

1 **SENATE FLOOR VERSION**

2 April 4, 2023

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1837

6 By: Kerbs of the House

7 and

8 Hall of the Senate

9 [motor vehicles - responsible agency - petty cash
10 fund - commercial learner permits - repealer -
11 effective date -

12 emergency]

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

14 SECTION 1. AMENDATORY 22 O.S. 2021, Section 171.3, is
15 amended to read as follows:

16 Section 171.3 A. A law enforcement agency that has custody of
17 a person who is subject to an immigration detainer request issued by
18 the United States Immigration and Customs Enforcement shall:

19 1. Comply with, honor and fulfill any request made in the
20 immigration detainer request provided by the United States
21 Immigration and Customs Enforcement; and

22 2. Inform the person identified in the immigration detainer
23 request that he or she is being held pursuant to an immigration
24 detainer request issued by the United States Immigration and Customs
Enforcement.

1 B. A law enforcement agency shall not be required to perform a
2 duty imposed by subsection A of this section with respect to a
3 person who has provided proof that the person is a citizen of the
4 United States. Such proof may include:

5 1. An Oklahoma driver license or identification card issued by
6 ~~the Department of Public Safety~~ Service Oklahoma on or after
7 November 1, 2007; or

8 2. State- or federal government-issued identification.

9 C. As used in this section:

10 1. "Immigration detainer request" means a federal government
11 request to a local entity to maintain temporary custody of an alien,
12 including a United States Department of Homeland Security Form I-247
13 document or a similar successor form; and

14 2. "Law enforcement agency" means any state, county or
15 municipal agency or department which maintains custody of persons
16 accused of, charged with or convicted of any criminal offense. This
17 term includes, but shall not be limited to, peace officers,
18 sheriffs, deputy sheriffs, jailers, correctional officers, agents,
19 employees or contractors of a law enforcement agency.

20 SECTION 2. AMENDATORY 22 O.S. 2021, Section 471.6, as
21 amended by Section 5, Chapter 277, O.S.L. 2022 (22 O.S. Supp. 2022,
22 Section 471.6), is amended to read as follows:

23
24

1 Section 471.6 A. The drug court judge shall conduct a hearing
2 as required by subsection F of Section 471.4 of this title to
3 determine final eligibility by considering:

4 1. Whether the offender voluntarily consents to the program
5 requirements;

6 2. Whether to accept the offender based upon the findings and
7 recommendations of the drug court investigation authorized by
8 Section 471.4 of this title;

9 3. Whether there is a written plea agreement, and if so,
10 whether the terms and conditions of the written negotiated plea
11 between the district attorney, the defense attorney and the offender
12 are appropriate and consistent with the penalty provisions and
13 conditions of other similar cases;

14 4. Whether there is an appropriate treatment program available
15 to the offender and whether there is a recommended treatment plan;
16 and

17 5. Any information relevant to determining eligibility;
18 provided, however, an offender shall not be denied admittance to any
19 drug court program based upon an inability to pay court costs or
20 other costs or fees.

21 B. At the hearing to determine final eligibility for the drug
22 court program, the judge shall not grant any admission of any
23 offender to the program when:

1 1. The required treatment plan and plea agreement have not been
2 completed;

3 2. The program funding or availability of treatment has been
4 exhausted;

5 3. The treatment program or drug court team is unwilling to
6 accept the offender;

7 4. The offender does not meet the presumptive eligibility
8 criteria of the program; or

9 5. The offender is inappropriate for admission to the program,
10 in the discretion of the judge.

11 C. At the final eligibility hearing, if evidence is presented
12 that was not discovered by the drug court investigation, the
13 district attorney or the defense attorney may make an objection and
14 may ask the court to withdraw the plea agreement previously
15 negotiated. The court shall determine whether to proceed and
16 overrule the objection, to sustain the objection and transfer the
17 case for traditional criminal prosecution or to require further
18 negotiations of the plea or punishment provisions. The decision of
19 the judge for or against eligibility and admission shall be final.

20 D. When the court accepts the treatment plan with the written
21 plea agreement, the offender, upon entering the plea as agreed by
22 the parties, shall be ordered and escorted immediately into the
23 program. The offender must have voluntarily signed the necessary
24

1 court documents before the offender may be admitted to treatment.

2 The court documents shall include:

3 1. Waiver of the offender's rights to speedy trial;

4 2. A written plea agreement which sets forth the offense
5 charged, the penalty to be imposed for the offense in the event of a
6 breach of the agreement and the penalty to be imposed, if any, in
7 the event of a successful completion of the treatment program;
8 provided, however, incarceration shall be prohibited when the
9 offender completes the treatment program;

10 3. A written treatment plan which is subject to modification at
11 any time during the program; and

12 4. A written performance contract requiring the offender to
13 enter the treatment program as directed by the court and participate
14 until completion, withdrawal or removal by the court.

15 E. If admission into the drug court program is denied, the
16 criminal case shall be returned to the traditional criminal docket
17 and shall proceed as provided for any other criminal case.

18 F. At the time an offender is admitted to the drug court
19 program, any bail or undertaking on behalf of the offender shall be
20 exonerated.

21 G. The period of time during which an offender may participate
22 in the active treatment portion of the drug court program shall be
23 not less than six (6) months nor more than twenty-four (24) months
24 and may include a period of supervision not less than six (6) months

1 nor more than one (1) year following the treatment portion of the
2 program. The period of supervision may be extended by order of the
3 court for not more than six (6) months. No treatment dollars shall
4 be expended on the offender during the extended period of
5 supervision. If the court orders that the period of supervision
6 shall be extended, the drug court judge, district attorney, the
7 attorney for the offender and the supervising staff for the drug
8 court program shall evaluate the appropriateness of continued
9 supervision on a quarterly basis. All participating treatment
10 providers shall be certified by the Department of Mental Health and
11 Substance Abuse Services and shall be selected and evaluated for
12 performance-based effectiveness annually by the Department of Mental
13 Health and Substance Abuse Services. Treatment programs shall be
14 designed to be completed within twelve (12) months and shall have
15 relapse prevention and evaluation components.

16 H. The drug court judge shall order the offender to pay court
17 costs, treatment costs, drug testing costs, a program user fee not
18 to exceed Twenty Dollars (\$20.00) per month and necessary
19 supervision fees, unless the offender is indigent. The drug court
20 judge shall establish a schedule for the payment of costs and fees.
21 The cost for treatment, drug testing and supervision shall be set by
22 the treatment and supervision providers respectively and made part
23 of the court's order for payment. User fees shall be set by the
24 drug court judge within the maximum amount authorized by this

1 subsection and payable directly to the court clerk for the benefit
2 and administration of the drug court program. Treatment, drug
3 testing and supervision costs shall be paid to the respective
4 providers. The court clerk shall collect all other costs and fees
5 ordered and deposit such costs and fees with the county treasurer in
6 a drug court fund created and administered pursuant to subsection I
7 of Section 471.1 of this title. The remaining user fees shall be
8 remitted to the State Treasurer by the court clerk for deposit in
9 the Department of Mental Health and Substance Abuse Services' Drug
10 Abuse Education and Treatment Revolving Fund established pursuant to
11 Section 2-503.2 of Title 63 of the Oklahoma Statutes. Court orders
12 for costs and fees pursuant to this subsection shall not be limited
13 for purposes of collection to the maximum term of imprisonment for
14 which the offender could have been imprisoned for the offense, nor
15 shall any court order for costs and fees be limited by any term of
16 probation, parole, supervision, treatment or extension thereof.
17 Court orders for costs and fees shall remain an obligation of the
18 offender until fully paid; provided, however, once the offender has
19 successfully completed the drug court program, the drug court judge
20 shall have the discretion to expressly waive all or part of the
21 costs and fees provided for in this subsection if, in the opinion of
22 the drug court judge, continued payment of the costs and fees by the
23 offender would create a financial hardship for the offender.
24 Offenders who have not fully paid all costs and fees pursuant to

1 court order but who have otherwise successfully completed the drug
2 court program shall not be counted as an active drug court
3 participant for purposes of drug court contracts or program
4 participant numbers.

5 I. Notwithstanding any other provision of law, if the driving
6 privileges of the offender have been suspended, revoked, canceled or
7 denied by ~~the Department of Public Safety~~ Service Oklahoma and if
8 the drug court judge determines that no other means of
9 transportation for the offender is available, the drug court judge
10 may enter a written order requiring ~~the Department of Public Safety~~
11 Service Oklahoma to stay any and all such actions against the Class
12 D driving privileges of the offender; provided, the stay shall not
13 be construed to grant driving privileges to an offender who has not
14 been issued a driver license by ~~the Department~~ Service Oklahoma or
15 whose Oklahoma driver license has expired, in which case the
16 offender shall be required to apply for and be found eligible for a
17 driver license, pass all examinations, if applicable, and pay all
18 statutory driver license issuance or renewal fees. The offender
19 shall provide proof of insurance to the drug court judge prior to
20 the judge ordering a stay of any driver license suspension,
21 revocation, cancellation or denial. When a judge of a drug court
22 enters a stay against an order by ~~the Department of Public Safety~~
23 Service Oklahoma suspending or revoking the driving privileges of an
24 offender, the time period set in the order by ~~the Department~~ Service

1 Oklahoma for the suspension or revocation shall continue to run
2 during the stay. When an offender has successfully completed the
3 drug court program, the drug court judge shall maintain jurisdiction
4 over the offender's driving privileges for one (1) year after the
5 date on which the offender graduates from the drug court program.

6 SECTION 3. AMENDATORY 22 O.S. 2021, Section 983, as
7 amended by Section 5, Chapter 350, O.S.L. 2022 (22 O.S. Supp. 2022,
8 Section 983), is amended to read as follows:

9 Section 983. A. 1. Except in cases provided for in Section
10 983b of this title, when the judgment and sentence of a court,
11 either in whole or in part, imposes fines, costs, fees, or
12 assessments upon a defendant, the court at the time of sentencing
13 shall require the defendant to complete under oath a form
14 promulgated by the Court of Criminal Appeals that provides current
15 information regarding the financial ability of the defendant to pay.

16 2. The information to be required on the form shall include,
17 but not be limited to, the individual and household income and
18 living expenses of the defendant, excluding child support and any
19 monies received from a federal or state government need-based or
20 disability assistance program, the number of dependents, a listing
21 of assets, excluding assets exempt from bankruptcy, child support
22 obligations, health, mental or behavioral health conditions that
23 diminish the ability of the defendant to pay restitution, and
24 additional court-related expenses to be paid by the defendant.

1 3. For purposes of this section, fines, costs, fees, and
2 assessments shall include all financial obligations imposed by the
3 court or required by law to be paid, excluding restitution or
4 payments to be made other than to the court clerk, and shall be
5 referred to as financial obligations.

6 B. 1. The court shall order the defendant to appear
7 immediately after sentencing at the office of the court clerk who
8 shall inform the defendant of the total amount of all financial
9 obligations that have been ordered by the court. If the defendant
10 states to the court clerk that he or she is unable to pay the
11 financial obligations immediately, the court clerk, based on the
12 verified information provided by the defendant, shall establish,
13 subject to approval of the court, a monthly installment plan that
14 will cause the financial obligations to be satisfied within no more
15 than seventy-two (72) months, unless extended by the court.

16 2. The court clerk shall advise the defendant orally and by
17 delivery of a form promulgated by the Court of Criminal Appeals,
18 that:

19 a. it is the obligation of the defendant to keep the
20 court clerk informed of the contact information of the
21 defendant until the financial obligations have been
22 paid. Such information shall include the current
23 mailing and physical addresses of the defendant,
24 telephone or cellular phone number of the defendant,

1 and the email address where the defendant may receive
2 notice from the court,

3 b. if the defendant is unable to pay the financial
4 obligations ordered by the court immediately or in the
5 installments recommended by the court clerk, the
6 defendant may request a cost hearing for the court to
7 determine the ability of the defendant to pay the
8 amount due and to request modification of the
9 installment plan, a reduction in the amount owed, or
10 waiver of payment of the amount owed, and

11 c. upon any subsequent change in circumstances affecting
12 the ability of the defendant to pay, the defendant may
13 contact the court clerk and request additional cost
14 hearings before the court.

15 3. An order shall be filed in the case with the approval or
16 disapproval by the court of the payment plan. If the court does not
17 approve the payment plan recommended by the court clerk, the court
18 shall enter its order establishing the payment plan. The defendant
19 shall be notified by certified mail or personal service of the order
20 entered by the court and shall be given the opportunity for a cost
21 hearing.

22 4. The district court for each county and all municipal courts
23 shall set a regular time and courtroom for cost hearings.
24

1 C. If the defendant requests a cost hearing, the court clerk
2 shall set the hearing no later than sixty (60) days after
3 sentencing. In determining the ability of the defendant to pay, the
4 court shall rely on the verified information submitted by the
5 defendant on the form promulgated by the Court of Criminal Appeals
6 and any updates to the information. In addition, the court may make
7 inquiry of the defendant and consider any other evidence or
8 testimony concerning the ability of the defendant to pay.

9 D. 1. If at the initial cost hearing or any subsequent cost
10 hearing, the court determines that the defendant is unable to
11 immediately pay the financial obligations or the required
12 installments, the court may reduce the amount of the installments,
13 extend the payment plan beyond seventy-two (72) months, or waive
14 payment of all or part of the amount owed. The court may include a
15 financial incentive for accelerated payment. Additionally, the
16 court may order community service in lieu of payment. The defendant
17 shall receive credit for no less than two times the amount of the
18 minimum wage specified pursuant to state law for each hour of
19 community service.

20 2. If at any time due to a change in conditions the defendant
21 is unable to pay the financial obligations ordered by the court or
22 any installment, the defendant may request an additional cost
23 hearing.

24

1 E. If the court determines that a waiver of any of the
2 financial obligations is warranted, the court shall equally apply
3 the same percentage reduction to all fines, costs, fees, and
4 assessments, excluding restitution.

5 F. 1. If a defendant is delinquent in the payment of financial
6 obligations or an installment by more than sixty (60) days, the
7 court clerk shall notify the court which shall, within ten (10) days
8 thereafter, set a cost hearing for the court to determine if the
9 defendant is able to pay. The hearing shall be set on a date that
10 will allow the court clerk to issue a summons fourteen (14) days
11 prior to the cost hearing.

12 2. No less than fourteen (14) days prior to the cost hearing,
13 the court clerk shall issue one summons to the defendant to be
14 served by United States mail to the mailing address of the defendant
15 on file in the case, substantially as follows:

16 SUMMONS

17 You are ORDERED to appear for a cost hearing at a specified time,
18 place, and date to determine if you are financially able but
19 willfully refuse or neglect to pay the fines, costs, fees, or
20 assessments or an installment due in Case No. _____.

21 You must be present at the hearing.

22 At any time before the date of the cost hearing, you may contact the
23 court clerk and pay the fines, costs, fees, or assessments or any
24 installment due.

1 THIS IS NOT AN ARREST WARRANT. However, if you fail to appear for
2 the cost hearing or to make the payment, the court will issue a
3 WARRANT for "FAILURE TO APPEAR-COST HEARING" and refer the case to a
4 court cost compliance liaison which will cause an additional thirty
5 percent (30%) administrative fee to be added to the amount owed.

6 3. If the defendant fails to appear at the cost hearing or pay
7 the amount due the court shall issue a warrant for FAILURE TO
8 APPEAR-COST HEARING and refer the case to the court cost compliance
9 program as provided in subsection K of this section.

10 4. Municipal courts, in lieu of mailing the summons provided
11 for in this subsection, may give the defendant personal notice at
12 the time of sentencing of a specific date, time, and place, not less
13 than sixty (60) nor more than one hundred twenty (120) days from the
14 date of sentencing to appear for a cost hearing if the fines, costs,
15 fees, and assessments remain unpaid.

16 G. If a defendant is found by a law enforcement officer to have
17 an outstanding warrant for FAILURE TO APPEAR-COST HEARING, the law
18 enforcement officer shall release the defendant and issue a citation
19 to appear pursuant to Section 209 of this title. If the defendant
20 fails to appear at the time and place cited by the law enforcement
21 officer, the court may issue a summons or warrant as provided in
22 Section 209 of this title. The provisions of this subsection shall
23 not apply to a municipal court if the municipal court has previously
24

1 provided personal service to the defendant of an opportunity for a
2 cost hearing.

3 H. In determining whether the defendant is able to pay
4 delinquent financial obligations or any installments due, the court
5 shall consider the criteria provided in subsection C of this
6 section.

7 I. Any defendant found guilty of an offense in any court of
8 this state may be imprisoned for nonpayment of his or her financial
9 obligations when the court finds after notice and hearing that the
10 defendant is financially able but willfully refuses or neglects to
11 pay the financial obligations owed. A sentence to pay a fine, cost,
12 fee, or assessment may be converted into a jail sentence only after
13 a hearing and a judicial determination, memorialized of record, that
14 the defendant is able to satisfy the fine, cost, fee, or assessment
15 by payment, but refuses or neglects so to do.

16 J. In addition, the district court or municipal court, within
17 one hundred twenty (120) days from the date upon which the person
18 was originally ordered to make payment, and if the court finds and
19 memorializes into the record that the defendant is financially able
20 but willfully refuses to or neglects to pay the fines, costs, fees,
21 or assessments, or an installment due, may send notice of nonpayment
22 of any court ordered fine and costs for a moving traffic violation
23 to ~~the Department of Public Safety~~ Service Oklahoma with a
24 recommendation of suspension of driving privileges of the defendant

1 until the total amount of any fine and costs has been paid. Upon
2 receipt of payment of the total amount of the fine and costs for the
3 moving traffic violation, the court shall send notice thereof to ~~the~~
4 ~~Department~~ Service Oklahoma, if a nonpayment notice was sent as
5 provided for in this subsection. Notices sent to ~~the Department~~
6 Service Oklahoma shall be on forms or by a method approved by ~~the~~
7 ~~Department~~ Service Oklahoma.

8 K. All counties of the state shall fully utilize and
9 participate in the court cost compliance program. Cases shall be
10 referred to the court cost compliance program not less than thirty
11 (30) days nor more than sixty (60) days after the defendant fails to
12 appear for a cost hearing unless the defendant pays the amount owed
13 on the financial obligation, or an installment due. When the court
14 refers the case, the updated contact information on file shall be
15 forwarded to a court cost compliance liaison for collection
16 purposes.

17 L. The Court of Criminal Appeals shall implement procedures,
18 forms, and rules consistent with the provisions of this section for
19 methods of establishing payment plans of fines, costs, fees, and
20 assessments by indigents, which procedures, forms, and rules shall
21 be distributed to all district courts and municipal courts by the
22 Administrative Office of the Courts.

23 SECTION 4. AMENDATORY 22 O.S. 2021, Section 991a, is
24 amended to read as follows:

1 Section 991a. A. Except as otherwise provided in the Elderly
2 and Incapacitated Victim's Protection Program, when a defendant is
3 convicted of a crime and no death sentence is imposed, the court
4 shall either:

5 1. Suspend the execution of sentence in whole or in part, with
6 or without probation. The court, in addition, may order the
7 convicted defendant at the time of sentencing or at any time during
8 the suspended sentence to do one or more of the following:

9 a. to provide restitution to the victim as provided by
10 Section 991f et seq. of this title or according to a
11 schedule of payments established by the sentencing
12 court, together with interest upon any pecuniary sum
13 at the rate of twelve percent (12%) per annum, if the
14 defendant agrees to pay such restitution or, in the
15 opinion of the court, if the defendant is able to pay
16 such restitution without imposing manifest hardship on
17 the defendant or the immediate family and if the
18 extent of the damage to the victim is determinable
19 with reasonable certainty,

20 b. to reimburse any state agency for amounts paid by the
21 state agency for hospital and medical expenses
22 incurred by the victim or victims, as a result of the
23 criminal act for which such person was convicted,
24 which reimbursement shall be made directly to the

1 state agency, with interest accruing thereon at the
2 rate of twelve percent (12%) per annum,

3 c. to engage in a term of community service without
4 compensation, according to a schedule consistent with
5 the employment and family responsibilities of the
6 person convicted,

7 d. to pay a reasonable sum into any trust fund
8 established pursuant to the provisions of Sections 176
9 through 180.4 of Title 60 of the Oklahoma Statutes and
10 which provides restitution payments by convicted
11 defendants to victims of crimes committed within this
12 state wherein such victim has incurred a financial
13 loss,

14 e. to confinement in the county jail for a period not to
15 exceed six (6) months,

16 f. to confinement as provided by law together with a term
17 of post-imprisonment community supervision for not
18 less than three (3) years of the total term allowed by
19 law for imprisonment, with or without restitution;
20 provided, however, the authority of this provision is
21 limited to Section 843.5 of Title 21 of the Oklahoma
22 Statutes when the offense involved sexual abuse or
23 sexual exploitation; Sections 681, 741 and 843.1 of
24 Title 21 of the Oklahoma Statutes when the offense

1 involved sexual abuse or sexual exploitation; and
2 Sections 865 et seq., 885, 886, 888, 891, 1021,
3 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1115 and
4 1123 of Title 21 of the Oklahoma Statutes,

5 g. to repay the reward or part of the reward paid by a
6 local certified crime stoppers program and the
7 Oklahoma Reward System. In determining whether the
8 defendant shall repay the reward or part of the
9 reward, the court shall consider the ability of the
10 defendant to make the payment, the financial hardship
11 on the defendant to make the required payment and the
12 importance of the information to the prosecution of
13 the defendant as provided by the arresting officer or
14 the district attorney with due regard for the
15 confidentiality of the records of the local certified
16 crime stoppers program and the Oklahoma Reward System.
17 The court shall assess this repayment against the
18 defendant as a cost of prosecution. The term
19 "certified" means crime stoppers organizations that
20 annually meet the certification standards for crime
21 stoppers programs established by the Oklahoma Crime
22 Stoppers Association to the extent those standards do
23 not conflict with state statutes. The term "court"
24 refers to all municipal and district courts within

1 this state. The "Oklahoma Reward System" means the
2 reward program established by Section 150.18 of Title
3 74 of the Oklahoma Statutes,

4 h. to reimburse the Oklahoma State Bureau of
5 Investigation for costs incurred by that agency during
6 its investigation of the crime for which the defendant
7 pleaded guilty, nolo contendere or was convicted
8 including compensation for laboratory, technical or
9 investigation services performed by the Bureau if, in
10 the opinion of the court, the defendant is able to pay
11 without imposing manifest hardship on the defendant,
12 and if the costs incurred by the Bureau during the
13 investigation of the defendant's case may be
14 determined with reasonable certainty,

15 i. to reimburse the Oklahoma State Bureau of
16 Investigation and any authorized law enforcement
17 agency for all costs incurred by that agency for
18 cleaning up an illegal drug laboratory site for which
19 the defendant pleaded guilty, nolo contendere or was
20 convicted. The court clerk shall collect the amount
21 and may retain five percent (5%) of such monies to be
22 deposited in the Court Clerk's Revolving Fund to cover
23 administrative costs and shall remit the remainder to
24 the Oklahoma State Bureau of Investigation to be

1 deposited in the OSBI Revolving Fund established by
2 Section 150.19a of Title 74 of the Oklahoma Statutes
3 or to the general fund wherein the other law
4 enforcement agency is located,

5 j. to pay a reasonable sum to the Crime Victims
6 Compensation Board, created by Section 142.2 et seq.
7 of Title 21 of the Oklahoma Statutes, for the benefit
8 of crime victims,

9 k. to reimburse the court fund for amounts paid to court-
10 appointed attorneys for representing the defendant in
11 the case in which the person is being sentenced,

12 l. to participate in an assessment and evaluation by an
13 assessment agency or assessment personnel certified by
14 the Department of Mental Health and Substance Abuse
15 Services pursuant to Section 3-460 of Title 43A of the
16 Oklahoma Statutes and, as determined by the
17 assessment, participate in an alcohol and drug
18 substance abuse course or treatment program or both,
19 pursuant to Sections 3-452 and 3-453 of Title 43A of
20 the Oklahoma Statutes, or as ordered by the court,

21 m. to be placed in a victims impact panel program, as
22 defined in subsection H of this section, or
23 victim/offender reconciliation program and payment of
24 a fee to the program of Seventy-five Dollars (\$75.00)

1 as set by the governing authority of the program to
2 offset the cost of participation by the defendant.
3 Provided, each victim/offender reconciliation program
4 shall be required to obtain a written consent form
5 voluntarily signed by the victim and defendant that
6 specifies the methods to be used to resolve the
7 issues, the obligations and rights of each person and
8 the confidentiality of the proceedings. Volunteer
9 mediators and employees of a victim/offender
10 reconciliation program shall be immune from liability
11 and have rights of confidentiality as provided in
12 Section 1805 of Title 12 of the Oklahoma Statutes,
13 n. to install, at the expense of the defendant, an
14 ignition interlock device approved by the Board of
15 Tests for Alcohol and Drug Influence. The device
16 shall be installed upon every motor vehicle operated
17 by the defendant, and the court shall require that a
18 notation of this restriction be affixed to the
19 defendant's driver license. The restriction shall
20 remain on the driver license not exceeding two (2)
21 years to be determined by the court. The restriction
22 may be modified or removed only by order of the court
23 and notice of any modification order shall be given to
24 ~~the Department of Public Safety~~ Service Oklahoma.

1 Upon the expiration of the period for the restriction,
2 ~~the Department of Public Safety~~ Service Oklahoma shall
3 remove the restriction without further court order.
4 Failure to comply with the order to install an
5 ignition interlock device or operating any vehicle
6 without a device during the period of restriction
7 shall be a violation of the sentence and may be
8 punished as deemed proper by the sentencing court. As
9 used in this paragraph, "ignition interlock device"
10 means a device that, without tampering or intervention
11 by another person, would prevent the defendant from
12 operating a motor vehicle if the defendant has a blood
13 or breath alcohol concentration of two-hundredths
14 (0.02) or greater,
15 o. to be confined by electronic monitoring administered
16 and supervised by the Department of Corrections or a
17 community sentence provider, and payment of a
18 monitoring fee to the supervising authority, not to
19 exceed Three Hundred Dollars (\$300.00) per month. Any
20 fees collected pursuant to this subparagraph shall be
21 deposited with the appropriate supervising authority.
22 Any willful violation of an order of the court for the
23 payment of the monitoring fee shall be a violation of
24 the sentence and may be punished as deemed proper by

1 the sentencing court. As used in this paragraph,
2 "electronic monitoring" means confinement of the
3 defendant within a specified location or locations
4 with supervision by means of an electronic device
5 approved by the Department of Corrections which is
6 designed to detect if the defendant is in the court-
7 ordered location at the required times and which
8 records violations for investigation by a qualified
9 supervisory agency or person,

10 p. to perform one or more courses of treatment, education
11 or rehabilitation for any conditions, behaviors,
12 deficiencies or disorders which may contribute to
13 criminal conduct including but not limited to alcohol
14 and substance abuse, mental health, emotional health,
15 physical health, propensity for violence, antisocial
16 behavior, personality or attitudes, deviant sexual
17 behavior, child development, parenting assistance, job
18 skills, vocational-technical skills, domestic
19 relations, literacy, education or any other
20 identifiable deficiency which may be treated
21 appropriately in the community and for which a
22 certified provider or a program recognized by the
23 court as having significant positive impact exists in
24 the community. Any treatment, education or

- 1 rehabilitation provider required to be certified
2 pursuant to law or rule shall be certified by the
3 appropriate state agency or a national organization,
- 4 q. to submit to periodic testing for alcohol,
5 intoxicating substance or controlled dangerous
6 substances by a qualified laboratory,
- 7 r. to pay a fee or costs for treatment, education,
8 supervision, participation in a program or any
9 combination thereof as determined by the court, based
10 upon the defendant's ability to pay the fees or costs,
- 11 s. to be supervised by a Department of Corrections
12 employee, a private supervision provider or other
13 person designated by the court,
- 14 t. to obtain positive behavior modeling by a trained
15 mentor,
- 16 u. to serve a term of confinement in a restrictive
17 housing facility available in the community,
- 18 v. to serve a term of confinement in the county jail at
19 night or during weekends pursuant to Section 991a-2 of
20 this title or for work release,
- 21 w. to obtain employment or participate in employment-
22 related activities,
- 23 x. to participate in mandatory day reporting to
24 facilities or persons for services, payments, duties

1 or person-to-person contacts as specified by the
2 court,

3 y. to pay day fines not to exceed fifty percent (50%) of
4 the net wages earned. For purposes of this paragraph,
5 "day fine" means the offender is ordered to pay an
6 amount calculated as a percentage of net daily wages
7 earned. The day fine shall be paid to the local
8 community sentencing system as reparation to the
9 community. Day fines shall be used to support the
10 local system,

11 z. to submit to blood or saliva testing as required by
12 subsection I of this section,

13 aa. to repair or restore property damaged by the
14 defendant's conduct, if the court determines the
15 defendant possesses sufficient skill to repair or
16 restore the property and the victim consents to the
17 repairing or restoring of the property,

18 bb. to restore damaged property in kind or payment of out-
19 of-pocket expenses to the victim, if the court is able
20 to determine the actual out-of-pocket expenses
21 suffered by the victim,

22 cc. to attend a victim-offender reconciliation program if
23 the victim agrees to participate and the offender is
24 deemed appropriate for participation,

1 dd. in the case of a person convicted of prostitution
2 pursuant to Section 1029 of Title 21 of the Oklahoma
3 Statutes, require such person to receive counseling
4 for the behavior which may have caused such person to
5 engage in prostitution activities. Such person may be
6 required to receive counseling in areas including but
7 not limited to alcohol and substance abuse, sexual
8 behavior problems or domestic abuse or child abuse
9 problems,

10 ee. in the case of a sex offender sentenced after November
11 1, 1989, and required by law to register pursuant to
12 the Sex Offender Registration Act, the court shall
13 require the person to comply with sex offender
14 specific rules and conditions of supervision
15 established by the Department of Corrections and
16 require the person to participate in a treatment
17 program designed for the treatment of sex offenders
18 during the period of time while the offender is
19 subject to supervision by the Department of
20 Corrections. The treatment program shall include
21 polygraph examinations specifically designed for use
22 with sex offenders for purposes of supervision and
23 treatment compliance, and shall be administered not
24 less than each six (6) months during the period of

1 supervision. The examination shall be administered by
2 a certified licensed polygraph examiner. The
3 treatment program must be approved by the Department
4 of Corrections or the Department of Mental Health and
5 Substance Abuse Services. Such treatment shall be at
6 the expense of the defendant based on the defendant's
7 ability to pay,

8 ff. in addition to other sentencing powers of the court,
9 the court in the case of a defendant being sentenced
10 for a felony conviction for a violation of Section 2-
11 402 of Title 63 of the Oklahoma Statutes which
12 involves marijuana may require the person to
13 participate in a drug court program, if available. If
14 a drug court program is not available, the defendant
15 may be required to participate in a community
16 sanctions program, if available,

17 gg. in the case of a person convicted of any false or
18 bogus check violation, as defined in Section 1541.4 of
19 Title 21 of the Oklahoma Statutes, impose a fee of
20 Twenty-five Dollars (\$25.00) to the victim for each
21 check, and impose a bogus check fee to be paid to the
22 district attorney. The bogus check fee paid to the
23 district attorney shall be equal to the amount
24 assessed as court costs plus Twenty-five Dollars

1 (\$25.00) for each check upon filing of the case in
2 district court. This money shall be deposited in the
3 Bogus Check Restitution Program Fund as established in
4 subsection B of Section 114 of this title.

5 Additionally, the court may require the offender to
6 pay restitution and bogus check fees on any other
7 bogus check or checks that have been submitted to the
8 Bogus Check Restitution Program, and

9 hh. any other provision specifically ordered by the court.

10 However, any such order for restitution, community service,
11 payment to a local certified crime stoppers program, payment to the
12 Oklahoma Reward System or confinement in the county jail, or a
13 combination thereof, shall be made in conjunction with probation and
14 shall be made a condition of the suspended sentence.

