

# An Act

ENROLLED HOUSE  
BILL NO. 1854

By: Kerbs of the House

and

Hall of the Senate

An Act relating to motor vehicles; amending Section 2, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 3-102), which relates to definitions; modifying definitions; defining terms; amending 47 O.S. 2021, Section 6-101, as last amended by Section 5, Chapter 47, 1st Extraordinary Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-101), which relates to class requirements for driver licenses; removing certain requirement for driver license renewal; disallowing renewal of commercial learner permit; deleting now defunct statutory directives; amending 47 O.S. 2021, Section 6-105, as last amended by Section 14, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105), which relates to graduated Class D licenses; modifying qualifying age for learner permit; modifying qualifying age for certain license; amending 47 O.S. 2021, Section 6-105.3, as last amended by Section 6, Chapter 47, 1st Extraordinary Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105.3, which relates to identification cards; modifying description of certain identification cards; amending 47 O.S. 2021, Section 6-106, as amended by Section 45, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-106), which relates to application for license or identification card; modifying acceptable forms of identification; amending 47 O.S. 2021, Section 6-110, as last amended by Section 15, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-110), which relates to examination of applicants; making certain individuals eligible to apply to be a designated examiner; amending 47 O.S. 2021, Section 6-114, as last amended by Section 7, Chapter 47, 1st

Extraordinary Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-114), which relates to replacement licenses; modifying required proof of identity; amending 47 O.S. 2021, Section 6-122, as amended by Section 62, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-122), which relates to renewal by mail; modifying requirements for renewal of license; amending Section 1, Chapter 409, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-201.2), which relates to recognition of Indian tribal court conviction; modifying responsible agency; amending 47 O.S. 2021, Section 6-205, which relates to mandatory revocation of license by Department; modifying responsible agency; amending 47 O.S. 2021, Section 6-208.1, which relates to processing requests for suspension or revocation; modifying responsible agency; amending 47 O.S. 2021, Section 6-209, which relates to surrender or return of license; modifying responsible agency; amending 47 O.S. 2021, Section 1102, as amended by Section 106, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1102), which relates to definitions; modifying definitions; amending 51 O.S. 2021, Section 24A.5, as amended by Section 5, Chapter 332, O.S.L. 2023 (51 O.S. Supp. 2023, Section 24A.5), which relates to open and confidential records; modifying responsible agency; and declaring an emergency.

SUBJECT: Motor vehicles

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

SECTION 1. AMENDATORY Section 2, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 3-102), is amended to read as follows:

Section 3-102. As used in this act:

1. "Board" shall mean the Service Oklahoma Operator Board;
2. "Committee" shall mean the Licensed Operator Advisory Committee;

3. "Director" shall mean the chief executive officer of Service Oklahoma;

4. "Good standing" shall mean a licensed operator is current on all required reporting and remittances and whose license is not under review for revocation by the Service Oklahoma Operator Board;

5. "License" shall mean the authority granted by the Service Oklahoma Operator Board to an individual for purposes of operating a Service Oklahoma location;

6. ~~"Licensed operator" shall mean an individual who obtains a license from the Service Oklahoma Operator Board to operate a designated Service Oklahoma location and offers third-party fulfillment of designated services to be rendered by Service Oklahoma, as set forth in Section 1140 et seq. of Title 47 of the Oklahoma Statutes~~ any person licensed by the Service Oklahoma Operator Board or designated or authorized to collect the fees and enforce the provisions related to the fulfillment of designated services to be rendered by Service Oklahoma. Any reference to motor license agent in the Oklahoma Statutes shall mean licensed operator; and

7. "Person" shall mean any individual, copartner, joint venture, association, corporation, limited liability company, estate, trust, business trust, syndicate, the State of Oklahoma, Service Oklahoma, or any county, city, municipality, school district or other political subdivision thereof, or any group or combination acting as a unit, or any receiver appointed by the state or federal court; and

8. "Service Oklahoma location" shall mean any location where services offered by Service Oklahoma are provided including locations operated by either Service Oklahoma or pursuant to a license issued by Service Oklahoma.

SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-101, as last amended by Section 5, Chapter 47, 1st Extraordinary Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-101), is amended to read as follows:

Section 6-101. A. No person, except those hereinafter expressly exempted in Sections 6-102 and 6-102.1 of this title, shall operate any motor vehicle upon a highway in this state unless the person has a valid Oklahoma driver license for the class of

vehicle being operated under the provisions of this title. No person shall be permitted to possess more than one valid license at any time, except as provided in paragraph 4 of subsection F of this section.

B. 1. No person shall operate a Class A commercial motor vehicle unless the person is eighteen (18) years of age or older and holds a valid Class A commercial license, except as provided in paragraph 5 of this subsection and subsection F of this section. Any person holding a valid Class A commercial license shall be permitted to operate motor vehicles in Classes A, B, C and D, except as provided for in paragraph 4 of this subsection.

2. No person shall operate a Class B commercial motor vehicle unless the person is eighteen (18) years of age or older and holds a valid Class B commercial license, except as provided in paragraph 5 of subsection F of this section. Any person holding a valid Class B commercial license shall be permitted to operate motor vehicles in Classes B, C and D, except as provided for in paragraph 4 of this subsection.

3. No person shall operate a Class C commercial motor vehicle unless the person is eighteen (18) years of age or older and holds a valid Class C commercial license, except as provided in subsection F of this section. Any person holding a valid Class C commercial license shall be permitted to operate motor vehicles in Classes C and D, except as provided for in paragraph 4 of this subsection.

4. No person under twenty-one (21) years of age shall be licensed to operate any motor vehicle which is required to be placarded for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F, except as provided in subsection F of this section; provided, a person eighteen (18) years of age or older may be licensed to operate a farm vehicle which is required to be placarded for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F, except as provided in subsection F of this section.

5. A person at least seventeen (17) years of age who successfully completes all examinations required by law may be issued by Service Oklahoma:

- a. a restricted Class A commercial license which shall grant to the licensee the privilege to operate a Class A or Class B commercial motor vehicle for harvest purposes or a Class D motor vehicle, or

- b. a restricted Class B commercial license which shall grant to the licensee the privilege to operate a Class B commercial motor vehicle for harvest purposes or a Class D motor vehicle.

6. No person shall operate a Class D motor vehicle unless the person is sixteen (16) years of age or older and holds a valid Class D license, except as provided for in Section 6-102 or 6-105 of this title. Any person holding a valid Class D license shall be permitted to operate motor vehicles in Class D only.

C. Any person issued a driver license pursuant to this section may exercise the privilege thereby granted upon all streets and highways in this state.

D. No person shall operate a motorcycle or motor-driven cycle without having a valid Class A, B, C or D license with a motorcycle endorsement. Except as otherwise provided by law, any new applicant for an original driver license shall be required to successfully complete a written examination, vision examination and driving examination for a motorcycle as prescribed by the Department of Public Safety, in conjunction with Service Oklahoma, and a certified state-approved motorcycle basic rider course approved by the Department, in conjunction with Service Oklahoma, if the applicant is seventeen (17) years of age or younger to be eligible for a motorcycle endorsement thereon. The written examination and driving examination for a motorcycle shall be waived by Service Oklahoma upon verification that the person has successfully completed a certified Motorcycle Safety Foundation rider course approved by the Department, in conjunction with Service Oklahoma.

E. Except as otherwise provided by law, any person who lawfully possesses a valid Oklahoma driver license which is eligible for renewal shall be required to successfully complete a written examination, ~~vision examination~~ and driving examination for a motorcycle as prescribed by the Department, in conjunction with Service Oklahoma, and a certified state-approved motorcycle basic rider course approved by the Department, in conjunction with Service Oklahoma, if the person is seventeen (17) years of age or younger to be eligible for a motorcycle endorsement. The written examination and driving examination for a motorcycle shall be waived by Service Oklahoma upon verification that the person has successfully completed a certified Motorcycle Safety Foundation rider course approved by the Department, in conjunction with Service Oklahoma.

F. 1. Any person eighteen (18) years of age or older may apply for a restricted Class A, B or C commercial learner permit. Service Oklahoma, after the applicant has passed all parts of the examination for a Class D license and has successfully passed all parts of the examination for a Class A, B or C commercial license other than the driving examination, may issue to the applicant a commercial learner permit which shall entitle the person having immediate lawful possession of the commercial learner permit and a valid Oklahoma driver license or provisional driver license pursuant to Section 6-212 of this title to operate a Class A, B or C commercial motor vehicle upon the public highways solely for the purpose of behind-the-wheel training in accordance with rules promulgated by the Department.

2. This commercial learner permit shall be issued for a period as provided in Section 6-115 of this title of one hundred eighty (180) days, which may be renewed one time for an additional one hundred eighty (180) days; provided, such commercial learner permit may be suspended, revoked, canceled, denied or disqualified at the discretion of the Department, with notice to Service Oklahoma, for violation of the restrictions, for failing to give the required or correct information on the application or for violation of any traffic laws of this state pertaining to the operation of a motor vehicle. Except as otherwise provided, the lawful possessor of a commercial learner permit who has been issued a commercial learner permit for a minimum of fourteen (14) days may have the restriction requiring an accompanying driver removed by satisfactorily completing a driver's examination; provided, the removal of a restriction shall not authorize the operation of a Class A, B or C commercial motor vehicle if such operation is otherwise prohibited by law.

