 consideration or tuition for such services; and

19 ~~(B)~~ 2. "Instructor" means any person, whether acting for
20 himself or herself as operator of a commercial driver training
21 school or for any such school for compensation, who teaches,
22 conducts classes of, gives demonstrations to, or supervises practice
23 of persons learning to operate or drive motor vehicles or preparing
24 to take an examination for a driver license including a restricted

1 Class D license for persons fifteen and one-half (15 1/2) years old
2 ~~as defined in~~ or for a permit to operate vehicles issued under
3 Section 6-105 of this title, and any person who supervises the work
4 of any other such instructor.

5 ~~(C) "Commissioner" means the Commissioner of Public Safety.~~

6 SECTION 7. AMENDATORY 47 O.S. 2021, Section 803, as
7 amended by Section 27, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023,
8 Section 803), is amended to read as follows:

9 Section 803. ~~(A)~~ A. No commercial driver training school shall
10 be established nor any such existing school continued on or after
11 ~~the effective date of this act~~ August 10, 1967, unless such school
12 applies for and obtains from Service Oklahoma a license in the
13 manner and form prescribed by Service Oklahoma.

14 ~~(B)~~ B. Regulations adopted by Service Oklahoma, in conjunction
15 with the Department of Public Safety, shall state the requirements
16 for a school license, including requirements concerning location,
17 equipment, courses of instruction, instructors, previous records of
18 the school and instructors, financial statements, schedule of fees
19 and charges, character and reputation of the operators and
20 instructors, insurance in such sum and with such provisions as
21 Service Oklahoma, in conjunction with the Department of Public
22 Safety, deems necessary to protect adequately the interests of the
23 public, and such other matters as Service Oklahoma may prescribe for
24 the protection of the public. Such regulations shall allow the use

1 of electronic signatures on all documents submitted by a school or
2 instructor.

3 ~~(C)~~ C. Every school offering instruction for a restricted Class
4 D license for persons fifteen and one-half (15 1/2) years old ~~as~~
5 ~~defined in~~ or a permit to operate vehicles issued under Section 6-
6 105 of this title must provide for a minimum number of hours of
7 actual classroom and field driving instruction as determined by
8 Service Oklahoma, in conjunction with the Department of Public
9 Safety.

10 SECTION 8. AMENDATORY 47 O.S. 2021, Section 805, as
11 amended by Section 29, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023,
12 Section 805), is amended to read as follows:

13 Section 805. All school and instructor's licenses shall expire
14 on the last day of the calendar year and may be renewed upon
15 application to Service Oklahoma as prescribed by its regulation.
16 Each application for an original or renewal school license shall be
17 accompanied by a fee of Twenty-five Dollars (\$25.00) for a one-year
18 license or One Hundred Dollars (\$100.00) for a four-year license.
19 Each application for an original or renewal instructor's license
20 shall be accompanied by a fee of Five Dollars (\$5.00) for a one-year
21 license or Twenty Dollars (\$20.00) for a four-year license. The
22 license fees collected pursuant to Sections 801 through 808 of this
23 title shall be remitted to the State Treasurer to be credited to the
24 General Revenue Fund in the State Treasury. No license fee shall be

1 refunded in the event that the license is rejected, suspended, or
2 revoked.

3 SECTION 9. This act shall become effective November 1, 2024.

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