15 However, unless under the supervision of the district attorney,
16 the offender shall be required to pay Forty Dollars (\$40.00) per
17 month to the district attorney during the first two (2) years of
18 probation to compensate the district attorney for the costs incurred
19 during the prosecution of the offender and for the additional work
20 of verifying the compliance of the offender with the rules and
21 conditions of his or her probation. The district attorney may waive
22 any part of this requirement in the best interests of justice. The
23 court shall not waive, suspend, defer or dismiss the costs of
24 prosecution in its entirety. However, if the court determines that

1 a reduction in the fine, costs and costs of prosecution is
2 warranted, the court shall equally apply the same percentage
3 reduction to the fine, costs and costs of prosecution owed by the
4 offender;

5 2. Impose a fine prescribed by law for the offense, with or
6 without probation or commitment and with or without restitution or
7 service as provided for in this section, Section 991a-4.1 of this
8 title or Section 227 of Title 57 of the Oklahoma Statutes;

9 3. Commit such person for confinement provided for by law with
10 or without restitution as provided for in this section;

11 4. Order the defendant to reimburse the Oklahoma State Bureau
12 of Investigation for costs incurred by that agency during its
13 investigation of the crime for which the defendant pleaded guilty,
14 nolo contendere or was convicted including compensation for
15 laboratory, technical or investigation services performed by the
16 Bureau if, in the opinion of the court, the defendant is able to pay
17 without imposing manifest hardship on the defendant, and if the
18 costs incurred by the Bureau during the investigation of the
19 defendant's case may be determined with reasonable certainty;

20 5. Order the defendant to reimburse the Oklahoma State Bureau
21 of Investigation for all costs incurred by that agency for cleaning
22 up an illegal drug laboratory site for which the defendant pleaded
23 guilty, nolo contendere or was convicted. The court clerk shall
24 collect the amount and may retain five percent (5%) of such monies

1 to be deposited in the Court Clerk's Revolving Fund to cover
2 administrative costs and shall remit the remainder to the Oklahoma
3 State Bureau of Investigation to be deposited in the OSBI Revolving
4 Fund established by Section 150.19a of Title 74 of the Oklahoma
5 Statutes;

6 6. In the case of nonviolent felony offenses, sentence such
7 person to the Community Service Sentencing Program;

8 7. In addition to the other sentencing powers of the court, in
9 the case of a person convicted of operating or being in control of a
10 motor vehicle while the person was under the influence of alcohol,
11 other intoxicating substance or a combination of alcohol or another
12 intoxicating substance, or convicted of operating a motor vehicle
13 while the ability of the person to operate such vehicle was impaired
14 due to the consumption of alcohol, require such person:

15 a. to participate in an alcohol and drug assessment and
16 evaluation by an assessment agency or assessment
17 personnel certified by the Department of Mental Health
18 and Substance Abuse Services pursuant to Section 3-460
19 of Title 43A of the Oklahoma Statutes and, as
20 determined by the assessment, participate in an
21 alcohol and drug substance abuse course or treatment
22 program or both, pursuant to Sections 3-452 and 3-453
23 of Title 43A of the Oklahoma Statutes,
24

- 1 b. to attend a victims impact panel program, as defined
2 in subsection H of this section, and to pay a fee of
3 Seventy-five Dollars (\$75.00) as set by the governing
4 authority of the program and approved by the court, to
5 the program to offset the cost of participation by the
6 defendant, if in the opinion of the court the
7 defendant has the ability to pay such fee,
- 8 c. to both participate in the alcohol and drug substance
9 abuse course or treatment program, pursuant to
10 subparagraph a of this paragraph and attend a victims
11 impact panel program, pursuant to subparagraph b of
12 this paragraph,
- 13 d. to install, at the expense of the person, an ignition
14 interlock device approved by the Board of Tests for
15 Alcohol and Drug Influence, upon every motor vehicle
16 operated by such person and to require that a notation
17 of this restriction be affixed to the person's driver
18 license at the time of reinstatement of the license.
19 The restriction shall remain on the driver license for
20 such period as the court shall determine. The
21 restriction may be modified or removed by order of the
22 court and notice of the order shall be given to ~~the~~
23 ~~Department of Public Safety~~ Service Oklahoma. Upon
24 the expiration of the period for the restriction, ~~the~~

1 ~~Department of Public Safety~~ Service Oklahoma shall
2 remove the restriction without further court order.
3 Failure to comply with the order to install an
4 ignition interlock device or operating any vehicle
5 without such device during the period of restriction
6 shall be a violation of the sentence and may be
7 punished as deemed proper by the sentencing court, or
8 e. beginning January 1, 1993, to submit to electronically
9 monitored home detention administered and supervised
10 by the Department of Corrections, and to pay to the
11 Department a monitoring fee, not to exceed Seventy-
12 five Dollars (\$75.00) a month, to the Department of
13 Corrections, if in the opinion of the court the
14 defendant has the ability to pay such fee. Any fees
15 collected pursuant to this subparagraph shall be
16 deposited in the Department of Corrections Revolving
17 Fund. Any order by the court for the payment of the
18 monitoring fee, if willfully disobeyed, may be
19 enforced as an indirect contempt of court;

20 8. In addition to the other sentencing powers of the court, in
21 the case of a person convicted of prostitution pursuant to Section
22 1029 of Title 21 of the Oklahoma Statutes, require such person to
23 receive counseling for the behavior which may have caused such
24 person to engage in prostitution activities. Such person may be

1 required to receive counseling in areas including but not limited to
2 alcohol and substance abuse, sexual behavior problems or domestic
3 abuse or child abuse problems;

4 9. In addition to the other sentencing powers of the court, in
5 the case of a person convicted of any crime related to domestic
6 abuse, as defined in Section 60.1 of this title, the court may
7 require the defendant to undergo the treatment or participate in the
8 counseling services necessary to bring about the cessation of
9 domestic abuse against the victim. The defendant may be required to
10 pay all or part of the cost of the treatment or counseling services;

11 10. In addition to the other sentencing powers of the court,
12 the court, in the case of a sex offender sentenced after November 1,
13 1989, and required by law to register pursuant to the Sex Offenders
14 Registration Act, shall require the defendant to participate in a
15 treatment program designed specifically for the treatment of sex
16 offenders, if available. The treatment program will include
17 polygraph examinations specifically designed for use with sex
18 offenders for the purpose of supervision and treatment compliance,
19 provided the examination is administered by a certified licensed
20 polygraph examiner. The treatment program must be approved by the
21 Department of Corrections or the Department of Mental Health and
22 Substance Abuse Services. Such treatment shall be at the expense of
23 the defendant based on the ability of the defendant to pay;

24

1 11. In addition to the other sentencing powers of the court,
2 the court, in the case of a person convicted of abuse or neglect of
3 a child, as defined in Section 1-1-105 of Title 10A of the Oklahoma
4 Statutes, may require the person to undergo treatment or to
5 participate in counseling services. The defendant may be required
6 to pay all or part of the cost of the treatment or counseling
7 services;

8 12. In addition to the other sentencing powers of the court,
9 the court, in the case of a person convicted of cruelty to animals
10 pursuant to Section 1685 of Title 21 of the Oklahoma Statutes, may
11 require the person to pay restitution to animal facilities for
12 medical care and any boarding costs of victimized animals;

13 13. In addition to the other sentencing powers of the court, a
14 sex offender who is habitual or aggravated as defined by Section 584
15 of Title 57 of the Oklahoma Statutes and who is required to register
16 as a sex offender pursuant to the Sex Offenders Registration Act
17 shall be supervised by the Department of Corrections for the
18 duration of the registration period and shall be assigned to a
19 global position monitoring device by the Department of Corrections
20 for the duration of the registration period. The cost of such
21 monitoring device shall be reimbursed by the offender;

22 14. In addition to the other sentencing powers of the court, in
23 the case of a sex offender who is required by law to register
24 pursuant to the Sex Offenders Registration Act, the court may

1 prohibit the person from accessing or using any Internet social
2 networking website that has the potential or likelihood of allowing
3 the sex offender to have contact with any child who is under the age
4 of eighteen (18) years;

5 15. In addition to the other sentencing powers of the court, in
6 the case of a sex offender who is required by law to register
7 pursuant to the Sex Offenders Registration Act, the court shall
8 require the person to register any electronic mail address
9 information, instant message, chat or other Internet communication
10 name or identity information that the person uses or intends to use
11 while accessing the Internet or used for other purposes of social
12 networking or other similar Internet communication; or

13 16. In addition to the other sentencing powers of the court,
14 and pursuant to the terms and conditions of a written plea
15 agreement, the court may prohibit the defendant from entering,
16 visiting or residing within the judicial district in which the
17 defendant was convicted until after completion of his or her
18 sentence; provided, however, the court shall ensure that the
19 defendant has access to those services or programs for which the
20 defendant is required to participate as a condition of probation.
21 When seeking to enter the prohibited judicial district for personal
22 business not related to his or her criminal case, the defendant
23 shall be required to obtain approval by the court.

24

1 B. Notwithstanding any other provision of law, any person who
2 is found guilty of a violation of any provision of Section 761 or
3 11-902 of Title 47 of the Oklahoma Statutes or any person pleading
4 guilty or nolo contendere for a violation of any provision of such
5 sections shall be ordered to participate in, prior to sentencing, an
6 alcohol and drug assessment and evaluation by an assessment agency
7 or assessment personnel certified by the Department of Mental Health
8 and Substance Abuse Services for the purpose of evaluating the
9 receptivity to treatment and prognosis of the person. The court
10 shall order the person to reimburse the agency or assessor for the
11 evaluation. The fee shall be the amount provided in subsection C of
12 Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation
13 shall be conducted at a certified assessment agency, the office of a
14 certified assessor or at another location as ordered by the court.
15 The agency or assessor shall, within seventy-two (72) hours from the
16 time the person is assessed, submit a written report to the court
17 for the purpose of assisting the court in its final sentencing
18 determination. No person, agency or facility operating an alcohol
19 and drug substance abuse evaluation program certified by the
20 Department of Mental Health and Substance Abuse Services shall
21 solicit or refer any person evaluated pursuant to this subsection
22 for any treatment program or alcohol and drug substance abuse
23 service in which such person, agency or facility has a vested
24 interest; however, this provision shall not be construed to prohibit

1 the court from ordering participation in or any person from
2 voluntarily utilizing a treatment program or alcohol and drug
3 substance abuse service offered by such person, agency or facility.
4 If a person is sentenced to the custody of the Department of
5 Corrections and the court has received a written evaluation report
6 pursuant to this subsection, the report shall be furnished to the
7 Department of Corrections with the judgment and sentence. Any
8 evaluation report submitted to the court pursuant to this subsection
9 shall be handled in a manner which will keep such report
10 confidential from the general public's review. Nothing contained in
11 this subsection shall be construed to prohibit the court from
12 ordering judgment and sentence in the event the defendant fails or
13 refuses to comply with an order of the court to obtain the
14 evaluation required by this subsection.

15 C. When sentencing a person convicted of a crime, the court
16 shall first consider a program of restitution for the victim, as
17 well as imposition of a fine or incarceration of the offender. The
18 provisions of paragraph 1 of subsection A of this section shall not
19 apply to defendants being sentenced upon their third or subsequent
20 to their third conviction of a felony or, beginning January 1, 1993,
21 to defendants being sentenced for their second or subsequent felony
22 conviction for violation of Section 11-902 of Title 47 of the
23 Oklahoma Statutes, except as otherwise provided in this subsection.
24 In the case of a person being sentenced for his or her second or

1 subsequent felony conviction for violation of Section 11-902 of
2 Title 47 of the Oklahoma Statutes, the court may sentence the person
3 pursuant to the provisions of paragraph 1 of subsection A of this
4 section if the court orders the person to submit to electronically
5 monitored home detention administered and supervised by the
6 Department of Corrections pursuant to subparagraph e of paragraph 7
7 of subsection A of this section. Provided, the court may waive
8 these prohibitions upon written application of the district
9 attorney. Both the application and the waiver shall be made part of
10 the record of the case.

11 D. When sentencing a person convicted of a crime, the judge
12 shall consider any victim impact statements if submitted to the
13 jury, or the judge in the event a jury is waived.

14 E. Probation, for purposes of subsection A of this section, is
15 a procedure by which a defendant found guilty of a crime, whether
16 upon a verdict or plea of guilty or upon a plea of nolo contendere,
17 is released by the court subject to conditions imposed by the court
18 and subject to supervision by the Department of Corrections, a
19 private supervision provider or other person designated by the
20 court. Such supervision shall be initiated upon an order of
21 probation from the court, and shall not exceed two (2) years, unless
22 a petition alleging a violation of any condition of deferred
23 judgment or seeking revocation of the suspended sentence is filed
24 during the supervision, or as otherwise provided by law. In the

1 case of a person convicted of a sex offense, supervision shall begin
2 immediately upon release from incarceration or if parole is granted
3 and shall not be limited to two (2) years. Provided further, any
4 supervision provided for in this section may be extended for a
5 period not to exceed the expiration of the maximum term or terms of
6 the sentence upon a determination by the court or the Division of
7 Probation and Parole of the Department of Corrections that the best
8 interests of the public and the release will be served by an
9 extended period of supervision.

10 F. The Department of Corrections, or such other agency as the
11 court may designate, shall be responsible for the monitoring and
12 administration of the restitution and service programs provided for
13 by subparagraphs a, c and d of paragraph 1 of subsection A of this
14 section, and shall ensure that restitution payments are forwarded to
15 the victim and that service assignments are properly performed.

16 G. 1. The Department of Corrections is hereby authorized,
17 subject to funds available through appropriation by the Legislature,
18 to contract with counties for the administration of county Community
19 Service Sentencing Programs.

20 2. Any offender eligible to participate in the Program pursuant
21 to this section shall be eligible to participate in a county
22 Program; provided, participation in county-funded Programs shall not
23 be limited to offenders who would otherwise be sentenced to
24 confinement with the Department of Corrections.

1 3. The Department shall establish criteria and specifications
2 for contracts with counties for such Programs. A county may apply
3 to the Department for a contract for a county-funded Program for a
4 specific period of time. The Department shall be responsible for
5 ensuring that any contracting county complies in full with
6 specifications and requirements of the contract. The contract shall
7 set appropriate compensation to the county for services to the
8 Department.

9 4. The Department is hereby authorized to provide technical
10 assistance to any county in establishing a Program, regardless of
11 whether the county enters into a contract pursuant to this
12 subsection. Technical assistance shall include appropriate
13 staffing, development of community resources, sponsorship,
14 supervision and any other requirements.

15 5. The Department shall annually make a report to the Governor,
16 the President Pro Tempore of the Senate and the Speaker of the House
17 on the number of such Programs, the number of participating
18 offenders, the success rates of each Program according to criteria
19 established by the Department and the costs of each Program.

20 H. As used in this section:

21 1. "Ignition interlock device" means a device that, without
22 tampering or intervention by another person, would prevent the
23 defendant from operating a motor vehicle if the defendant has a
24

1 blood or breath alcohol concentration of two-hundredths (0.02) or
2 greater;

3 2. "Electronically monitored home detention" means
4 incarceration of the defendant within a specified location or
5 locations with monitoring by means of a device approved by the
6 Department of Corrections that detects if the person leaves the
7 confines of any specified location; and

8 3. "Victims impact panel program" means a program conducted by
9 a corporation registered with the Secretary of State in Oklahoma for
10 the sole purpose of operating a victims impact panel program. The
11 program shall include live presentations from presenters who will
12 share personal stories with participants about how alcohol, drug
13 abuse, the operation of a motor vehicle while using an electronic
14 communication device or the illegal conduct of others has personally
15 impacted the lives of the presenters. A victims impact panel
16 program shall be attended by persons who have committed the offense
17 of driving, operating or being in actual physical control of a motor
18 vehicle while under the influence of alcohol or other intoxicating
19 substance, operating a motor vehicle while the ability of the person
20 to operate such vehicle was impaired due to the consumption of
21 alcohol or any other substance or operating a motor vehicle while
22 using an electronic device or by persons who have been convicted of
23 furnishing alcoholic beverage to persons under twenty-one (21) years
24 of age, as provided in Sections 6-101 and 6-120 of Title 37A of the

1 Oklahoma Statutes. Persons attending a victims impact panel program
2 shall be required to pay a fee of Seventy-five Dollars (\$75.00) to
3 the provider of the program. A certificate of completion shall be
4 issued to the person upon satisfying the attendance and fee
5 requirements of the victims impact panel program. The certificate
6 of completion shall contain the business identification number of
7 the program provider. A certified assessment agency, certified
8 assessor or provider of an alcohol and drug substance abuse course
9 shall be prohibited from providing a victims impact panel program
10 and shall further be prohibited from having any proprietary or
11 pecuniary interest in a victims impact panel program. The provider
12 of the victims impact panel program shall carry general liability
13 insurance and maintain an accurate accounting of all business
14 transactions and funds received in relation to the victims impact
15 panel program. Beginning October 1, 2020, and each October 1
16 thereafter, the provider of the victims impact panel program shall
17 provide to the District Attorneys Council the following:

- 18 a. proof of registration with the Oklahoma Secretary of
19 State,
- 20 b. proof of general liability insurance,
- 21 c. end-of-year financial statements prepared by a
22 certified public accountant,
- 23 d. a copy of federal income tax returns filed with the
24 Internal Revenue Service,

1 e. a registration fee of One Thousand Dollars
2 (\$1,000.00). The registration fee shall be deposited
3 in the District Attorneys Council Revolving Fund
4 created in Section 215.28 of Title 19 of the Oklahoma
5 Statutes, and

6 f. a statement certifying that the provider of the
7 victims impact panel program has complied with all of
8 the requirements set forth in this paragraph.

9 I. A person convicted of a felony offense or receiving any form
10 of probation for an offense in which registration is required
11 pursuant to the Sex Offenders Registration Act, shall submit to
12 deoxyribonucleic acid (DNA) testing for law enforcement
13 identification purposes in accordance with Section 150.27 of Title
14 74 of the Oklahoma Statutes and the rules promulgated by the
15 Oklahoma State Bureau of Investigation for the OSBI Combined DNA
16 Index System (CODIS) Database. Subject to the availability of
17 funds, any person convicted of a misdemeanor offense of assault and
18 battery, domestic abuse, stalking, possession of a controlled
19 substance prohibited under the Uniform Controlled Dangerous
20 Substances Act, outraging public decency, resisting arrest, escape
21 or attempting to escape, eluding a police officer, Peeping Tom,
22 pointing a firearm, threatening an act of violence, breaking and
23 entering a dwelling place, destruction of property, negligent
24 homicide or causing a personal injury accident while driving under

1 the influence of any intoxicating substance, or any alien unlawfully
2 present under federal immigration law, upon arrest, shall submit to
3 DNA testing for law enforcement identification purposes in
4 accordance with Section 150.27 of Title 74 of the Oklahoma Statutes
5 and the rules promulgated by the Oklahoma State Bureau of
6 Investigation for the OSBI Combined DNA Index System (CODIS)
7 Database. Any defendant sentenced to probation shall be required to
8 submit to testing within thirty (30) days of sentencing either to
9 the Department of Corrections or to the county sheriff or other
10 peace officer as directed by the court. Defendants who are
11 sentenced to a term of incarceration shall submit to testing in
12 accordance with Section 530.1 of Title 57 of the Oklahoma Statutes,
13 for those defendants who enter the custody of the Department of
14 Corrections or to the county sheriff, for those defendants sentenced
15 to incarceration in a county jail. Convicted individuals who have
16 previously submitted to DNA testing under this section and for whom
17 a valid sample is on file in the OSBI Combined DNA Index System
18 (CODIS) Database at the time of sentencing shall not be required to
19 submit to additional testing. Except as required by the Sex
20 Offenders Registration Act, a deferred judgment does not require
21 submission to DNA testing.

22 Any person who is incarcerated in the custody of the Department
23 of Corrections after July 1, 1996, and who has not been released
24 before January 1, 2006, shall provide a blood or saliva sample prior

1 to release. Every person subject to DNA testing after January 1,
2 2006, whose sentence does not include a term of confinement with the
3 Department of Corrections shall submit a blood or saliva sample.
4 Every person subject to DNA testing who is sentenced to unsupervised
5 probation or otherwise not supervised by the Department of
6 Corrections shall submit for blood or saliva testing to the sheriff
7 of the sentencing county.

8 J. Samples of blood or saliva for DNA testing required by
9 subsection I of this section shall be taken by employees or
10 contractors of the Department of Corrections, peace officers, or the
11 county sheriff or employees or contractors of the sheriff's office.
12 The individuals shall be properly trained to collect blood or saliva
13 samples. Persons collecting blood or saliva for DNA testing
14 pursuant to this section shall be immune from civil liabilities
15 arising from this activity. All collectors of DNA samples shall
16 ensure the collection of samples are mailed to the Oklahoma State
17 Bureau of Investigation within ten (10) days of the time the subject
18 appears for testing or within ten (10) days of the date the subject
19 comes into physical custody to serve a term of incarceration. All
20 collectors of DNA samples shall use sample kits provided by the OSBI
21 and procedures promulgated by the OSBI. Persons subject to DNA
22 testing who are not received at the Lexington Assessment and
23 Reception Center shall be required to pay a fee of Fifteen Dollars
24 (\$15.00) to the agency collecting the sample for submission to the

1 OSBI Combined DNA Index System (CODIS) Database. Any fees collected
2 pursuant to this subsection shall be deposited in the revolving
3 account or the service fee account of the collection agency or
4 department.

5 K. When sentencing a person who has been convicted of a crime
6 that would subject that person to the provisions of the Sex
7 Offenders Registration Act, neither the court nor the district
8 attorney shall be allowed to waive or exempt such person from the
9 registration requirements of the Sex Offenders Registration Act.

10 SECTION 5. AMENDATORY 22 O.S. 2021, Section 1111.2, is
11 amended to read as follows:

12 Section 1111.2 The arresting officer shall indicate on the
13 citation the date of the arraignment, and the defendant shall appear
14 in person or by counsel at the stated time and place for
15 arraignment. If the defendant fails to appear in court in person or
16 by counsel for arraignment on the charge against him, or fails to
17 arrange with the court within the time designated on the citation
18 for a future appearance, the cash bail, if cash bail has been
19 deposited by the defendant, shall be forfeited. If a license to
20 operate a motor vehicle has been deposited under subsection ~~(b)~~ B of
21 Section 1111 of this title, the court clerk shall immediately
22 forward to ~~the Department of Public Safety~~ Service Oklahoma the
23 operator's license attached to an official notification form
24 furnished by ~~the Department of Public Safety~~ Service Oklahoma,

1 advising that the defendant failed to appear; in addition, on motion
2 of the district attorney, the court shall issue a bench warrant for
3 the arrest of the defendant. If a license has been deposited under
4 subsection ~~(a)~~ A of Section 1111 of this title and the out-of-state
5 defendant's personal check is not honored, the court clerk shall
6 immediately forward to ~~the Department of Public Safety Service~~
7 Oklahoma the license stating that the check has not been honored.
8 If bail has been forfeited, on motion of the district attorney, the
9 court shall issue a bench warrant. Provided, however, that bail
10 forfeiture shall not be construed as a plea of guilty or admission
11 in any civil action that may thereafter arise by reason of said
12 occurrence.

13 SECTION 6. AMENDATORY 22 O.S. 2021, Section 1115.1, is
14 amended to read as follows:

15 Section 1115.1 A. In addition to other provisions of law for
16 posting bail, any person, whether a resident of this state or a
17 nonresident, who is arrested by a law enforcement officer solely for
18 a misdemeanor violation of a state traffic law or municipal traffic
19 ordinance, shall be released by the arresting officer upon personal
20 recognizance if:

21 1. The arrested person has been issued a valid license to
22 operate a motor vehicle by this state, another state jurisdiction
23 within the United States, which is a participant in the Nonresident
24

1 Violator Compact or any party jurisdiction of the Nonresident
2 Violator Compact;

3 2. The arresting officer is satisfied as to the identity of the
4 arrested person;

5 3. The arrested person signs a written promise to appear as
6 provided for on the citation, unless the person is unconscious or
7 injured and requires immediate medical treatment as determined by a
8 treating physician; and

9 4. The violation does not constitute:

10 a. a felony, or

11 b. negligent homicide, or

12 c. driving or being in actual physical control of a motor
13 vehicle while impaired or under the influence of
14 alcohol or other intoxicating substances, unless the
15 person is unconscious or injured and requires
16 immediate medical treatment as determined by a
17 treating physician, or

18 d. eluding or attempting to elude a law enforcement
19 officer, or

20 e. operating a motor vehicle without having been issued a
21 valid driver license, or while the driving privilege
22 and driver license is under suspension, revocation,
23 denial or cancellation, or

24 f. an arrest based upon an outstanding warrant, or

1 g. a traffic violation coupled with any offense stated in
2 subparagraphs a through f of this paragraph.

3 B. If the arrested person is eligible for release on personal
4 recognizance as provided for in subsection A of this section, then
5 the arresting officer shall:

6 1. Designate the traffic charge;

7 2. Record information from the arrested person's driver license
8 on the citation form, including the name, address, date of birth,
9 personal description, type of driver license, driver license number,
10 issuing state, and expiration date;

11 3. Record the motor vehicle make, model and tag information;

12 4. Record the date and time on the citation on which, or before
13 which, the arrested person promises to contact, pay, or appear at
14 the court, as applicable to the court; and

15 5. Permit the arrested person to sign a written promise to
16 contact, pay, or appear at the court, as provided for in the
17 citation.

18 The arresting officer shall then release the person upon personal
19 recognizance based upon the signed promise to appear. The citation
20 shall contain a written notice to the arrested person that release
21 upon personal recognizance based upon a signed written promise to
22 appear for arraignment is conditional and that failure to timely
23 appear for arraignment shall result in the suspension of the
24 arrested person's driving privilege and driver license in this

1 state, or in the nonresident's home state pursuant to the
2 Nonresident Violator Compact.

3 C. The court, or the court clerk as directed by the court, may
4 continue or reschedule the date and time of arraignment upon request
5 of the arrested person or the attorney for that person. If the
6 arraignment is continued or rescheduled, the arrested person shall
7 remain on personal recognizance and written promise to appear until
8 such arraignment, in the same manner and with the same consequences
9 as if the continued or rescheduled arraignment was entered on the
10 citation by the arresting officer and signed by the defendant. An
11 arraignment may be continued or rescheduled more than one time.
12 Provided, however, the court shall require an arraignment to be had
13 within a reasonable time. It shall remain the duty of the defendant
14 to appear for arraignment unless the citation is satisfied as
15 provided for in subsection D of this section.

16 D. A defendant released upon personal recognizance may elect to
17 enter a plea of guilty or nolo contendere to the violation charged
18 at any time before the defendant is required to appear for
19 arraignment by indicating such plea on the copy of the citation
20 furnished to the defendant or on a legible copy thereof, together
21 with the date of the plea and signature. The defendant shall be
22 responsible for assuring full payment of the fine and costs to the
23 appropriate court clerk. Payment of the fine and costs may be made
24 by personal, cashier's, traveler's, certified or guaranteed bank

1 check, postal or commercial money order, or other form of payment
2 approved by the court in an amount prescribed as bail for the
3 offense. Provided, however, the defendant shall not use currency
4 for payment by mail. If the defendant has entered a plea of guilty
5 or nolo contendere as provided for in this subsection, such plea
6 shall be accepted by the court and the amount of the fine and costs
7 shall be:

8 1. As prescribed in Section 1115.3 of this title as bail for
9 the violation; or

10 2. In case of a municipal violation, as prescribed by municipal
11 ordinance for the violation charged; or

12 3. In the absence of such law or ordinance, then as prescribed
13 by the court.

14 E. 1. If, pursuant to the provisions of subsection D of this
15 section, the defendant does not timely elect to enter a plea of
16 guilty or nolo contendere and fails to timely appear for
17 arraignment, the court may issue a warrant for the arrest of the
18 defendant and the municipal or district court clerk, within one
19 hundred twenty (120) calendar days from the date the citation was
20 issued by the arresting officer, shall notify ~~the Department of~~
21 ~~Public Safety~~ Service Oklahoma that:

22 a. the defendant was issued a traffic citation and
23 released upon personal recognizance after signing a
24

1 written promise to appear for arraignment as provided
2 for in the citation,

3 b. the defendant has failed to appear for arraignment
4 without good cause shown,

5 c. the defendant has not posted bail, paid a fine, or
6 made any other arrangement with the court to satisfy
7 the citation, and

8 d. the citation has not been satisfied as provided by
9 law.

10 Additionally, the court clerk shall request ~~the Department of Public~~
11 ~~Safety Service Oklahoma~~ to either suspend the defendant's driving
12 privilege and driver license to operate a motor vehicle in this
13 state, or notify the defendant's home state and request suspension
14 of the defendant's driving privilege and driver license in
15 accordance with the provisions of the Nonresident Violator Compact.
16 Such notice and request shall be on a form approved or furnished by
17 ~~the Department of Public Safety Service Oklahoma~~.

18 2. The court clerk shall not process the notification and
19 request provided for in paragraph 1 of this subsection if, with
20 respect to such charges:

21 a. the defendant was arraigned, posted bail, paid a fine,
22 was jailed, or otherwise settled the case, or

23 b. the defendant was not released upon personal
24 recognizance upon a signed written promise to appear

1 as provided for in this section or if released, was
2 not permitted to remain on such personal recognizance
3 for arraignment, or

4 c. the violation relates to parking or standing, or

5 d. a period of one hundred twenty (120) calendar days or
6 more has elapsed from the date the citation was issued
7 by the arresting officer.

8 F. Following receipt of the notice and request from the court
9 clerk for driving privilege and driver license suspension as
10 provided for in subsection E of this section, ~~the Department of~~
11 ~~Public Safety~~ Service Oklahoma shall proceed as provided for in
12 Section 1115.5 of this title.

13 G. The municipal or district court clerk shall maintain a
14 record of each request for driving privilege and driver license
15 suspension submitted to ~~the Department of Public Safety~~ Service
16 Oklahoma pursuant to the provisions of this section. When the court
17 or court clerk receives appropriate bail or payment of the fine and
18 costs, settles the citation, makes other arrangements with the
19 defendant, or otherwise closes the case, the court clerk shall
20 furnish proof thereof to such defendant, if the defendant personally
21 appears, or shall mail such proof by first class mail, postage
22 prepaid, to the defendant at the address noted on the citation or at
23 such other address as is furnished by the defendant. Additionally,
24 the court or court clerk shall notify the home jurisdiction of the

1 defendant as listed on the citation, if such jurisdiction is a
2 member of the Nonresident Violator Compact, and shall, in all other
3 cases, notify ~~the Department~~ Service Oklahoma, of the resolution of
4 the case. The form of proof and the procedures for notification
5 shall be approved by ~~the Department of Public Safety~~ Service
6 Oklahoma. Provided, however, the court or court clerk's failure to
7 furnish such proof or notice in the manner provided for in this
8 subsection shall in no event create any civil liability upon the
9 court, the court clerk, the State of Oklahoma or any political
10 subdivision thereof, or any state department or agency or any
11 employee thereof but duplicate proof shall be furnished to the
12 person entitled thereto upon request.

13 SECTION 7. AMENDATORY 22 O.S. 2021, Section 1115.1A, is
14 amended to read as follows:

15 Section 1115.1A A. In addition to other provisions of law for
16 posting bail, any person, whether a resident of this state or a
17 nonresident, who is arrested by a law enforcement officer solely for
18 a misdemeanor violation of a state traffic law or municipal traffic
19 ordinance, shall be released by the arresting officer upon personal
20 recognizance if:

21 1. The arrested person has been issued a valid license to
22 operate a motor vehicle by this state, another state jurisdiction
23 within the United States, which is a participant in the Nonresident
24

1 Violator Compact or any party jurisdiction of the Nonresident
2 Violator Compact;

3 2. The arresting officer is satisfied as to the identity of the
4 arrested person and certifies the date and time and the location of
5 the violation, as evidenced by the electronic signature of the
6 officer;

7 3. The arrested person acknowledges, as evidenced by the
8 electronic signature of the person, a written promise to appear as
9 provided for on the citation, unless the person is unconscious or
10 injured and requires immediate medical treatment as determined by a
11 treating physician; and

12 4. The violation does not constitute:

- 13 a. a felony,
- 14 b. negligent homicide,
- 15 c. driving or being in actual physical control of a motor
16 vehicle while impaired or under the influence of
17 alcohol or other intoxicating substances, unless the
18 person is unconscious or injured and requires
19 immediate medical treatment as determined by a
20 treating physician,
- 21 d. eluding or attempting to elude a law enforcement
22 officer,
- 23 e. operating a motor vehicle without having been issued a
24 valid driver license or while the driving privilege

1 and driver license is under suspension, revocation,
2 denial or cancellation,

3 f. an arrest based upon an outstanding warrant, or

4 g. a traffic violation coupled with any offense stated in
5 subparagraphs a through f of this paragraph.

6 B. If the arrested person is eligible for release on personal
7 recognizance as provided for in subsection A of this section, then
8 the arresting officer shall on the citation:

9 1. Designate the traffic charge;

10 2. Record information from the driver license of the arrested
11 person on the citation form, including the name, address, date of
12 birth, physical description, type of driver license, driver license
13 number, issuing state, and expiration date;

14 3. Record the motor vehicle make, model and tag information;

15 4. Record the date and time on which, or before which, the
16 arrested person promises, as evidenced by the electronic signature
17 of the person, to contact, pay, or appear at the court, as
18 applicable to the court;

19 5. Record the electronic signature of the arrested person which
20 shall serve as evidence and acknowledgment of a promise to contact,
21 pay, or appear at the court, as provided for in the citation; and

22 6. Record the electronic signature of the arrested person which
23 shall serve as evidence to certify the date and time and the
24

1 location that the arrested person was served with a copy of the
2 citation and notice to appear,
3 after which, the arresting officer shall then release the person
4 upon personal recognizance based upon the acknowledged promise to
5 appear. The citation shall contain a written notice to the arrested
6 person that release upon personal recognizance based upon an
7 acknowledged promise to appear, as evidenced by the electronic
8 signature of the person, for arraignment is conditional and that
9 failure to timely appear for arraignment shall result in the
10 suspension of the driving privilege and driver license of the
11 arrested person in this state, or in the home state of the
12 nonresident pursuant to the Nonresident Violator Compact.

13 C. The court, or the court clerk as directed by the court, may
14 continue or reschedule the date and time of arraignment at the
15 discretion of the court or upon request of the arrested person or
16 the attorney for that person. If the arraignment is continued or
17 rescheduled, the arrested person shall remain on personal
18 recognizance and acknowledged promise to appear until such
19 arraignment, in the same manner and with the same consequences as if
20 the continued or rescheduled arraignment was entered on the citation
21 by the arresting officer and electronically signed by the defendant.
22 An arraignment may be continued or rescheduled more than one time.
23 Provided, however, the court shall require an arraignment to be had
24 within a reasonable time. It shall remain the duty of the defendant

1 to appear for arraignment unless the citation is satisfied as
2 provided for in subsection D of this section.

3 D. A defendant released upon personal recognizance may elect to
4 enter a plea of guilty or nolo contendere to the violation charged
5 at any time before the defendant is required to appear for
6 arraignment by indicating such plea on the copy of the citation
7 furnished to the defendant or on a legible copy, together with the
8 date of the plea and signature of the defendant, or such plea may be
9 entered by the defendant using an electronic method provided by the
10 court for such purposes, either through the website of the court or
11 otherwise. The defendant shall be responsible for assuring full
12 payment of the fine and costs to the appropriate court clerk.
13 Payment of the fine and costs may be made by personal, cashier's,
14 traveler's, certified or guaranteed bank check, postal or commercial
15 money order, or other form of payment approved by the court in an
16 amount prescribed as bail for the offense. Provided, however, the
17 defendant shall not use currency for payment by mail. Payment of
18 the fine and costs which is not accompanied by a written plea of
19 guilty or nolo contendere shall constitute a plea of nolo contendere
20 entered by the defendant as allowed by law, and shall function as a
21 written, dated and signed citation form acceptable to the court. A
22 plea of guilty or nolo contendere as provided for in this subsection
23 shall be accepted by the court and the amount of the fine and costs
24 shall be:

1 1. As prescribed in Section 1115.3 of this title as bail for
2 the violation;

3 2. In case of a municipal violation, as prescribed by municipal
4 ordinance for the violation charged; or

5 3. In the absence of such law or ordinance, then as prescribed
6 by the court.