3. No person shall apply for and Service Oklahoma shall not issue an original Class A, B or C driver license until the person has been issued a commercial learner permit and held the permit for at least fourteen (14) days. Any person who currently holds a Class B or C license and who wishes to apply for another class of commercial driver license shall be required to apply for a commercial learner permit and to hold the permit for at least fourteen (14) days before applying for the Class A or B license, as applicable. Any person who currently holds a Class A, B or C license and who wishes to add an endorsement or remove a restriction for which a skills examination is required shall be required to

apply for a commercial learner permit and to hold the permit for at least fourteen (14) days before applying for the endorsement.

4. A commercial learner permit shall be issued by Service Oklahoma as a separate and unique document which shall be valid only in conjunction with a valid Oklahoma driver license or provisional driver license pursuant to Section 6-212 of this title, both of which shall be in the possession of the person to whom they have been issued whenever that person is operating a commercial motor vehicle as provided in this subsection.

5. ~~After one renewal of a commercial learner permit, as provided in paragraph 2 of this subsection, a commercial permit shall not be renewed again.~~ Any person who has held a commercial learner permit for the initial issuance period ~~and one renewal period~~ shall not be eligible for and Service Oklahoma shall not issue ~~another~~ a renewal of the permit; provided, the person may reapply for a new commercial learner permit, as provided for in this subsection.

G. 1. For purposes of this title:

- a. "REAL ID Compliant Driver License" or "Identification Card" means a driver license or identification card issued by this state that has been certified by the United States Department of Homeland Security (USDHS) as compliant with the requirements of the REAL ID Act of 2005, Public Law No. 109-13. A REAL ID Compliant Driver License or Identification Card and the process through which it is issued incorporate a variety of security measures designed to protect the integrity and trustworthiness of the license or card. A REAL ID Compliant Driver License or Identification Card will be clearly marked on the face indicating that it is a compliant document, and
- b. "REAL ID Noncompliant Driver License" or "Identification Card" means a driver license or identification card issued by this state that has not been certified by the United States Department of Homeland Security (USDHS) as being compliant with the requirements of the REAL ID Act of 2005. A REAL ID Noncompliant Driver License or Identification Card will be clearly marked on the face indicating that it is not compliant with the federal REAL ID Act of 2005

and is not acceptable for official federal purposes. The driver license or identification card will have a unique design or color indicator that clearly distinguishes it from a compliant license or card.

2. Original Driver License and Identification Card Issuance:

- a. Application for an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card shall be made to Service Oklahoma.
- b. Service Oklahoma employees shall perform all document recognition and other requirements needed for approval of an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application.
- c. Upon approval of an original REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application, the applicant may take the approved application document to a licensed operator to receive a temporary driver license or identification card.
- d. The licensed operator shall process the approved REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application and upon payment shall provide the applicant a temporary driver license or identification card. A temporary driver license or identification card shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card, whichever time period is shorter.

3. REAL ID Compliant Driver License and Identification Card Renewal and Replacement:

- a. Application for renewal or replacement of a REAL ID Compliant Driver License or Identification Card may be made to Service Oklahoma or to a licensed operator; provided, such licensed operator is authorized to process application for REAL ID Compliant Driver



Licenses and Identification Cards. A licensed operator may process the voluntary downgrade of a REAL ID Compliant Commercial Driver License to any lower class license upon request of the licensee; provided, no additional endorsements or restrictions are placed on the license.

- b. Service Oklahoma employees or authorized licensed operators shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application.
- c. Upon approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application, the applicant may receive a temporary driver license or identification card from Service Oklahoma or an authorized licensed operator.
- d. A temporary driver license or identification card acquired under the provisions of this paragraph shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card being renewed or replaced for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Compliant Driver License or Identification Card, whichever time period is shorter.
- e. For purposes of this title, an application for a REAL ID Compliant Driver License or Identification Card by an individual with a valid Oklahoma-issued driver license or identification card shall be considered a renewal of a REAL ID Compliant Driver License or Identification Card.

4. REAL ID Noncompliant Driver License and Identification Card Renewal and Replacement:

- a. Application for renewal or replacement of a REAL ID Noncompliant Driver License or Identification Card may be made to Service Oklahoma or to a licensed operator. A licensed operator may process the voluntary downgrade of a REAL ID Noncompliant Commercial Driver

License to any lower class license upon request of the licensee; provided, no additional endorsements or restrictions are added to the license.

- b. Service Oklahoma employees or licensed operators shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Noncompliant Driver License or Identification Card application.
- c. Upon approval of a renewal or replacement REAL ID Noncompliant Driver License or Identification Card application, the applicant may receive a temporary driver license or identification card from Service Oklahoma or a licensed operator.
- d. A temporary driver license or identification card acquired under the provisions of this paragraph shall afford the holder the privileges otherwise granted by the specific class of driver license or identification card being renewed or replaced for the period of time listed on the temporary driver license or identification card or the period of time prior to the applicant receiving a REAL ID Noncompliant Driver License or Identification Card, whichever time period is shorter.

H. 1. The fee charged for an approved application for an original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver License or an approved application for the addition of an endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver License shall be assessed in accordance with the following schedule:

|                                   |         |
|-----------------------------------|---------|
| Class A Commercial Learner Permit | \$25.00 |
| Class A Commercial License        | \$25.00 |
| Class B Commercial Learner Permit | \$15.00 |
| Class B Commercial License        | \$15.00 |

|                                   |         |
|-----------------------------------|---------|
| Class C Commercial Learner Permit | \$15.00 |
| Class C Commercial License        | \$15.00 |
| Class D License                   | \$ 4.00 |
| Motorcycle Endorsement            | \$ 4.00 |

2. Notwithstanding the provisions of Section 1104 of this title, all monies collected from the fees charged for Class A, B and C commercial licenses pursuant to the provisions of this subsection shall be deposited in the General Revenue Fund of this state.

I. The fee charged for any failed examination shall be Four Dollars (\$4.00) for any license classification. Notwithstanding the provisions of Section 1104 of this title, all monies collected from such examination fees pursuant to the provisions of this subsection shall be deposited in the General Revenue Fund of this state.

J. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Noncompliant Driver License shall be in accordance with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the issuance of the license:

| License Class                     | 4-year  | 8-year   |
|-----------------------------------|---------|----------|
| Class A Commercial Learner Permit | \$56.50 | \$113.00 |
| Class A Commercial License        | \$56.50 | \$113.00 |
| Class B Commercial Learner Permit | \$56.50 | \$113.00 |
| Class B Commercial License        | \$56.50 | \$113.00 |
| Class C Commercial Learner Permit | \$46.50 | \$93.00  |
| Class C Commercial License        | \$46.50 | \$93.00  |
| Class D License                   | \$38.50 | \$77.00  |

K. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Compliant Driver License shall be in accordance with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the issuance of the license:

| License Class                                       | 4-year  | 8-year   |
|---|---------|----------|
| REAL ID Compliant Class A Commercial Learner Permit | \$56.50 | \$113.00 |
| REAL ID Compliant Class A Commercial License        | \$56.50 | \$113.00 |
| REAL ID Compliant Class B Commercial Learner Permit | \$56.50 | \$113.00 |
| REAL ID Compliant Class B Commercial License        | \$56.50 | \$113.00 |
| REAL ID Compliant Class C Commercial Learner Permit | \$46.50 | \$93.00  |
| REAL ID Compliant Class C Commercial License        | \$46.50 | \$93.00  |
| REAL ID Compliant Class D License                   | \$38.50 | \$77.00  |

L. A commercial learner permit may not be renewed ~~one time for a period of one hundred eighty (180) days. The cost for the renewed permit shall be the same as for the original permit.~~

M. Notwithstanding the provisions of Section 1104 of this title, of each fee charged pursuant to the provisions of subsections J, K and L of this section:

1. Five Dollars and fifty cents (\$5.50) of a 4-year license or Eleven Dollars (\$11.00) of an 8-year license shall be deposited to the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of Title 63 of the Oklahoma Statutes;

2. Six Dollars and seventy-five cents (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year license shall be deposited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of administration and maintenance of the computerized imaging system of the Department through October 31, 2022. Beginning November 1, 2022, Six Dollars and seventy-five cents (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year license shall be deposited to the Service Oklahoma Computer Imaging System Revolving Fund to be used solely for the purpose of administration and maintenance of the computerized imaging system of Service Oklahoma;

3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars (\$20.00) of an 8-year license shall be deposited to the Department of Public Safety Revolving Fund for all original or renewal issuances of licenses through October 31, 2022. Beginning November 1, 2022, Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars (\$20.00) of an 8-year license shall be deposited to the Service Oklahoma Revolving Fund for all original or renewal issuances of licenses; and

4. Five Dollars (\$5.00) of a 4-year license or Six Dollars (\$6.00) of an 8-year license shall be deposited to the State Public Safety Fund created in Section 2-147 of this title.