7 E. 1. If, pursuant to the provisions of subsection D of this
8 section, the defendant does not timely elect to enter a plea of
9 guilty or nolo contendere and fails to timely appear for
10 arraignment, the court may issue a warrant for the arrest of the
11 defendant. The municipal or district court clerk, within one
12 hundred twenty (120) calendar days from the date the citation was
13 issued by the arresting officer, shall notify ~~the Department of~~
14 ~~Public Safety~~ Service Oklahoma that:

15 a. the defendant was issued a traffic citation and
16 released upon personal recognizance after
17 acknowledging a written promise to appear for
18 arraignment as provided for in the citation,

19 b. the defendant has failed to appear for arraignment
20 without good cause shown,

21 c. the defendant has not posted bail, paid a fine, or
22 made any other arrangement with the court to satisfy
23 the citation, and
24

1 d. the citation has not been satisfied as provided by
2 law.

3 Additionally, the court clerk shall request ~~the Department of Public~~
4 ~~Safety~~ Service Oklahoma to either suspend the driving privilege and
5 driver license of the defendant to operate a motor vehicle in this
6 state, or notify the home state of the defendant and request
7 suspension of the driving privilege and driver license of the
8 defendant in accordance with the provisions of the Nonresident
9 Violator Compact. The notice and request shall be on a form
10 approved or furnished by ~~the Department of Public Safety~~ Service
11 Oklahoma.

12 2. The court clerk shall not process the notification and
13 request provided for in paragraph 1 of this subsection if, with
14 respect to such charges:

15 a. the defendant was arraigned, posted bail, paid a fine,
16 was jailed, or otherwise settled the case,

17 b. the defendant was not released upon personal
18 recognizance upon an acknowledged written promise to
19 appear as provided for in this section or if released,
20 was not permitted to remain on such personal
21 recognizance for arraignment,

22 c. the violation relates to parking or standing, or
23
24

1 d. a period of one hundred twenty (120) calendar days or
2 more has elapsed from the date the citation was issued
3 by the arresting officer.

4 F. Following receipt of the notice and request from the court
5 clerk for driving privilege and driver license suspension as
6 provided for in subsection E of this section, ~~the Department of~~
7 ~~Public Safety~~ Service Oklahoma shall proceed as provided for in
8 Section 1115.5 of this title.

9 G. The municipal or district court clerk shall maintain a
10 record of each request for driving privilege and driver license
11 suspension submitted to ~~the Department of Public Safety~~ Service
12 Oklahoma pursuant to the provisions of this section. When the court
13 or court clerk receives appropriate bail or payment of the fine and
14 costs, settles the citation, makes other arrangements with the
15 defendant, or otherwise closes the case, the court clerk shall
16 furnish proof thereof to the defendant, if the defendant personally
17 appears, or shall mail such proof by first-class mail, postage
18 prepaid, to the defendant at the address noted on the citation or at
19 such other address as is furnished by the defendant or by email if
20 the defendant has furnished an email address for such purposes.
21 Additionally, the court or court clerk shall notify the home
22 jurisdiction of the defendant as listed on the citation, if such
23 jurisdiction is a member of the Nonresident Violator Compact, and
24 shall, in all other cases, notify ~~the Department~~ Service Oklahoma of

1 the resolution of the case. The form of proof and the procedures
2 for notification shall be approved by ~~the Department of Public~~
3 ~~Safety~~ Service Oklahoma. Provided however, failure by the court or
4 court clerk to furnish such proof or notice in the manner provided
5 for in this subsection shall in no event create any civil liability
6 upon the court, the court clerk, the State of Oklahoma or any
7 political subdivision thereof, or any state department or agency or
8 any employee thereof but duplicate proof shall be furnished to the
9 person entitled to such proof or notice upon request.

10 H. For purposes of this section, "electronic signature" shall
11 have the same meaning as defined in Section 15-102 of Title 12A of
12 the Oklahoma Statutes.

13 SECTION 8. AMENDATORY 22 O.S. 2021, Section 1115.5, is
14 amended to read as follows:

15 Section 1115.5 A. 1. Following receipt of notification and a
16 request for driving privilege suspension from a municipal or
17 district court clerk as provided for in Section 1115.1 of this title
18 or Section 1 of this act, ~~the Department of Public Safety~~ Service
19 Oklahoma shall:

- 20 a. suspend the privilege of the person to operate a motor
21 vehicle in this state; or
- 22 b. request suspension of the driving privilege of the
23 person in the state which issued the license as
24 provided by the Nonresident Violator Compact.

1 A person whose license is subject to suspension pursuant to this
2 section may avoid the effective date of the suspension or, if
3 suspended, shall be eligible for reinstatement, if otherwise
4 eligible, upon meeting the requirements of subsection C of this
5 section.

6 2. ~~The Department of Public Safety~~ Service Oklahoma may decline
7 to initiate such suspension action if the request is discovered to
8 be improper or questionable.

9 3. ~~The Department~~ Service Oklahoma shall not be required to
10 issue more than one suspension of the driving privilege of a person
11 in the event multiple requests for suspensions are received from a
12 court clerk based upon the failure of the person to appear at a
13 particular time and date on multiple charges.

14 B. Following receipt of a request from another jurisdiction for
15 the suspension of the driving privilege of an Oklahoma resident as
16 provided by the Nonresident Violator Compact, ~~the Department of~~
17 ~~Public Safety~~ Service Oklahoma, if the request appears to be valid,
18 shall initiate suspension of the privilege of the person to operate
19 a motor vehicle in this state. If suspended, such suspension shall
20 remain in effect until the person meets the requirements of
21 subsection C of this section.

22 C. 1. A person whose license is subject to suspension in this
23 state pursuant to the provisions of this section may avoid the
24

1 effective date of suspension, or if suspended in this state, shall
2 be eligible for reinstatement, if otherwise eligible, upon:

- 3 a. making application therefore to ~~the Department of~~
4 ~~Public Safety~~ Service Oklahoma, and
- 5 b. showing proof from the court or court clerk that the
6 person has entered an appearance in the case which was
7 the basis for the suspension action and was released
8 by the court as provided for by the Nonresident
9 Violator Compact or consistent provisions, and
- 10 c. submitting with the application the fees, as provided
11 for in Section 6-212 of Title 47 of the Oklahoma
12 Statutes. The fees shall be remitted to the State
13 Treasurer to be credited to the General Revenue Fund
14 of the State Treasury;

15 2. Upon reinstatement, ~~the Department of Public Safety~~ Service
16 Oklahoma may remove any record of the suspension and reinstatement
17 as provided for in this section from the file of the individual
18 licensee and maintain an internal record of the suspension and
19 reinstatement for fiscal and other purposes.

20 D. Any person whose driving privilege is suspended or subject
21 to suspension in this state pursuant to the provisions of this
22 section, at any time, may informally present specific reasons or
23 documentation to ~~the Department of Public Safety~~ Service Oklahoma to
24 show that such suspension may be unwarranted. ~~The Department of~~

1 ~~Public Safety Service Oklahoma~~ may stay the suspension or suspension
2 action pending receipt of further information or documentation from
3 the person or from the jurisdiction requesting such suspension, or
4 pending review of the record, or other inquiry. If ~~the Department~~
5 ~~of Public Safety Service Oklahoma~~ determines the suspension is
6 unwarranted, the suspension action shall be withdrawn or vacated
7 without the requirement of a processing fee and a reinstatement fee
8 and ~~the Department of Public Safety Service Oklahoma~~ shall
9 accordingly notify the jurisdiction which requested the suspension.
10 If, however, the request for suspension appears valid, ~~the~~
11 ~~Department of Public Safety Service Oklahoma~~ shall proceed with
12 suspension of the driving privilege of the person and the person
13 shall have the right to appeal as provided for by Section 6-211 of
14 Title 47 of the Oklahoma Statutes. Provided, however, the court
15 shall not consider modification, but shall either sustain or vacate
16 the order of suspension of ~~the Department of Public Safety Service~~
17 ~~Oklahoma~~ based upon the records on file with ~~the Department of~~
18 ~~Public Safety Service Oklahoma~~, the law and other relevant evidence.

19 SECTION 9. AMENDATORY 42 O.S. 2021, Section 90, is
20 amended to read as follows:

21 Section 90. A person or persons charging a fee for the
22 preparation or assistance in preparation of notices required by
23 Chapter 2 of Title 42 of the Oklahoma Statutes, other than a person
24 licensed under Title 5 of the Oklahoma Statutes, shall register with

1 and submit a fifty-dollar annual fee to ~~the Oklahoma Tax Commission~~
2 Service Oklahoma; provided, however, such requirements shall not
3 apply to a lawful possessor or employee of a lawful possessor of the
4 property for which such notices are issued. All documentation
5 related to notices prepared by a person required to register
6 pursuant to this section shall include the name of the person. A
7 penalty of One Hundred Dollars (\$100.00) shall be imposed upon a
8 person who prepares or assists in the preparation of notices in
9 violation of the requirements of this section. ~~The Oklahoma Tax~~
10 ~~Commission~~ Service Oklahoma shall promulgate rules to effectuate the
11 requirements of this section.

12 SECTION 10. AMENDATORY 42 O.S. 2021, Section 91, is
13 amended to read as follows:

14 Section 91.

15 A. 1. a. This section applies to every vehicle, all-terrain
16 vehicle, utility vehicle, manufactured home,
17 motorcycle, boat, outboard motor, or trailer that has
18 a certificate of title issued by ~~the Oklahoma Tax~~
19 ~~Commission~~ Service Oklahoma or by a federally
20 recognized Indian tribe in the State of Oklahoma,
21 except as otherwise provided in subsection D of this
22 section. This section does not apply to farm
23 equipment as defined in Section 91.2 of this title.
24 The items of personal property to which this section

1 applies are collectively referred to as "Section 91
2 Personal Property". If personal property is
3 apparently covered both by this section and by
4 Sections 191 through 200 of this title, the procedures
5 set out in this section shall apply instead of
6 Sections 191 through 200 of this title.

7 b. Salvage pools as defined in Section 591.2 of Title 47
8 of the Oklahoma Statutes and class AA licensed wrecker
9 services taking possession of a vehicle pursuant to an
10 agreement with or at the direction of, or dispatched
11 by, a state or local law enforcement or government
12 agency, or pursuant to the abandoned vehicle renewal
13 provisions of Section 954A of Title 47 of the Oklahoma
14 Statutes, shall not be subject to the provisions of
15 this section, but shall be subject to the provisions
16 of Section 91A of this title. Unless otherwise
17 provided by this subparagraph, class AA licensed
18 wrecker services performing consensual tows shall be
19 subject to the provisions of this section.

20 2. Any person who, while lawfully in possession of an article
21 of Section 91 Personal Property, renders any service to the owner
22 thereof by furnishing storage, rental space, material, labor or
23 skill for the protection, improvement, safekeeping, towing, right to
24 occupy space, storage or carriage thereof, has a special lien

1 thereon, dependent on possession, for the compensation, if any,
2 which is due to such person from the owner for such service.

3 3. This special lien shall be subordinate to any perfected
4 security interest unless the claimant complies with the requirements
5 of this section. Failure to comply with any requirements of this
6 section shall result in denial of any title application and cause
7 the special lien to be subordinate to any perfected lien. Upon such
8 denial, the applicant shall be entitled to one resubmission of the
9 title application within fifteen (15) business days of receipt of
10 the denial, and proceed to comply with the requirements of this
11 section. In the event of a denial, the Notice of Possessory Lien
12 and the Notice of Sale may be mailed on the same day in separate
13 envelopes and storage charges shall only be charged from the date of
14 resubmission. "Failure to comply" includes, but is not limited to:

15 a. failure to timely provide additional documentation
16 supporting or verifying any entry on submitted forms as
17 requested by ~~the Tax Commission~~ Service Oklahoma,
18 including but not limited to United States Postal
19 Service proof of return receipt requested such as Form
20 3811 or United States Postal Service electronic
21 equivalent,

22 b. failure to provide the documentation supporting lawful
23 possession as defined in paragraph 3 of subsection H of
24 this section,

- 1 c. claimant or the agent being other than the individual
- 2 who provided the service giving rise to the special
- 3 lien, as in paragraph 2 of this subsection,
- 4 d. claimant not being in possession of the vehicle,
- 5 e. notice of lien not filed in accordance with paragraph 4
- 6 of this subsection, or
- 7 f. foreclosure notification and proceedings not
- 8 accomplished in accordance with paragraph 6 of this
- 9 ~~section~~ subsection.

10 4. Any person claiming the special lien provided in paragraph 2
11 of this subsection shall mail a notice of such lien, no later than
12 sixty (60) days after the first services are rendered, by regular,
13 first-class United States mail, and by certified mail, return
14 receipt requested, to all interested parties who reside at separate
15 locations. If services provided are pursuant to a contract
16 primarily for the purpose of storage or rental of space, the
17 beginning date of the sixty-day period provided in the previous
18 sentence shall be the first day of the first period or partial
19 period for which rental or storage charges remain unpaid. The
20 notice shall be in writing and shall contain, but not be limited to,
21 the following:

- 22 a. a statement that the notice is a Notice of Possessory
- 23 Lien,

- 1 b. the complete legal name, physical and mailing address,
2 and telephone number of the claimant,
- 3 c. the complete legal name, physical and mailing address
4 of the person who requested that the claimant render
5 service to the owner by furnishing material, labor or
6 skill, storage, or rental space, or the date the
7 property was abandoned if the claimant did not render
8 any other service,
- 9 d. a description of the article of personal property,
10 including a photograph if the property is Section 91
11 Personal Property, and the complete physical and
12 mailing address of the location of the article of
13 personal property,
- 14 e. an itemized statement describing the date or dates the
15 labor or services were performed and material
16 furnished, and the charges claimed for each item, the
17 totals of which shall equal the total compensation
18 claimed,
- 19 f. a statement by the claimant that the materials, labor
20 or skill furnished, or arrangement for storage or
21 rental of space, was authorized by the owner of the
22 personal property and was in fact provided or
23 performed, and written proof of authority to perform
24 the work, labor or service, or that the property was

1 abandoned by the owner if the claimant did not render
2 any other service, and that storage or rental fees
3 will accrue as allowed by law, and

4 g. the signature of the claimant which shall be notarized
5 and, if applicable, the signature of the claimant's
6 attorney. If the claimant is a business, then the
7 name of the contact person representing the business
8 must be shown. In place of an original signature and
9 notary seal, a digital or electronic signature or seal
10 shall be accepted.

11 5. For services rendered or vehicles abandoned on or after
12 November 1, 2005, storage charges or charges for rental of space,
13 unless agreed to by contract as part of an overall transaction or
14 arrangement that was primarily for the purpose of storage of the
15 Section 91 Personal Property or rental of space, may only be
16 assessed beginning with the day that the Notice of Possessory Lien
17 is mailed as evidenced by certified mail. Provided, however, in the
18 case of contractual charges incurred for storage or rental of space
19 in an overall transaction primarily for the purpose of storage or
20 rental, charges subject to the special lien may only be assessed
21 beginning with a date not more than sixty (60) days prior to the day
22 that the Notice of Possessory Lien is mailed, and shall accrue only
23 at the regular periodic rate for storage or rental as provided in
24 the contract, adjusted for partial periods of storage or rental.

1 The maximum allowable compensation for storage shall not exceed the
2 fees established by the Corporation Commission for nonconsensual
3 tows.

4 6. The lien may be foreclosed by a sale of such personal
5 property upon the notice and in the manner following: The Notice of
6 Sale shall be in writing and shall contain, but not be limited to:

7 a. a statement that the notice is a Notice of Sale,

8 b. the names of all interested parties known to the
9 claimant,

10 c. a description of the property to be sold, including a
11 photograph if the property is Section 91 Personal
12 Property and if the condition of such property has
13 materially changed since the mailing of Notice of
14 Possessory Lien required pursuant to paragraph 4 of
15 this subsection,

16 d. a notarized statement of the nature of the work, labor
17 or service performed, material furnished, or storage
18 or rental of space, and the date thereof, and the name
19 of the person who authorized the work, labor or
20 service performed, or the storage or rental
21 arrangement, and written proof of authority to perform
22 the work, labor or service, or that the property was
23 abandoned if the claimant did not render any other
24 service,

- 1 e. the date, time, and exact physical location of sale,
2 f. the name, complete physical address, mailing address,
3 and telephone number of the party foreclosing such
4 lien. If the claimant is a business, then the name of
5 the contact person representing the business must be
6 shown. In place of an original signature and notary
7 seal, a digital or electronic signature or seal shall
8 be accepted, and
9 g. itemized charges which shall equal the total
10 compensation claimed.

11 7. Such Notice of Sale shall be posted in two public places in
12 the county where the property is to be sold at least ten (10) days
13 before the time therein specified for such sale, and a copy of the
14 notice shall be mailed to all interested parties at their last-known
15 post office address by regular, first-class United States mail and
16 by certified mail, return receipt requested, at least ten (10) days
17 before the date of the sale. If the item of personal property is a
18 manufactured home, notice shall also be sent by certified mail to
19 the county treasurer and to the county assessor of the county where
20 the manufactured home is located.

21 8. Interested parties shall include all owners of the article
22 of personal property as indicated by the certificate of title issued
23 by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized
24 Indian tribe in the State of Oklahoma; lien debtors, if any, other

1 than the owners; any lienholder whose lien is noted on the face of
2 the certificate of title; and any other person having any interest
3 in the article of personal property, of whom the claimant has actual
4 notice.

5 9. Any interested party shall be permitted to inspect and
6 verify the services rendered by the claimant prior to the sale of
7 the article of personal property during normal business hours. The
8 lienholder shall be allowed to retrieve the Section 91 Personal
9 Property without being required to bring the title into the
10 lienholder's name, if the lienholder provides proof it is a
11 lienholder and any payment due the claimant for lawful charges where
12 the claimant has complied with the requirements of this section.
13 Upon the release of personal property to an insurer or
14 representative of the insurer, wrecker operators shall be exempt
15 from all liability and shall be held harmless for any losses or
16 claims of loss.

17 10. The claimant or any other person may in good faith become a
18 purchaser of the property sold.

19 11. Proceedings for foreclosure under this act shall be
20 commenced no sooner than ten (10) days and no later than thirty (30)
21 days after the Notice of Possessory Lien has been mailed as
22 evidenced by certified mail. The date actually sold shall be within
23 sixty (60) days from the date of the Notice of Sale as evidenced by
24 certified mail.

1 B. 1. a. Any person who is induced by means of a check or other
2 form of written order for immediate payment of money
3 to deliver up possession of an article of personal
4 property on which the person has a special lien
5 created by subsection A of this section, which check
6 or other written order is dishonored, or is not paid
7 when presented, shall have a lien for the amount
8 thereof upon the personal property.

9 b. The person claiming such lien shall, within thirty
10 (30) days from the date of dishonor of the check or
11 other written order for payment of money, file in the
12 office of the county clerk of the county in which the
13 property is situated a sworn statement that:

14 (1) the check or other written order for immediate
15 payment of money, copy thereof being attached,
16 was received for labor, material or supplies for
17 producing or repairing an article of personal
18 property, or for other specific property-related
19 services covered by this section,

20 (2) the check or other written order was not paid,
21 and

22 (3) the uttering of the check or other written order
23 constituted the means for inducing the person,
24 one possessed of a special lien created by

1 subsection A of this section upon the described
2 article of personal property, to deliver up the
3 article of personal property.

4 2. a. Any person who renders service to the owner of an
5 article of personal property by furnishing storage,
6 rental space, material, labor, or skill for the
7 protection, improvement, safekeeping, towing, right to
8 occupy space, storage, or carriage thereof shall have
9 a special lien on such property pursuant to this
10 section if such property is removed from the person's
11 possession, without such person's written consent or
12 without payment for such service.

13 b. The person claiming such lien shall, within five (5)
14 days of such nonauthorized removal, file in the office
15 of the county clerk of the county in which the
16 property is located, a sworn statement including:

17 (1) that services were rendered on or in relation to
18 the article of personal property by the person
19 claiming such lien,

20 (2) that the property was in the possession of the
21 person claiming the lien but such property was
22 removed without his or her written consent,
23
24

1 (3) an identifying description of the article of
2 personal property on which the service was
3 rendered, and

4 (4) that the debt for the services rendered on or in
5 relation to the article of personal property was
6 not paid. Provided, if the unpaid total amount
7 of the debt for services rendered on or in
8 relation to the article of personal property is
9 unknown, an approximated amount of the debt due
10 and owing shall be included in the sworn
11 statement but such approximated debt may be
12 amended within thirty (30) days of such filing to
13 reflect the actual amount of the debt due and
14 owing.

15 3. The enforcement of the lien shall be within sixty (60) days
16 after filing the lien in the manner provided by law for enforcing
17 the lien of a security agreement and provided that the lien shall
18 not affect the rights of innocent, intervening purchasers without
19 notice.

20 C. If the person who renders service to the owner of an article
21 of personal property to which this section applies relinquishes or
22 loses possession of the article due to circumstances described in
23 subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of
24 subsection B of this section, the person claiming the lien shall be

1 entitled to possession of the article until the amount due is paid,
2 unless the article is possessed by a person who became a bona fide
3 purchaser. Entitlement to possession shall be in accordance with
4 the following:

5 1. The claimant may take possession of an article pursuant to
6 this subsection only if the person obligated under the contract for
7 services has signed an acknowledgement of receipt of a notice that
8 the article may be subject to repossession. The notice and
9 acknowledgement pursuant to this subsection shall be:

10 a. in writing and separate from the written contract for
11 services, or

12 b. printed on the written contract for services, credit
13 agreement or other document which displays the notice
14 in bold-faced, capitalized and underlined type, or is
15 separated from surrounding written material so as to
16 be conspicuous with a separate signature line;

17 2. The claimant may require the person obligated under the
18 contract for services to pay the costs of repossession as a
19 condition for reclaiming the article only to the extent of the
20 reasonable fair market value of the services required to take
21 possession of the article;

22 3. The claimant shall not transfer to a third party or to a
23 person who performs repossession services, a check, money order, or
24 credit card transaction that is received as payment for services

1 with respect to an article and that is returned to the claimant
2 because of insufficient funds or no funds, because the person
3 writing the check, issuing the money order, or credit cardholder has
4 no account or because the check, money order, or credit card account
5 has been closed. A person violating this paragraph shall be guilty
6 of a misdemeanor; and

7 4. An article that is repossessed pursuant to this subsection
8 shall be promptly delivered to the location where the services were
9 performed. The article shall remain at the services location at all
10 times until the article is lawfully returned to the record owner or
11 a lienholder or is disposed of pursuant to this section.

12 D. 1. If a vehicle, all-terrain vehicle, utility vehicle,
13 manufactured home, motorcycle, boat, outboard motor, or trailer has
14 a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma
15 or by a federally recognized Indian tribe in the State of Oklahoma,
16 but there is no active lien recorded on the certificate of title,
17 Section 91A of this title will apply instead of this section.
18 Likewise, if there is an active lien recorded on the certificate of
19 title but the lien is over fifteen (15) years old and the property
20 is not a manufactured home, Section 91A of this title will apply
21 instead of this section.

22 2. If personal property that otherwise would be covered by this
23 section has been registered by ~~the Tax Commission~~ Service Oklahoma
24 or by a federally recognized Indian tribe in the State of Oklahoma,

1 and there is a lien of record but no certificate of title has been
2 issued, Section 91A of this title will apply instead of this
3 section.

4 3. If personal property otherwise would be covered by this
5 section, but the services were rendered or the property was
6 abandoned prior to November 1, 2005, Section 91A of this title will
7 apply instead of this section.

8 E. A person who knowingly makes a false statement of a material
9 fact regarding the furnishing of storage, rental space, material,
10 labor or skill for the protection, improvement, safekeeping, towing,
11 right to occupy space, storage or carriage thereof in a proceeding
12 under this section, or attempts to use or uses the provisions of
13 this section to foreclose an owner or lienholder's interest in a
14 vehicle knowing that any of the statements made in the proceeding
15 are false, upon conviction, shall be guilty of a felony.

16 F. Upon receipt of notice of legal proceedings, ~~the Tax~~
17 ~~Commission~~ Service Oklahoma shall cause the sale process to be put
18 on hold until notice of resolution of court proceedings is received
19 from the court. If such notice of commencement of court proceedings
20 is not filed with ~~the Tax Commission~~ Service Oklahoma, the
21 possessory lien sale process may continue.

22 G. No possessory lien sale shall be held on a Sunday.

23 H. For purposes of this section:

24

1 1. "Possession" includes actual possession and constructive
2 possession;

3 2. "Constructive possession" means possession by a person who,
4 although not in actual possession, does not have an intention to
5 abandon property, knowingly has both power and the intention at a
6 given time to exercise dominion or control over the property, and
7 who holds claim to such thing by virtue of some legal right;

8 3. "Lawfully in possession" means a person has documentation
9 from the owner or the owner's authorized agent, or an insurance
10 company or its authorized agent, authorizing the furnishing of
11 material, labor or storage, or that the property was authorized to
12 be towed to a repair facility. If the person lacks such
13 documentation, he or she shall not be lawfully in possession of the
14 Section 91 Personal Property and shall not be entitled to a special
15 lien as set forth in this section; and

16 4. "Itemized charges" means total parts, total labor, total
17 towing fees, total storage fees, total processing fees and totals of
18 any other fee groups, the sum total of which shall equal the
19 compensation claimed.

20 I. For purposes of this section, the United States Postal
21 Service approved electronic equivalent of proof of return receipt
22 requested Form 3811 shall satisfy return receipt requested
23 documentation requirements.

24

1 J. If a person claiming a special lien pursuant to this section
2 fails to comply with any of the requirements of this section, any
3 interested party may proceed against the person claiming such lien
4 for all damages arising therefrom, including conversion, if the
5 article of personal property has been sold. If the notice or
6 notices required by this section shall be shown to be knowingly
7 false or fraudulent, the interested party shall be entitled to
8 treble damages. The prevailing party shall be entitled to all
9 costs, including reasonable attorney fees.

10 K. This section shall apply to all actions or proceedings that
11 commence on or after the effective date of this act.

12 SECTION 11. AMENDATORY 42 O.S. 2021, Section 91A, is
13 amended to read as follows:

14 Section 91A.

15 A. 1. a. This section applies to all types of personal property
16 other than:

17 (1) farm equipment as defined in Section 91.2 of this
18 title, and

19 (2) "Section 91 Personal Property" as defined in
20 Section 91 of this title.

21 b. This section applies to any vehicle, all-terrain
22 vehicle, utility vehicle, manufactured home,
23 motorcycle, boat, outboard motor, or trailer that is
24

1 excluded from coverage under subsection A of Section
2 91 of this title because the personal property:

3 (1) does not have a certificate of title,

4 (2) has a certificate of title but does not have an
5 active lien recorded on the certificate of title,

6 (3) has a certificate of title that is not issued by
7 ~~the Oklahoma Tax Commission~~ Service Oklahoma or
8 by a federally recognized Indian tribe in the
9 State of Oklahoma, or

10 (4) is otherwise excluded by subparagraph b of
11 paragraph 1 of subsection A of Section 91 of this
12 title or subsection D of Section 91 of this
13 title.

14 c. If personal property has a certificate of title, or
15 would be required to have a certificate of title under
16 Oklahoma law, and is apparently covered both by this
17 section and by Sections 191 through 200 of this title,
18 the procedures set out in this section shall apply
19 instead of Sections 191 through 200 of this title. If
20 personal property without a certificate of title and
21 not required to be titled under Oklahoma law is
22 covered both by this section and Sections 191 through
23 200 of this title, the procedures set out in Sections
24

1 191 through 200 of this title shall apply instead of
2 this section.

3 2. a. Any person who, while lawfully in possession of an
4 article of personal property to which this section
5 applies, renders any service to the owner thereof by
6 furnishing storage, rental space, material, labor or
7 skill for the protection, improvement, safekeeping,
8 towing, right to occupy space, storage or carriage
9 thereof, has a special lien thereon, dependent on
10 possession, for the compensation, if any, which is due
11 to such person from the owner for such service.
12 Charges owed under a contract primarily for the
13 purpose of storage or rental of space shall be accrued
14 only at the regular periodic rate for storage or
15 rental as provided in the contract, adjusted for
16 partial periods of storage or rental.

17 b. Except for Class AA licensed wrecker towing charges,
18 the special lien shall be subordinate to any perfected
19 security interest unless the claimant complies with
20 the requirements of this section. Failure to comply
21 with any requirements of this section shall result in
22 denial of any title application and cause the special
23 lien to be subordinate to any perfected lien. Upon
24 such denial, the applicant shall be entitled to one

1 resubmission of the title application within thirty
2 (30) business days of receipt of the denial, and
3 proceed to comply with the requirements of this
4 section. "Failure to comply" includes, but is not
5 limited to:

6 (1) failure to timely provide additional
7 documentation supporting or verifying any entry
8 on submitted forms as requested by ~~the Tax~~
9 ~~Commission~~ Service Oklahoma,

10 (2) failure to provide the documentation supporting
11 lawful possession as outlined in paragraph 3 of
12 subsection H of this section,

13 (3) claimant being other than the individual who
14 provided the service giving rise to the special
15 lien, as in subparagraph a of this paragraph,

16 (4) claimant not being in possession of the vehicle,
17 or

18 (5) notification and proceedings not accomplished in
19 accordance with subparagraph c of this paragraph,
20 and paragraph 3 of this subsection.

21 c. Any person claiming a lien under this section shall
22 request, within five (5) business days of performing
23 any service or work on the property, ~~the Tax~~
24 ~~Commission~~ Service Oklahoma or other appropriate

1 license agency to furnish the name and address of the
2 current owner of and any lienholder upon the property.
3 ~~The Motor Vehicle Division of the Tax Commission~~
4 Service Oklahoma or an appropriate license agency
5 shall respond in person or by mail to the lien
6 claimant within ten (10) business days of the receipt
7 of the request for information. ~~The Tax Commission~~
8 Service Oklahoma shall render assistance to ascertain
9 ownership, if needed. The lien claimant shall send,
10 within seven (7) business days of receipt of the
11 requested information from ~~the Oklahoma Tax Commission~~
12 Service Oklahoma or other license agency, a notice of
13 the location of the property by certified mail with
14 return receipt requested, postage prepaid, to the
15 owner and any lienholder of the vehicle at the
16 addresses furnished. The lien claimant may charge
17 Twenty Dollars (\$20.00) for processing plus the cost
18 of postage if the notice is timely sent pursuant to
19 the requirements of this subparagraph in addition to
20 fees regulated by the Oklahoma Corporation Commission
21 for licensed wreckers. If the lien claimant is unable
22 to meet the time requirements due to a lack of or an
23 altered vehicle identification number on the property,
24 the lien claimant shall proceed diligently to obtain

1 the proper vehicle identification number and shall
2 meet the time requirements on the notice once the
3 vehicle identification number is known. If the lien
4 claimant is required to send additional notices
5 because of change of ownership or lienholder after it
6 has timely complied with the requirements of this
7 subparagraph, the lien claimant shall remain in
8 compliance if such additional notices are sent within
9 the required time periods from the date of discovery
10 of the new owners or lienholders. The notice shall be
11 in writing and shall contain, but not be limited to,
12 the following:

- 13 (1) a statement that the notice is a Notice of
14 Possessory Lien,
- 15 (2) the complete legal name, physical and mailing
16 address, and telephone number of the claimant,
- 17 (3) the complete legal name, physical and mailing
18 address of the person who requested that the
19 claimant render service to the owner by
20 furnishing material, labor or skill, storage, or
21 rental space, or the date the property was
22 abandoned if the claimant did not render any
23 other service,

1 (4) a description of the article of personal
2 property, and the complete physical and mailing
3 address of the location of the article of
4 personal property,

5 (5) the nature of the work, labor or service
6 performed, material furnished, or the storage or
7 rental arrangement, and the date thereof, and
8 written proof of authority to perform the work,
9 labor or service provided that, in the case of a
10 law enforcement directed tow, the logbook entry
11 prescribed in OAC 595:25-5-5 or the tow ticket as
12 defined by the Corporation Commission shall serve
13 as written proof of authority,

14 (6) the signature of the claimant which shall be
15 notarized and, if applicable, the signature of
16 the claimant's attorney. If the claimant is a
17 business, the name of the contact person
18 representing the business shall be shown. In
19 place of an original signature and notary seal, a
20 digital or electronic signature or seal shall be
21 accepted, and

22 (7) an itemized statement describing the date or
23 dates the labor or services were performed and
24 material furnished and the charges claimed for

1 each item, the totals of which shall equal the
2 total compensation claimed.

3 The lien claimant shall not be required to send the
4 notice required in this subparagraph if the property
5 is released to an interested party before the notice
6 is mailed and no additional charges or fees continue
7 to accrue. If a law enforcement agency has the
8 property towed to a law enforcement facility, the
9 person claiming a lien under this section shall not be
10 required to send notice until the property is released
11 by law enforcement to the claimant or the date which
12 claimant starts charging storage, whichever is
13 earlier. A lien claimant shall have an extension of
14 ten (10) business days to send the notice required in
15 this subparagraph if a state of emergency has been
16 declared in the county in which the property is
17 located.

18 d. Subparagraphs b and c of this paragraph shall not
19 apply to salvage pools as defined in Section 591.2 of
20 Title 47 of the Oklahoma Statutes.

21 3. The lien may be foreclosed by a sale of such personal
22 property upon the notice and in the manner following: The notice
23 shall be in writing and shall contain, but not be limited to:

- 1 a. the names of the owner and any other known party or
2 parties who may claim any interest in the property,
3 b. a description of the property to be sold, including a
4 visual inspection or a photograph if the property is a
5 motor vehicle, and the physical location of the
6 property,
7 c. the nature of the work, labor or service performed,
8 material furnished, or the storage or rental
9 arrangement, and the date thereof, and written proof
10 of authority to perform the work, labor or service
11 provided. In the case of a law enforcement directed
12 tow, the logbook entry prescribed in OAC 595:25-5-5 or
13 the tow ticket as defined by the Corporation
14 Commission, shall serve as written proof of authority,
15 d. the time and place of sale,
16 e. the name, telephone number, physical address and
17 mailing address of the claimant, and agent or
18 attorney, if any, foreclosing such lien. If the
19 claimant is a business, then the name of the contact
20 person representing the business must be shown. In
21 place of an original signature and notary seal, a
22 digital or electronic signature or seal shall be
23 accepted, and
24

1 f. itemized charges which shall equal the total
2 compensation claimed.

3 4. a. Such Notice of Sale shall be posted in two public
4 places in the county where the property is to be sold
5 at least ten (10) days before the time therein
6 specified for such sale, and a copy of the notice
7 shall be mailed to the owner and any other party
8 claiming any interest in the property, if known, at
9 their last-known post office address, by certified
10 mail, return receipt requested, at least ten (10) days
11 before the time therein specified for such sale. If
12 the item of personal property is a manufactured home,
13 notice shall also be sent by certified mail to the
14 county treasurer and to the county assessor of the
15 county where the manufactured home is located.

16 b. In the case of any item of personal property without a
17 certificate of title and not required to be titled
18 under Oklahoma law, a party who claims any interest in
19 the property shall include all owners of the property;
20 any secured party who has an active financing
21 statement on file with the county clerk of Oklahoma
22 County listing one or more owners of the property by
23 legal name as debtors and indicating a collateral
24 description that would include the property; and any

1 other person having any interest in the personal
2 property, of whom the claimant has actual notice.

3 c. In the case of personal property subject to this
4 section for which a certificate of title has been
5 issued by any jurisdiction, a party who claims any
6 interest in the property shall include all owners of
7 the article of personal property as indicated by the
8 certificate of title; lien debtors, if any, other than
9 the owners; any lienholder whose lien is noted on the
10 face of the certificate of title; and any other person
11 having any interest in the article of personal
12 property, of whom the claimant has actual notice.

13 d. When the jurisdiction of titling for a vehicle, all-
14 terrain vehicle, motorcycle, boat, outboard motor, or
15 trailer that is five (5) model years old or newer, or
16 a manufactured home that is fifteen (15) model years
17 old or newer, cannot be determined by ordinary means,
18 the claimant, the agent of the claimant, or the
19 attorney of the claimant, shall request, in writing,
20 that ~~the Oklahoma Tax Commission Motor Vehicle~~
21 ~~Division~~ Service Oklahoma ascertain the jurisdiction
22 where the vehicle or manufactured home is titled. ~~The~~
23 ~~Oklahoma Tax Commission Motor Vehicle Division~~ Service
24 Oklahoma shall, within fourteen (14) days from the

1 date the request is received, provide information as
2 to the jurisdiction where the personal property is
3 titled. If ~~the Oklahoma Tax Commission Motor Vehicle~~
4 ~~Division~~ Service Oklahoma is unable to provide the
5 information, it shall provide notice that the record
6 is not available.

7 e. When personal property is of a type that Oklahoma law
8 requires to be titled, the owner of record of that
9 property is unknown, and the jurisdiction of titling
10 and owner of record cannot be determined by ordinary
11 means and also, if applicable, cannot be determined in
12 accordance with the preceding subparagraph, then the
13 special lien may be foreclosed by publication of a
14 legal notice in a legal newspaper in the county where
15 the personal property is located, as defined in
16 Section 106 of Title 25 of the Oklahoma Statutes.
17 Such notice shall include the description of the
18 property by year, make, vehicle identification number
19 if available from the property, the name of the
20 individual who may be contacted for information, and
21 the telephone number of that person or the address
22 where the vehicle is located. The legal notice shall
23 be published once per week for three (3) consecutive
24 weeks. As soon as circumstances exist as described in

1 the first sentence of this subparagraph, the first
2 date of publication may occur even if the special lien
3 has not accrued for over thirty (30) days. The first
4 date available for public sale of the vehicle is the
5 day following publication of the final notice, but no
6 fewer than thirty (30) days after the lien has
7 accrued. When the owner of record is unknown, the
8 Notice of Sale nevertheless must be completed and
9 mailed to any known interested party by certified
10 mail. For purposes of this paragraph, interested
11 parties shall include all persons described in
12 subparagraph b or subparagraph c of this paragraph,
13 whichever is applicable, with the exception of any
14 owner who is unknown. Except in circumstances
15 described in paragraph 7 of this subsection that
16 provide for a shorter time period, the Notice of Sale
17 shall be posted in two public places in the county
18 where the property is to be sold at least ten (10)
19 days before the time therein specified for such sale,
20 and the Notice of Sale shall not be mailed until at
21 least thirty (30) days after the lien has accrued.

22 5. The lienor or any other person may in good faith become a
23 purchaser of the property sold.

1 6. Proceedings for foreclosure under this act shall not be
2 commenced until thirty (30) days after the lien has accrued, except
3 as provided elsewhere in Oklahoma law.

4 7. Notwithstanding any other provision of law, proceedings for
5 foreclosures for the storage of junk vehicles towed and stored
6 pursuant to Section 955 of Title 47 of the Oklahoma Statutes by
7 Class AA wreckers listed with the Motor Vehicle Division of the
8 Department of Public Safety, may be commenced five (5) days after
9 the lien has accrued. For purposes of this paragraph, "junk
10 vehicles" means any vehicle that is more than ten (10) years old if
11 the cost of a comparable vehicle would be less than Three Hundred
12 Dollars (\$300.00) as quoted in the latest edition of the National
13 Automobile Dealers Association Official Used Car Guide or latest
14 monthly edition of any other nationally recognized published
15 guidebook, adjusting to the condition of the vehicle.

16 B. 1. a. Any person who is induced by means of a check or other
17 form of written order for immediate payment of money
18 to deliver up possession of an article of personal
19 property on which the person has a special lien
20 created by subsection A of this section, which check
21 or other written order is dishonored, or is not paid
22 when presented, shall have a lien for the amount
23 thereof upon the personal property.

1 b. The person claiming such lien shall, within thirty
2 (30) days from the date of dishonor of the check or
3 other written order for payment of money, file in the
4 office of the county clerk of the county in which the
5 property is situated a sworn statement that:

6 (1) the check or other written order for immediate
7 payment of money, copy thereof being attached,
8 was received for labor, material or supplies for
9 producing or repairing an article of personal
10 property, or for other specific property-related
11 services covered by this section,

12 (2) the check or other written order was not paid,
13 and

14 (3) the uttering of the check or other written order
15 constituted the means for inducing the person,
16 one possessed of a special lien created by
17 subsection A of this section upon the described
18 article of personal property, to deliver up the
19 article of personal property.

20 2. a. Any person who renders service to the owner of an
21 article of personal property by furnishing storage,
22 rental space, material, labor, or skill for the
23 protection, improvement, safekeeping, towing, right to
24 occupy space, storage, or carriage thereof shall have

1 a special lien on such property pursuant to this
2 section if such property is removed from the person's
3 possession, without such person's written consent or
4 without payment for such service.

5 b. The person claiming such lien shall, within five (5)
6 days of such nonauthorized removal, file in the office
7 of the county clerk of the county in which the
8 property is located, a sworn statement including:

9 (1) that services were rendered on or in relation to
10 the article of personal property by the person
11 claiming such lien,

12 (2) that the property was in the possession of the
13 person claiming the lien but such property was
14 removed without his or her written consent,

15 (3) an identifying description of the article of
16 personal property on or in relation to which the
17 service was rendered, and

18 (4) that the debt for the services rendered on or in
19 relation to the article of personal property was
20 not paid. Provided, if the unpaid total amount
21 of the debt for services rendered on or in
22 relation to the article of personal property is
23 unknown, an approximated amount of the debt due
24 and owing shall be included in the sworn

1 statement but such approximated debt may be
2 amended within thirty (30) days of such filing to
3 reflect the actual amount of the debt due and
4 owing.

5 3. The enforcement of the lien shall be within sixty (60) days
6 after filing the lien in the manner provided by law for enforcing
7 the lien of a security agreement and provided that the lien shall
8 not affect the rights of innocent, intervening purchasers without
9 notice.

10 C. If the person who renders service to the owner of an article
11 of personal property to which this section applies relinquishes or
12 loses possession of the article due to circumstances described in
13 subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of
14 subsection B of this section, the person claiming the lien shall be
15 entitled to possession of the article until the amount due is paid,
16 unless the article is possessed by a person who became a bona fide
17 purchaser. Entitlement to possession shall be in accordance with
18 the following:

19 1. The claimant may take possession of an article pursuant to
20 this subsection only if the person obligated under the contract for
21 services has signed an acknowledgment of receipt of a notice that
22 the article may be subject to repossession. The notice and
23 acknowledgment pursuant to this subsection shall be:
24

- 1 a. in writing and separate from the written contract for
2 services, or
- 3 b. printed on the written contract for services, credit
4 agreement or other document which displays the notice
5 in bold-faced, capitalized and underlined type, or is
6 separated from surrounding written material so as to
7 be conspicuous with a separate signature line;

8 2. The claimant may require the person obligated under the
9 contract for services to pay the costs of repossession as a
10 condition for reclaiming the article only to the extent of the
11 reasonable fair market value of the services required to take
12 possession of the article;

13 3. The claimant shall not transfer to a third party or to a
14 person who performs repossession services, a check, money order, or
15 credit card transaction that is received as payment for services
16 with respect to an article and that is returned to the claimant
17 because of insufficient funds or no funds, because the person
18 writing the check, issuing the money order, or credit cardholder has
19 no account or because the check, money order, or credit card account
20 has been closed. A person violating this paragraph shall be guilty
21 of a misdemeanor; and

22 4. An article that is repossessed pursuant to this subsection
23 shall be promptly delivered to the location where the services were
24 performed. The article shall remain at the services location at all

1 times until the article is lawfully returned to the record owner or
2 a lienholder or is disposed of pursuant to this section.

3 D. 1. This section applies if a vehicle, all-terrain vehicle,
4 manufactured home, motorcycle, boat, outboard motor, or trailer has
5 a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma
6 or by a federally recognized Indian tribe in Oklahoma, but there is
7 no active lien recorded on the certificate of title.

8 2. This section applies if a vehicle, all-terrain vehicle,
9 utility vehicle, motorcycle, boat, outboard motor or trailer has a
10 certificate of title issued by ~~the Tax Commission~~ Service Oklahoma
11 or by a federally recognized Indian tribe in Oklahoma, and there is
12 an active lien recorded on the certificate of title, but the lien is
13 over fifteen (15) years old.

14 3. This section applies if personal property to which Section
15 91 of this title otherwise would apply has been registered by ~~the~~
16 ~~Tax Commission~~ Service Oklahoma or by a federally recognized Indian
17 tribe in the State of Oklahoma, and there is a lien of record but no
18 certificate of title has been issued.

19 4. This section applies if personal property to which Section
20 91 of this title otherwise would apply has not been registered by
21 either ~~the Tax Commission~~ Service Oklahoma or a federally recognized
22 Indian tribe in the State of Oklahoma, and no certificate of title
23 has been issued, but there is a lien of record.

24

1 5. This section applies to personal property that otherwise
2 would be covered by Section 91 of this title, except that the
3 services were rendered or the property was abandoned prior to
4 November 1, 2005.

5 6. This section applies to a vehicle, all-terrain vehicle,
6 utility vehicle, manufactured home, motorcycle, boat, outboard
7 motor, or trailer for which ownership cannot be determined by
8 ordinary means or by ~~the Oklahoma Tax Commission Motor Vehicle~~
9 ~~Division~~ Service Oklahoma, as provided in subparagraphs d and e of
10 paragraph 4 of subsection A of this section, as applicable.

11 7. This section applies to items of personal property that are
12 not required by Oklahoma law to be titled, and that do not have a
13 certificate of title.

14 8. This section applies to salvage pools as defined in Section
15 591.2 of Title 47 of the Oklahoma Statutes.

16 9. This section applies to class AA licensed wrecker services
17 taking possession of a vehicle pursuant to an agreement with, or at
18 the direction of, or dispatched by a state or local law enforcement
19 or government agency, or pursuant to the abandoned vehicle removal
20 provisions of Section 954A of Title 47 of the Oklahoma Statutes with
21 respect to all types of personal property, regardless of whether
22 that personal property has a certificate of title.

23 10. For a vehicle abandoned at a salvage pool, if the cost of
24 repairing the vehicle for safe operation on the highway does not

1 exceed sixty percent (60%) of the fair market value of the vehicle
2 as defined in Section 1111 of Title 47 of the Oklahoma Statutes, a
3 salvage title shall not be required.

4 E. A person who knowingly makes a false statement of a material
5 fact regarding the furnishing of storage, rental space, material,
6 labor or skill for the protection, improvement, safekeeping, towing,
7 right to occupy space, storage or carriage thereof in a proceeding
8 under this section, or attempts to use or uses the provisions of
9 this section to foreclose an owner or lienholder's interest in a
10 vehicle knowing that any of the statements made in the proceeding
11 are false, upon conviction, shall be guilty of a felony.

12 F. Upon receipt of notice of legal proceedings, ~~the Tax~~
13 ~~Commission~~ Service Oklahoma shall cause the sale process to be put
14 on hold until notice of resolution of court proceedings is received
15 from the court. If such notice of commencement of court proceedings
16 is not filed with ~~the Tax Commission~~ Service Oklahoma, the
17 possessory lien sale process may continue.

18 G. No possessory lien sale shall be held on a Sunday.

19 H. For purposes of this section:

20 1. "Possession" includes actual possession and constructive
21 possession;

22 2. "Constructive possession" means possession by a person who,
23 although not in actual possession, does not have an intention to
24 abandon property, knowingly has both power and the intention at a

1 given time to exercise dominion or control over the property, and
2 who holds claim to such thing by virtue of some legal right;

3 3. "Lawfully in possession" means a person has documentation
4 from the owner or the owner's authorized agent, or an insurance
5 company or its authorized agent, authorizing the furnishing of
6 material, labor or storage, or that the property was authorized to
7 be towed to a repair facility.

8 Class AA wrecker services taking possession of a vehicle
9 pursuant to an agreement with, or at the direction of, or dispatched
10 by, a state or local law enforcement or government agency, or
11 pursuant to the abandoned vehicle removal provisions of Section 954A
12 of Title 47 of the Oklahoma Statutes, shall be considered lawfully
13 in possession of the vehicle. If the person lacks such
14 documentation, the procedures established by this section shall not
15 apply; and

16 4. "Itemized charges" means total parts, total labor, total
17 towing fees, total storage fees, total processing fees and totals of
18 any other fee groups, the sum total of which shall equal the
19 compensation claimed.

20 I. For purposes of this section, the United States Postal
21 Service approved electronic equivalent of proof of return receipt
22 requested Form 3811 shall satisfy return receipt requested
23 documentation requirements.

24

1 J. If a person claiming a special lien pursuant to this section
2 fails to comply with any of the requirements of this section, any
3 interested party may proceed against the person claiming such lien
4 for all damages arising therefrom, including conversion, if the
5 article of personal property has been sold. If the notice or
6 notices required by this section shall be shown to be knowingly
7 false or fraudulent, the interested party shall be entitled to
8 treble damages. The prevailing party shall be entitled to all
9 costs, including reasonable attorney fees.

10 K. Any interested party shall be permitted to visually inspect
11 and verify the services rendered by the claimant prior to the sale
12 of the article of property during normal business hours. If the
13 claimant fails to allow any interested party to inspect the
14 property, the interested party shall mail a request for inspection
15 by certified mail, return receipt requested, to the claimant.
16 Within three (3) business days of receipt of the request for
17 inspection, the claimant shall mail a photograph of the property, by
18 certified mail, return receipt requested, and a date of inspection
19 within five (5) business days from the date of the notice to
20 inspect. The lienholder shall be allowed to retrieve the property
21 without being required to bring the title into the lienholder's
22 name, if the lienholder provides proof it is a lienholder and any
23 payment due the claimant for lawful charges where the claimant has
24 complied with this section. Upon the release of personal property

1 to an insurer or representative of the insurer, wrecker operators
2 shall be exempt from all liability and shall be held harmless for
3 any losses or claims of loss. In the event any law enforcement
4 agency places a hold on the property, the party wanting to inspect
5 or photograph the property shall obtain permission from the law
6 enforcement agency that placed the hold on the property before
7 inspecting or photographing.

8 L. This section shall apply to all actions or proceedings that
9 commence on or after the effective date of this act.

10 SECTION 12. AMENDATORY 47 O.S. 2021, Section 6, Chapter
11 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 3-106), is amended to
12 read as follows:

13 Section 3-106. A. There is hereby created in the State
14 Treasury a revolving fund for Service Oklahoma to be designated the
15 "Service Oklahoma Revolving Fund". The fund shall be a continuing
16 fund, not subject to fiscal year limitations. All monies accruing
17 to the credit of said fund are hereby appropriated and shall be
18 budgeted and expended by Service Oklahoma for the restricted
19 purposes of the monies as prescribed by law. Expenditures from said
20 fund shall be made upon warrants issued by the State Treasurer
21 against claims filed as prescribed by law with the Director of the
22 Office of Management and Enterprise Services for approval and
23 payment.

24

1 B. There is hereby created in the State Treasury a revolving
2 fund for Service Oklahoma to be designated the "Service Oklahoma
3 Reimbursement Fund". The fund shall be a continuing fund, not
4 subject to fiscal year limitations. All monies accruing to the
5 credit of said fund are hereby appropriated and shall be budgeted
6 and expended by Service Oklahoma for the restricted purposes of the
7 monies as prescribed by law. Expenditures from said fund shall be
8 made upon warrants issued by the State Treasurer against claims
9 filed as prescribed by law with the Director of the Office of
10 Management and Enterprise Services for approval and payment.

11 C. There is hereby created in the State Treasury a revolving
12 fund for Service Oklahoma, to be designated the "Service Oklahoma
13 Computer Imaging System Revolving Fund". The fund shall be a
14 continuing fund not subject to fiscal year limitations. All monies
15 accruing to the credit of said fund are hereby appropriated and
16 shall be budgeted and expended by Service Oklahoma for the purpose
17 of implementing, developing, administering, and maintaining the
18 computer imaging system of Service Oklahoma. Expenditures from said
19 fund shall be made upon warrants issued by the State Treasurer
20 against claims filed as prescribed by law with the Director of the
21 Office of Management and Enterprise Services for approval and
22 payment.

23 D. There is hereby created a petty cash fund for Service
24 Oklahoma. The fund shall be used by Service Oklahoma to operate

1 cash drawers as necessary. The amount of the petty cash fund shall
2 be determined by the Director of Service Oklahoma and the Director
3 of the Office of Management and Enterprise Services. Purchases from
4 the petty cash fund shall be prohibited. The Director of the Office
5 of Management and Enterprise Services shall be authorized to
6 prescribe forms, systems, and procedures for the administration of
7 the petty cash fund.

8 SECTION 13. AMENDATORY 47 O.S. 2021, Section 6-101, as
9 amended by Section 37, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
10 Section 6-101), is amended to read as follows:

11 Section 6-101. A. No person, except those hereinafter
12 expressly exempted in Sections 6-102 and 6-102.1 of this title,
13 shall operate any motor vehicle upon a highway in this state unless
14 the person has a valid Oklahoma driver license for the class of
15 vehicle being operated under the provisions of this title. No
16 person shall be permitted to possess more than one valid license at
17 any time, except as provided in paragraph 4 of subsection F of this
18 section.

19 B. 1. No person shall operate a Class A commercial motor
20 vehicle unless the person is eighteen (18) years of age or older and
21 holds a valid Class A commercial license, except as provided in
22 paragraph 5 of this subsection and subsection F of this section.
23 Any person holding a valid Class A commercial license shall be
24

1 permitted to operate motor vehicles in Classes A, B, C and D, except
2 as provided for in paragraph 4 of this subsection.

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

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

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

24

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

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

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

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

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

20 D. No person shall operate a motorcycle or motor-driven cycle
21 without having a valid Class A, B, C or D license with a motorcycle
22 endorsement. Except as otherwise provided by law, any new applicant
23 for an original driver license shall be required to successfully
24 complete a written examination, vision examination and driving

1 examination for a motorcycle as prescribed by the Department of
2 Public Safety, in conjunction with Service Oklahoma, and a certified
3 state-approved motorcycle basic rider course approved by the
4 Department, in conjunction with Service Oklahoma, if the applicant
5 is seventeen (17) years of age or younger to be eligible for a
6 motorcycle endorsement thereon. The written examination and driving
7 examination for a motorcycle shall be waived by Service Oklahoma
8 upon verification that the person has successfully completed a
9 certified Motorcycle Safety Foundation rider course approved by the
10 Department, in conjunction with Service Oklahoma.

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

24

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

14 2. This commercial learner permit shall be issued for a period
15 ~~as provided in Section 6-115 of this title of one hundred eighty~~
16 ~~(180) days, which may be renewed one time for an additional one~~
17 ~~hundred eighty (180) days~~ one (1) year; provided, such commercial
18 learner permit may be suspended, revoked, canceled, denied or
19 disqualified at the discretion of the Department, with notice to
20 Service Oklahoma, for violation of the restrictions, for failing to
21 give the required or correct information on the application or for
22 violation of any traffic laws of this state pertaining to the
23 operation of a motor vehicle. Except as otherwise provided, the
24 lawful possessor of a commercial learner permit who has been issued

1 a commercial learner permit for a minimum of fourteen (14) days may
2 have the restriction requiring an accompanying driver removed by
3 satisfactorily completing a driver's examination; provided, the
4 removal of a restriction shall not authorize the operation of a
5 Class A, B or C commercial motor vehicle if such operation is
6 otherwise prohibited by law.

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

20 4. A commercial learner permit shall be issued by Service
21 Oklahoma as a separate and unique document which shall be valid only
22 in conjunction with a valid Oklahoma driver license or provisional
23 driver license pursuant to Section 6-212 of this title, both of
24 which shall be in the possession of the person to whom they have

1 | been issued whenever that person is operating a commercial motor
2 | vehicle as provided in this subsection.

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

11 | G. 1. For purposes of this title:

12 | a. "REAL ID Compliant Driver License" or "Identification
13 | Card" means a driver license or identification card
14 | issued by the State of Oklahoma that has been
15 | certified by the United States Department of Homeland
16 | Security (USDHS) as compliant with the requirements of
17 | the REAL ID Act of 2005, Public Law No. 109-13. A
18 | REAL ID Compliant Driver License or Identification
19 | Card and the process through which it is issued
20 | incorporate a variety of security measures designed to
21 | protect the integrity and trustworthiness of the
22 | license or card. A REAL ID Compliant Driver License
23 | or Identification Card will be clearly marked on the
24 | face indicating that it is a compliant document, and

1 b. "REAL ID Noncompliant Driver License" or
2 "Identification Card" means a driver license or
3 identification card issued by the State of Oklahoma
4 that has not been certified by the United States
5 Department of Homeland Security (USDHS) as being
6 compliant with the requirements of the REAL ID Act. A
7 REAL ID Noncompliant Driver License or Identification
8 Card will be clearly marked on the face indicating
9 that it is not compliant with the federal REAL ID Act
10 and is not acceptable for official federal purposes.
11 The driver license or identification card will have a
12 unique design or color indicator that clearly
13 distinguishes it from a compliant license or card.

14 2. Original Driver License and Identification Card Issuance:

- 15 a. Application for an original REAL ID Compliant or REAL
16 ID Noncompliant Driver License or Identification Card
17 shall be made to Service Oklahoma.
- 18 b. Service Oklahoma employees shall perform all document
19 recognition and other requirements needed for approval
20 of an original REAL ID Compliant or REAL ID
21 Noncompliant Driver License or Identification Card
22 application.
- 23 c. Upon approval of an original REAL ID Compliant or REAL
24 ID Noncompliant Driver License or Identification Card

1 application, the applicant may take the approved
2 application document to a licensed operator to receive
3 a temporary driver license or identification card.

4 d. The licensed operator shall process the approved REAL
5 ID Compliant or REAL ID Noncompliant Driver License or
6 Identification Card application and upon payment shall
7 provide the applicant a temporary driver license or
8 identification card. A temporary driver license or
9 identification card shall afford the holder the
10 privileges otherwise granted by the specific class of
11 driver license or identification card for the period
12 of time listed on the temporary driver license or
13 identification card or the period of time prior to the
14 applicant receiving a REAL ID Compliant or REAL ID
15 Noncompliant Driver License or Identification Card,
16 whichever time period is shorter.

17 3. REAL ID Compliant Driver License and Identification Card

18 Renewal and Replacement:

19 a. Application for renewal or replacement of a REAL ID
20 Compliant Driver License or Identification Card may be
21 made to Service Oklahoma or to a licensed operator;
22 provided, such licensed operator is authorized to
23 process ~~application~~ applications for REAL ID Compliant
24 Driver Licenses and Identification Cards. A licensed

1 operator may process the voluntary downgrade of a REAL
2 ID Compliant Commercial Driver License to any lower
3 class license upon request of the licensee; provided,
4 no additional endorsements or restrictions are placed
5 on the license.

6 b. Service Oklahoma employees or authorized licensed
7 operators shall perform all document recognition and
8 other requirements needed for approval of a renewal or
9 replacement REAL ID Compliant Driver License or
10 Identification Card application.

11 c. Upon approval of a renewal or replacement REAL ID
12 Compliant Driver License or Identification Card
13 application, the applicant may receive a temporary
14 driver license or identification card from Service
15 Oklahoma or an authorized licensed operator.

16 d. A temporary driver license or identification card
17 acquired under the provisions of this paragraph shall
18 afford the holder the privileges otherwise granted by
19 the specific class of driver license or identification
20 card being renewed or replaced for the period of time
21 listed on the temporary driver license or
22 identification card or the period of time prior to the
23 applicant receiving a REAL ID Compliant Driver License
24

1 or Identification Card, whichever time period is
2 shorter.

- 3 e. For purposes of this title, an application for a REAL
4 ID Compliant Driver License or Identification Card by
5 an individual with a valid Oklahoma-issued driver
6 license or identification card shall be considered a
7 renewal of a REAL ID Compliant Driver License or
8 Identification Card.

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

- 11 a. Application for renewal or replacement of a REAL ID
12 Noncompliant Driver License or Identification Card may
13 be made to Service Oklahoma or to a licensed operator.
14 A licensed operator may process the voluntary
15 downgrade of a REAL ID Noncompliant Commercial Driver
16 License to any lower class license upon request of the
17 licensee; provided, no additional endorsements or
18 restrictions are added to the license.
- 19 b. Service Oklahoma employees or licensed operators shall
20 perform all document recognition and other
21 requirements needed for approval of a renewal or
22 replacement REAL ID Noncompliant Driver License or
23 Identification Card application.

1 c. Upon approval of a renewal or replacement REAL ID
2 Noncompliant Driver License or Identification Card
3 application, the applicant may receive a temporary
4 driver license or identification card from Service
5 Oklahoma or a licensed operator.

6 d. A temporary driver license or identification card
7 acquired under the provisions of this paragraph shall
8 afford the holder the privileges otherwise granted by
9 the specific class of driver license or identification
10 card being renewed or replaced for the period of time
11 listed on the temporary driver license or
12 identification card or the period of time prior to the
13 applicant receiving a REAL ID Noncompliant Driver
14 License or Identification Card, whichever time period
15 is shorter.

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

22 Class A Commercial Learner

23 Permit \$25.00

24 Class A Commercial License \$25.00

1	Class B Commercial Learner	
2	Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner	
5	Permit	\$15.00
6	Class C Commercial License	\$15.00
7	Class D License	\$ 4.00
8	Motorcycle Endorsement	\$ 4.00

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

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

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

24	License Class	4-year	8-year
----	---------------	--------	--------

1	Class A Commercial Learner		
2	Permit	\$56.50	\$113.00
3	Class A Commercial License	\$56.50	\$113.00
4	Class B Commercial Learner		
5	Permit	\$56.50	\$113.00
6	Class B Commercial License	\$56.50	\$113.00
7	Class C Commercial Learner		
8	Permit	\$46.50	\$93.00
9	Class C Commercial License	\$46.50	\$93.00
10	Class D License	\$38.50	\$77.00

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

17	License Class	4-year	8-year
18	REAL ID Compliant Class A		
19	Commercial Learner Permit	\$56.50	\$113.00
20	REAL ID Compliant Class A		
21	Commercial License	\$56.50	\$113.00
22	REAL ID Compliant Class B		
23	Commercial Learner Permit	\$56.50	\$113.00

24

1	REAL ID Compliant Class B		
2	Commercial License	\$56.50	\$113.00
3	REAL ID Compliant Class C		
4	Commercial Learner Permit	\$46.50	\$93.00
5	REAL ID Compliant Class C		
6	Commercial License	\$46.50	\$93.00
7	REAL ID Compliant Class D		
8	License	\$38.50	\$77.00

9 L. A commercial learner permit may be renewed one time for a
10 period of one hundred eighty (180) days. The cost for the renewed
11 permit shall be the same as for the original permit.

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

15 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
16 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to
17 the Trauma Care Assistance Revolving Fund created in Section 1-
18 2530.9 of Title 63 of the Oklahoma Statutes;

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

1 Beginning November 1, 2022, Six Dollars and seventy-five cents
2 (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents
3 (\$13.50) of an 8-year license shall be deposited to the Service
4 Oklahoma Computer Imaging System Revolving Fund to be used solely
5 for the purpose of administration and maintenance of the
6 computerized imaging system of Service Oklahoma;

7 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
8 (\$20.00) of an 8-year license shall be deposited to the Department
9 of Public Safety Revolving Fund for all original or renewal
10 issuances of licenses through October 31, 2022. Beginning November
11 1, 2022, Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
12 (\$20.00) of an 8-year license shall be deposited to the Service
13 Oklahoma Revolving Fund for all original or renewal issuances of
14 licenses; and

15 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars
16 (\$6.00) of an 8-year license shall be deposited to the State Public
17 Safety Fund created in Section 2-147 of this title.

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

20 O. Any person sixty-two (62) years of age or older during the
21 calendar year of issuance or renewal of a Class D license or
22 motorcycle endorsement shall be charged the following prorated fee:

	4-year	8-year
23		
24 Age 62	\$21.25	\$42.50

1	Age 63	\$17.50	\$35.00
2	Age 64	\$13.75	\$27.50
3	Age 65	-0-	

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

18 Q. In accordance with the provisions of subsection G of this
19 section, Service Oklahoma is authorized to promulgate rules for the
20 issuance and renewal of driver licenses authorized pursuant to the
21 provisions of Sections 6-101 through 6-309 of this title; provided,
22 that no such rules applicable to the issuance or renewal of REAL ID
23 Noncompliant Driver Licenses shall create more stringent standards
24 than such rules applicable as of January 1, 2017, unless directly

1 related to a specific change in statutory law concerning standards
2 for REAL ID Noncompliant Driver Licenses. Applications, upon forms
3 approved by Service Oklahoma, for such licenses shall be handled, in
4 accordance with the provisions of subsection G of this section, by
5 the licensed operator; provided, Service Oklahoma is authorized to
6 assume these duties in any county of this state. Each licensed
7 operator accepting applications for driver licenses shall receive
8 Six Dollars (\$6.00) for a 4-year REAL ID Noncompliant Driver License
9 or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver
10 License or Ten Dollars (\$10.00) for a 4-year REAL ID Compliant
11 Driver License or Twenty Dollars (\$20.00) for an 8-year REAL ID
12 Compliant Driver License to be deducted from the total collected for
13 each license or renewal application accepted. The fees received by
14 the licensed operator, authorized by this subsection, shall be used
15 for operating expenses.

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

23 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
24 collected pursuant to this section shall be paid by the Tax

1 Commission to the State Treasurer to be deposited each fiscal year
2 under the provisions of this section to the credit of the Department
3 of Public Safety Restricted Revolving Fund for the purpose of the
4 Statewide Law Enforcement Communications System. All other monies
5 collected in excess of Five Hundred Sixty Thousand Dollars
6 (\$560,000.00) each fiscal year shall be apportioned as provided in
7 Section 1104 of this title, except as otherwise provided in this
8 section.

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

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

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

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

20 All agencies approved by the Oklahoma Law Enforcement
21 Telecommunications System (OLETS) or the National Law Enforcement
22 Telecommunications System (NLETS) to receive photographs or
23 computerized images may obtain them through OLETS or through NLETS.

24

1 Photographs or computerized images may be obtained by law
2 enforcement one inquiry at a time.

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

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

17 U. Upon the effective date of this act and ending on April 30,
18 2023, in addition to the amounts provided in subsection Q of this
19 section, a licensed operator shall receive Five Dollars (\$5.00) for
20 each processed application for a REAL ID Compliant 4-year Driver
21 License and Ten Dollars (\$10.00) for each processed application for
22 a REAL ID Compliant 8-year Driver License. Any additional amounts
23 provided pursuant to this subsection shall not be retained by
24 Service Oklahoma.

1 SECTION 14. AMENDATORY 47 O.S. 2021, Section 6-105, as
2 amended by Section 42, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
3 Section 6-105), is amended to read as follows:

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

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

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

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

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

21 C. Any person:

22 1. Who is at least fifteen and one-half (15 1/2) years of age
23 and is currently receiving instruction in or has successfully
24

1 completed driver education. For purposes of this section, the term
2 "driver education" shall mean:

3 a. a prescribed secondary school driver education course,
4 as provided for in Sections 19-113 through 19-121 of
5 Title 70 of the Oklahoma Statutes,

6 b. a driver education course, certified by Service
7 Oklahoma, in conjunction with the Department of Public
8 Safety, from a parochial, private, or other nonpublic
9 secondary school,

10 c. a commercial driver training course, as defined by
11 Sections 801 through 808 of this title,

12 d. a parent-taught driver education course, certified by
13 Service Oklahoma, in conjunction with the Department
14 of Public Safety. ~~The Department~~ Service Oklahoma
15 shall promulgate rules for any parent-taught driver
16 education course, or

17 e. a driver education course certified by a state other
18 than Oklahoma; or

19 2. Who is at least sixteen (16) years of age,
20 may, upon successfully passing all parts of the driver license
21 examination administered by Service Oklahoma, or an approved written
22 examination proctor, except the driving examination, be issued a
23 learner permit which will grant the permittee the privilege to
24 operate a Class D motor vehicle upon the public highways only

1 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
2 by a licensed driver who is at least twenty-one (21) years of age
3 and who is actually occupying a seat beside the permittee; provided,
4 the written examination for a learner permit may be waived by
5 Service Oklahoma upon verification that the person has successfully
6 completed driver education.