N. All original and renewal driver licenses shall expire as provided in Section 6-115 of this title.

O. 1. Through May 31, 2025, any person sixty-two (62) to sixty-four (64) years of age during the calendar year of issuance or renewal of a Class D license or motorcycle endorsement shall be charged the following prorated fee:

|        | 4-year  | 8-year  |
|--------|---------|---------|
| Age 62 | \$21.25 | \$42.50 |
| Age 63 | \$17.50 | \$35.00 |
| Age 64 | \$13.75 | \$27.50 |

2. Any person sixty-five (65) years of age or older during the calendar year of issuance or renewal of a Class D license or motorcycle endorsement shall not be charged a fee.

P. No person who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident resulting from disease contracted while in such active service and registered with the veterans registry created by the Oklahoma Department of Veterans Affairs shall be charged a fee for the issuance, replacement or renewal of an Oklahoma driver license; provided, that if a veteran has been previously exempt from a fee pursuant to this subsection, no registration with the veterans registry shall be required.

Q. In accordance with the provisions of subsection G of this section, Service Oklahoma is authorized to promulgate rules for the issuance and renewal of driver licenses authorized pursuant to the provisions of Sections 6-101 through 6-309 of this title; provided, that no such rules applicable to the issuance or renewal of REAL ID Noncompliant Driver Licenses shall create more stringent standards than such rules applicable as of January 1, 2017, unless directly related to a specific change in statutory law concerning standards for REAL ID Noncompliant Driver Licenses. Applications, upon forms approved by Service Oklahoma, for such licenses shall be handled, in accordance with the provisions of subsection G of this section, by the licensed operator; provided, Service Oklahoma is authorized to assume these duties in any county of this state. ~~Each licensed operator accepting applications for driver licenses shall receive Six Dollars (\$6.00) for a 4-year REAL ID Noncompliant Driver License or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver License or Ten Dollars (\$10.00) for a 4-year REAL ID Compliant Driver License or Twenty Dollars (\$20.00) for an 8-year REAL ID Compliant Driver License to be deducted from the total collected for each license or renewal application accepted through June 30, 2023. Beginning July 1, 2022, and ending on June 30, 2023, each motor license agent or licensed operator accepting applications for driver licenses for individuals over the age of sixty-five (65) years or for applications for drivers pursuant to subsection P of this section shall receive Six Dollars (\$6.00) for a 4-year driver license or Twelve Dollars (\$12.00) for an 8-year driver license to be deducted daily by the motor license agent or licensed operator receipts. Beginning July 1, 2023, these fees shall be retained by the licensed operator pursuant to subsection E of Section 1141.1 of~~

~~this title. The fees received by the licensed operator, authorized by this subsection, shall be used for operating expenses. The amount retained pursuant to this subsection shall not be retained by any state agency. The fees received by the licensed operator, authorized by this subsection, shall be used for operating expenses.~~ For purposes of this subsection, "licensed operator" shall mean an individual who obtains a license from the Service Oklahoma Operator Board to operate a designated Service Oklahoma location and offers third-party fulfillment of designated services to be rendered by Service Oklahoma.

R. Notwithstanding the provisions of Section 1104 of this title and subsection Q of this section and except as provided in subsections H and M of this section, the first Sixty Thousand Dollars (\$60,000.00) of all monies collected pursuant to this section shall be paid by the Oklahoma Tax Commission to the State Treasurer to be deposited in the General Revenue Fund of the State Treasury.

The next Five Hundred Thousand Dollars (\$500,000.00) of monies collected pursuant to this section shall be paid by the Tax Commission to the State Treasurer to be deposited each fiscal year under the provisions of this section to the credit of the Department of Public Safety Restricted Revolving Fund for the purpose of the Oklahoma Law Enforcement Telecommunications System. All other monies collected in excess of Five Hundred Sixty Thousand Dollars (\$560,000.00) each fiscal year shall be apportioned as provided in Section 1104 of this title, except as otherwise provided in this section.

S. Service Oklahoma shall retain the images displayed on licenses and identification cards issued pursuant to the provisions of Sections 6-101 through 6-309 of this title which may be used only:

1. By a law enforcement agency for purposes of criminal investigations, missing person investigations or any law enforcement purpose which is deemed necessary by the Commissioner of Public Safety;

2. By the driver licensing agency of another state for its official purpose; and

3. As provided in Section 2-110 of this title.

All agencies approved by the Oklahoma Law Enforcement Telecommunications System (OLETS) or the National Law Enforcement Telecommunications System (NLETS) to receive photographs or computerized images may obtain them through OLETS or through NLETS. Photographs or computerized images may be obtained by law enforcement one inquiry at a time.

The computer system and related equipment acquired for this purpose must conform to industry standards for interoperability and open architecture. The Department of Public Safety may promulgate rules to implement the provisions of this subsection.

T. No person may hold more than one state-issued or territory-issued REAL ID Compliant Driver License or REAL ID Compliant Identification Card from Oklahoma or any other state or territory. Service Oklahoma shall not issue a REAL ID Compliant Driver License to a person who has been previously issued a REAL ID Compliant Driver License or REAL ID Compliant Identification Card until such license or identification card has been surrendered to Service Oklahoma by the applicant. Service Oklahoma may promulgate rules related to the issuance of replacement REAL ID Compliant Driver Licenses in the event of loss or theft.

~~U. Beginning May 24, 2021, and ending on June 30, 2023, in addition to the amounts provided in subsection Q of this section, a licensed operator shall receive Five Dollars (\$5.00) for each processed application for a REAL ID Compliant 4-year Driver License and Ten Dollars (\$10.00) for each processed application for a REAL ID Compliant 8-year Driver License. Any additional amounts provided pursuant to this subsection shall not be retained by Service Oklahoma.~~

SECTION 3. AMENDATORY 47 O.S. 2021, Section 6-105, as last amended by Section 14, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105), is amended to read as follows:

Section 6-105. A. Unless a legal custodial parent or legal guardian has filed an objection to licensure pursuant to Section 6-103.1 of this title, any person under eighteen (18) years of age who is in compliance with or not subject to Section 6-107.3 of this title may be permitted to operate:

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



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

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

B. Any person who is at least fifteen (15) years of age may drive during a session in which the driver is being instructed in a driver education course, as set out in subparagraphs a, b, c, d and e of paragraph 1 of subsection C of this section, by a certified driver education instructor who is seated in the right front seat of the motor vehicle.

C. Any person:

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

- a. a prescribed secondary school driver education course, as provided for in Sections 19-113 through 19-121 of Title 70 of the Oklahoma Statutes,
- b. a driver education course, certified by 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 Service of Oklahoma, in conjunction with the Department of Public Safety. 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:

- a. who has applied for, been issued, and has possessed a learner permit for a minimum of one hundred eighty (180) days, ~~and~~
- b. whose custodial legal parent or legal guardian certifies to Service Oklahoma by sworn affidavit that the person has received a minimum of fifty (50) hours of actual behind-the-wheel training, of which at least ten (10) hours of such training was at night, from a licensed driver who was at least twenty-one (21) years of age and who was properly licensed to operate a Class D motor vehicle for a minimum of two (2) years, and
- c. who is at least sixteen (16) years of age,

may be issued an intermediate Class D license upon successfully passing all parts of the driver license examinations administered by Service Oklahoma; provided, the written examination, if it has not previously been administered or waived, may be waived by Service Oklahoma upon verification that the person has successfully completed driver education or the driving examination may be waived by Service Oklahoma upon successful passage of the examination administered by a certified designated examiner, as provided for in Section 6-110 of this title. However, notwithstanding the date of issuance of the learner permit, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time period specified in subparagraph a of this paragraph shall be recalculated to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued an intermediate Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time period specified in subparagraph a of this paragraph shall be recalculated to begin from

the most recent date of conviction, and must elapse before that person may be issued an intermediate Class D license.

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

- a. shall be granted the privilege to operate a Class D motor vehicle upon the public highways:
  - (1) only between the hours of 5:00 a.m. and 10:00 p.m., except for driving to and from work, school, school activities, and church activities, or
  - (2) at any time, if a licensed driver who is at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee, or if the intermediate Class D licensee is a farm or ranch resident, and is operating a motor vehicle while engaged in farming or ranching operations outside the limits of a municipality, or driving to and from work, school, school activities, or church activities, and
- b. shall not operate a motor vehicle with more than one passenger unless:
  - (1) all passengers live in the same household as the custodial legal parent or legal guardian, or
  - (2) a licensed driver at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee.

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

- 1. One (1) year; or
- 2. One hundred eighty (180) days, if the person has completed both the driver education and the parent-certified behind-the-wheel training provisions of subparagraph b of paragraph 1 of subsection D of this section,

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

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

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

H. Any person fourteen (14) years of age or older may apply for a restricted Class D license with a motorcycle-only restriction. After the person has successfully passed all parts of the motorcycle examination other than the driving examination, has successfully completed a certified state-approved motorcycle basic rider course approved by the Department of Public Safety, in conjunction with Service Oklahoma, and has met all requirements provided for in the rules of the Department and Service Oklahoma, Service Oklahoma shall issue to the person a restricted Class D license with a motorcycle-only restriction which shall grant to the person, while having the license in the person's immediate possession, the privilege to operate a motorcycle or motor-driven cycle:

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

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

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

I. Service Oklahoma may in its discretion issue a special permit to any person who has attained the age of fourteen (14) years, authorizing such person to operate farm vehicles between the farm and the market to haul commodities grown on the farm; provided, that the special permit shall be temporary and shall expire not more than thirty (30) days after the issuance of the special permit. Special permits shall be issued only to farm residents and shall be issued only during the time of the harvest of the principal crops grown on such farm. Provided, however, Service Oklahoma shall not issue a special permit pursuant to this subsection until Service Oklahoma is fully satisfied after the examination of the application and other evidence furnished in support thereof, that the person is physically and mentally developed to such a degree that the operation of a motor vehicle by the person would not be inimical to public safety.

J. As used in this section:

1. "Hand-held electronic device" means a mobile telephone or electronic device with which a user engages in a telephone call,

plays or stores media, including but not limited to music and video, or sends or reads a text message while requiring the use of at least one hand; and

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

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

SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-105.3, as last amended by Section 6, Chapter 47, 1st Extraordinary Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105.3), is amended to read as follows:

Section 6-105.3 A. In addition to the licenses to operate motor vehicles, the Department of Public Safety may issue cards to Oklahoma residents for purposes of identification only. The identification cards shall be issued, renewed, replaced, canceled and denied in the same manner as driver licenses in this state. A licensee whose record reflects a notation of the person's proof of legal presence, verified by the U.S. Department of Homeland Security, or proof of U.S. citizenship, may obtain a REAL ID Compliant Identification Card or a Noncompliant Identification Card from a motor license agent or the Department of Public Safety, regardless of the status of the license held by the licensee. Provided, the licensee must comply with all REAL ID documentation requirements to obtain a REAL ID Compliant Identification Card. A person shall not apply for or possess more than one state-issued or territory-issued REAL ID Compliant Identification Card pursuant to the provisions of Section 6-101 of this title.

The application for an identification card by any person under the age of eighteen (18) years shall be signed and verified by a custodial legal parent or legal guardian, either in person before a person authorized to administer oaths or electronically if completing an online application, or a notarized affidavit signed by a custodial legal parent or legal guardian submitted before a person authorized to administer oaths by the person under the age of eighteen (18) years with the application. Except as otherwise provided in this section, the identification cards shall be valid for a period of either four (4) years from the month of issuance or eight (8) years from the month of issuance; however, the REAL ID

Noncompliant identification cards issued to persons sixty-five (65) years of age or older shall be valid indefinitely from the month of issuance.

B. 1. The Department of Corrections shall coordinate with the Department of Public Safety to provide REAL ID Noncompliant Identification Cards to all inmates who do not have a current state-issued identification card or driver license upon their release from custody. The identification cards shall be issued, replaced, canceled and denied in the same manner as driver licenses in this state.

2. The Department of Public Safety shall allow the use of a certified copy of a birth certificate coupled with a Department of Corrections-issued consolidated record card to serve as a valid form of photo identification documentation to obtain a REAL ID Noncompliant Identification Card.

3. REAL ID Noncompliant Identification Cards issued with a consolidated record card from the Department of Corrections for inmates shall be valid for a period of four (4) years from the month of issuance for an allowable fee to be determined by the Department of Public Safety and are nonrenewable and nontransferable.

4. The fee charged for the issuance or replacement of a REAL ID Noncompliant Identification Card pursuant to this subsection shall be deposited in the Department of Public Safety Revolving Fund. Provided, however, REAL ID Noncompliant Identification Cards issued to individuals required to register pursuant to the Sex Offenders Registration Act shall only be valid for a period of one (1) year. No person sixty-five (65) years of age or older shall be charged a fee for a REAL ID Noncompliant Identification Card.

5. The Department of Public Safety is authorized to promulgate rules and procedures to implement the provisions of this subsection.

C. No person shall hold more than one state-issued or territory-issued REAL ID Compliant Driver License or REAL ID Compliant Identification Card, as defined in subsection G of Section 6-101 of this title. The Department shall not issue a REAL ID Compliant Identification Card to any applicant who has been previously issued a REAL ID Compliant Driver License or REAL ID Compliant Identification Card unless such license or identification card has been surrendered to the Department by the applicant. The Department may promulgate rules related to the issuance of

replacement REAL ID Compliant Identification Cards in the event of loss or theft.

D. The fee charged for the issuance or renewal of a REAL ID Compliant Identification Card shall be Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card. The fee charged for the issuance or renewal of a REAL ID Noncompliant Identification Card pursuant to this section shall be Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card; however, no person sixty-five (65) years of age or older, or one hundred percent (100%) disabled veteran described in subsection P of Section 6-101 of this title shall be charged a fee for an identification card. Of each fee charged pursuant to the provisions of this subsection:

1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars (\$14.00) of an 8-year card shall be apportioned as provided in Section 1104 of this title;

2. Three Dollars (\$3.00) of a 4-year card and Six Dollars (\$6.00) of an 8-year card shall be credited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of the administration and maintenance of the computerized imaging system of the Department;

3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars (\$20.00) of an 8-year card shall be deposited in the Department of Public Safety Revolving Fund;

4. Three Dollars (\$3.00) of a 4-year card and Six Dollars (\$6.00) of an 8-year card shall be deposited to the State Public Safety Fund created in Section 2-147 of this title; and

5. Two Dollars (\$2.00) for a 4-year card and Four Dollars (\$4.00) for an 8-year card of the fee authorized by this subsection related to the issuance or renewal of an identification card by a motor license agent that does process approved applications or renewals for REAL ID Compliant and REAL ID Non-Compliant Driver Licenses or Identification Cards shall be retained by the licensed operator through June 30, 2023. Beginning July 1, 2023, these monies shall be retained by the licensed operator pursuant to subsection E of Section 1141.1 of this title.

E. The fee charged for replacement of a REAL ID Compliant Identification Card, or REAL ID Non-Compliant Identification Card,



shall be Twenty-five Dollars (\$25.00); however, no person sixty-five (65) years of age or older shall be charged a fee for an identification card replacement. Of each fee charged pursuant to the provisions of this subsection:

1. Seven Dollars (\$7.00) shall be apportioned as provided in Section 1104 of this title;

2. Three Dollars (\$3.00) shall be credited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of the administration and maintenance of the computerized imaging system of the Department;

3. Ten Dollars (\$10.00) shall be deposited in the Department of Public Safety Revolving Fund;

4. Three Dollars (\$3.00) shall be deposited to the State Public Safety Fund created in Section 2-147 of this title; and

5. Two Dollars (\$2.00) of the fee authorized by this subsection related to the replacement of an identification card by a motor license agent that does process approved applications or renewals for REAL ID Compliant or REAL ID Non-Compliant Driver Licenses or Identification Cards shall be retained by the licensed operator through June 30, 2023. Beginning July 1, 2023, these monies shall be retained by the licensed operator pursuant to subsection E of Section 1141.1 of this title.

F. The Oklahoma Tax Commission is hereby authorized to reimburse, from funds available to that agency, each motor license agent issuing an identification card to a person sixty-five (65) years of age or older, an amount not to exceed One Dollar (\$1.00) for each card or driver license so issued through June 30, 2023. The Tax Commission shall develop procedures for claims for reimbursement.

G. Notwithstanding any other provision of law, when a person makes application for a new identification card, or makes application to renew an identification card, and the person has been convicted of, or received a deferred judgment for, any offense required to register pursuant to the Sex Offenders Registration Act, the identification card shall be valid for a period of one (1) year from the month of issuance, but may be renewed yearly during the time the person is subject to registration on the Sex Offender

Registry. The cost for such identification card shall be the same as for other identification cards and renewals.

H. Nothing in this section requires or authorizes the Department of Public Safety to issue a REAL ID Noncompliant Identification Card without the documentation required by the provisions of paragraph 9 of subsection A of Section 6-103 of this title.

SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-106, as amended by Section 45, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-106), is amended to read as follows:

Section 6-106. A. 1. Every application for a driver license or identification card shall be made by the applicant upon a form furnished by Service Oklahoma.

2. Every original, renewal, or replacement application for a driver license or identification card made by a male applicant who is at least sixteen (16) but less than twenty-six (26) years of age shall include a statement that by submitting the application, the applicant is consenting to registration with the Selective Service System. The pertinent information from the application shall be forwarded by Service Oklahoma to the Data Management Center of the Selective Service System in order to register the applicant as required by law with the Selective Service System. Any applicant refusing to sign the consent statement shall be denied a driver license or identification card.

3. Except as provided for in subsections G and H of this section, every applicant for a driver license or identification card shall provide to Service Oklahoma at the time of application a document showing proof of identity. Service Oklahoma shall promulgate rules prescribing forms of ~~primary and secondary~~ identification acceptable for an original Oklahoma driver license.