7 D. 1. Any person:

8 a. who has applied for, been issued, and has possessed a
9 learner permit for a minimum of ~~six (6) months~~ one
10 hundred eighty (180) days, and

11 b. whose custodial legal parent or legal guardian
12 certifies to Service Oklahoma by sworn affidavit that
13 the person has received a minimum of fifty (50) hours
14 of actual behind-the-wheel training, of which at least
15 ten (10) hours of such training was at night, from a
16 licensed driver who was at least twenty-one (21) years
17 of age and who was properly licensed to operate a
18 Class D motor vehicle for a minimum of two (2) years,

19 may be issued an intermediate Class D license upon successfully
20 passing all parts of the driver license examinations administered by
21 Service Oklahoma; provided, the written examination, if it has not
22 previously been administered or waived, may be waived by Service
23 Oklahoma upon verification that the person has successfully
24 completed driver education or the driving examination may be waived

1 by Service Oklahoma upon successful passage of the examination
2 administered by a certified designated examiner, as provided for in
3 Section 6-110 of this title. However, notwithstanding the date of
4 issuance of the learner permit, if the person has been convicted of
5 a traffic offense which is reported on the driving record of that
6 person, the time period specified in subparagraph a of this
7 paragraph shall be recalculated to begin from the date of conviction
8 for the traffic offense, and must elapse before that person may be
9 issued an intermediate Class D license. If the person has been
10 convicted of more than one traffic offense which is reported on the
11 driving record of that person, the time period specified in
12 subparagraph a of this paragraph shall be recalculated to begin from
13 the most recent date of conviction, and must elapse before that
14 person may be issued an intermediate Class D license.

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

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

19 (1) only between the hours of 5:00 a.m. and 10:00

20 p.m., except for driving to and from work,

21 school, school activities, and church activities,

22 or

23 (2) at any time, if a licensed driver who is at least

24 twenty-one (21) years of age is actually

1 occupying a seat beside the intermediate Class D
2 licensee, or if the intermediate Class D licensee
3 is a farm or ranch resident, and is operating a
4 motor vehicle while engaged in farming or
5 ranching operations outside the limits of a
6 municipality, or driving to and from work,
7 school, school activities, or church activities,
8 and

9 b. shall not operate a motor vehicle with more than one
10 passenger unless:

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

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

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

18 1. One (1) year; or

19 2. ~~Six (6) months~~ One hundred eighty (180) days, if the person

20 has completed both the driver education and the parent-certified

21 behind-the-wheel training provisions of subparagraph b of paragraph

22 1 of subsection D of this section,

23 may be issued a Class D license. However, notwithstanding the date

24 of issuance of the Class D license, if the person has been convicted

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

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

23 G. Service Oklahoma shall promulgate rules establishing
24 procedures for removal of learner permit and intermediate Class D

1 license restrictions from the permit or license upon the permittee
2 or licensee qualifying for a less restricted or an unrestricted
3 license.

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

16 1. With a piston displacement not to exceed three hundred (300)
17 cubic centimeters;

18 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

19 3. While wearing approved protective headgear; and

20 4. While accompanied by and receiving instruction from any
21 person who is at least twenty-one (21) years of age and who is
22 properly licensed pursuant to the laws of this state to operate a
23 motorcycle or motor-driven cycle, and who has visual contact with
24 the restricted licensee.

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

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

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

24

1 operation of a motor vehicle by the person would not be inimical to
2 public safety.

3 J. As used in this section:

4 1. "Hand-held electronic device" means a mobile telephone or
5 electronic device with which a user engages in a telephone call,
6 plays or stores media, including but not limited to music and video,
7 or sends or reads a text message while requiring the use of at least
8 one hand; and

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

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

15 SECTION 15. AMENDATORY 47 O.S. 2021, Section 6-110, as
16 amended by Section 49, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
17 Section 6-110), is amended to read as follows:

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

1 enter into agreements with local school districts, the Oklahoma
2 Department of Career and Technology Education, or institutions of
3 higher education to act as approved written examination proctors
4 with regard to any written examination required by this section.

5 The examination shall include a test of the applicant's:

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

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

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

22 2. Service Oklahoma shall have the authority to waive the
23 requirement of any part of the examination required in paragraph 1
24 of this subsection for those applicants whose driving record meets

1 the standards set by the Department of Public Safety and surrender
2 either of the following:

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

- 6 (1) is not expired more than six (6) months past the
7 expiration date listed on the driver license, and

- 8 (2) is not a Class A, B or C commercial driver
9 license or commercial driver license permit.

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

20 4. All applicants requiring a hazardous materials endorsement
21 shall be required, for the renewal of the endorsement, to
22 successfully complete the examination and to submit to a security
23 threat assessment performed by the Transportation Security
24 Administration of the Department of Homeland Security as required by

1 and pursuant to 49 C.F.R., Part 1572, which shall be used to
2 determine whether the applicant is eligible for renewal of the
3 endorsement pursuant to federal law and regulation.

4 5. Service Oklahoma, or an approved written examination
5 proctor, shall give the complete examination as provided for in this
6 section within thirty (30) days from the date the application is
7 received, and the examination shall be given at a location within
8 one hundred (100) miles of the residence of the applicant. Service
9 Oklahoma shall make every effort to make the examination locations
10 and times convenient for applicants. Service Oklahoma shall
11 consider giving the examination at various school sites if the
12 district board of education for the district in which the site is
13 located agrees and if economically feasible and practicable.

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

1 classification of the commercial license prior to the downgrade and
2 the holder of such a license shall not be required to reapply.

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

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

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

23 3. Each person applying to be a designated examiner shall be
24 required to pay an initial designated examiner certification fee of

1 One Thousand Dollars (\$1,000.00). Upon successful completion of
2 training prescribed by paragraph 2 of this subsection, the person
3 shall be required to pay an annual designated examiner certification
4 fee of Five Hundred Dollars (\$500.00). If an applicant for the
5 designated examiner program is employed by an Oklahoma public school
6 system that offers driver education, and he or she administers the
7 skills test only to students enrolled in a public school driver
8 education program, the certification fee may be waived by Service
9 Oklahoma. Each designated examiner certification shall expire on
10 the last day of the calendar year and may be renewed upon
11 application to Service Oklahoma. The designated examiner
12 certification fees collected by Service Oklahoma pursuant to this
13 subsection shall be deposited to the credit of the Department of
14 Public Safety Restricted Revolving Fund to be used for the purposes
15 of this subsection, through October 31, 2022. Beginning November 1,
16 2022, the designated examiner certification fees collected by
17 Service Oklahoma pursuant to this subsection shall be deposited to
18 the credit of the Service Oklahoma Revolving Fund. No designated
19 examiner certification fee shall be refunded in the event that
20 certification is denied, suspended or revoked.

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

24

1 5. Service Oklahoma shall ~~conduct an annual complete nationwide~~
2 ~~criminal history background check on~~ require each designated
3 examiner and ~~a complete nationwide~~ driver education instructor
4 applicant to submit to an electronic national criminal history
5 background record check on each designated examiner applicant
6 pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes. On
7 or before December 1, 2024, Service Oklahoma shall require each
8 designated examiner and driver education instructor to submit to an
9 electronic national criminal history record check pursuant to
10 Section 150.9 of Title 74 of the Oklahoma Statutes. The fees for
11 the ~~background record~~ check shall be borne by the designated
12 examiner ~~or~~, designated examiner applicant, driver education
13 instructor, or driver education instructor applicant.

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

17 E. 1. Upon application and approval of Service Oklahoma, any
18 public or private commercial truck driving school that has or
19 maintains a program instructing students for a Class A, B or C
20 license, public transit agency or state, county or municipal
21 government agency in this state shall be authorized to hire or
22 employ designated examiners approved by Service Oklahoma to be
23 third-party examiners of the Class A, B or C driving skills portion
24 of the Oklahoma driving examination. All designated examiners must

1 successfully have completed the courses and training as outlined in
2 paragraph 2 of this subsection. Service Oklahoma shall be required
3 to approve at least one public transit agency that has or maintains
4 a program instructing students for a Class A, B or C license to hire
5 or employ third-party examiners pursuant to this section. It shall
6 be permissible for any public transit agency operating in the State
7 of Oklahoma to utilize the third-party examiners hired or employed
8 by a public transit agency approved by Service Oklahoma.

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

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

24

1 commercial school driver education instructor or commercial school
2 driver education instructor applicant.

3 F. Service Oklahoma shall promulgate rules to:

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

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

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

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

18 SECTION 16. AMENDATORY 47 O.S. 2021, Section 6-111, as
19 amended by Section 1, Chapter 200, O.S.L. 2022 (47 O.S. Supp. 2022,
20 Section 6-111), is amended to read as follows:

21 Section 6-111. A. 1. The Department of Public Safety shall,
22 upon payment of the required fee, issue to every applicant
23 qualifying therefor a Class A, B, C or D driver license or
24 identification card as applied for, which license or card shall bear

1 thereon a distinguishing alphanumeric identification assigned to the
2 licensee or cardholder, date of issuance and date of expiration of
3 the license or card, the full legal name, signature or computerized
4 signature, date of birth, residence address, unless specified as an
5 exception in the Code of Federal Regulations per 6 C.F.R., Section
6 37.17, sex, a computerized color image of the licensee or cardholder
7 taken in accordance with Department rules and security features as
8 determined by the Department. The image shall depict a full front
9 unobstructed view of the entire face of the licensee or cardholder;
10 provided, a commercial learner permit shall not bear the image of
11 the licensee. When any person is issued both a driver license and
12 an identification card, the Department shall ensure the information
13 on both the license and the card are the same, unless otherwise
14 provided by law.

15 2. A driver license or identification card issued by the
16 Department on or after March 1, 2004, shall bear thereon the county
17 of residence of the licensee or cardholder.

18 3. The Department may cancel the distinguishing number, when
19 that distinguishing number is another person's Social Security
20 number, assign a new distinguishing alphanumeric identification, and
21 issue a new license or identification card without charge to the
22 licensee or cardholder.

23 4. The Department may promulgate rules for inclusion of the
24 height and a brief description of the licensee or cardholder on the

1 face of the card or license identifying the licensee or cardholder
2 as deaf or hard-of-hearing.

3 5. It is unlawful for any person to apply, adhere, or otherwise
4 attach to a driver license or identification card any decal,
5 sticker, label, or other attachment. Any law enforcement officer is
6 authorized to remove and dispose of any unlawful decal, sticker,
7 label, or other attachment from the driver license of a person. The
8 law enforcement officer, the employing agency of the officer, the
9 Department of Public Safety, and the State of Oklahoma shall be
10 immune from any liability for any loss suffered by the licensee,
11 cardholder, or the owner of the decal, sticker, label, or other
12 attachment caused by the removal and destruction of the decal,
13 sticker, label, or other attachment.

14 6. The Department of Public Safety may develop by rule a
15 procedure which complies with the provisions of subsection G of
16 Section 6-101 of this title whereby a person may apply for a renewal
17 or replacement Oklahoma Class D license or Oklahoma identification
18 card.

19 B. 1. The Department may issue or authorize the issuance of a
20 temporary permit or license to an applicant for a driver license
21 permitting such applicant to operate a motor vehicle while the
22 Department is completing its investigation and determination of all
23 facts relative to such applicant's privilege to receive a license,
24 or while a permanent driver license is being produced and delivered

1 to the applicant. Such permit or license must be in the immediate
2 possession of the driver while operating a motor vehicle, and it
3 shall be invalid when the applicant's permanent driver license has
4 been issued and delivered or for good cause has been refused.

5 2. The Department may issue or authorize the issuance of a
6 temporary identification card to an applicant, permitting the holder
7 the privileges otherwise granted by identification cards, while a
8 permanent driver license is being provided and delivered to the
9 applicant. Such card shall be invalid when the applicant's
10 permanent identification card has been issued and delivered, or for
11 good cause has been refused.

12 C. 1. The Department may issue a restricted commercial driver
13 license to drivers eighteen (18) years of age or older for any of
14 the following specific farm-related service industries:

- 15 a. farm retail outlets and suppliers,
- 16 b. agri-chemical businesses,
- 17 c. custom harvesters, and
- 18 d. livestock feeders.

19 The applicant shall have held a valid driver license for at
20 least one (1) year. Applicants with more than two (2) years of
21 driving experience shall have a good driving record for the most
22 recent two (2) years and shall meet all the requirements for a
23 commercial driver license. The restricted commercial driver license
24 shall not exceed the maximum total days that federal law allows.

1 ~~Applicants for the restricted commercial driver license shall be~~
2 ~~exempt from the knowledge and skills test.~~ Application of the
3 restricted commercial driver license does not have to be used in
4 consecutive days; use of permit shall be declared at application.

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

7 a. has not had more than one license,

8 b. has not had any license suspended, revoked, or
9 canceled,

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

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

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

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

24

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

7 No other placarded hazardous materials shall be transported by
8 holders of such licenses.

9 D. The Department may issue a non-domiciled commercial learner
10 permit or a non-domiciled commercial driver license to:

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

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

20 A person applying for such permit or license must comply with
21 all testing and licensing requirements in accordance with applicable
22 federal regulations, state laws and Department rules. The issued
23 license shall be valid until the expiration of the visa for the non-
24 domiciled worker. The Department may promulgate rules for the

1 implementation of the process to carry out the provisions of this
2 section.

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

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

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

22 4. Failure to comply with the requirements set forth in such
23 notice shall result in cancellation of the person's license or card.
24 Such cancellation shall be in effect for one (1) year, after which

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

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

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

1 the interlock device, a person may apply for a replacement driver
2 license.

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

8 SECTION 17. AMENDATORY 47 O.S. 2021, Section 6-113, is
9 amended to read as follows:

10 Section 6-113. A. ~~The Department of Public Safety~~ Service
11 Oklahoma, upon issuing a ~~driver's~~ driver license, shall have the
12 authority whenever good cause appears to impose restrictions
13 suitable to the licensee's driving ability with respect to the type
14 of or special mechanical control devices required on a motor vehicle
15 which the licensee may operate or such other restrictions applicable
16 to the licensee as Service Oklahoma, in conjunction with the
17 Department of Public Safety, may determine to be appropriate to
18 assure the safe operation of a motor vehicle by the licensee.

19 B. ~~The Department~~ Service Oklahoma may either issue a special
20 restricted license or may set forth such restrictions upon the usual
21 license form.

22 C. ~~The Department~~ Service Oklahoma may, upon receiving
23 satisfactory evidence of any violation of the restrictions of such
24 license, suspend or revoke the same but the licensee shall be

1 entitled to a hearing as upon a suspension or revocation under this
2 chapter.

3 D. It is a misdemeanor for any person to operate a motor
4 vehicle in any manner in violation of the restrictions imposed in a
5 restricted license issued to him or her.

6 SECTION 18. AMENDATORY 47 O.S. 2021, Section 6-116, as
7 amended by Section 56, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
8 Section 6-116), is amended to read as follows:

9 Section 6-116. A. Whenever any person, after applying for or
10 receiving a driver license or identification card, shall:

11 1. Change the mailing address named in such application;

12 2. Change the residence address displayed on the license or
13 card issued to the person;

14 3. Move from the person's previous county; or

15 4. Change the name of a licensee by marriage or otherwise,
16 such person shall ~~notify Service Oklahoma as provided in subsection~~
17 ~~B of this section~~ apply for a replacement of the driver license or
18 identification card with Service Oklahoma in accordance with the
19 provisions of Section 6-114 of this title within ten (10) days of
20 the change.

21 B. ~~Within ten (10) days such person shall notify Service~~
22 ~~Oklahoma in writing of the number of any driver license and~~
23 ~~identification card then held by the person and, as applicable:~~

24 1. ~~Both the old and new mailing addresses;~~

1 ~~2. Both the old and new residence addresses;~~

2 ~~3. Both the old and new counties of residence; or~~

3 ~~4. Both the former and new names.~~

4 ~~C.~~ Service Oklahoma shall not:

5 1. Change a county of residence unless the person specifically
6 notifies Service Oklahoma of such change; and

7 2. Presume that a new mailing address which is a different
8 county than the old mailing address means that the person has
9 changed his or her county of residence, and shall not change the
10 county of residence unless specifically notified of such change.

11 SECTION 19. AMENDATORY 47 O.S. 2021, Section 6-205.1, as
12 amended by Section 1, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
13 Section 6-205.1), is amended to read as follows:

14 Section 6-205.1 A. The driving privilege of a person who is
15 convicted of any offense as provided in paragraph 2 of subsection A
16 of Section 6-205 of this title, or a person who has refused to
17 submit to a test or tests as provided in Section 753 of this title,
18 or a person whose alcohol concentration is subject to the provisions
19 of Section 754 of this title shall be revoked or denied by ~~the~~
20 ~~Department of Public Safety~~ Service Oklahoma for the following
21 period, as applicable:

22 1. The first license revocation pursuant to paragraph 2 of
23 subsection A of Section 6-205 of this title or Section 753 or 754 of
24 this title, within ten (10) years preceding the date of arrest

1 relating thereto, shall be for a period of no less than one hundred
2 eighty (180) days and until the person completes the Impaired Driver
3 Accountability Program in accordance with the rules of the Board of
4 Tests for Alcohol and Drug Influence. The period of revocation and
5 the Impaired Driver Accountability Program shall run concurrently
6 and each shall be for no less than one hundred eighty (180) days;

7 2. A revocation pursuant to paragraph 2 of subsection A of
8 Section 6-205 of this title or Section 753 or 754 of this title
9 shall be for a period of no less than one (1) year and until the
10 person completes the Impaired Driver Accountability Program in
11 accordance with the rules of the Board of Tests for Alcohol and Drug
12 Influence, if within ten (10) years preceding the date of arrest
13 relating thereto, as shown by the records of ~~the Department~~ Service
14 Oklahoma:

- 15 a. a prior revocation commenced pursuant to paragraph 2
16 or 6 of subsection A of Section 6-205 of this title or
17 Section 753 or 754 of this title, or
- 18 b. the record of the person reflects a prior conviction
19 in another jurisdiction which did not result in a
20 revocation of Oklahoma driving privileges, for a
21 violation substantially similar to paragraph 2 of
22 subsection A of Section 6-205 of this title, and the
23 person was not a resident or a licensee of Oklahoma at
24 the time of the offense resulting in the conviction.

1 The period of revocation and the Impaired Driver Accountability
2 Program shall run concurrently and each shall be for no less than
3 one (1) year;

4 3. A revocation pursuant to paragraph 2 of subsection A of
5 Section 6-205 of this title or Section 753 or 754 of this title
6 shall be for a period of no less than two (2) years and until the
7 person completes the Impaired Driver Accountability Program in
8 accordance with the rules of the Board of Tests for Alcohol and Drug
9 Influence, if within ten (10) years preceding the date of arrest
10 relating thereto, as shown by the records of ~~the Department~~ Service

11 Oklahoma:

12 a. two or more prior revocations commenced pursuant to
13 paragraph 2 or 6 of subsection A of Section 6-205 of
14 this title or Section 753 or 754 of this title,

15 b. two or more current enrollments in or previous
16 completions of the Impaired Driver Accountability
17 Program,

18 c. the record of the person reflects two or more prior
19 convictions in another jurisdiction which did not
20 result in a revocation of Oklahoma driving privileges,
21 for a violation substantially similar to paragraph 2
22 of subsection A of Section 6-205 of this title, and
23 the person was not a resident or a licensee of
24

1 Oklahoma at the time of the offense resulting in the
2 conviction, or

3 d. any combination of two or more prior revocations,
4 current enrollments in or previous completions of the
5 Impaired Driver Accountability Program, or convictions
6 as described in subparagraphs a, b and c of this
7 paragraph.

8 The period of revocation and the Impaired Driver Accountability
9 Program shall run concurrently and each shall be for no less than
10 two (2) years; or

11 4. The revocation of the driving privilege of any person under
12 Section 6-205, 6-205.1, 753, or 754 of this title shall not run
13 concurrently with any other revocation of driving privilege under
14 Section 6-205, 6-205.1, 753, or 754 of this title resulting from a
15 different incident.

16 B. The driving privilege of a person who is convicted of any
17 offense as provided in paragraph 3 or 6 of subsection A of Section
18 6-205 of this title shall be revoked or denied by ~~the Department of~~
19 ~~Public Safety~~ Service Oklahoma for the following period, as
20 applicable:

21 1. The first license revocation shall be for one hundred eighty
22 (180) days, which shall be modified upon request; provided, any
23 modification under this paragraph shall apply to Class D driver
24 licenses only;

1 2. A revocation shall be for a period of one (1) year if within
2 ten (10) years preceding the date of arrest relating thereto, as
3 shown by the records of ~~the Department~~ Service Oklahoma:

4 a. a prior revocation commenced pursuant to paragraph 2,
5 3 or 6 of subsection A of Section 6-205 of this title,
6 or Section 753 or 754 of this title,

7 b. a prior revocation commenced pursuant to paragraph 2,
8 3 or 6 of subsection A of Section 6-205 of this title
9 or Section 753 or 754 of this title, or current
10 enrollment in or previous completion of the Impaired
11 Driver Accountability Program, or

12 c. the record of the person reflects a prior conviction
13 in another jurisdiction which did not result in a
14 revocation of Oklahoma driving privileges, for a
15 violation substantially similar to paragraph 2, 3 or 6
16 of subsection A of Section 6-205 of this title, and
17 the person was not a resident or a licensee of
18 Oklahoma at the time of the offense resulting in the
19 conviction.

20 Such period shall not be modified; or

21 3. A revocation shall be for a period of three (3) years if
22 within ten (10) years preceding the date of arrest relating thereto,
23 as shown by the records of ~~the Department~~ Service Oklahoma:

- 1 a. two or more prior revocations commenced pursuant to
2 paragraph 2 or 6 of subsection A of Section 6-205 of
3 this title, or Section 753 or 754 of this title,
4 b. two or more prior revocations commenced pursuant to
5 paragraph 2 or 6 of subsection A of Section 6-205 of
6 this title or Section 753 or 754 of this title, or two
7 or more current enrollments in or previous completions
8 of the Impaired Driver Accountability Program,
9 c. the record of the person reflects two or more prior
10 convictions in another jurisdiction which did not
11 result in a revocation of Oklahoma driving privileges,
12 for a violation substantially similar to paragraph 2
13 or 6 of subsection A of Section 6-205 of this title,
14 and the person was not a resident or licensee of
15 Oklahoma at the time of the offense resulting in the
16 conviction, or
17 d. any combination of two or more prior revocations,
18 current enrollments in or previous completions of the
19 Impaired Driver Accountability Program, or convictions
20 as described in subparagraphs a and b or c of this
21 paragraph.

22 Such period shall not be modified.

23 The revocation of the driving privilege of any person under this
24 subsection shall not run concurrently with any other withdrawal of

1 driving privilege resulting from a different incident and which
2 requires the driving privilege to be withdrawn for a prescribed
3 amount of time. A denial based on a conviction of any offense as
4 provided in paragraph 6 of subsection A of Section 6-205 of this
5 title shall become effective on the first day the convicted person
6 is otherwise eligible to apply for and be granted driving privileges
7 if the person was not eligible to do so at the time of the
8 conviction.

9 C. For the purposes of this section:

10 1. The term "conviction" includes a juvenile delinquency
11 adjudication by a court or any notification from a court pursuant to
12 Section 6-107.1 of this title; and

13 2. The term "revocation" includes a denial of driving
14 privileges by ~~the Department~~ Service Oklahoma.

15 D. Each period of revocation in subsection A of this section
16 shall be mandatory and neither ~~the Department~~ Service Oklahoma nor
17 any court shall grant driving privileges based upon hardship or
18 otherwise for the duration of that period, except under the Impaired
19 Driver Accountability Program in accordance with the rules of the
20 Board of Tests for Alcohol and Drug Influence.

21 E. Any appeal of a revocation or denial of driving privileges
22 in subsection A of this section shall be governed by Section 6-211
23 of this title.

24

1 SECTION 20. AMENDATORY 47 O.S. 2021, Section 6-211, as
2 amended by Section 2, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
3 Section 6-211), is amended to read as follows:

4 Section 6-211. A. Any person denied driving privileges, or
5 whose driving privilege has been canceled, denied, suspended or
6 revoked by ~~the Department~~ Service Oklahoma, except where such
7 cancellation, denial, suspension or revocation is mandatory, under
8 the provisions of Section 6-205 of this title, or disqualified by
9 ~~the Department~~ Service Oklahoma, under the provisions of Section 6-
10 205.2 or 761 of this title, shall have the right of appeal to the
11 district court as hereinafter provided. Proceedings before the
12 district court shall be exempt from the provisions of the Oklahoma
13 Pleading and Discovery codes, except that the appeal shall be by
14 petition, without responsive pleadings. The district court is
15 hereby vested with original jurisdiction to hear the petition.

16 B. A person whose driving privilege is denied, canceled,
17 revoked or suspended due to inability to meet standards prescribed
18 by law, or due to an out-of-state conviction or violation, or due to
19 an excessive point accumulation on the traffic record, or for an
20 unlawful license issued, may appeal in the county in which the
21 person resides.

22 C. Any person whose driving privilege is canceled, denied,
23 suspended or revoked may appeal to the district court in the county
24

1 in which the offense was committed upon which ~~the Department~~ Service
2 Oklahoma based its order.

3 D. A person whose driving privilege is subject to revocation
4 pursuant to Section 753 or 754 of this title may appeal to the
5 district court in the county in which the arrest occurred relating
6 to the test refusal or test result, as shown by the records of ~~the~~
7 Department Service Oklahoma.

8 E. The petition shall be filed within thirty (30) days after
9 the notice of revocation, pursuant to Section 753 or 754 of this
10 title, has been served upon the person by ~~the Department of Public~~
11 Safety Service Oklahoma. The petition shall contain a
12 description of the facts and circumstances of the underlying
13 incident sufficient to determine the arresting law enforcement
14 agency and the date of the incident. It shall be the duty of the
15 district court to enter an order setting the matter for hearing not
16 less than thirty (30) days and not more than sixty (60) days from
17 the date the petition is filed. A certified copy of petition and
18 order for hearing shall be served forthwith by the petitioner ~~upon~~
19 ~~the Commissioner of Public Safety~~ to the office of Service Oklahoma
20 by certified mail at ~~the Department of Public Safety~~ Service
21 Oklahoma, Oklahoma City, Oklahoma.

22 F. Upon a hearing relating to a revocation or disqualification
23 pursuant to a conviction for an offense enumerated in Section 6-205,
24 6-205.2 or 761 of this title, the court shall not consider the

1 propriety or merits of the revocation or disqualification action,
2 except to correct the identity of the person convicted as shown by
3 records of ~~the Department~~ Service Oklahoma.

4 G. When the records of the Department do not reflect receipt of
5 a sworn report of a law enforcement officer stating that the officer
6 had reasonable grounds to believe the petitioner had been driving or
7 was in actual physical control of a motor vehicle upon the public
8 roads, highways, streets, turnpikes, or other public place of this
9 state while under the influence of alcohol, any other intoxicating
10 substance, or the combined influence of alcohol and any other
11 intoxicating substance, the court shall, upon application by ~~the~~
12 ~~Department~~ Service Oklahoma, stay the appeal for one hundred eighty
13 (180) days from the date of the arrest as alleged in the petition,
14 or until the sworn report is received by ~~the Department~~ Service
15 Oklahoma. If the records of ~~the Department~~ Service Oklahoma do not
16 reflect receipt of the sworn report described in this subsection at
17 the expiration of the stay, the court shall enter an order directing
18 ~~the Department~~ Service Oklahoma to take no action upon receipt of
19 the sworn report related to the arrest as described in the petition.
20 In no event shall a court award costs or fees, including attorney
21 fees, based upon the records of ~~the Department~~ Service Oklahoma that
22 do not reflect the receipt of the sworn report as described in this
23 subsection.

24

1 H. The court shall take testimony and examine the facts and
2 circumstances, including all of the records on file in the office of
3 ~~the Department of Public Safety~~ Service Oklahoma relative to the
4 offense committed and the driving record of the person, and
5 determine from the facts, circumstances, and records whether or not
6 the petitioner is entitled to driving privileges or shall be subject
7 to the order of denial, cancellation, suspension or revocation
8 issued by ~~the Department~~ Service Oklahoma. In case the court finds
9 that the order was not justified, the court may sustain the appeal,
10 vacate the order of ~~the Department~~ Service Oklahoma and direct that
11 driving privileges be restored to the petitioner, if otherwise
12 eligible.

13 I. The testimony of any hearing pursuant to this section shall
14 be taken by the court stenographer and preserved for the purpose of
15 appeal and, in case ~~the Department~~ Service Oklahoma files notice of
16 appeal from the order of the court as provided herein, the court
17 shall order and direct the court clerk to prepare and furnish a
18 complete transcript of all pleadings and proceedings, together with
19 a complete transcript taken at the hearing at no cost to ~~the~~
20 ~~Department~~ Service Oklahoma, except the cost of transcribing.

21 J. Upon ~~the Department's~~ Service Oklahoma's receipt of a
22 petition challenging ~~the Department's~~ Service Oklahoma's action
23 against the driving privileges of any person under this title, ~~the~~
24 ~~Department~~ Service Oklahoma shall withhold taking the action which

1 is the subject of the appeal or stay the order which is the subject
2 of the appeal. During the pendency of the appeal, ~~the Department~~
3 Service Oklahoma shall grant or restore driving privileges to the
4 person if the person is otherwise eligible.

5 K. An appeal may be taken by the person or by ~~the Department~~
6 Service Oklahoma from the order or judgment of the district court to
7 the Supreme Court of the State of Oklahoma as otherwise provided by
8 law.

9 SECTION 21. AMENDATORY 47 O.S. 2021, Section 156.1, is
10 amended to read as follows:

11 Section 156.1 A. It shall be unlawful for any state official,
12 officer or employee, except any essential employees approved by the
13 Governor and those officers or employees authorized in subsection B
14 of this section, to ride to or from the place of residence of the
15 employee in a state-owned or state-leased automobile, truck or
16 pickup, except in the performance of the official duty of the
17 employee, or to use or permit the use of any such automobile, truck,
18 ambulance or pickup for other personal or private purposes. Any
19 person convicted of violating the provisions of this section shall
20 be guilty of a misdemeanor and shall be punished by a fine of not
21 more than One Hundred Dollars (\$100.00) or by imprisonment in the
22 county jail for a period to not exceed thirty (30) days, or by both
23 said fine and imprisonment, and in addition thereto, shall be
24 discharged from state employment.

1 B. 1. Any state employee, other than the individuals provided
2 for in paragraph 2 of this subsection and any employee of the
3 Department of Public Safety who is ~~an employee in the Driver License~~
4 ~~Examining Division or the Driver Compliance Division~~ or a wrecker
5 inspector or auditor of the Wrecker Services Division as provided
6 for in paragraph 3 of this subsection, who receives emergency
7 telephone calls regularly at the residence of the employee when the
8 employee is not on duty and is regularly called upon to use a
9 vehicle after normal work hours in response to such emergency calls,
10 may be permitted to use a vehicle belonging to the state to provide
11 transportation between the residence of the employee and the
12 assigned place of employment, provided such distance does not exceed
13 seventy-five (75) miles in any round trip or is within the county
14 where the assigned place of employment is located. Provided
15 further, an employee may be permitted to use a state-owned or state-
16 leased vehicle to provide temporary transportation between a
17 specific work location other than the assigned place of employment
18 and the residence of the employee, if such use shall result in a
19 monetary saving to the agency, and such authorization shall not be
20 subject to the distance or area restrictions provided for in this
21 paragraph. Authorization for temporary use of a state-owned or
22 state-leased vehicle for a specific project shall be in writing
23 stating the justification for this use and the saving expected to
24 result. Such authorization shall be valid for not to exceed sixty

1 (60) days. Any state entity other than law enforcement that avails
2 itself of this provision shall keep a monthly record of all
3 participating employees, the number of emergency calls received and
4 the number of times that a state vehicle was used in the performance
5 of such emergency calls.

6 2. Any employee of the Department of Public Safety, Oklahoma
7 Department of Corrections, Oklahoma State Bureau of Narcotics and
8 Dangerous Drugs Control, Oklahoma State Bureau of Investigation,
9 Alcoholic Beverage Laws Enforcement Commission, Oklahoma Horse
10 Racing Commission, Oklahoma Department of Agriculture, Food, and
11 Forestry, Office of the Inspector General within the Department of
12 Human Services or Office of the State Fire Marshal, who is a law
13 enforcement officer or criminalist, Public Information officer,
14 Special Investigator or Assistant Director of the Oklahoma State
15 Bureau of Investigation, CLEET-certified Investigator for a state
16 board or any employee of a district attorney who is a law
17 enforcement officer, may be permitted to use a state-owned or state-
18 leased vehicle to provide transportation between the residence of
19 the employee and the assigned place of employment and between the
20 residence and any location other than the assigned place of
21 employment to which the employee travels in the performance of the
22 official duty of the employee.

23 3. Any employee of the Department of Public Safety who is an
24 ~~employee in the Driver License Examining Division, an employee of~~

1 ~~the Driver Compliance Division,~~ a wrecker inspector or auditor of
2 the Wrecker Services Division, or a noncommissioned pilot may be
3 permitted, as determined by the Commissioner, to use a state-owned
4 or state-leased vehicle to provide transportation between the
5 residence of the employee and the assigned place of employment and
6 between the residence and any location other than the assigned place
7 of employment to which the employee travels in the performance of
8 the official duty of the employee.

9 4. The Director, department heads and other essential employees
10 of the Department of Wildlife Conservation, as authorized by the
11 Wildlife Conservation Commission, may be permitted to use a state-
12 owned or state-leased vehicle to provide transportation between the
13 residence of the employee and the assigned place of employment and
14 between the residence and any location other than the assigned place
15 of employment to which the employee travels in the performance of
16 the official duty of the employee.

17 5. The Director, department heads, emergency responders and
18 other essential employees of the Department of Corrections, as
19 authorized by the Director, may be permitted to use a state-owned or
20 state-leased vehicle to provide transportation between the residence
21 of the employee and the assigned place of employment and between the
22 residence and any location other than the assigned place of
23 employment to which the employee travels in the performance of the
24 official duty of the employee.

1 6. Designated Examiner Auditors, Designated Examiner
2 Supervisors, Commercial Driver License Examiners, Commercial Driver
3 License Auditors, Commercial Driver License Supervisors, and Driver
4 License Supervisors, as employees of Service Oklahoma, may be
5 permitted, as determined by the Director of Service Oklahoma, to use
6 a state-owned or state-leased vehicle to provide transportation
7 between the residence of the employee and the assigned place of
8 employment and between the residence and any location other than the
9 assigned place of employment to which the employee travels in the
10 performance of the official duty of the employee.

11 C. The principal administrator of the state agency with which
12 the employee is employed shall so designate the status of the
13 employee in writing or provide a copy of the temporary authorization
14 to the Governor, the President Pro Tempore of the Senate and the
15 Speaker of the House of Representatives. Such employee status
16 report shall also be provided to the State Fleet Manager of the
17 Division of Fleet Management if the motor vehicle for emergency use
18 is provided by said Division.

19 SECTION 22. AMENDATORY 47 O.S. 2021, Section 752, is
20 amended to read as follows:

21 Section 752. A. Only a licensed medical doctor, licensed
22 osteopathic physician, licensed chiropractic physician, registered
23 nurse, licensed practical nurse, physician's assistant, certified by
24 any state's appropriate licensing authority, an employee of a

1 hospital or other health care facility authorized by the hospital or
2 health care facility to withdraw blood, or individuals licensed in
3 accordance with Section 1-2505 of Title 63 of the Oklahoma Statutes
4 as an Intermediate Emergency Medical Technician, an Advanced
5 Emergency Medical Technician or a Paramedic, acting within the scope
6 of practice prescribed by their medical director, acting at the
7 request of a law enforcement officer may withdraw blood for the
8 purpose of having a determination made of its concentration of
9 alcohol or the presence or concentration of other intoxicating
10 substance. Only qualified persons authorized by the Board may
11 collect breath, saliva or urine, or administer tests of breath under
12 the provisions of this title.

13 B. If the person authorized to withdraw blood as specified in
14 subsection A of this section is presented with a written statement:

15 1. Authorizing blood withdrawal signed by the person whose
16 blood is to be withdrawn;

17 2. Signed by a duly authorized peace officer that the person
18 whose blood is to be withdrawn has agreed to the withdrawal of
19 blood;

20 3. Signed by a duly authorized peace officer that the person
21 whose blood is to be withdrawn has been placed under arrest and that
22 the officer has probable cause to believe that the person, while
23 intoxicated, has operated a motor vehicle in such manner as to have
24 caused the death or serious physical injury of another person, or

1 the person has been involved in a traffic accident and has been
2 removed from the scene of the accident that resulted in the death or
3 great bodily injury, as defined in subsection B of Section 646 of
4 Title 21 of the Oklahoma Statutes, of any person to a hospital or
5 other health care facility outside the State of Oklahoma before the
6 law enforcement officer was able to effect an arrest for such
7 offense; or

8 4. In the form of an order from a district court that blood be
9 withdrawn, the person authorized to withdraw the blood and the
10 hospital or other health care facility where the withdrawal occurs
11 may rely on such a statement or order as evidence that the person
12 has consented to or has been required to submit to the clinical
13 procedure and shall not require the person to sign any additional
14 consent or waiver form. In such a case, the person authorized to
15 perform the procedure, the employer of such person and the hospital
16 or other health care facility shall not be liable in any action
17 alleging lack of consent or lack of informed consent.

18 C. No person specified in subsection A of this section, no
19 employer of such person and no hospital or other health care
20 facility where blood is withdrawn shall incur any civil or criminal
21 liability as a result of the proper withdrawal of blood when acting
22 at the request of a law enforcement officer by the provisions of
23 Section 751 or 753 of this title, or when acting in reliance upon a
24 signed statement or court order as provided in this section, if the

1 act is performed in a reasonable manner according to generally
2 accepted clinical practice. No person specified in subsection A of
3 this section shall incur any civil or criminal liability as a result
4 of the proper collection of breath, saliva or urine when acting at
5 the request of a law enforcement officer under the provisions of
6 Section 751 or 753 of this title or when acting pursuant to a court
7 order.

8 D. The blood, breath, saliva or urine specimens obtained shall
9 be tested by the appropriate test as determined by the Board, or
10 tested by a laboratory that is exempt from the Board rules pursuant
11 to Section 759 of this title, to determine the alcohol concentration
12 thereof, or the presence or concentration of any other intoxicating
13 substance which might have affected the ability of the person tested
14 to operate a motor vehicle safely.

15 E. When blood is withdrawn for testing of its alcohol
16 concentration or other intoxicating substance presence or
17 concentration, at the request of a law enforcement officer, a
18 sufficient quantity of the same specimen shall be obtained to enable
19 the tested person, at his or her own option and expense, to have an
20 independent analysis made of such specimen. The excess blood
21 specimen shall be retained by a laboratory approved by the Board in
22 accordance with the rules and regulations of the Board or by a
23 laboratory that is exempt from the Board rules pursuant to Section
24 759 of this title, for sixty (60) days from the date of collection.

1 At any time within that period, the tested person or his or her
2 attorney may direct that such blood specimen be sent or delivered to
3 a laboratory of his or her own choosing and approved by the Board
4 for an independent analysis. Neither the tested person, nor any
5 agent of such person, shall have access to the additional blood
6 specimen prior to the completion of the independent analysis, except
7 the analyst performing the independent analysis and agents of the
8 analyst.

9 F. The costs of collecting blood specimens for the purpose of
10 determining the alcohol or other intoxicating substance thereof, by
11 or at the direction of a law enforcement officer, shall be borne by
12 the law enforcement agency employing such officer; provided, if the
13 person is convicted for any offense involving the operation of a
14 motor vehicle while under the influence of or while impaired by
15 alcohol or an intoxicating substance, or both, as a direct result of
16 the incident which caused the collection of blood specimens, an
17 amount equal to the costs shall become a part of the court costs of
18 the person and shall be collected by the court and remitted to the
19 law enforcement agency bearing the costs. The cost of collecting,
20 retaining and sending or delivering to an independent laboratory the
21 excess specimens of blood for independent analysis at the option of
22 the tested person shall also be borne by such law enforcement
23 agency. The cost of the independent analysis of such specimen of
24 blood shall be borne by the tested person at whose option such

1 analysis is performed. The tested person, or his or her agent,
2 shall make all necessary arrangements for the performance of such
3 independent analysis other than the forwarding or delivery of such
4 specimen.

5 G. Tests of blood or breath for the purpose of determining the
6 alcohol concentration thereof, and tests of blood for the purpose of
7 determining the presence or concentration of any other intoxicating
8 substance therein, under the provisions of this title, whether
9 administered by or at the direction of a law enforcement officer or
10 administered independently, at the option of the tested person, on
11 the excess specimen of such person's blood to be considered valid
12 and admissible in evidence under the provisions of this title, shall
13 have been administered in accordance with Section 759 of this title.

14 H. Any person who has been arrested for any offense arising out
15 of acts alleged to have been committed while the person was
16 operating or in actual physical control of a motor vehicle while
17 under the influence of alcohol, any other intoxicating substance or
18 the combined influence of alcohol and any other intoxicating
19 substance who is not requested by a law enforcement officer to
20 submit to a test shall be entitled to have an independent test of
21 his or her blood for the purpose of determining its alcohol
22 concentration or the presence or concentration of any other
23 intoxicating substance therein, performed by a person of his or her
24 own choosing who is qualified as stipulated in this section. The

1 arrested person shall bear the responsibility for making all
2 necessary arrangements for the administration of such independent
3 test and for the independent analysis of any specimens obtained, and
4 bear all costs thereof. The failure or inability of the arrested
5 person to obtain an independent test shall not preclude the
6 admission of other competent evidence bearing upon the question of
7 whether such person was under the influence of alcohol, or any other
8 intoxicating substance or the combined influence of alcohol and any
9 other intoxicating substance.

10 I. Any agency or laboratory certified by the Board or any
11 agency or laboratory that is exempt from the Board rules pursuant to
12 Section 759 of this title, which analyses blood shall make available
13 a written report of the results of the test administered by or at
14 the direction of the law enforcement officer to:

- 15 1. The tested person, or his or her attorney;
- 16 2. The Commissioner of Public Safety; ~~and~~
- 17 3. The Director of Service Oklahoma; and
- 18 4. The Fatality Analysis Reporting System (FARS) analyst of the
19 state, upon request.

20 The results of the tests provided for in this title shall be
21 admissible in all civil actions, including administrative hearings
22 regarding driving privileges.

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1 SECTION 23. AMENDATORY 47 O.S. 2021, Section 753, as
2 amended by Section 6, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
3 Section 753), is amended to read as follows:

4 Section 753. A. If a conscious person under arrest refuses to
5 submit to testing of his or her blood or breath for the purpose of
6 determining the alcohol concentration thereof, or to a test of his
7 or her blood, saliva or urine for the purpose of determining the
8 presence or concentration of any other intoxicating substance, or
9 the combined influence of alcohol and any other intoxicating
10 substance, none shall be given except upon the issuance of a search
11 warrant or unless the investigating officer has probable cause to
12 believe that the person under arrest, while intoxicated, has
13 operated the motor vehicle in such a manner as to have caused the
14 death or serious physical injury of any other person or persons. In
15 such event, such test otherwise authorized by law may be made in the
16 same manner as if a search warrant had been issued for such test or
17 tests. The sample shall be taken in a medically acceptable manner
18 as authorized by Section 752 of this title. The ~~Commissioner of~~
19 ~~Public Safety~~ Director of Service Oklahoma, upon the receipt of a
20 sworn report of the law enforcement officer that the officer had
21 reasonable grounds to believe the arrested person had been driving
22 or was in actual physical control of a motor vehicle upon the public
23 roads, highways, streets, turnpikes or other public place of this
24 state while under the influence of alcohol, any other intoxicating

1 substance, or the combined influence of alcohol and any other
2 intoxicating substance, or that the person had refused to submit to
3 the test or tests, shall revoke the license to drive and any
4 nonresident operating privilege for a period provided by Section 6-
5 205.1 of this title. If the person is a resident or nonresident
6 without a license or permit to operate a motor vehicle in this
7 state, the ~~Commissioner of Public Safety~~ Director of Service
8 Oklahoma shall deny to the person the issuance of a license or
9 permit for a period provided by Section 6-205.1 of this title
10 subject to a review as provided in Section 754 of this title. The
11 revocation or denial shall become effective forty-five (45) days
12 after the arrested person is given written notice thereof by the
13 officer or by ~~the Department of Public Safety~~ Service Oklahoma as
14 provided in Section 754 of this title.

15 B. ~~The Department~~ Service Oklahoma shall immediately reinstate
16 the driving privilege of the person if:

17 1. The arrested person was required to submit to the testing of
18 his or her blood or breath pursuant to the provisions of a search
19 warrant despite his or her refusal to submit to testing; and

20 2. ~~The Department~~ Service Oklahoma receives a written blood or
21 breath test report that reflects the arrested person did not have
22 any measurable quantity of alcohol, or any other intoxicating
23 substance, or the combination of alcohol and any other intoxicating
24 substance in the blood or breath of the arrested person.

1 SECTION 24. AMENDATORY 47 O.S. 2021, Section 754, as
2 amended by Section 7, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
3 Section 754), is amended to read as follows:

4 Section 754. A. The sworn report of the officer stating the
5 officer had reasonable grounds to believe the arrested person had
6 been driving or was in actual physical control of a motor vehicle
7 upon the public roads, highways, streets, turnpikes or other public
8 place of this state while under the influence of alcohol, any other
9 intoxicating substance or the combined influence of alcohol and any
10 other intoxicating substance, shall be submitted by mail, by
11 electronic means approved by ~~the Department~~ Service Oklahoma, or in
12 person to ~~the Department~~ Service Oklahoma within seventy-two (72)
13 hours of the issuance of the report. The failure of the officer to
14 timely file this report shall not affect the authority of ~~the~~
15 ~~Department~~ Service Oklahoma to revoke the driving privilege of the
16 arrested person. However, ~~the Department~~ Service Oklahoma shall
17 take no action on a sworn report as described in this section if the
18 sworn report is not received by ~~the Department~~ Service Oklahoma
19 after the expiration of one hundred eighty (180) days of the arrest
20 of the person.

21 B. Upon receipt of a written blood or breath test report
22 reflecting that the arrested person, if under twenty-one (21) years
23 of age, had any measurable quantity of alcohol in the blood or
24 breath of the person, or, if the arrested person is twenty-one (21)

1 years of age or older, a blood or breath alcohol concentration of
2 eight-hundredths (0.08) or more, accompanied by a sworn report from
3 a law enforcement officer that the officer had reasonable grounds to
4 believe the arrested person had been operating or was in actual
5 physical control of a motor vehicle while under the influence of
6 alcohol as prohibited by law, ~~the Department~~ Service Oklahoma shall
7 revoke or deny the driving privilege of the arrested person for a
8 period as provided by Section 6-205.1 of this title, unless the
9 person has successfully completed or is currently participating in
10 the Impaired Driver Accountability Program in relation to the arrest
11 which is the subject of the report. Revocation or denial of the
12 driving privilege of the arrested person shall become effective
13 ~~thirty (30)~~ forty-five (45) days after the arrested person is given
14 written notice thereof by the officer ~~as provided in this section~~ or
15 by ~~the Department as provided in Section 2-116 of this title~~ Service
16 Oklahoma.

17 C. The appeal hearing before the district court shall be
18 conducted in accordance with Section 6-211 of this title. The
19 hearing shall cover the issues of whether the officer had reasonable
20 grounds to believe the person had been operating or was in actual
21 physical control of a vehicle upon the public roads, highways,
22 streets, turnpikes or other public place of this state while under
23 the influence of alcohol, any other intoxicating substance or the
24 combined influence of alcohol and any other intoxicating substance

1 as prohibited by law, and whether the person was placed under
2 arrest.

3 1. If the revocation or denial is based upon a breath or blood
4 test result and a sworn report from a law enforcement officer, the
5 scope of the hearing shall also cover the issues as to whether:

6 a. if timely requested by the person, the person was not
7 denied a breath or blood test,

8 b. the specimen was obtained from the person within two
9 (2) hours of the arrest of the person,

10 c. the person, if under twenty-one (21) years of age, was
11 advised that driving privileges would be revoked or
12 denied if the test result reflected the presence of
13 any measurable quantity of alcohol,

14 d. the person, if twenty-one (21) years of age or older,
15 was advised that driving privileges would be revoked
16 or denied if the test result reflected an alcohol
17 concentration of eight-hundredths (0.08) or more, and

18 e. the test result in fact reflects the alcohol
19 concentration.

20 2. If the revocation or denial is based upon the refusal of the
21 person to submit to a breath or blood test, reflected in a sworn
22 report by a law enforcement officer, the scope of the hearing shall
23 also include whether:

24 a. the person refused to submit to the test or tests, and

1 b. the person was informed that driving privileges would
2 be revoked or denied if the person refused to submit
3 to the test or tests.

4 D. After the hearing, the district court shall order the
5 revocation or denial either rescinded or sustained.

6 SECTION 25. AMENDATORY 47 O.S. 2021, Section 761, is
7 amended to read as follows:

8 Section 761. A. Any person who operates a motor vehicle while
9 his or her ability to operate such motor vehicle is impaired by the
10 consumption of alcohol, or any other substance, other than alcohol,
11 which is capable of being ingested, inhaled, injected or absorbed
12 into the human body and is capable of adversely affecting the
13 central nervous system, vision, hearing or other sensory or motor
14 functions shall be subject to a fine of not less than One Hundred
15 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or
16 imprisonment in the county jail for not more than six (6) months, or
17 by both such fine and imprisonment.

18 B. Upon the receipt of any person's record of conviction of
19 driving while impaired, when such conviction has become final, ~~the~~
20 ~~Department of Public Safety~~ Service Oklahoma shall suspend the
21 driving privilege of such person, as follows:

22 1. The first suspension shall be for thirty (30) days;
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1 2. The second suspension shall be for a period of six (6)
2 months, which may be modified; provided, any modification under this
3 paragraph shall apply to Class D motor vehicles only; and

4 3. The third or subsequent suspension shall be for twelve (12)
5 months, which may be modified; provided, any modification under this
6 paragraph shall apply to Class D motor vehicles only.

7 Provided, however, ~~the Department~~ Service Oklahoma shall not
8 suspend such privilege pursuant to this subsection if said person's
9 driving privilege has been revoked based upon a test result or test
10 refusal pursuant to Section 753 or Section 754 of this title arising
11 from the same circumstances which resulted in the conviction.

12 C. The violations as set out in this section shall not be
13 bondable under Section 1115.3 of Title 22 of the Oklahoma Statutes.

14 D. Any person who is found guilty of a violation of the
15 provisions of this section or pleading guilty or nolo contendere for
16 a violation of any provision of this section shall be ordered to
17 participate in, prior to sentencing, an alcohol and drug assessment
18 and evaluation by an assessment agency or assessment personnel
19 certified by the Department of Mental Health and Substance Abuse
20 Services for the purpose of evaluating the receptivity to treatment
21 and prognosis of the person. The court shall order the person to
22 reimburse the agency or assessor for the assessment and evaluation.
23 The fee for an assessment and evaluation shall be the amount
24 provided in subsection C of Section 3-460 of Title 43A of the

1 Oklahoma Statutes. The evaluation shall be conducted at a certified
2 assessment agency, the office of a certified assessor or at another
3 location as ordered by the court. The agency or assessor shall,
4 within seventy-two (72) hours from the time the person is assessed,
5 submit a written report to the court for the purpose of assisting
6 the court in its final sentencing determination. If such report
7 indicates that the evaluation shows that the defendant would benefit
8 from a ten-hour or twenty-four-hour alcohol and drug substance abuse
9 course or a treatment program or both, the court shall, as a
10 condition of any sentence imposed, including a deferred sentence and
11 a suspended sentence, require the person to follow all
12 recommendations identified by the assessment and evaluation and
13 ordered by the court. No person, agency or facility operating an
14 alcohol and drug substance abuse evaluation program certified by the
15 Department of Mental Health and Substance Abuse Services shall
16 solicit or refer any person evaluated pursuant to this section for
17 any treatment program or alcohol and drug substance abuse service in
18 which such person, agency or facility has a vested interest;
19 however, this provision shall not be construed to prohibit the court
20 from ordering participation in or any person from voluntarily
21 utilizing a treatment program or alcohol and drug substance abuse
22 service offered by such person, agency or facility. Any evaluation
23 report submitted to the court pursuant to this subsection shall be
24 handled in a manner which will keep such report confidential from

1 the general public's review. Nothing contained in this subsection
2 shall be construed to prohibit the court from ordering judgment and
3 sentence and any other sanction authorized by law for failure or
4 refusal to comply with an order of the court.

5 SECTION 26. AMENDATORY 47 O.S. 2021, Section 802, is
6 amended to read as follows:

7 Section 802. A. ~~The Commissioner~~ Service Oklahoma, in
8 conjunction with the Department of Public Safety, shall adopt and
9 prescribe such regulations concerning the administration and
10 enforcement of Section 801 et seq. of this title as are necessary to
11 carry out the intent of this act and to protect the public. The
12 ~~Commissioner~~ Director of Service Oklahoma or his or her authorized
13 representative shall inspect the school facilities and equipment of
14 applicants and licensees and examine applicants for instructor's
15 licenses.

16 B. ~~The Commissioner~~ Service Oklahoma shall administer and
17 enforce the provisions of this act, and may call upon the State
18 Superintendent of Public Instruction for assistance in developing
19 and formulating appropriate regulations.

20 C. 1. ~~The Commissioner~~ Service Oklahoma, in conjunction with
21 the Department of Public Safety, may require that the course of
22 study for training students for Class A, B or C commercial licenses
23 shall include training on the recognition, prevention and reporting
24 of human trafficking. If required, ~~the Commissioner~~ Service

1 Oklahoma, in conjunction with the Department of Public Safety, shall
2 regularly review and update the training to take into account
3 changes and trends in human trafficking. ~~The Commissioner~~ Service
4 Oklahoma shall collaborate with organizations that specialize in the
5 recognition and prevention of human trafficking.

6 2. ~~The Commissioner~~ Service Oklahoma, in conjunction with the
7 Department of Public Safety, may identify and establish industry
8 specific materials for use in the instruction required on the
9 recognition, prevention and effective reporting of human trafficking
10 by people training to obtain a Class A, B or C commercial license.

11 SECTION 27. AMENDATORY 47 O.S. 2021, Section 803, is
12 amended to read as follows:

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

18 (B) Regulations adopted by ~~the Commissioner~~ Service Oklahoma,
19 in conjunction with the Department of Public Safety, shall state the
20 requirements for a school license, including requirements concerning
21 location, equipment, courses of instruction, instructors, previous
22 records of the school and instructors, financial statements,
23 schedule of fees and charges, character and reputation of the
24 operators and instructors, insurance in such sum and with such

1 provisions as ~~the Commissioner~~ Service Oklahoma, in conjunction with
2 the Department of Public Safety, deems necessary to protect
3 adequately the interests of the public, and such other matters as
4 ~~the Commissioner~~ Service Oklahoma may prescribe for the protection
5 of the public.

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

12 SECTION 28. AMENDATORY 47 O.S. 2021, Section 804, is
13 amended to read as follows:

14 Section 804. A. No person shall act as an instructor unless
15 such person applies for and obtains from ~~the Commissioner of Public~~
16 ~~Safety~~ Service Oklahoma a license in the manner and form prescribed
17 by ~~the Commissioner~~ Service Oklahoma.

18 B. Rules promulgated by ~~the Commissioner~~ Service Oklahoma, in
19 conjunction with the Department of Public Safety, shall state the
20 requirements for an instructor's license, including requirements
21 concerning moral character, physical condition, knowledge of the
22 courses of instruction, motor vehicle laws and safety principles and
23 practices, previous personnel and employment records, and such other
24 matters as ~~the Commissioner~~ Service Oklahoma, in conjunction with

1 the Department of Public Safety, may prescribe for the protection of
2 the public.

3 SECTION 29. AMENDATORY 47 O.S. 2021, Section 805, is
4 amended to read as follows:

5 Section 805. All licenses shall expire on the last day of the
6 calendar year and may be renewed upon application to ~~the~~
7 ~~Commissioner~~ Service Oklahoma as prescribed by ~~his~~ its regulation.
8 Each application for an original or renewal school license shall be
9 accompanied by a fee of Twenty-five Dollars (\$25.00). Each
10 application for an original or renewal instructor's license shall be
11 accompanied by a fee of Five Dollars (\$5.00). The license fees
12 collected pursuant to Sections 801 through 808 of this title shall
13 be remitted to the State Treasurer to be credited to the General
14 Revenue Fund in the State Treasury. No license fee shall be
15 refunded in the event that the license is rejected, suspended, or
16 revoked.

17 SECTION 30. AMENDATORY 47 O.S. 2021, Section 806, is
18 amended to read as follows:

19 Section 806. ~~The Commissioner~~ Service Oklahoma may cancel,
20 suspend, revoke, or refuse to issue or renew a school or
21 instructor's license in any case where ~~he~~ it finds the licensee or
22 applicant has not complied with, or has violated, any of the
23 provisions of this ~~Act~~ act or any regulation adopted by ~~the~~
24 ~~Commissioner~~ Service Oklahoma hereunder. Any canceled, suspended or

1 revoked license shall be returned to ~~the Commissioner~~ Service
2 Oklahoma by the licensee, and its holder shall not be eligible to
3 apply for a license under this act until three (3) months have
4 elapsed since the date of suspension or revocation.

5 SECTION 31. AMENDATORY 47 O.S. 2021, Section 1109, as
6 amended by Section 121, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
7 2022, Section 1109), is amended to read as follows:

8 Section 1109. A. All information contained in certificates of
9 title, applications therefor, vehicle registration records, records
10 related to boats and motors, and computer data files is hereby
11 declared to be confidential information and shall not be copied by
12 anyone or disclosed to anyone other than employees of Service
13 Oklahoma or the Corporation Commission in the regular course of
14 their employment, except as provided in subsection B of this
15 section. As used in this section, "personal information" means
16 information that identifies an individual including name, address
17 (excluding the five-digit ZIP code) and telephone number, but does
18 not include information on vehicular accidents, driving violations
19 and driver's status.

20 B. Personal information referred to in subsection A of this
21 section shall be disclosed for use in connection with matters of
22 motor vehicle or driver safety and theft, motor vehicle emissions,
23 motor vehicle product alterations, recalls or advisories, and
24 removal of non-owner records from the original owner records of

1 motor vehicle manufacturers to carry out the purpose of Titles I and
2 IV of the Anti Car Theft Act of 1992, the Automobile Information
3 Disclosure Act (15 U.S.C., Section 1231 et seq.), the Clean Air Act
4 (42 U.S.C., Section 7401 et seq.) and Chapters 301, 305 and 321-331
5 of Title 49 of the United States Code and may be disclosed as
6 follows:

7 1. For use by any governmental agency, including but not
8 limited to any court or law enforcement agency, in carrying out its
9 functions, or any private person or entity acting on behalf of a
10 federal, state or local governmental agency in carrying out its
11 functions. Information relating to motor vehicle insurance,
12 including the insurer and insurance policy numbers, may be released
13 to law enforcement officers investigating an accident pursuant to
14 the provisions of Section 10-104 of this title;

15 2. For use by any motor vehicle manufacturer or an authorized
16 representative thereof in connection with matters of motor vehicle
17 or driver safety and theft, motor vehicle emissions, motor vehicle
18 product alterations, recalls or advisories, performance monitoring
19 of motor vehicles, motor vehicle parts and dealers, motor vehicle
20 market research activities, including survey research, and removal
21 of non-owner records from the original owner records of motor
22 vehicle manufacturers. The confidentiality of the information shall
23 be protected, as set out above, and used only for the purpose
24 stated; provided, further, that Service Oklahoma or the Corporation

1 Commission shall be authorized to review the use of and the measures
2 employed to safeguard the information; and provided, further, that
3 the manufacturer or representative shall bear the cost incurred by
4 Service Oklahoma or the Corporation Commission in the production of
5 the information requested. If the confidentiality provisions, as
6 set out above, are violated, the provisions of subsection D of
7 Section 205 of Title 68 of the Oklahoma Statutes shall apply and the
8 privilege of obtaining information shall be terminated. Any
9 manufacturer or representative violating the provisions of this
10 paragraph, upon conviction, shall be punishable by a fine not to
11 exceed Fifty Thousand Dollars (\$50,000.00);

12 3. For use by any person compiling and publishing motor vehicle
13 statistics, provided that such statistics do not disclose the names
14 and addresses of individuals. Such information shall be provided
15 upon payment of a reasonable fee as determined by Service Oklahoma
16 or the Corporation Commission;

17 4. For use by a wrecker or towing service licensed pursuant to
18 the provisions of Section 951 et seq. of this title for use in
19 providing notice to the owners and secured parties of towed or
20 impounded vehicles, upon payment of a fee of One Dollar (\$1.00) per
21 vehicle record page to Service Oklahoma, the Corporation Commission
22 or any licensed operator;

23 5. For use by a legitimate business or its agents, employees,
24 or contractors for use in the normal course of business, upon

1 payment of a fee of One Dollar (\$1.00) per vehicle record page to
2 Service Oklahoma, the Corporation Commission or any licensed
3 operator, but only:

4 a. to verify the accuracy of personal information
5 submitted by the individual to whom the information
6 pertains to the business or its agents, employees, or
7 contractors, or

8 b. to obtain the correct information, if such information
9 submitted by the individual to whom the information
10 pertains to the business is not correct, or is no
11 longer correct, but only for the purposes of
12 preventing fraud by, pursuing legal remedies against,
13 or recovering on a debt or security interest against
14 the individual;

15 6. For use in connection with any civil, criminal,
16 administrative or arbitral proceeding in any federal, state or local
17 court or agency or before any self-regulatory body, including the
18 service of process, investigation in anticipation of litigation, and
19 the execution or enforcement of judgments and orders, or pursuant to
20 an order of a federal, state or local court, upon payment of a fee
21 of One Dollar (\$1.00) per vehicle record page to Service Oklahoma,
22 the Corporation Commission or any licensed operator;

23 7. For use by any insurer or insurance support organization, or
24 by a self-insured entity, or its agents, employees, or contractors,

1 in connection with claims investigation activities, anti-fraud
2 activities, rating or underwriting, upon payment of a fee of One
3 Dollar (\$1.00) per vehicle record page to Service Oklahoma, the
4 Corporation Commission or any licensed operator;

5 8. For use by any licensed private investigative agency or
6 licensed security service for any purpose permitted under this
7 subsection, upon payment of a fee of One Dollar (\$1.00) per vehicle
8 record page to Service Oklahoma, the Corporation Commission or any
9 licensed operator;

10 9. For use by a requester, upon payment of a fee of One Dollar
11 (\$1.00) per vehicle record page to Service Oklahoma, the Corporation
12 Commission or any licensed operator, if the requester demonstrates
13 that it has obtained the written consent of the individual to whom
14 the information pertains;

15 10. For use in connection with the operation of private toll
16 transportation facilities; or

17 11. For furnishing the name and address of all commercial
18 entities who have current registrations of any particular model of
19 vehicle; provided, this exception shall not allow the release of
20 personal information pursuant to the provisions of the Driver's
21 Privacy Protection Act, 18 U.S.C., Sections 2721 through 2725.

22 Service Oklahoma shall collect a reasonable fee to recover the
23 costs of providing the data. As used in this section, the term
24 "vehicle record page" means a computer-generated printout of the

1 motor vehicle inquiry screen. Information provided on the motor
2 vehicle inquiry screen printout shall include the current vehicle
3 owner name and address, vehicle make, model and year, identifying
4 numbers for the vehicle license plate, certificate of title and
5 vehicle identification number, relevant dates relating to the
6 vehicle registration and certificate of title, lienholder
7 information and lien status.

8 C. In addition to the information provided on the vehicle
9 record page, Service Oklahoma or the Corporation Commission may,
10 upon written request, release to any requester authorized by the
11 provisions of this section to obtain individual motor vehicle
12 information, corresponding copies of vehicle certificates of title,
13 applications therefor, vehicle registration records and computer
14 data files.

15 There shall be an informational search and retrieval fee of Five
16 Dollars (\$5.00) per vehicle computer record search. If Service
17 Oklahoma or the Corporation Commission performs a manual search, the
18 fee shall be Seven Dollars and fifty cents (\$7.50) per vehicle.
19 Service Oklahoma is authorized to promulgate rules whereby licensed
20 operators, when requesting such documentation in the performance of
21 their duties, are exempt from this retrieval fee. Certified copies
22 of vehicle certificates of title and applications therefor shall be
23 included within the informational search and retrieval by Service
24 Oklahoma or the Corporation Commission for a fee of Ten Dollars

1 (\$10.00). Such duly certified copies may be received in evidence
2 with the same effect as the original when the original is not in the
3 possession or under the control of the party desiring to use the
4 same.

5 D. Requesters authorized by this section to receive information
6 shall submit to Service Oklahoma, the Corporation Commission or any
7 licensed operator an affidavit supported by such documentation as
8 Service Oklahoma or the Corporation Commission may require, on a
9 form prescribed by Service Oklahoma or the Corporation Commission
10 certifying that the information is requested for a lawful and
11 legitimate purpose and will not be further disseminated.

12 E. Notwithstanding the foregoing, Service Oklahoma or the
13 Corporation Commission may allow the release of information from its
14 motor vehicle records upon magnetic tape consisting only of the
15 following information:

- 16 1. The date of the certificate of title;
- 17 2. The certificate of title number;
- 18 3. The type of title issued for the vehicle;
- 19 4. The odometer reading from the certificate of title;
- 20 5. The year in which the vehicle was manufactured;
- 21 6. The vehicle identification number for the vehicle;
- 22 7. The make of the vehicle; and
- 23 8. The location in which the vehicle is registered.

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1 Service Oklahoma or the Corporation Commission shall allow the
2 release of such information upon payment of a reasonable fee to be
3 determined by Service Oklahoma or the Corporation Commission. The
4 information released as authorized by this subsection may only be
5 used for purposes of detecting odometer rollback or odometer
6 tampering, for determining the issuance in this state or any other
7 state of salvage or rebuilt titles for vehicles or for determining
8 whether a vehicle has been reported stolen in this state or any
9 other state.

10 F. Notwithstanding the provisions of this section or of Section
11 205 of Title 68 of the Oklahoma Statutes, Service Oklahoma or the
12 Corporation Commission may inform a secured party that taxes and
13 fees are delinquent with respect to a vehicle upon which the secured
14 party has a perfected lien.

15 G. Fees received by a licensed operator pursuant to the
16 provisions of this section shall not be included in the maximum sum
17 that may be retained by licensed operators as compensation pursuant
18 to the provisions of Section 1143 of this title.

19 H. All funds collected by the Tax Commission pursuant to the
20 provisions of this section shall be deposited in the Oklahoma Tax
21 Commission Revolving Fund. Beginning January 1, 2023, all funds
22 collected by Service Oklahoma pursuant to the provisions of this
23 section shall be deposited in the Service Oklahoma Revolving Fund.
24 All funds collected by the Corporation Commission pursuant to the

1 provisions of this section shall be apportioned as provided in
2 subsection C of Section 1161 of this title.

3 I. It is further provided that the provisions of this section
4 shall be strictly interpreted and shall not be construed as
5 permitting the disclosure of any other information contained in the
6 files and records of Service Oklahoma or the Corporation Commission.