B. Every applicant for a driver license shall provide the following information:

1. Full name;
2. Date of birth;
3. Sex;

4. Address of principal residence and county of such residence which shall be referenced on the REAL ID Compliant Driver License or Identification Card; proof of principal residency, as prescribed by rules promulgated by Service Oklahoma, documenting provided address;

5. Current and complete mailing address to be maintained by Service Oklahoma for the purpose of giving notice, if necessary, as required by Section 2-116 of this title;

6. Medical information, as determined by the Department, which shall assure Service Oklahoma that the person is not prohibited from being licensed as provided by paragraph 7 of subsection A of Section 6-103 of this title;

7. Whether the applicant is deaf or hard-of-hearing;

8. A brief description of the applicant, as determined by the Department;

9. Whether the applicant has previously been licensed, and, if so, when and by what state or country, and whether any license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal;

10. Whether the applicant is an alien eligible to be considered for licensure and is not prohibited from licensure pursuant to paragraph 9 of subsection A of Section 6-103 of this title;

11. Whether the applicant has:

- a. previously been licensed and, if so, when and by what state or country, and
- b. held more than one license at the same time during the immediately preceding ten (10) years; and

12. Social Security number.

No person shall request Service Oklahoma to use the Social Security number of that person as the driver license number. Upon renewal or replacement of any driver license issued after the effective date of this act, the licensee shall advise Service Oklahoma or the licensed operator if the present driver license number of the licensee is the Social Security number of the licensee. If the driver license

number is the Social Security number, Service Oklahoma or the licensed operator shall change the driver license number to a computer-generated alphanumeric identification.

C. 1. In addition to the requirements of subsections A and B of this section, every applicant for a commercial driver license who is subject to the requirements of 49 C.F.R., Part 391, and is applying for an original, renewal, or replacement license, and every person who, upon or after May 8, 2012, is currently the holder of a commercial driver license and is subject to the requirements of 49 C.F.R., Part 391, and who does not apply for a renewal or replacement license prior to January 30, 2014, shall submit to Service Oklahoma and maintain with Service Oklahoma a current approved medical examination certificate signed by a licensed physician authorized to perform and approve medical examination certifications. Service Oklahoma shall adopt rules for maintaining medical examination certificates pursuant to the requirements in 49 C.F.R., Parts 383 and 384. Any commercial driver licensee subject to the requirements of this paragraph who fails to maintain on file with Service Oklahoma a current, approved medical examination certificate shall have the driving privileges of the person downgraded to a Class D driver license by Service Oklahoma.

2. If the applicant is applying for an original commercial driver license in Oklahoma or is transferring a commercial driver license from another state to Oklahoma, Service Oklahoma shall review the driving record of the applicant in other states for the immediately preceding ten (10) years, unless the record review has already been performed by Service Oklahoma. As a result of the review, if it is determined by Service Oklahoma that the applicant is subject to a period of disqualification as prescribed by Section 6-205.2 of this title which has not yet been imposed, Service Oklahoma shall impose the period of disqualification and the applicant shall serve the period of disqualification before a commercial driver license is issued to the applicant; provided, nothing in this paragraph shall be construed to prevent the issuance of a Class D driver license to the applicant.

3. If the applicant has or is applying for a hazardous material endorsement, the applicant shall submit to a security threat assessment performed by the Transportation Security Administration of the Department of Homeland Security as required by and pursuant to 49 C.F.R., Part 1572, which shall be used to determine whether the applicant is eligible for the endorsement pursuant to federal law and regulation.

4. Service Oklahoma shall notify each commercial driving school of the passage of this section, and each commercial driving school shall notify prospective students of its school of the hazardous material endorsement requirement.

D. In addition to the requirements of subsections A and B of this section, every applicant shall be given an option on the application for issuance of a driver license or identification card or renewal pursuant to Section 6-115 of this title to provide an emergency contact person. The emergency contact information requested may include full name, address, and phone number. The emergency contact information shall be maintained by Service Oklahoma and shall be used by Service Oklahoma and law enforcement for emergency purposes only. A person listed as an emergency contact may request to be removed at any time. Any update to a change of name, address, or phone number may be made by the applicant listing the emergency contact person or by the person listed as the emergency contact.

E. Whenever application is received from a person previously licensed in another jurisdiction, Service Oklahoma shall request a copy of the driving record from the other jurisdiction and, effective September 1, 2005, from all other jurisdictions in which the person was licensed within the immediately previous ten (10) years. When received, the driving record shall become a part of the driving record of the person in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

F. Whenever Service Oklahoma receives a request for a driving record from another licensing jurisdiction, the record shall be forwarded without charge.

G. A person shall not apply for or possess more than one state-issued or territory-issued REAL ID Compliant Driver License or Identification Card pursuant to the provisions of Section 6-101 of this title. A valid and unexpired Oklahoma driver license shall serve as both primary and secondary proofs of identity whenever application for a REAL ID Noncompliant Identification Card is submitted to Service Oklahoma. The provisions of subsection B of Section 1550.42 of Title 21 of the Oklahoma Statutes shall not apply when issuing an identification card pursuant to the provisions of this subsection. Service Oklahoma shall promulgate rules necessary to implement and administer the provisions of this subsection.

H. A valid and unexpired U.S. passport shall serve as both primary and secondary proofs of identity whenever application for a driver license or identification card is submitted to the Department. Service Oklahoma shall promulgate rules necessary to implement and administer the provisions of this subsection.

SECTION 6. AMENDATORY 47 O.S. 2021, Section 6-110, as last amended by Section 15, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-110), is amended to read as follows:

Section 6-110. A. 1. Service Oklahoma shall establish procedures to ensure every applicant for an original Class A, B, C or D license and for any endorsements thereon is examined by Service Oklahoma, or an approved written examination proctor, except as otherwise provided in Section 6-101 et seq. of this title or as provided in paragraph 2 of this subsection or in subsections D and E of this section. Service Oklahoma is authorized to approve and enter into agreements with local school districts, the Oklahoma Department of Career and Technology Education, or institutions of higher education to act as approved written examination proctors with regard to any written examination required by this section. The examination shall include a test of the applicant's:

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

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

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

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

- a. a valid unexpired driver license issued by any state or country for the same type or types of vehicles, or
- b. an expired driver license that:
  - (1) is not expired more than six (6) months past the expiration date listed on the driver license, and
  - (2) is not a Class A, B or C commercial driver license or commercial driver license permit.

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

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

5. Service Oklahoma, or an approved written examination proctor, shall give the complete examination as provided for in this section within thirty (30) days from the date the application is received, and the examination shall be given at a location within one hundred (100) miles of the residence of the applicant. Service Oklahoma shall make every effort to make the examination locations and times convenient for applicants. Service Oklahoma shall

consider giving the examination at various school sites if the district board of education for the district in which the site is located agrees and if economically feasible and practicable.

B. Any person holding a valid Oklahoma Class D license or provisional driver license pursuant to Section 6-212 of this title and applying for a Class A, B or C commercial license shall be required to successfully complete all examinations as required for the specified class. Failure to submit to Service Oklahoma federally required medical certification information pursuant to 49 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade of a commercial license to a Class D license. Provided, however, once the required medical certification information has been received by Service Oklahoma, the license shall be reinstated to the classification of the commercial license prior to the downgrade and the holder of such a license shall not be required to reapply.

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

D. 1. Any certified driver education instructor who is currently an operator or an employee of a commercial driver training school in this state ~~or~~, any driver education instructor employed by any school district in this state, or any licensed operator or an employee of a licensed operator shall be eligible to apply to be a designated examiner of Service Oklahoma for the purposes of administering the Class D driving skills portion of the Oklahoma driving examination to any person who has been issued a learner permit.

2. The Department of Public Safety, in conjunction with Service Oklahoma, shall adopt a curriculum of required courses and training to be offered to applicants who are qualified to apply to be a designated examiner. The courses and training for certification shall meet the same standards as required for driver examiners of Service Oklahoma.

3. Each person applying to be a designated examiner shall be required to pay an initial designated examiner certification fee of One Thousand Dollars (\$1,000.00). Upon successful completion of training prescribed by paragraph 2 of this subsection, the person



shall be required to pay an annual designated examiner certification fee of Five Hundred Dollars (\$500.00). If an applicant for the designated examiner program is employed by an Oklahoma public school system that offers driver education, and he or she administers the skills test only to students enrolled in a public school driver education program, the certification fee may be waived by Service Oklahoma. Each designated examiner certification shall expire on the last day of the calendar year and may be renewed upon application to Service Oklahoma. The designated examiner certification fees collected by Service Oklahoma pursuant to this subsection shall be deposited to the credit of the Department of Public Safety Restricted Revolving Fund to be used for the purposes of this subsection, through October 31, 2022. Beginning November 1, 2022, the designated examiner certification fees collected by Service Oklahoma pursuant to this subsection shall be deposited to the credit of the Service Oklahoma Revolving Fund. No designated examiner certification fee shall be refunded in the event that certification is denied, suspended or revoked.

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

5. Service Oklahoma shall require each designated examiner and driver education instructor applicant to submit to an electronic national criminal history record check pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes. The fees for the record check shall be borne by the designated examiner, designated examiner applicant, driver education instructor, or driver education instructor applicant.