7 J. It shall be unlawful for any person to commit any of the
8 following acts:

9 1. To knowingly obtain or disclose personal information from a
10 motor vehicle record for any use not expressly permitted by this
11 section; or

12 2. To make false representation to obtain any personal
13 information from an individual's motor vehicle record.

14 Any violation of the provisions of this section shall constitute
15 a misdemeanor and shall be punishable by the imposition of a fine
16 not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment
17 in the county jail for a term not exceeding one (1) year, or by both
18 such fine and imprisonment. Where applicable, a person convicted of
19 a violation of the provisions of this section shall be removed or
20 dismissed from office or state employment. No liability whatsoever,
21 civil or criminal, shall attach to any member or employee of Service
22 Oklahoma or the Corporation Commission for any error or omission in
23 the disclosure of such information.

24

1 SECTION 32. AMENDATORY 47 O.S. 2021, Section 1135.5, as
2 amended by Section 3, Chapter 397, O.S.L. 2022 (47 O.S. Supp. 2022,
3 Section 1135.5), is amended to read as follows:

4 Section 1135.5 A. Service Oklahoma is hereby authorized to
5 design and issue appropriate official special license plates to
6 persons wishing to demonstrate support and provide financial
7 assistance as provided by this section.

8 Special license plates shall not be transferred to any other
9 person but shall be removed from the vehicle upon transfer of
10 ownership and retained. The special license plate may then be used
11 on another vehicle but only after such other vehicle has been
12 registered for the current year with a licensed operator.

13 Special license plates shall be renewed each year by Service
14 Oklahoma or a licensed operator, unless authorized by Service
15 Oklahoma to be renewed for a period greater than one (1) year.
16 Service Oklahoma shall notify by mail all persons issued special
17 license plates. The notice shall contain all necessary information
18 and shall contain instructions for the renewal procedure upon
19 presentation to a licensed operator or Service Oklahoma. The
20 license plates shall be issued on a staggered system.

21 Service Oklahoma is hereby directed to develop and implement a
22 system whereby licensed operators are permitted to accept
23 applications for special license plates authorized under this
24 section. The licensed operator shall confirm the applicant's

1 eligibility, if applicable, collect and deposit any amount
2 specifically authorized by law, accept and process the necessary
3 information directly into such system and generate a receipt
4 accordingly. For performance of these duties, licensed operators
5 shall retain the fee provided in Section 1141.1 of this title for
6 registration of a motor vehicle. The licensed operator fees for
7 acceptance of applications and renewals shall be paid out of the
8 Oklahoma Tax Commission Reimbursement Fund. Beginning January 1,
9 2023, the licensed operator fees for acceptance of applications and
10 renewals shall be paid out of the Service Oklahoma Reimbursement
11 Fund.

12 If fewer than ~~one hundred~~ fifty of any type of special license
13 plates authorized prior to January 1, 2004, are issued prior to
14 January 1, 2006, Service Oklahoma shall discontinue issuance and
15 renewal of that type of special license plate. Any such authorized
16 special license plate registrant shall be allowed to display the
17 license plate upon the designated vehicle until the registration
18 expiration date. After such time the expired special license plate
19 shall be removed from the vehicle.

20 For special license plates authorized on or after July 1, 2004,
21 no special license plates shall be developed or issued by Service
22 Oklahoma until Service Oklahoma receives one hundred prepaid
23 applications therefor. The prepaid applications must be received by
24 Service Oklahoma within one hundred eighty (180) days of the

1 effective date of the authorization or the authority to issue shall
2 be null and void. In the event one hundred prepaid applications are
3 not received by Service Oklahoma within such prescribed time period
4 any payment so received shall be refunded accordingly.

5 B. The special license plates provided by this section are as
6 follows:

7 1. University or College Supporter License Plate - such plates
8 shall be designed and issued to any person wishing to demonstrate
9 support to any state-supported or private university or college. As
10 provided in this section, an amount of the fee collected shall be
11 apportioned as provided in Section 1104.1 of this title;

12 2. Environmental Awareness License Plate - such plates shall be
13 designed, subject to the criteria to be presented to Service
14 Oklahoma by the Department of Environmental Quality in consultation
15 with the Oklahoma Arts Council, and issued to any person wishing to
16 demonstrate support to implement the statewide general public
17 environmental education program created pursuant to the provisions
18 of the Oklahoma Environmental Quality Code. Such plates shall be
19 designed and issued to any person in any combination of numbers and
20 letters from one to a maximum of seven, as for personalized license
21 plates. A dealer's license plate issued pursuant to Section 1116.1
22 or 1128 of this title may be designated an Environmental Awareness
23 License Plate upon payment of the fee imposed by this section and
24 any other registration fees required by the Oklahoma Vehicle License

1 and Registration Act. As provided in this section, an amount of the
2 fee collected shall be apportioned pursuant to Section 1104.2 of
3 this title;

4 3. Firefighter License Plate - such plates shall be designed
5 for any career or retired firefighter, volunteer or paid.

6 Firefighters may apply for firefighter plates for up to four
7 vehicles with a rated capacity of one (1) ton or less or for a
8 motorcycle upon proof of a fire department membership by either an
9 identification card or letter from the chief of the fire department.
10 Retirees who are eligible for such plates shall provide proof of
11 eligibility upon initial application, but shall not be required to
12 provide proof of eligibility annually. The surviving spouse of any
13 deceased firefighter, if the spouse has not since remarried, may
14 apply for a firefighter license plate for one vehicle with a rated
15 carrying capacity of one (1) ton or less or for a motorcycle upon
16 proof that the deceased firefighter was a member of a fire
17 department by either an identification card or letter from the chief
18 of the fire department. The license plate shall be designed in
19 consultation with the Oklahoma Firefighters Association.

20 As provided in this section, an amount of the fee collected
21 shall be deposited to the Oklahoma State Firemen's Museum Building &
22 Memorial Fund for support of the Oklahoma Firefighters Museum and
23 the Oklahoma Fallen and Living Firefighters Memorial;

24

1 4. Wildlife Conservation License Plate - such plates shall be
2 designed, subject to the criteria to be presented to Service
3 Oklahoma by the Oklahoma Department of Wildlife Conservation in
4 consultation with the Oklahoma Arts Council, and issued to any
5 person wishing to demonstrate support for wildlife conservation in
6 this state through the Wildlife Diversity Fund, provided for in
7 Section 3-310 of Title 29 of the Oklahoma Statutes. Such plates may
8 be designed and issued to any person as for personalized license
9 plates.

10 As provided in this section, an amount of the fee collected
11 shall be apportioned pursuant to subsection D of Section 3-310 of
12 Title 29 of the Oklahoma Statutes;

13 5. Child Abuse Prevention License Plate - such plates shall be
14 designed, subject to the criteria to be presented to Service
15 Oklahoma by the Office of Child Abuse Prevention in the State
16 Department of Health and the Oklahoma Committee to Prevent Child
17 Abuse, and issued to any person wishing to demonstrate support for
18 the prevention of child abuse.

19 As provided in this section, an amount of the fee collected
20 shall be deposited in the Child Abuse Prevention Fund;

21 6. United States Olympic Committee Supporter License Plate -
22 such plates shall be designed and issued to any person wishing to
23 demonstrate support for the United States Olympic Committee. The
24 plates shall be issued to any person in any combination of numbers

1 and letters from one to a maximum of seven, as for personalized
2 license plates. The plate shall contain the official United States
3 Olympic Committee logo. Service Oklahoma shall be authorized, if
4 necessary, to enter into a licensing agreement with the United
5 States Olympic Committee for any licensing fees which may be
6 required in order to use the United States Olympic Committee logo or
7 design. The licensing agreement shall provide for a payment of not
8 more than Twenty-five Dollars (\$25.00) for each license plate
9 issued;

10 7. Oklahoma History License Plate - such plates shall be
11 designed and issued to any person wishing to demonstrate interest in
12 Oklahoma history. As provided in this section, an amount of the fee
13 collected shall be deposited to the Oklahoma Historical Society
14 Revolving Fund to be used for educational purposes;

15 8. Historic Route 66 License Plate - such:

16 a. vehicle plates shall be designed to honor historic
17 Route 66, also known as the "Mother Road". As
18 provided in this section, an amount of the fee
19 collected for each vehicle license plate shall be
20 apportioned to the Oklahoma Historical Society
21 Revolving Fund to be distributed to the Route 66
22 Museum located in Clinton, Oklahoma, and

23 b. motorcycle plates shall be designed in consultation
24 with the Oklahoma Route 66 Association, Inc. Service

1 Oklahoma shall be authorized to enter into a licensing
2 agreement with the Oklahoma Route 66 Association,
3 Inc., for any licensing fees which may be required in
4 order to use the Oklahoma Route 66 Association, Inc.,
5 logo or design. The licensing agreement shall provide
6 for a payment to the Oklahoma Route 66 Association,
7 Inc., of not more than Twenty Dollars (\$20.00) for
8 each motorcycle license plate issued;

9 9. Heart of the Heartland License Plate - such plates shall be
10 designed and issued to any person wishing to honor the victims of
11 the terrorist bombing attack on the Alfred P. Murrah Federal
12 Building in downtown Oklahoma City on April 19, 1995. As provided
13 in this section, an amount of the fee collected shall be deposited
14 in the Heart of the Heartland Scholarship Fund, as established in
15 Section 2282 of Title 70 of the Oklahoma Statutes;

16 10. Emergency Medical Technician License Plate - such plates
17 shall be designed and issued to any person who is an emergency
18 medical technician. Such persons may apply for an emergency medical
19 technician license plate for each vehicle with a rated carrying
20 capacity of one (1) ton or less upon proof of an emergency medical
21 technician's license. The license plate shall be designed in
22 consultation with the state association of emergency medical
23 technicians. As provided in this section, an amount of the fee
24 collected shall be apportioned to the Emergency Medical Personnel

1 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
2 of the Oklahoma Statutes;

3 11. Fight Breast Cancer License Plate - such plates shall be
4 designed to demonstrate support for the prevention and treatment of
5 breast cancer in this state. As provided in this section, an amount
6 of the fee collected shall be apportioned to the Breast Cancer Act
7 Revolving Fund;

8 12. Crime Victims Awareness License Plate - such plates shall
9 be designed and issued to any person wishing to demonstrate
10 awareness of and support for victims of crimes. The license plates
11 shall be designed in consultation with the Oklahoma Crime Victims
12 Centre. As provided in this section, an amount of the fee collected
13 shall be apportioned to the Attorney General's Revolving Fund for
14 the Office of the Attorney General, which is hereby directed to use
15 such funds to contract with a statewide nonprofit organization to
16 provide services to crime victims;

17 13. Oklahoma Safe Kids Association License Plate - such plates
18 shall be designed and issued to any person wishing to demonstrate
19 support and awareness of the Oklahoma Safe Kids Association. The
20 license plate shall be designed in consultation with the Oklahoma
21 Safe Kids Association. As provided in this section, an amount of
22 the fee collected shall be deposited in the Children's Hospital -
23 Oklahoma Safe Kids Association Revolving Fund to be distributed to
24 the Oklahoma Safe Kids Association program;

1 14. Four-H Club License Plate - such plates shall be designed,
2 subject to criteria to be presented to Service Oklahoma by the Four-
3 H Foundation, and issued to any person wishing to demonstrate
4 support of the Four-H Club. Such plates may be designed and issued
5 to any person as for personalized license plates. As provided in
6 this section, an amount of the fee collected shall be apportioned to
7 the OSU Extension Service License Plate Revolving Fund created in
8 Section 1104.4 of this title;

9 15. Agricultural Awareness License Plate - such plates shall be
10 designed, subject to criteria to be presented to Service Oklahoma,
11 by the Oklahoma Department of Agriculture, Food, and Forestry in
12 consultation with the Oklahoma Arts Council, and issued to any
13 person wishing to demonstrate support of the Department's Ag in the
14 Classroom Education Program. As provided in this section, an amount
15 of the fee collected shall be apportioned as provided in Section
16 1104.3 of this title;

17 16. Oklahoma Statehood Centennial License Plate - such plates
18 shall be designed and issued to any person wishing to commemorate
19 the centennial of Oklahoma's admission to statehood in 1907. The
20 license plates shall be designed in consultation with the Oklahoma
21 Capitol Complex and Centennial Commemoration Commission. As
22 provided in this section, an amount of the fee collected shall be
23 deposited in the Oklahoma Department of Commerce Revolving Fund
24 created in Section 5012 of Title 74 of the Oklahoma Statutes;

1 17. Support Education License Plate - such plates shall be
2 designed, subject to criteria to be presented to Service Oklahoma by
3 the State Department of Education in consultation with the Oklahoma
4 Arts Council, and issued to any person wishing to demonstrate
5 support for education in this state. All licensed operators shall
6 display a sample of the Support Education License plate in the area
7 of the business accessed by the public. Twenty-three Dollars
8 (\$23.00) of the fee collected shall be apportioned as follows:

- 9 a. five percent (5%) shall be deposited to the Education
10 Reform Revolving Fund,
- 11 b. five percent (5%) shall be deposited to the Higher
12 Education Revolving Fund,
- 13 c. five percent (5%) shall be deposited to the State
14 Career Technology Fund, and
- 15 d. eighty-five percent (85%) shall be deposited to the
16 Teachers' Retirement Benefit Fund as set forth in
17 Section 17-108 of Title 70 of the Oklahoma Statutes.

18 However, when the Teachers' Retirement Benefit Fund attains a
19 seventy percent (70%) funded ratio based on an annual actuarial
20 valuation as required by law, the amount of the fee shall be
21 apportioned equally pursuant to subparagraphs a, b and c of this
22 paragraph;

23 18. Retired Oklahoma Highway Patrol Officers License Plate -
24 such plates shall be designed and issued to any retired officer of

1 the Oklahoma Highway Patrol. The license plate shall have the
2 legend "Oklahoma" and shall contain, in the center of the plate, the
3 Highway Patrol Officers patch using the same colors and pattern as
4 used in the patch. Centered on the bottom of the license plate
5 shall be the word "Retired". The letters "TRP" shall be used in
6 combination with three numbers on either side of the insignia or
7 emblem. The color of the letters and numbers shall be brown.
8 Retirees who are eligible for such plates shall provide proof of
9 eligibility upon initial application, but shall not be required to
10 provide proof of eligibility annually. The surviving spouse of any
11 deceased retired officer of the Oklahoma Highway Patrol, if the
12 spouse has not since remarried, or if remarried, the remarriage is
13 terminated by death, divorce, or annulment, may apply for a Retired
14 Oklahoma Highway Patrol Officers license plate. As provided in this
15 section, an amount of the fee collected shall be deposited into the
16 Law Enforcement Retirement Fund;

17 19. Boy Scouts of America Supporter License Plate - such plates
18 shall be designed and issued to any person wishing to demonstrate
19 support for the Boy Scouts of America. The plates shall be issued
20 to any person in any combination of numbers and letters from one to
21 a maximum of seven, as for personalized license plates. The plate
22 shall contain the official Boy Scouts of America logo. Service
23 Oklahoma shall be authorized, if necessary, to enter into a
24 licensing agreement with the Boy Scouts of America for any licensing

1 fees which may be required in order to use the Boy Scouts of America
2 logo or design. The licensing agreement shall provide for a payment
3 to the Boy Scouts of America of not more than Twenty Dollars
4 (\$20.00) for each license plate issued;

5 20. Urban Forestry and Beautification License Plate - such
6 plates shall be designed, subject to criteria to be presented to
7 Service Oklahoma, by the Oklahoma Department of Agriculture, Food,
8 and Forestry in consultation with nonprofit organizations in this
9 state that develop and operate programs to encourage urban forestry
10 and beautification, and issued to any person wishing to demonstrate
11 support of such programs. As provided in this section, an amount of
12 the fee collected shall be apportioned as provided in Section 1104.5
13 of this title;

14 21. Oklahoma State Parks Supporter License Plate - such plates
15 shall be designed, subject to criteria to be presented to ~~Serve~~
16 Service Oklahoma by the Oklahoma Tourism and Recreation Department,
17 and issued to any person wishing to demonstrate support for the
18 Oklahoma state parks system. Twenty-three Dollars (\$23.00) of the
19 fee collected shall be deposited in the Oklahoma Tourism and
20 Recreation Department Revolving Fund. Such money shall be
21 designated for and may only be expended for the support of Oklahoma
22 state parks;

23 22. Adoption Creates Families License Plate - such plates shall
24 be issued to any person wishing to demonstrate support of pregnant

1 women who are committed to placing their children for adoption and
2 wishing to provide assistance to guardians, adoptive parents and
3 other created families to assist in the adoption and placement of
4 children in permanent, safe homes. The license plates shall be
5 designed and final terminology delivered in consultation with the
6 Oklahoma Adoption Coalition and the Department of Human Services.
7 Twenty-five Dollars (\$25.00) of the fee collected shall be deposited
8 in a revolving fund established in the State Treasury for and to be
9 used by the Department of Human Services for the implementation of
10 the Investing in Stronger Oklahoma Families Act specifically for
11 created families;

12 23. Choose Life License Plate - such plates shall be designed,
13 subject to criteria presented to Service Oklahoma, by Choose Life,
14 Inc., and issued to any person who wishes to demonstrate support of
15 organizations that encourage adoption as a positive choice for women
16 with unplanned pregnancies. As provided in this section, an amount
17 of the fee collected shall be deposited in the Choose Life
18 Assistance Program Revolving Fund established in Section 1104.6 of
19 this title;

20 24. Future Farmers of America License Plate - such plates shall
21 be designed and issued to persons wishing to demonstrate support for
22 the Oklahoma FFA (formerly known as Future Farmers of America). The
23 license plates shall be designed in consultation with the Oklahoma
24 FFA Foundation Board of Directors. As provided in this section, an

1 amount of the fee collected shall be apportioned as provided in
2 Section 1104.7 of this title;

3 25. Lions Club License Plate - such plates shall be designed
4 and issued to persons wishing to demonstrate support for the Lions
5 Club of Oklahoma. The plates shall be issued to any person in any
6 combination of numbers and letters from one to a maximum of seven,
7 as for personalized license plates. The license plates shall be
8 designed in consultation with the Oklahoma Lions Service Foundation
9 and shall contain the official logo of the International Association
10 of Lions Clubs. Service Oklahoma shall be authorized to enter into
11 a licensing agreement with the Oklahoma Lions Service Foundation.
12 The licensing agreement shall provide for a payment to the Oklahoma
13 Lions Service Foundation of not more than Ten Dollars (\$10.00) for
14 each license plate issued;

15 26. Color Oklahoma License Plate - such plates shall be
16 designed, subject to criteria to be presented to Service Oklahoma by
17 the Oklahoma Native Plant Society, and issued to any person wishing
18 to demonstrate support for preserving and planting wildflowers and
19 native plants in Oklahoma and to promote Oklahoma's wildflower
20 heritage through education. As provided in this section, an amount
21 of the fee collected shall be apportioned as provided in Section
22 1104.8 of this title;

23 27. Girl Scouts of the United States of America Supporter
24 License Plate - such plates shall be designed and issued to any

1 person wishing to demonstrate support for the Girl Scouts of the
2 United States of America. The plates shall be issued to any person
3 in any combination of numbers and letters from one to a maximum of
4 seven, as for personalized license plates. The plate shall contain
5 the official Girl Scouts of the United States of America logo.
6 Service Oklahoma shall be authorized, if necessary, to enter into a
7 licensing agreement with the Girl Scouts of the United States of
8 America for any licensing fees which may be required in order to use
9 the Girl Scouts of the United States of America logo or design. The
10 licensing agreement shall provide for a payment to the Girl Scouts
11 of Magic Empire Council, acting on behalf of all Oklahoma Girl Scout
12 councils, of not more than Twenty Dollars (\$20.00) for each license
13 plate issued;

14 28. Oklahoma City Memorial Marathon License Plate - such plates
15 shall be designed and issued to any person wishing to demonstrate
16 support for the Oklahoma City Memorial Marathon. The plate shall be
17 designed in consultation with the Oklahoma City Memorial Marathon.
18 Service Oklahoma shall be authorized to enter into a licensing
19 agreement with the Oklahoma City Memorial Marathon for any licensing
20 fees which may be required in order to use the Oklahoma City
21 Memorial Marathon logo or design. The licensing agreement shall
22 provide for a payment to the Oklahoma City Memorial Marathon of not
23 more than Twenty Dollars (\$20.00) for each license plate issued;

24

1 29. Oklahoma Scenic Rivers License Plate - such plates shall be
2 designed to demonstrate support for the Oklahoma Scenic Rivers. The
3 plates shall be designed in consultation with the Oklahoma Scenic
4 Rivers Commission. Twenty-five Dollars (\$25.00) of the fee shall be
5 apportioned to the Oklahoma Scenic Rivers Commission;

6 30. Fight Cancer License Plate - such plates shall be designed
7 to demonstrate support for the Oklahoma Central Cancer Registry.
8 The plate shall contain the American Cancer Society logo. The
9 American Cancer Society logo shall be used in accordance with the
10 American Cancer Society's branding guidelines and shall only be
11 utilized to support the Oklahoma Central Cancer Registry. Twenty
12 Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma
13 Central Cancer Registry Revolving Fund;

14 31. Animal Friendly License Plate - such plates shall be
15 designed and issued to any person wishing to demonstrate support for
16 controlling the overpopulation of dogs and cats through educational
17 and sterilization efforts. The plates shall be designed in
18 consultation with the Veterinary Medical Association. Twenty
19 Dollars (\$20.00) of the fee collected shall be designated by the
20 purchaser of the plate to be deposited in the Oklahoma Pet
21 Overpopulation Fund created in Section 2368.13 of Title 68 of the
22 Oklahoma Statutes or the Animal Friendly Revolving Fund created in
23 Section 1104.10 of this title;

24

1 32. Patriot License Plate - such plates shall be designed in
2 consultation with the Military Department of Oklahoma and issued to
3 any person wishing to demonstrate support for Oklahoma residents who
4 are members of the Oklahoma National Guard and deployed on active
5 duty. The plates shall be issued to any person in any combination
6 of numbers and letters from one to a maximum of seven, as for
7 personalized license plates. As provided in this section, a portion
8 of the fee collected shall be deposited in the Patriot License Plate
9 Revolving Fund created in Section 1104.11 of this title;

10 33. Global War on Terrorism License Plate - such plate shall be
11 designed in consultation with the Military Department of Oklahoma
12 and issued to any person wishing to demonstrate support for Oklahoma
13 residents who are members of the Armed Forces of the United States
14 or Oklahoma National Guard that have served in the Global War on
15 Terrorism. The plate shall be issued to any person in any
16 combination of numbers and letters from one to a maximum of six. As
17 provided in this section, a portion of the fee collected shall be
18 deposited in the Oklahoma National Guard Museum Fund created in
19 Section 235.1 of Title 44 of the Oklahoma Statutes;

20 34. Boys and Girls Clubs of America Supporter License Plate -
21 such plates shall be designed and issued to any person wishing to
22 demonstrate support for the Boys and Girls Clubs of America. The
23 plates shall be issued to any person in any combination of numbers
24 and letters from one to a maximum of seven, as for personalized

1 license plates. The plate shall contain the official Boys and Girls
2 Clubs of America logo. Service Oklahoma, if necessary, may enter
3 into a licensing agreement with the Boys and Girls Clubs of America
4 for any licensing fees which may be required in order to use the
5 Boys and Girls Clubs of America logo or design. The licensing
6 agreement shall provide for a payment to the Boys and Girls Clubs of
7 America of not more than Twenty Dollars (\$20.00) for each license
8 plate issued;

9 35. Oklahoma Quarter Horse License Plate - such plates shall be
10 designed and issued to any person wishing to demonstrate support for
11 the American Quarter Horse in Oklahoma. The plate shall be designed
12 in consultation with the Oklahoma Quarter Horse Association. As
13 provided in this section, a portion of the fee collected shall be
14 deposited in the Oklahoma Quarter Horse Revolving Fund created in
15 Section 1104.12 of this title;

16 36. Oklahoma Association for the Deaf License Plate - such
17 plates shall be designed in consultation with the Oklahoma
18 Association for the Deaf and issued to any person wishing to
19 demonstrate support for Oklahoma residents who are deaf. The plates
20 shall be issued to any person in any combination of numbers and
21 letters from one to a maximum of seven, as for personalized license
22 plates. As provided in this section, a portion of the fee collected
23 shall be deposited in the Oklahoma Association for the Deaf License
24 Plate Revolving Fund created in Section 1104.15 of this title;

1 37. Oklahoma City Zoo License Plate - such plates shall be
2 issued to any person wishing to demonstrate support for the Oklahoma
3 City Zoo. The license plates shall be designed in consultation with
4 the Oklahoma Zoological Society, Inc. As provided in this section,
5 an amount of the fee collected shall be deposited in the Oklahoma
6 Zoological Society Revolving Fund created in Section 1104.13 of this
7 title;

8 38. March of Dimes License Plate - such plates shall be issued
9 to persons wishing to demonstrate support for the March of Dimes
10 mission to improve the health of babies by preventing birth defects,
11 premature birth and infant mortality. The license plates shall be
12 designed in consultation with the Oklahoma Chapter March of Dimes.
13 As provided in this section, an amount of the fee collected shall be
14 deposited in the Oklahoma Prevent Birth Defects, Premature Birth and
15 Infant Mortality Fund established in Section 1104.14 of this title;

16 39. Support Our Troops Supporter License Plate - such plates
17 shall be designed and issued to any person wishing to demonstrate
18 support for Support Our Troops Incorporated. The plates shall be
19 issued to any person in any combination of numbers and letters from
20 one to a maximum of six. The plate shall contain the official
21 Support Our Troops Incorporated logo which includes the mark
22 "Support Our Troops" across the bottom of the plate. Service
23 Oklahoma, if necessary, may enter into a licensing agreement with
24 Support Our Troops Incorporated for any licensing fees which may be

1 required in order to use the Support Our Troops Incorporated logo or
2 design. The licensing agreement shall provide for a payment to
3 Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for
4 each license plate issued;

5 40. Folds of Honor Supporter License Plate - such plates shall
6 be authorized to be designed and issued to any person wishing to
7 demonstrate support for the Oklahoma City Chapter of Folds of Honor
8 Incorporated, a nonprofit charitable organization exempt from
9 taxation pursuant to the provisions of the Internal Revenue Code, 26
10 U.S.C., Section 501(c)(3), providing educational scholarships to
11 spouses and children of America's fallen and disabled military
12 service members. The plates shall be issued to any person in any
13 combination of numbers and letters from one to a maximum of six.
14 Such person may apply for a Folds of Honor Supporter license plate
15 for a motorcycle; provided, the license plate for motorcycles may be
16 of similar design to the license plate for motor vehicles or may be
17 a new design in order to meet space requirements for a motorcycle
18 license plate. The plate shall be designed in consultation with the
19 Oklahoma City Chapter of Folds of Honor Incorporated and shall
20 contain the official Folds of Honor Incorporated logo which includes
21 the mark "Folds of Honor" across the bottom of the plate. Service
22 Oklahoma, if necessary, may enter into a licensing agreement with
23 Folds of Honor Incorporated for any licensing fees which may be
24 required in order to use the Folds of Honor Incorporated logo or

1 design. The licensing agreement shall provide for a payment to
2 Folds of Honor Incorporated of Twenty-five Dollars (\$25.00) for each
3 license plate issued. Subject to the provisions of subsection A of
4 this section, the Folds of Honor Supporter License Plate is hereby
5 reauthorized effective November 1, 2019;

6 41. Downed Bikers Association License Plate - such plates shall
7 be designed and issued to any person wishing to demonstrate support
8 for the Downed Bikers Association, a nonprofit charitable
9 organization exempt from taxation pursuant to the provisions of the
10 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides
11 emotional and financial support for downed bikers. The license
12 plate shall be designed in consultation with the Central Oklahoma
13 Chapter of the Downed Bikers Association and shall contain any
14 official logo or design of the organization. Service Oklahoma, if
15 necessary, may enter into a licensing agreement with the Downed
16 Bikers Association for any licensing fees which may be required in
17 order to use the organization's logo or design. The licensing
18 agreement shall provide for a payment to the Downed Bikers
19 Association of not more than Twenty Dollars (\$20.00) for each
20 license plate;

21 42. Armed Forces Veterans Motorcycle License Plate - such
22 plates shall be designed for use on a motorcycle in consultation
23 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.
24 (ABATE), and issued to any honorably discharged former member of the

1 United States Armed Forces wishing to demonstrate support for the
2 Oklahoma National Guard Museum. Persons applying for such license
3 plate must show proof of past military service. As provided in this
4 section, a portion of the fee collected shall be deposited in the
5 Oklahoma National Guard Museum Fund created in Section 235.1 of
6 Title 44 of the Oklahoma Statutes;

7 43. Buffalo Soldier License Plate - such plates shall be issued
8 to any person wishing to honor and celebrate the history and
9 contribution of the Buffalo Soldiers. The license plates shall be
10 designed in consultation with the Lawton-Fort Sill Chapter of the
11 Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As
12 provided in this section, an amount of the fee collected shall be
13 deposited in the Buffalo Soldier License Plate Revolving Fund
14 created in Section 1104.16 of this title;

15 44. Prevent Blindness Oklahoma License Plate - such plates
16 shall be issued to any person wishing to provide financial support
17 for vision screening of school age children in this state. The
18 license plates shall be designed in consultation with Prevent
19 Blindness Oklahoma. As provided in this section, an amount of the
20 fee collected shall be deposited in the Prevent Blindness Oklahoma
21 License Plate Revolving Fund created in Section 1104.17 of this
22 title;

23 45. Oklahoma State Capitol Restoration License Plate - such
24 plates shall be designed and issued to any person wishing to

1 demonstrate support for restoration of the Oklahoma State Capitol
2 building. The license plates shall be designed in consultation with
3 the Friends of the Capitol corporation, created pursuant to Section
4 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol
5 Preservation Commission created pursuant to Section 4102 of Title 74
6 of the Oklahoma Statutes. As provided in this section, an amount of
7 the fee collected shall be deposited in the Oklahoma Friends of the
8 Capitol License Plate Revolving Fund established in Section 1104.18
9 of this title;

10 46. Eastern Red Cedar Tree License Plate - such plates shall be
11 designed, subject to criteria to be presented to Service Oklahoma
12 and issued to any person wishing to demonstrate support for the
13 removal of Eastern Redcedar trees from lands in the state and to
14 develop marketable uses for the harvested trees. The license plate
15 shall be designed in consultation with the Oklahoma Department of
16 Agriculture, Food, and Forestry. Twenty-three Dollars (\$23.00) of
17 the fee collected shall be deposited in the Eastern Redcedar
18 Revolving Fund created in Section 18-407 of Title 2 of the Oklahoma
19 Statutes. The money shall be designated for and may only be
20 expended for the purposes as set forth in the Eastern Redcedar
21 Management Act;

22 47. Pancreatic Cancer Research License Plate - such plates
23 shall be issued to any person wishing to provide financial support
24 for the University of Oklahoma Foundation, Pancreatic Cancer

1 Research Fund. The plates shall be issued to any person in any
2 combination of numbers and letters from one to a maximum of six.
3 The license plates shall be designed in consultation with the
4 University of Oklahoma Foundation, Pancreatic Cancer Research Fund.
5 As provided in this section, an amount of the fee collected shall be
6 deposited in the Pancreatic Cancer Research License Plate Revolving
7 Fund created in Section 1104.19 of this title;

8 48. Alzheimer's Research License Plate - such plates shall be
9 issued to any person wishing to provide financial support for the
10 Oklahoma Chapter of the Alzheimer's Association. The license plates
11 shall be designed in consultation with the Oklahoma Chapter of the
12 Alzheimer's Association. As provided in this section, an amount of
13 the fee collected shall be deposited in the Alzheimer's Research
14 License Plate Revolving Fund created in Section 1104.20 of this
15 title;

16 49. Hospice and Palliative Care License Plate - such plates
17 shall be issued to any person wishing to provide financial support
18 for the Oklahoma Hospice and Palliative Care Association. The
19 license plates shall be designed in consultation with the Oklahoma
20 Hospice and Palliative Care Association. As provided in this
21 section, an amount of the fee collected shall be deposited in the
22 Hospice and Palliative Care License Plate Revolving Fund created in
23 Section 1104.21 of this title;

24

1 50. Juvenile Diabetes Research License Plate - such plates
2 shall be issued to any person wishing to provide financial support
3 for the Oklahoma Chapters of the Juvenile Diabetes Research
4 Foundation. The license plates shall be designed in consultation
5 with the Oklahoma Chapters of the Juvenile Diabetes Research
6 Foundation. As provided in this section, an amount of the fee
7 collected shall be deposited in the Juvenile Diabetes Research
8 License Plate Revolving Fund created in Section 1104.22 of this
9 title;

10 51. Deer Creek Schools Foundation License Plate - such plates
11 shall be issued to any person wishing to provide financial support
12 for the Deer Creek Schools Foundation. The license plates shall be
13 designed in consultation with the Deer Creek Schools Foundation.
14 The plates shall be issued to any person in any combination of
15 numbers and letters from one to a maximum of seven, as for
16 personalized license plates. As provided in this section, an amount
17 of the fee collected shall be deposited in the Deer Creek Schools
18 Foundation License Plate Revolving Fund created in Section 1104.23
19 of this title;

20 52. Lupus Awareness and Education License Plate - such plates
21 shall be issued to any person wishing to provide financial support
22 for the Lupus Foundation of Oklahoma. The license plates shall be
23 designed in consultation with the Lupus Foundation of Oklahoma. As
24 provided in this section, an amount of the fee collected shall be

1 deposited in the Oklahoma Lupus License Plate Revolving Fund created
2 in Section 1104.24 of this title. Subject to the provisions of
3 subsection A of this section, the Lupus Awareness and Education
4 License Plate is hereby reauthorized effective November 1, 2018;

5 53. Chiefs of Police License Plate - such plates shall be
6 issued to any person wishing to provide financial support for the
7 Oklahoma Association of Chiefs of Police for a vehicle or motorcycle
8 in any combination of numbers and letters from one to a maximum of
9 seven, as for personalized license plates. The license plates shall
10 be designed in consultation with the Oklahoma Association of Chiefs
11 of Police. The license plate for a motorcycle may be of similar
12 design as space permits or a new design in order to meet the space
13 requirements of a motorcycle license plate. Service Oklahoma shall
14 be authorized to enter into a licensing agreement with the Oklahoma
15 Association of Chiefs of Police for any licensing fees which may be
16 required in order to use the association's logo or design. The
17 licensing agreement shall provide for a payment to the Oklahoma
18 Association of Chiefs of Police of not more than Twenty Dollars
19 (\$20.00) for each license plate issued. Subject to the provisions
20 of subsection A of this section, the Chiefs of Police License Plate
21 is hereby reauthorized effective November 1, 2015;

22 54. Crossings Christian School License Plate - such plates
23 shall be designed and issued to any person wishing to demonstrate
24 support for Crossings Christian School located in Oklahoma City.