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

E. 1. Upon application and approval of Service Oklahoma, any public or private commercial truck driving school that has or maintains a program instructing students for a Class A, B or C license, public transit agency or state, county or municipal government agency in this state shall be authorized to hire or employ designated examiners approved by Service Oklahoma to be third-party examiners of the Class A, B or C driving skills portion of the Oklahoma driving examination. All designated examiners must successfully have completed the courses and training as outlined in paragraph 2 of this subsection. Service Oklahoma shall be required

to approve at least one public transit agency that has or maintains a program instructing students for a Class A, B or C license to hire or employ third-party examiners pursuant to this section. It shall be permissible for any public transit agency operating in the State of Oklahoma to utilize the third-party examiners hired or employed by a public transit agency approved by Service Oklahoma.

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

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

F. Service Oklahoma shall promulgate rules to:

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

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

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

4. If the initial application for approval was denied, limit the number of times an individual school, public transit agency, individual examiner applicant, or state, county or municipal government agency may reapply in a calendar year to two reapplications.

SECTION 7. AMENDATORY 47 O.S. 2021, Section 6-114, as last amended by Section 7, Chapter 47, 1st Extraordinary Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-114), is amended to read as follows:

Section 6-114. A. 1. In the event that a driver license is lost, destroyed, or requires the updating of any information, restriction or endorsement displayed thereon, the person to whom such license was issued may obtain a replacement thereof pursuant to the provisions of subsection G of Section 6-101 of this title, and upon payment of the required fee. If the person is an alien, the person shall appear before Service Oklahoma or a licensed operator and, after furnishing ~~primary and secondary proofs~~ proof of identity as required in this section, shall be issued a replacement driver license for a period which does not exceed the lesser of:

- a. the expiration date of the license being replaced, or
- b. the expiration date on the valid documentation authorizing the presence of the person in the United States, as required by paragraph 9 of subsection A of Section 6-103 of this title.

2. The cost of a replacement license shall be Twenty-five Dollars (\$25.00), of which:

- a. Two Dollars (\$2.00) shall be apportioned as provided in Section 1104 of this title,
- b. Three Dollars (\$3.00) shall be remitted to the State Treasurer to be credited to the General Revenue Fund,
- c. Five Dollars (\$5.00) shall be credited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of administering and maintaining the computer imaging system of the Department through October 31, 2022. Beginning November 1, 2022, Five Dollars (\$5.00) shall be credited to the Service Oklahoma Computer Imaging System Revolving Fund to be used solely for the purpose of administering and maintaining the computer imaging system of Service Oklahoma,

- d. Ten Dollars (\$10.00) shall be credited to the Revolving Fund of the Department of Public Safety through October 31, 2022. Beginning November 1, 2022, the Ten Dollars (\$10.00) shall be credited to the Service Oklahoma Revolving Fund,
- e. Three Dollars (\$3.00) shall be deposited to the State Public Safety Fund created in Section 2-147 of this title, and
- f. (1) Two Dollars (\$2.00) of the fee authorized by this paragraph related to the replacement of a driver license by a licensed operator that does not process approved applications or renewals for REAL ID Compliant Driver Licenses or Identification Cards shall be deposited, in addition to the amount authorized by subparagraph e of this paragraph, to the State Public Safety Fund created in Section 2-147 of this title, or  
(2) Two Dollars (\$2.00) of the fee authorized by this paragraph related to the replacement of a driver license by a licensed operator that does process approved applications or renewals for REAL ID Compliant Driver Licenses or Identification Cards shall be retained by the licensed operator through June 30, 2023. Beginning July 1, 2023, these monies shall be retained by the licensed operator pursuant to subsection E of Section 1141.1 of this title.

3. Service Oklahoma shall promulgate rules prescribing forms of primary and secondary identification acceptable for replacement of an Oklahoma driver license; provided, however, a valid and unexpired U.S. passport shall be acceptable as both primary and secondary identification.

B. Any person desiring to add or remove an endorsement or endorsements or a restriction or restrictions to any existing driver license, when authorized by Service Oklahoma, shall obtain a replacement license with the endorsement or endorsements or the restriction or restrictions change thereon and shall be charged the fee for a replacement license as provided in subsection A of this section.

SECTION 8. AMENDATORY 47 O.S. 2021, Section 6-122, as amended by Section 62, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-122), is amended to read as follows:

Section 6-122. Service Oklahoma may develop procedures whereby driver licenses issued under the provisions of Section 6-101 et seq. of this title may be renewed or replaced by 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 valid for a period as prescribed in Section 6-115 of this title. Service Oklahoma shall not renew or replace a license by mail or online unless ~~the immediately preceding~~ there has been an issuance, renewal or replacement ~~was~~ driver license done in person by the applicant within the last sixteen (16) years.

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

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

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

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

SECTION 9. AMENDATORY Section 1, Chapter 409, O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-201.2), is amended to read as follows:

Section 6-201.2 For purposes of Section 6-101 et seq. of Title 47 of the Oklahoma Statutes, ~~the Department of Public Safety~~ Service Oklahoma shall recognize and act upon a report of conviction in a qualified court of any federally recognized Indian tribe within the geographical boundaries of this state or a court of the United States in the same manner it acts upon any report of conviction from an Oklahoma state or municipal court. Any report of conviction submitted to ~~the Department~~ Service Oklahoma shall be submitted using a format approved by ~~the Department~~ Service Oklahoma and shall

include the full name of the offender as it appears on the driver license, the number of the driver license, and the penalty imposed.

SECTION 10. AMENDATORY 47 O.S. 2021, Section 6-205, is amended to read as follows:

Section 6-205. A. ~~The Department of Public Safety Service~~ Oklahoma shall immediately revoke the driving privilege of any person, whether adult or juvenile, upon receiving a record of conviction, in any municipal, state or federal court within the United States of any of the following offenses, when such conviction has become final:

1. Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

2. Driving or being in actual physical control of a motor vehicle while under the influence of alcohol, any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, any violation of paragraph 1, 2, 3, 4 or 5 of subsection A of Section 11-902 of this title or any violation of Section 11-906.4 of this title. However, ~~the Department Service~~ Oklahoma shall not additionally revoke the driving privileges of the person pursuant to this subsection if the driving privilege of the person has been revoked because of a test result or test refusal pursuant to Section 753 or 754 of this title arising from the same circumstances which resulted in the conviction unless the revocation because of a test result or test refusal is set aside;

3. Driving a motor vehicle during the commission of a felony;

4. Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

5. Perjury or the making of a false affidavit or statement under oath to ~~the Department~~ Service Oklahoma under the Uniform Vehicle Code or under any other law relating to the ownership or operation of motor vehicles;

6. A felony conviction for unlawfully distributing, dispensing, manufacturing, trafficking, attempting or conspiring to distribute, dispense, manufacture, or traffic a controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act while driving a motor vehicle;

7. A misdemeanor conviction for a violation of Section 1-229.34 of Title 63 of the Oklahoma Statutes;

8. Failure to obey a traffic control device as provided in Section 11-202 of this title or a stop sign when such failure results in great bodily injury to any other person; or

9. Failure to stop or to remain stopped for school bus loading or unloading of children pursuant to Section 11-705 or 11-705.1 of this title.

B. The first license revocation under any provision of this section, except for paragraph 2, 3, 6, 7, or 9 of subsection A of this section, shall be for a period of one (1) year. Such period shall not be modified.

C. A license revocation under any provision of this section, except for paragraph 2, 3, 6, or 7 of subsection A of this section, shall be for a period of three (3) years if a prior revocation under this section commenced within the preceding five-year period as shown by the records of ~~the Department~~ Service Oklahoma. Such period shall not be modified.

D. The period of license revocation under paragraph 2, 3 or 6 of subsection A of this section shall be governed by the provisions of Section 6-205.1 of this title.

E. The first license revocation under paragraph 7 of subsection A of this section shall be for a period of six (6) months. Such periods shall not be modified.

F. The first license revocation under paragraph 9 of subsection A of this section shall be for a period of one (1) year. Such period may be modified. Any appeal of the revocation of driving privilege under paragraph 9 of subsection A of this section shall be governed by Section 6-211 of this title; provided, any modification under this subsection shall apply to Class D motor vehicles only.

G. As used in this section, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

H. Any person whose driving privileges are or have been canceled or denied pursuant to this section, except for paragraph 1, 2 or 8 of subsection A of this section, may file a petition for relief based upon error or hardship.

1. The petition shall be filed in the district court which notified ~~the Department~~ Service Oklahoma. If the Notification originated in a municipal court, the petition shall be filed in the district court of the county in which the municipal court is located. A copy of the Notification and a copy of ~~the Department's~~ Service Oklahoma's action canceling or denying driving privileges pursuant to this section shall be attached to the petition.

2. The district court shall conduct a hearing on the petition and may determine the matter de novo, without notice to ~~the Department~~ Service Oklahoma and, if applicable, without notice to the municipal court; provided, the district court shall not consider a collateral attack upon the merits of any conviction or determination which has become final.

3. The district court may deny the petition or, in its discretion, issue a written Order to ~~the Department~~ Service Oklahoma to decrease the period of cancellation or denial to any period or issue a written Order to vacate ~~the Department's~~ Service Oklahoma's action taken pursuant to this section, in its entirety. The content of the Order shall not grant or purport to grant any driving privileges to the person; however, such Order may direct ~~the Department of Public Safety~~ Service Oklahoma to do so if the person is otherwise eligible therefor. The petitioner is responsible for his or her own attorney fees. However, if the petitioner is granted relief for error, then the party that committed the error may be ordered to pay attorney fees and costs. Unless all persons or agencies the court had reason to believe may have had relevant information related to the court record and departmental action have been given notice of the petition, attorney fees and costs shall not be awarded against any party. In no event shall ~~the Department of Public Safety~~ Service Oklahoma be liable for attorney fees and costs for suspending, revoking, canceling or denying a driver license based upon reasonable reliance on a notice from a court requiring the revocation, suspension, cancellation or denial of the driver license according to law.

SECTION 11. AMENDATORY 47 O.S. 2021, Section 6-208.1, is amended to read as follows:



Section 6-208.1 If action by ~~the Department of Public Safety~~ Service Oklahoma to suspend, revoke, cancel or deny the ~~driver's~~ driver license of any person is based in whole or in part upon the receipt of a record of conviction, report, affidavit or other written instrument from any court, court clerk, law enforcement officer, public agency, public officer or public employee and such documentation is not received by ~~the Department~~ Service Oklahoma within six (6) months from the date which in the judgment of ~~the Department~~ Service Oklahoma it should have been received, then ~~the Department~~ Service Oklahoma may decline to process such documentation and may decline to take action to suspend, revoke, cancel or deny the ~~driver's~~ driver license of such person, notwithstanding any other provision of law.

SECTION 12. AMENDATORY 47 O.S. 2021, Section 6-209, is amended to read as follows:

Section 6-209. A. ~~The Department~~ Service Oklahoma upon canceling or denying the driver license of a person or upon suspending or revoking the driving privilege of a person shall require that the driver license of the person be surrendered to ~~the Department~~ Service Oklahoma. When the statutory requirements for reinstatement are met in accordance with Oklahoma Statutes, the person shall apply for a new driver license from ~~the Department~~ Service Oklahoma; provided ~~the Department~~ Service Oklahoma has determined that the licensee is a person not prohibited from holding a driver license under Section 6-103 of this title, and has successfully completed the customary written, physical and driving tests, if such tests are required. Identification of the person shall be verified through the driver license digital file of ~~the Department~~ Service Oklahoma.

B. ~~The Department~~ Service Oklahoma, upon entering an order canceling or denying a driver license or suspending or revoking the driving privilege of a person, shall forward a copy of the order to the licensee pursuant to the provisions of Section 2-116 of this title and request the immediate return of the driver license to ~~the Department of Public Safety, Oklahoma City, Oklahoma, or the order may be served upon the licensee by an authorized member of the~~ Department Service Oklahoma. Failure to comply with the order of ~~the Department~~ Service Oklahoma shall constitute a misdemeanor and, upon conviction, the person shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00).

C. Any peace officer of this state may seize the license of any person who, according to ~~Department~~ Service Oklahoma records, is under suspension, cancellation, revocation or denial under the provisions of this title. The officer shall immediately forward the license to ~~the Department of Public Safety, Oklahoma City,~~ Service Oklahoma.

D. No person shall have a property interest in the physical driver license issued pursuant to the laws of this state. It shall be the duty of every person whose driving privilege has been suspended, canceled or revoked to immediately surrender his or her driver license upon the request of any peace officer or representative of ~~the Department~~ Service Oklahoma.

SECTION 13. AMENDATORY 47 O.S. 2021, Section 1102, as amended by Section 106, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1102), is amended to read as follows:

Section 1102. As used in the Oklahoma Vehicle License and Registration Act:

1. "All-terrain vehicle" means a vehicle manufactured and used exclusively for off-highway use traveling on four or more non-highway tires, and being fifty (50) inches or less in width;

2. "Carrying capacity" means the carrying capacity of a vehicle as determined or declared in tons of cargo or payload by the owner; provided, that such declared capacity shall not be less than the minimum tonnage capacity fixed, listed or advertised by the manufacturer of any vehicle;

3. "Certificate of title" means a document which is proof of legal ownership of a motor vehicle as described and provided for in Section 1105 of this title;

4. "Chips and oil" or the term "road oil and crushed rock" means, with respect to materials authorized for use in the surfacing of roads or highways as provided for in this title or in any equivalent statute pertaining to road or highway surfacing in the State of Oklahoma, any asphaltic materials. Wherever chips and oil or road oil and crushed rock are authorized for use in the surfacing of roads or highways in this state, whether by the Department of Transportation, or by the county commissioners, or other road building authority subject to the Oklahoma Vehicle License and

Registration Act, asphaltic materials are also authorized for use in such surfacing and construction;

5. "Combined laden weight" means the weight of a truck or station wagon and its cargo or payload transported thereon, or the weight of a truck or truck-tractor plus the weight of any trailers or semitrailers together with the cargo or payload transported thereon;

6. "Commercial trailer" means any trailer, as defined in Section 1-180 of this title, or semitrailer, as defined in Section 1-162 of this title, when such trailer or semitrailer is used primarily for business or commercial purposes;

7. "Commercial trailer dealer" means any person, firm or corporation engaged in the business of selling any new and unused, or used, or both new and used commercial trailers;

8. "Commercial vehicle" means any vehicle over eight thousand (8,000) pounds combined laden weight used primarily for business or commercial purposes. Each motor vehicle being registered pursuant to the provisions of this section shall have the name of the commercial establishment or the words "Commercial Vehicle" permanently and prominently displayed upon the outside of the vehicle in letters not less than two (2) inches high. Such letters shall be in sharp contrast to the background and shall be of sufficient shape and color as to be readily legible during daylight hours, from a distance of fifty (50) feet while the vehicle is not in motion;

9. "Commission" or "Tax Commission" means the Oklahoma Tax Commission;

10. "Construction machinery" means machines or devices drawn as trailers which are designed and used for construction, tree trimming and waste maintenance projects, which derive no revenue from the transportation of persons or property, whose use of the highway is only incidental and which are not mounted or affixed to another vehicle; provided, construction machinery shall not include implements of husbandry as defined in Section 1-125 of this title;

11. "Dealer" means any person, firm, association, corporation or trust who sells, solicits or advertises the sale of new and unused motor vehicles and holds a bona fide contract or franchise in

effect with a manufacturer or distributor of a particular make of new or unused motor vehicle or vehicles for the sale of same;

12. "Mini-truck" means a foreign-manufactured import or domestic-manufactured vehicle powered by an internal combustion engine with a piston or rotor displacement of one thousand cubic centimeters (1,000 cc) or less, which is sixty-seven (67) inches or less in width, with an unladen dry weight of three thousand four hundred (3,400) pounds or less, traveling on four or more tires, having a top speed of approximately fifty-five (55) miles per hour, equipped with a bed or compartment for hauling, and having an enclosed passenger cab;

13. "Interstate commerce" means any commerce moving between any place in a state and any place in another state or between places in the same state through another state;

14. "Laden weight" means the combined weight of a vehicle when fully equipped for use and the cargo or payload transported thereon; provided, that in no event shall the laden weight be less than the unladen weight of the vehicle fully equipped for use, plus the manufacturer's rated carrying capacity;

15. "Local authorities" means every county, municipality or local board or body having authority to adopt police regulations under the Constitution and laws of this state;

16. "Low-speed electrical vehicle" means any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R. 571.500;

17. "Manufactured home" means a residential dwelling built in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq., and rules promulgated pursuant thereto and the rules promulgated by the Oklahoma Used Motor Vehicle and Parts Commission pursuant to Section 582 of this title. Manufactured home shall not mean a park model recreational vehicle as defined in this section;

18. "Manufactured home dealer" means any person, firm or corporation engaged in the business of selling any new and unused, or used, or both new and used manufactured homes. Such information and a valid franchise letter as proof of authorization to sell any such new manufactured home product line or lines shall be attached to the application for a dealer license to sell manufactured homes. "Manufactured home dealer" shall not include any person, firm or corporation who sells or contracts for the sale of the dealer's own personally titled manufactured home or homes. No person, firm or corporation shall be considered a manufactured home dealer as to any manufactured home purchased or acquired by such person, firm or corporation for purposes other than resale; provided, that the restriction set forth in this sentence shall not prevent an otherwise qualified person, firm or corporation from utilizing a single manufactured home as a sales office;

19. "Medium-speed electrical vehicle" means any self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one (1) mile is more than thirty (30) miles per hour but not greater than thirty-five (35) miles per hour;

20. "Licensed operator" means any person ~~appointed, designated or authorized by Service Oklahoma to collect the fees and to enforce the provisions provided for in the Oklahoma Vehicle License and Registration Act~~ licensed by the Service Oklahoma Operator Board or designated or authorized to collect the fees and enforce the provisions related to the fulfillment of designated services to be rendered by Service Oklahoma;

21. "New vehicle" or "unused vehicle" means a vehicle which has been in the possession of the manufacturer, distributor or wholesaler or has been sold only by the manufacturer, distributor or wholesaler to a dealer;

22. "Nonresident" means any person who is not a resident of this state;

23. "Off-road motorcycle" means any motorcycle, as defined in Section 1-135 of this title, when such motorcycle has been manufactured for and used exclusively off roads, highways and any other paved surfaces;

24. "Owner" means any person owning, operating or possessing any vehicle herein defined;

25. "Park model recreational vehicle" means a vehicle that is:

- a. designed and marketed as temporary living quarters for camping, recreational, seasonal or travel use,
- b. not permanently affixed to real property for use as a permanent dwelling,
- c. built on a single chassis mounted on wheels with a gross trailer area not exceeding four hundred (400) square feet in the setup mode, and
- d. certified by the manufacturer as complying with standard A119.5 of the American National Standards Institute, Inc.;

26. "Person" means any individual, copartner, joint venture, association, corporation, limited liability company, estate, trust, business trust, syndicate, the State of Oklahoma, Service Oklahoma, or any county, city, municipality, school district or other political subdivision thereof, or any group or combination acting as a unit, or any receiver appointed by the state or federal court;

27. "Rebodied vehicle" means a vehicle:

- a. which has been assembled using a new body or new major component which is of the identical type as the original vehicle and is licensed by the manufacturer of the original vehicle and other original, new or reconditioned parts. For purposes of this paragraph, "new body or new major component" means a new body, cab, frame, front end clip or rear end clip,
- b. which is not a salvage, rebuilt, or junked vehicle as defined by paragraph 1, 2, or 6 of subsection A of Section 1105 of this title, and
- c. for which Service Oklahoma has assigned or will assign a new identifying number;

28. "Recreational off-highway vehicle" means a vehicle manufactured and used exclusively for off-highway use, traveling on four or more non-highway tires, and being sixty-five (65) inches or less in width;

29. "Recreational vehicle" means every vehicle which is built on or permanently attached to a self-propelled motor chassis or chassis cab which becomes an integral part of the completed vehicle and is capable of being operated on the highways. In order to qualify as a recreational vehicle pursuant to this paragraph such vehicle shall be permanently constructed and equipped for human habitation, having its own sleeping and kitchen facilities, including permanently affixed cooking facilities, water tanks and holding tank with permanent toilet facilities. Recreational vehicle shall not include manufactured homes or any vehicle with portable sleeping, toilet and kitchen facilities which are designed to be removed from such vehicle. Recreational vehicle shall include park model recreational vehicles as defined in this section;

30. "Remanufactured vehicle" means a vehicle which has been assembled by a vehicle remanufacturer using a new body and which may include original, reconditioned, or remanufactured parts, and which is not a salvage, rebuilt, or junked vehicle as defined by paragraphs 1, 2, and 6, respectively, of subsection A of Section 1105 of this title;

31. "Rental trailer" means all small or utility trailers or semitrailers constructed and suitable for towing by a passenger automobile and designed only for carrying property, when the trailers or semitrailers are owned by, or are in the possession of, any person engaged in renting or leasing such trailers or semitrailers for intrastate or interstate use or combined intrastate and interstate use;

32. "Special mobilized machinery" means special purpose machines or devices, either self-propelled or drawn as trailers or semitrailers, which derive no revenue from the transportation of persons or property, whose use of the highway is only incidental, and whose useful revenue producing service is performed at destinations in an area away from the traveled surface of an established open highway;

33. "State" means the State of Oklahoma;

34. "Station wagon" means any passenger vehicle which does not have a separate luggage compartment or trunk and which does not have open beds, and has one or more rear seats readily lifted out or folded, whether same is called a station wagon or ranch wagon;

35. "Street-legal utility vehicle" means a vehicle meeting the description and specifications of Section 1-171.1 of this title;

36. "Travel trailer" means any vehicular portable structure built on a chassis, used as a temporary dwelling for travel, recreational or vacation use, and, when factory-equipped for the road, it shall have a body width not exceeding eight (8) feet and an overall length not exceeding forty (40) feet, including the hitch or coupling;

37. "Travel trailer dealer" means any person, firm or corporation engaged in the business of selling any new and unused, or used, or both new and used travel trailers. Such information and a valid franchise letter as proof of authorization to sell any such new travel trailer product line or lines shall be attached to the application for a dealer license to sell travel trailers. "Travel trailer dealer" shall not include any person, firm or corporation who sells or contracts for the sale of his or her own personally titled travel trailer or trailers. No person, firm or corporation shall be considered as a travel trailer dealer as to any travel trailer purchased or acquired by such person, firm or corporation for purposes other than resale;

38. "Used motor vehicle dealer" means "used motor vehicle dealer" as defined in Section 581 of this title;

39. "Used vehicle" means any vehicle which has been sold, bargained, exchanged or given away, or used to the extent that it has become what is commonly known, and generally recognized, as a "secondhand" vehicle. This shall also include any vehicle other than a remanufactured vehicle, regardless of age, owned by any person who is not a dealer;

40. "Utility vehicle" means a vehicle powered by an internal combustion engine, manufactured and used exclusively for off-highway use, equipped with seating for two or more people and a steering wheel, traveling on four or more wheels;

41. "Vehicle" means any type of conveyance or device in, upon or by which a person or property is or may be transported from one location to another upon the avenues of public access within the state. "Vehicle" does not include bicycles, trailers except travel trailers and rental trailers, or implements of husbandry as defined in Section 1-125 of this title. All implements of husbandry used as conveyances shall be required to display the owner's driver license



number or license plate number of any vehicle owned by the owner of the implement of husbandry on the rear of the implement in numbers not less than two (2) inches in height. The use of the owner's Social Security number on the rear of the implement of husbandry shall not be required; and

42. "Vehicle remanufacturer" means a commercial entity which assembles remanufactured vehicles.

SECTION 14. AMENDATORY 51 O.S. 2021, Section 24A.5, as amended by Section 5, Chapter 332, O.S.L. 2023 (51 O.S. Supp. 2023, Section 24A.5), is amended to read as follows:

Section 24A.5 All records of public bodies and public officials shall be open to any person for inspection, copying, or mechanical reproduction during regular business hours; provided:

1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.30 of this title, does not apply to records specifically required by law to be kept confidential including:

- a. records protected by a state evidentiary privilege such as the attorney-client privilege, the work product immunity from discovery and the identity of informer privileges,
- b. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act,
- c. personal information within driver records as defined by the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725,
- d. information in the files of the Board of Medicolegal Investigations obtained pursuant to Sections 940 and 941 of Title 63 of the Oklahoma Statutes that may be hearsay, preliminary unsubstantiated investigation-related findings, or confidential medical information,
- e. any test forms, question banks and answer keys developed for state licensure examinations, but specifically excluding test preparation materials or study guides, or

- f. last names, addresses, social security numbers or tax identification numbers, and proof of identification submitted to the Oklahoma Lottery Commission by persons claiming a lottery prize;

2. All Social Security numbers included in a record may be confidential regardless of the person's status as a public employee or private individual and may be redacted or deleted prior to release of the record by the public body;

3. Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions; provided however, ~~the Department of Public Safety Service Oklahoma~~ shall not be required to assemble for the requesting person specific information, in any format, from driving records relating to any person whose name and date of birth or whose driver license number is not furnished by the requesting person.

The Oklahoma State Bureau of Investigation shall not be required to assemble for the requesting person any criminal history records relating to persons whose names, dates of birth, and other identifying information required by the Oklahoma State Bureau of Investigation pursuant to administrative rule are not furnished by the requesting person;

4. Any request for a record which contains individual records of persons, and the cost of copying, reproducing or certifying each individual record is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall the record copying fee exceed twenty-five cents (\$0.25) per page for records having the dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller, or a maximum of One Dollar (\$1.00) per copied page for a certified copy. However, if the request:

- a. is solely for commercial purpose, or
- b. would clearly cause excessive disruption of the essential functions of the public body,

then the public body may charge a reasonable fee to recover the direct cost of record search and copying; however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy. The fee charged by the Department of Public Safety for a copy in a computerized format of a record of the Department shall not exceed the direct cost of making the copy unless the fee for the record is otherwise set by law.

Any public body establishing fees under this act shall post a written schedule of the fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information;

5. The land description tract index of all recorded instruments concerning real property required to be kept by the county clerk of any county shall be available for inspection or copying in accordance with the provisions of the Oklahoma Open Records Act; provided, however, the index shall not be copied or mechanically reproduced for the purpose of sale of the information;

6. A public body must provide prompt, reasonable access to its records but may establish reasonable procedures which protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions. A delay in providing access to records shall be limited solely to the time required for preparing the requested documents and the avoidance of excessive disruptions of the public body's essential functions. In no event may production of a current request for records be unreasonably delayed until after completion of a prior records request that will take substantially longer than the current request. Any public body which makes the requested records available on the Internet shall

meet the obligation of providing prompt, reasonable access to its records as required by this paragraph; and

7. A public body shall designate certain persons who are authorized to release records of the public body for inspection, copying, or mechanical reproduction. At least one person shall be available at all times to release records during the regular business hours of the public body.

SECTION 15. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 12th day of March, 2024.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 15th day of April, 2024.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_