1 The license plates shall be designed in consultation with the
2 administration of Crossings Christian School. Service Oklahoma
3 shall be authorized to enter into a licensing agreement with
4 Crossings Christian School for any licensing fees which may be
5 required in order to use the school's logo or design. The licensing
6 agreement shall provide for a payment to the Crossings Christian
7 School of not more than Twenty Dollars (\$20.00) for each license
8 plate issued;

9 55. Hilldale Education Foundation License Plate - such plates
10 shall be designed and issued to any person wishing to demonstrate
11 support for the Hilldale Education Foundation. The license plates
12 shall be designed in consultation with the administration of the
13 Hilldale Education Foundation. Service Oklahoma shall be authorized
14 to enter into a licensing agreement with the Hilldale Education
15 Foundation for any licensing fees which may be required in order to
16 use the foundation's logo or design. The licensing agreement shall
17 provide for a payment to the Hilldale Education Foundation of not
18 more than Twenty Dollars (\$20.00) for each license plate issued;

19 56. Oklahoma Nurses License Plate - such plates shall be issued
20 to any person licensed pursuant to the Oklahoma Nursing Practice Act
21 and providing such documentation of current licensure as may be
22 required by Service Oklahoma. The license plates shall be designed
23 in consultation with the Oklahoma Nurses Association. As provided
24 in this section, an amount of the fee collected shall be deposited

1 in the Oklahoma Nurses License Plate Revolving Fund created in
2 Section 1104.26 of this title;

3 57. Oklahoma Sports Hall of Fame License Plate - such plates
4 shall be issued to any person wishing to demonstrate support for the
5 Oklahoma Sports Hall of Fame. The license plates shall be designed
6 in consultation with the administration of the Oklahoma Sports Hall
7 of Fame. Service Oklahoma shall be authorized to enter into a
8 licensing agreement with the Oklahoma Sports Hall of Fame for any
9 licensing fees which may be required in order to use the Hall of
10 Fame's logo or design. The licensing agreement shall provide for a
11 payment to the Oklahoma Sports Hall of Fame of not more than Twenty
12 Dollars (\$20.00) for each license plate issued;

13 58. Childhood Cancer Awareness License Plate - such plates
14 shall be issued to any person wishing to demonstrate support for the
15 Oklahoma Children's Cancer Association. The license plates shall be
16 designed in consultation with the administration of the Oklahoma
17 Children's Cancer Association. Service Oklahoma shall be authorized
18 to enter into a licensing agreement with the Oklahoma Children's
19 Cancer Association for any licensing fees which may be required in
20 order to use the Oklahoma Children's Cancer Association's logo or
21 design. The licensing agreement shall provide for a payment to the
22 Oklahoma Children's Cancer Association of not more than Twenty
23 Dollars (\$20.00) for each license plate issued;

24

1 59. Oklahoma Educational Television Authority License Plate -
2 such plates shall be designed and issued to any person wishing to
3 demonstrate support for the Oklahoma Educational Television
4 Authority and such plates shall be designed in consultation with the
5 Authority. As provided in this section, an amount of the fee
6 collected shall be deposited in The Educational Television Authority
7 Revolving Fund created in Section 156 of Title 62 of the Oklahoma
8 Statutes;

9 60. Remembering Fallen Heroes License Plate - such plates shall
10 be designed and issued to any person wishing to demonstrate support
11 for Concerns of Police Survivors, Inc. Such plates shall be
12 designed in consultation with the Oklahoma chapter of Concerns of
13 Police Survivors, Inc. As provided in this section, an amount of
14 the fee collected shall be deposited in the Oklahoma Concerns of
15 Police Survivors License Plate Revolving Fund created in Section
16 1104.27 of this title;

17 61. Disabled American Veterans License Plate - such plates
18 shall be designed in consultation with the Disabled American
19 Veterans Department of Oklahoma and issued to any member of the
20 organization wishing to demonstrate support. Service Oklahoma shall
21 be authorized to enter into a licensing agreement with the Disabled
22 American Veterans Department of Oklahoma for any licensing fees
23 which may be required in order to use the organization's logo or
24 design. The licensing agreement shall provide for a payment to the

1 Disabled American Veterans Department of Oklahoma of not more than
2 Twenty Dollars (\$20.00) for each license plate issued. The plates
3 shall incorporate a numbering system agreed upon by the Disabled
4 American Veterans Department of Oklahoma and Service Oklahoma;

5 62. Owasso Rams Supporter License Plate - such plates shall be
6 designed and issued to any person wishing to demonstrate support for
7 the Owasso Rams, and shall be designed in consultation with
8 representatives of Owasso Schools. The plates shall be issued to
9 any person in any combination of numbers and letters from one to a
10 maximum of seven, as for personalized license plates. As provided
11 in this section, an amount of the fee collected shall be deposited
12 in the Education Reform Revolving Fund created in Section 34.89 of
13 Title 62 of the Oklahoma Statutes;

14 63. Collinsville Cardinals Supporter License Plate - such
15 plates shall be designed and issued to any person wishing to
16 demonstrate support for the Collinsville Cardinals, and shall be
17 designed in consultation with representatives of Collinsville
18 Schools. The plates shall be issued to any person in any
19 combination of numbers and letters from one to a maximum of seven,
20 as for personalized license plates. As provided in this section, an
21 amount of the fee collected shall be deposited in the Education
22 Reform Revolving Fund created in Section 34.89 of Title 62 of the
23 Oklahoma Statutes;

24

1 64. Sperry Pirates Supporter License Plate - such plates shall
2 be designed and issued to any person wishing to demonstrate support
3 for the Sperry Pirates, and shall be designed in consultation with
4 representatives of Sperry Schools. The plates shall be issued to
5 any person in any combination of numbers and letters from one to a
6 maximum of seven, as for personalized license plates. As provided
7 in this section, an amount of the fee collected shall be deposited
8 in the Education Reform Revolving Fund created in Section 34.89 of
9 Title 62 of the Oklahoma Statutes;

10 65. Skiatook Bulldogs Supporter License Plate - such plates
11 shall be designed and issued to any person wishing to demonstrate
12 support for the Skiatook Bulldogs, and shall be designed in
13 consultation with representatives of Skiatook Schools. The plates
14 shall be issued to any person in any combination of numbers and
15 letters from one to a maximum of seven, as for personalized license
16 plates. As provided in this section, an amount of the fee collected
17 shall be deposited in the Education Reform Revolving Fund created in
18 Section 34.89 of Title 62 of the Oklahoma Statutes;

19 66. Rejoice Christian Eagles Supporter License Plate - such
20 plates shall be designed and issued to any person wishing to
21 demonstrate support for the Rejoice Christian Eagles, and shall be
22 designed in consultation with representatives of Rejoice Christian
23 Schools. The plates shall be issued to any person in any
24 combination of numbers and letters from one to a maximum of seven,

1 as for personalized license plates. As provided in this section, an
2 amount of the fee collected shall be deposited in the Education
3 Reform Revolving Fund created in Section 34.89 of Title 62 of the
4 Oklahoma Statutes;

5 67. East Central Cardinals Supporter License Plate - such
6 plates shall be designed and issued to any person wishing to
7 demonstrate support for the East Central Cardinals, and shall be
8 designed in consultation with representatives of East Central
9 Schools. The plates shall be issued to any person in any
10 combination of numbers and letters from one to a maximum of seven,
11 as for personalized license plates. As provided in this section, an
12 amount of the fee collected shall be deposited in the Education
13 Reform Revolving Fund created in Section 34.89 of Title 62 of the
14 Oklahoma Statutes;

15 68. Southeast Spartans Supporter License Plate - such plates
16 shall be designed and issued to any person wishing to demonstrate
17 support for the Southeast Spartans, and shall be designed in
18 consultation with the Southeast High School Alumni Association. The
19 plates shall be issued to any person in any combination of numbers
20 and letters from one to a maximum of seven, as for personalized
21 license plates. As provided in this section, an amount of the fee
22 collected shall be deposited in the Education Reform Revolving Fund
23 created in Section 34.89 of Title 62 of the Oklahoma Statutes;

24

1 69. Sooner State ABATE License Plate - such plates shall be
2 issued to any person wishing to provide financial support for Sooner
3 State ABATE. The license plates shall be designed in consultation
4 with Sooner State ABATE. The plates shall be issued to any person
5 in any combination of numbers and letters from one to a maximum of
6 seven, as for personalized plates. The license plate for a
7 motorcycle may be of similar design as space permits or a new design
8 in order to meet the space requirements of a motorcycle license
9 plate. Service Oklahoma shall be authorized to enter into a
10 licensing agreement with Sooner State ABATE for any licensing fees,
11 which may be required in order to use the association's logo or
12 design. The licensing agreement shall provide for a payment to
13 Sooner State ABATE of not more than Twenty Dollars (\$20.00) for each
14 license plate issued. Subject to the provisions of subsection A of
15 this section, the Sooner State ABATE License Plate is hereby
16 reauthorized effective November 1, 2019;

17 70. Oklahoma License to Educate License Plate - such plates
18 shall be designed and issued to any person wishing to demonstrate
19 support for Oklahoma educators. Such plates shall be designed in
20 consultation with the State Department of Education. As provided in
21 this section, an amount of the fee collected shall be deposited in
22 the Oklahoma Teacher Recruitment Revolving Fund created in Section
23 6-132 of Title 70 of the Oklahoma Statutes;

24

1 71. Piedmont Education Foundation License Plate - such plates
2 shall be designed and issued to any person wishing to demonstrate
3 support for the Piedmont Public Schools Education Foundation. Such
4 plates shall be designed in consultation with the Foundation. As
5 provided in this section, an amount of the fee collected shall be
6 deposited in the Piedmont Public Schools Education Foundation
7 License Plate Revolving Fund created in Section 1104.28 of this
8 title;

9 72. The Pride of Oklahoma License Plate - such plates shall be
10 designed and issued to any person wishing to demonstrate support for
11 the University of Oklahoma Marching Band and shall be designed in
12 consultation with the University of Oklahoma Marching Band. Service
13 Oklahoma shall be authorized to enter into a licensing agreement
14 with the University of Oklahoma or the University of Oklahoma
15 Marching Band for any licensing fees which may be required in order
16 to use the applicable logo or design. The licensing agreement shall
17 provide for a payment to the Pride of Oklahoma Fund at the
18 University of Oklahoma Foundation, Inc. of not more than Twenty
19 Dollars (\$20.00) for each license plate issued;

20 73. Jenks Trojans License Plate - such plates shall be designed
21 and issued to any person wishing to demonstrate support for the
22 Jenks School District. The license plates shall be designed in
23 consultation with the administration of the Jenks School District.
24 Service Oklahoma shall be authorized to enter into a licensing

1 agreement with the Jenks School District for any licensing fees
2 which may be required in order to use the school district's logo or
3 design. The licensing agreement shall provide for a payment to the
4 Jenks School District of not more than Twenty Dollars (\$20.00) for
5 each license plate issued;

6 74. Bixby Spartans License Plate - such plates shall be
7 designed and issued to any person wishing to demonstrate support for
8 the Bixby School District. The license plates shall be designed in
9 consultation with the administration of the Bixby School District.
10 Service Oklahoma shall be authorized to enter into a licensing
11 agreement with the Bixby School District for any licensing fees
12 which may be required in order to use the school district's logo or
13 design. The licensing agreement shall provide for a payment to the
14 Bixby School District of not more than Twenty Dollars (\$20.00) for
15 each license plate issued;

16 75. Oklahoma Aeronautics Commission License Plate - such plates
17 shall be designed and issued to any person wishing to demonstrate
18 support for the Oklahoma aviation industry and to promote awareness
19 of aviation and aerospace. Such plates shall be designed in
20 consultation with the Oklahoma Aeronautics Commission and shall be
21 issued to any person in any combination of numbers and letters from
22 one to a maximum of seven, as for personalized license plates.
23 Twenty-four Dollars (\$24.00) of the fee collected shall be deposited
24 in the Oklahoma Aeronautics Commission Revolving Fund, for

1 expenditure as provided in Section 91 of Title 3 of the Oklahoma
2 Statutes;

3 76. Ducks Unlimited License Plate - such plates shall be
4 designed and issued to any person wishing to demonstrate support for
5 Ducks Unlimited. Such plates shall be designed in consultation with
6 Ducks Unlimited. Service Oklahoma shall be authorized to enter into
7 a licensing agreement with Ducks Unlimited for any licensing fee
8 which may be required in order to use the Ducks Unlimited logo or
9 design. The licensing agreement shall provide for a payment to
10 Ducks Unlimited of not more than Twenty Dollars (\$20.00) for each
11 license plate issued;

12 77. Prisoner of War and Missing in Action License Plate - such
13 plates shall be issued to any person wishing to increase awareness
14 of those who are currently prisoners of war or missing in action and
15 provide financial support for current veterans. The license plates
16 shall be designed in consultation with Rolling Thunder Oklahoma. As
17 provided in this section, an amount of the fee collected shall be
18 deposited in the Prisoner of War and Missing in Action License Plate
19 Revolving Fund created in Section 1104.29 of this title;

20 78. Woodward Boomers License Plate - such plates shall be
21 designed and issued to any person wishing to demonstrate support for
22 the Woodward School District. The license plates shall be designed
23 in consultation with the administration of the Woodward School
24 District. Service Oklahoma shall be authorized to enter into a

1 licensing agreement with the Woodward School District for any
2 licensing fees which may be required in order to use the school
3 district's logo or design. The licensing agreement shall provide
4 for a payment to the Woodward School District of not more than
5 Twenty Dollars (\$20.00) for each license plate issued;

6 79. Clinton Public School Foundation License Plate - such
7 plates shall be designed and issued to any person wishing to
8 demonstrate support for the Clinton Public School Foundation. The
9 license plates shall be designed in consultation with the Clinton
10 Public School Foundation. Service Oklahoma shall be authorized to
11 enter into a licensing agreement with the Clinton Public School
12 Foundation for any licensing fees which may be required in order to
13 use the school foundation's logo or design. The licensing agreement
14 shall provide for a payment to the Clinton Public School Foundation
15 of not more than Twenty Dollars (\$20.00) for each license plate
16 issued;

17 80. Navajo School Foundation License Plate - such plates shall
18 be issued to any person wishing to demonstrate support for the
19 Navajo School Foundation. The license plates shall be designed in
20 consultation with the administration of the Navajo School
21 Foundation. Service Oklahoma shall be authorized to enter into a
22 licensing agreement with the Navajo School Foundation for any
23 licensing fees which may be required in order to use the
24 Foundation's logo or design. The licensing agreement shall provide

1 for a payment to the Navajo School Foundation of not more than
2 Twenty Dollars (\$20.00) for each license plate issued;

3 81. Oklahoma Music Hall of Fame Inc. License Plate - such
4 plates shall be designed in consultation with the Oklahoma Music
5 Hall of Fame Inc. and issued to any member of the organization
6 wishing to demonstrate support. Service Oklahoma shall be
7 authorized to enter into a licensing agreement with the Oklahoma
8 Music Hall of Fame Inc. for any licensing fees which may be required
9 in order to use the organization's logo or design. The licensing
10 agreement shall provide for a payment to the Oklahoma Music Hall of
11 Fame Inc. of not more than Twenty Dollars (\$20.00) for each license
12 plate issued. The plates shall incorporate a numbering system
13 agreed upon by the Oklahoma Music Hall of Fame Inc. and Service
14 Oklahoma. Subject to the provisions of subsection A of this
15 section, the Oklahoma Music Hall of Fame Inc. License Plate is
16 hereby reauthorized effective November 1, 2019;

17 82. Techlahoma Foundation License Plate - such plates shall be
18 issued to any person wishing to provide financial support for the
19 Techlahoma Foundation. The license plate shall be designed in
20 consultation with the Techlahoma Foundation. The plate shall be
21 issued to any person in any combination of numbers and letters from
22 one to a maximum of seven, as for personalized license plates.
23 Service Oklahoma shall be authorized to enter into a licensing
24 agreement with the Techlahoma Foundation for any licensing fees,

1 which may be required in order to use the association's logo or
2 design. The licensing agreement shall provide for a payment to the
3 Techlahoma Foundation of not more than Twenty Dollars (\$20.00) for
4 each license plate issued;

5 83. Bethany Public Schools Foundation License Plate - such
6 plates shall be issued to any person wishing to demonstrate support
7 for the Bethany Public Schools Foundation. The license plates shall
8 be designed in consultation with the administration of the Bethany
9 Public Schools Foundation. Service Oklahoma shall be authorized to
10 enter into a licensing agreement with the Bethany Public Schools
11 Foundation for any licensing fees which may be required in order to
12 use the Foundation's logo or design. The licensing agreement shall
13 provide for a payment to the Bethany Public Schools Foundation of
14 not more than Twenty Dollars (\$20.00) for each license plate issued;

15 84. Cystic Fibrosis Foundation License Plate - such plates
16 shall be issued to any person wishing to demonstrate support for the
17 Cystic Fibrosis Foundation. The license plates shall be designed in
18 consultation with the administration of the Cystic Fibrosis
19 Foundation. Service Oklahoma shall be authorized to enter into a
20 licensing agreement with the Cystic Fibrosis Foundation for any
21 licensing fees which may be required in order to use the
22 Foundation's logo or design. The licensing agreement shall provide
23 for a payment to the Cystic Fibrosis Foundation of not more than
24 Twenty Dollars (\$20.00) for each license plate issued;

1 85. Down Syndrome Association of Central Oklahoma License Plate
2 - such plates shall be designed and issued to any person wishing to
3 demonstrate support for the Down Syndrome Association of Central
4 Oklahoma. Such plates shall be designed in consultation with the
5 Association. As provided in this section, an amount of the fee
6 collected shall be deposited in the Down Syndrome Association of
7 Central Oklahoma License Plate Revolving Fund created in Section
8 1104.30 of this title;

9 86. Elk City Education Foundation License Plate - such plates
10 shall be designed and issued to any person wishing to demonstrate
11 support for the Elk City Education Foundation. Such plates shall be
12 designed in consultation with the Foundation. As provided in this
13 section, an amount of the fee collected shall be deposited in the
14 Elk City Education Foundation License Plate Revolving Fund created
15 in Section 1104.31 of this title;

16 87. A Brotherhood Aiming Toward Education of Oklahoma (ABATE)
17 License Plate - such plates shall be designed and issued to any
18 person wishing to provide financial support for ABATE of Oklahoma.
19 Such plates shall be designed in consultation with ABATE of
20 Oklahoma. The plates shall be issued to any person in any
21 combination of numbers and letters from one to a maximum of seven,
22 as for personalized plates. The license plate for a motorcycle may
23 be of similar design as space permits or a new design in order to
24 meet the space requirements of a motorcycle license plate. Service

1 Oklahoma shall be authorized to enter into a licensing agreement
2 with ABATE of Oklahoma for any licensing fees which may be required
3 in order to use the ABATE of Oklahoma logo or design. The licensing
4 agreement shall provide for a payment to ABATE of Oklahoma of not
5 more than Twenty Dollars (\$20.00) for each license plate issued;

6 88. Downed Bikers Association License Plate - such plates shall
7 be designed for a vehicle or motorcycle in any combination of
8 numbers and letters from one to a maximum of seven, as for
9 personalized license plates, and issued to any person wishing to
10 demonstrate support for the Downed Bikers Association, a nonprofit
11 charitable organization exempt from taxation pursuant to the
12 provisions of the Internal Revenue Code, 26 U.S.C., Section
13 501(c) (3), which provides emotional and financial support for downed
14 bikers. The license plate shall be designed in consultation with
15 the Central Oklahoma Chapter of the Downed Bikers Association and
16 shall contain any official logo or design of the organization. The
17 license plate for a motorcycle may be of similar design as space
18 permits or a new design in order to meet the space requirements of a
19 motorcycle license plate. Service Oklahoma, if necessary, may enter
20 into a licensing agreement with the Downed Bikers Association for
21 any licensing fees which may be required in order to use the
22 organization's logo or design. The licensing agreement shall
23 provide for a payment to the Downed Bikers Association of not more
24 than Twenty Dollars (\$20.00) for each license plate;

1 89. Eagle Scout License Plate - such plates shall be designed
2 to demonstrate support for Eagle Scouts and shall include the Eagle
3 Scout logo. Plates may be issued to any person who can show proof
4 of having obtained the rank of Eagle Scout. Service Oklahoma shall
5 be authorized to enter into a licensing agreement with the various
6 Oklahoma local councils for any licensing fees which may be required
7 in order to use the applicable logo or design. The licensing
8 agreement shall provide for a payment of not more than Twenty
9 Dollars (\$20.00) for each license plate issued to the specific
10 Oklahoma local area Council designated by the applicant;

11 90. Extraordinary Educators License Plate - such plates shall
12 be designed and issued to any person wishing to provide financial
13 support for common education in Oklahoma. Such plates shall be
14 designed in consultation with the State Department of Education.
15 The plates shall be issued to any person in any combination of
16 numbers and letters from one to a maximum of seven, as for
17 personalized license plates. As provided in this section, an amount
18 of the fee collected shall be deposited in the Extraordinary
19 Educators License Plate Revolving Fund created in Section 1104.32 of
20 this title;

21 91. Former Oklahoma Legislator License Plate - such plates
22 shall be designed and issued to any person who previously served as
23 a member of the Oklahoma House of Representatives or Oklahoma State
24 Senate. The license plates shall be designed in consultation with

1 the Oklahoma Historical Society. As provided in this section, an
2 amount of the fee collected shall be deposited in the Oklahoma
3 Historical Society Capital Improvement and Operations Revolving Fund
4 created in Section 1.10a of Title 53 of the Oklahoma Statutes.
5 Service Oklahoma shall create and maintain a list of former members
6 of the Oklahoma House of Representatives and Oklahoma State Senate
7 eligible to be issued such plates; provided, that no former member
8 of the Oklahoma House of Representatives and Oklahoma State Senate
9 shall be eligible to possess more than two of such plates at any one
10 time. Service Oklahoma shall confer as needed with the Chief Clerk
11 of the Oklahoma House of Representatives and the Secretary of the
12 Oklahoma State Senate to confirm that such list is complete and
13 accurate;

14 92. Monarch Butterfly License Plate - such plates shall be
15 designed and issued to any person wishing to demonstrate support for
16 the operations of the Nature Conservancy of Oklahoma. Such plates
17 shall be designed in consultation with the Oklahoma Chapter of the
18 Nature Conservancy. Service Oklahoma shall be authorized to enter
19 into a licensing agreement with the Nature Conservancy of Oklahoma
20 for any licensing fees which may be required in order to use the
21 foundation's logo or design. The plates shall be issued to any
22 person in any combination of numbers and letters from one to a
23 maximum of seven, as for personalized license plates. The licensing
24 agreement shall provide for a payment to the Nature Conservancy of

1 Oklahoma of not more than Twenty Dollars (\$20.00) for each license
2 plate issued;

3 93. Oklahoma Tennis Foundation License Plate - such plates
4 shall be designed and issued to any person wishing to demonstrate
5 support for the Oklahoma Tennis Foundation. The license plates
6 shall be designed in consultation with the Oklahoma Tennis
7 Foundation. Service Oklahoma shall be authorized to enter into a
8 licensing agreement with the Oklahoma Tennis Foundation for any
9 licensing fees which may be required in order to use the
10 foundation's logo or design. The licensing agreement shall provide
11 for a payment to the Oklahoma Tennis Foundation of not more than
12 Twenty Dollars (\$20.00) for each license plate issued;

13 94. Oklahoma Veterans of Foreign Wars License Plate - such
14 plates shall be designed to honor the Oklahoma Veterans of Foreign
15 Wars and shall be issued to any resident of this state upon proof of
16 membership in the Oklahoma Veterans of Foreign Wars organization.
17 The license plates shall be designed in consultation with the
18 Oklahoma Veterans of Foreign Wars organization. Service Oklahoma
19 shall be authorized to enter into a licensing agreement with the
20 Oklahoma Veterans of Foreign Wars organization for any licensing
21 fees which may be required in order to use the organization's logo
22 or design. The licensing agreement shall provide for a payment to
23 the Oklahoma Veterans of Foreign Wars organization of not more than
24 Twenty Dollars (\$20.00) for each license plate issued. Service

1 Oklahoma shall reinstate any Veterans of Foreign Wars license plates
2 issued prior to November 1, 2021, and shall reimburse any individual
3 who held a Veterans of Foreign Wars License Plate on October 31,
4 2021, for fees incurred for the replacement of such plate;

5 95. Oklahoma Women Veterans Organization License Plate - such
6 plates shall be designed and issued to any female veteran of any
7 branch of the United States Armed Forces wishing to demonstrate
8 support for the Oklahoma Women Veterans Organization. The license
9 plates shall be designed in consultation with the Oklahoma Women
10 Veterans Organization. Service Oklahoma shall be authorized to
11 enter into a licensing agreement with the Oklahoma Women Veterans
12 Organization for any licensing fees which may be required in order
13 to use the organization's logo or design. The licensing agreement
14 shall provide for a payment to the Oklahoma Women Veterans
15 Organization of not more than Twenty Dollars (\$20.00) for each
16 license plate issued;

17 96. FIRST (For Inspiration and Recognition of Science and
18 Technology) License Plate - such plates shall be issued to any
19 person wishing to demonstrate support for FIRST Robotics Programs.
20 The license plates shall be designed in consultation with the
21 administration of FIRST. Service Oklahoma shall be authorized to
22 enter into a licensing agreement with FIRST for any licensing fees
23 which may be required in order to use the FIRST logo or design. The
24

1 licensing agreement shall provide for a payment to FIRST of not more
2 than Twenty Dollars (\$20.00) for each license plate issued;

3 97. Pittsburg State University License Plate - such plates
4 shall be designed and issued to any person wishing to demonstrate
5 support for the Pittsburg State University. The license plates
6 shall be designed in consultation with Pittsburg State University.
7 Service Oklahoma shall be authorized to enter into a licensing
8 agreement with Pittsburg State University for any licensing fees
9 which may be required in order to use the school foundation's logo
10 or design. The licensing agreement shall provide for a payment to
11 the Pittsburg State University of not more than Twenty Dollars
12 (\$20.00) for each license plate issued;

13 98. Historic Greenwood District License Plate - such plates
14 shall be issued to persons wishing to demonstrate support for the
15 Historic Greenwood District Juneteenth Festival held in the Historic
16 Greenwood District in Tulsa, Oklahoma. The plates shall be issued
17 to any person in any combination of numbers and letters from one to
18 a maximum of seven, as for personalized license plates. The license
19 plates shall be designed in consultation with the Black Wall Street
20 Chamber of Commerce. Service Oklahoma shall be authorized to enter
21 into a licensing agreement with the Historic Greenwood District
22 Juneteenth Festival for any licensing fees which may be required in
23 order to use the Festival's logo or design. For each license plate
24 issued, the licensing agreement shall provide for a payment of

1 Twenty-five Dollars (\$25.00) of the fee collected to the Historic
2 Greenwood District Juneteenth Festival and an additional Two Dollars
3 (\$2.00) of the fee collected shall be deposited in the Public School
4 Classroom Support Revolving Fund, for expenditure as provided in
5 Section 1-123 of Title 70 of the Oklahoma Statutes;

6 99. Oklahoma Veterans of Foreign Wars Auxiliary License Plate -
7 such plates shall be designed to honor the Oklahoma Veterans of
8 Foreign Wars Auxiliary and issued to any resident of this state upon
9 proof of membership in the Oklahoma Veterans of Foreign Wars
10 Auxiliary organization in this state. The license plates shall be
11 designed in consultation with the Oklahoma Veterans of Foreign Wars
12 Auxiliary organization. Service Oklahoma shall be authorized to
13 enter into a licensing agreement with the Oklahoma Veterans of
14 Foreign Wars Auxiliary organization for any licensing fees which may
15 be required in order to use the organization's logo or design. The
16 licensing agreement shall provide for a payment to the Oklahoma
17 Veterans of Foreign Wars Auxiliary organization of not more than
18 Twenty Dollars (\$20.00) for each license plate issued;

19 100. Transportation to Transportation License Plate - such
20 plates shall be designed and issued to persons wishing to support
21 county roads and bridges. The license plates shall be designed in
22 consultation with the Association of County Commissioners of
23 Oklahoma. Twenty Dollars (\$20.00) of the fee collected shall be
24 paid to the county treasurer for the county in which the license

1 plate was purchased to be credited to the County Highway Fund
2 created pursuant to Section 1503 of Title 69 of the Oklahoma
3 Statutes;

4 101. Blue Star Mothers License Plate - such plates shall be
5 designed and issued to any person showing proof of membership in an
6 Oklahoma Chapter of Blue Star Mothers of America, Inc. The license
7 plates shall be designed in consultation with Blue Star Mothers of
8 America, Inc., Oklahoma Chapter One. Service Oklahoma shall be
9 authorized to enter into a licensing agreement with Blue Star
10 Mothers of America, Inc., Oklahoma Chapter One for any licensing
11 fees which may be required in order to use the Blue Star Mothers of
12 America logo or design. The licensing agreement shall provide for a
13 payment to Blue Star Mothers of America, Inc., Oklahoma Chapter One
14 of not more than Twenty Dollars (\$20.00) for each license plate
15 issued;

16 102. Stillwater Public Schools License Plate - such plates
17 shall be designed and issued to any person wishing to demonstrate
18 support for the Stillwater School District. The license plates
19 shall be designed in consultation with the administration of the
20 Stillwater School District. Service Oklahoma shall be authorized to
21 enter into a licensing agreement with the Stillwater School District
22 for any licensing fees which may be required in order to use the
23 school district's logo or design. The licensing agreement shall

24

1 provide for a payment to the Stillwater School District of not more
2 than Twenty Dollars (\$20.00) for each license plate issued;

3 103. Oklahoma Golf License Plate - such plates shall be
4 designed and issued to any person wishing to demonstrate support for
5 the sport of golf in Oklahoma. The license plates shall be designed
6 in consultation with the South Central Section of the Professional
7 Golfers' Association of America and issued to any person wishing to
8 demonstrate support for the sport of golf in Oklahoma. Service
9 Oklahoma shall be authorized to enter into a licensing agreement
10 with the South Central Section of the Professional Golfers'
11 Association of America for any licensing fees which may be required
12 in order to use the organization's logo or design. The licensing
13 agreement shall provide for a payment to the South Central Section
14 of the Professional Golfers' Association of America of not more than
15 Twenty Dollars (\$20.00) for each license plate issued;

16 104. Paramedic License Plate - such plates shall be designed
17 and issued to any person who is a paramedic. Such persons may apply
18 for a paramedic license plate for each vehicle with a rated carrying
19 capacity of one (1) ton or less or a motorcycle upon proof of a
20 paramedic license. The license plates shall be designed in
21 consultation with the Oklahoma State University-Oklahoma City
22 Paramedicine Program and the Oklahoma Emergency Medical Technicians
23 Association. The letters "PM" shall be placed on the plate followed
24 by four random numbers, or such numbers as requested by such persons

1 applying for the plate. Twenty Dollars (\$20.00) of the fees
2 collected shall be deposited in the Emergency Medical Personnel
3 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
4 of the Oklahoma Statutes. Subject to the provisions of subsection A
5 of this section, the Paramedic License Plate is hereby reauthorized
6 effective November 1, 2022;

7 105. National Defense Service Medal License Plate - such plates
8 shall be designed and issued to those persons who have received the
9 National Defense Service Medal and wish to demonstrate support for
10 the Oklahoma Department of Veterans Affairs. The license plates
11 shall be designed in consultation with the Oklahoma Department of
12 Veterans Affairs. Service Oklahoma shall be authorized to enter
13 into a licensing agreement with the Oklahoma Department of Veterans
14 Affairs for any licensing fees which may be required in order to use
15 the Department's logo or design. The licensing agreement shall
16 provide for a payment to the Oklahoma Department of Veterans Affairs
17 of not more than Twenty Dollars (\$20.00) for each license plate
18 issued;

19 106. University of Oklahoma RUF/NEKS License Plate - such
20 plates shall be designed and issued to any past or present member of
21 the University of Oklahoma RUF/NEKS upon providing proof of
22 membership in the organization as may be required by Service
23 Oklahoma. The license plates shall be designed in consultation with
24 the University of Oklahoma RUF/NEKS. Service Oklahoma shall be

1 authorized to enter into a licensing agreement with the University
2 of Oklahoma RUF/NEKS for any licensing fees which may be required in
3 order to use the organization's logo or design. The licensing
4 agreement shall provide for a payment to the University of Oklahoma
5 RUF/NEKS Scholarship Fund of not more than Twenty Dollars (\$20.00)
6 for each license plate issued;

7 107. Tulsa Community College License Plate - such plates shall
8 be issued to persons wishing to support Tulsa Community College.
9 The plates shall be designed in consultation with Tulsa Community
10 College. Service Oklahoma shall be authorized to enter into a
11 licensing agreement with Tulsa Community College for any licensing
12 fees which may be required in order to use the organization's logo
13 or design. The licensing agreement shall provide for a payment to
14 Tulsa Community College of not more than Twenty Dollars (\$20.00) for
15 each license plate issued;

16 108. Guthrie Street Kings License Plate - such plates shall be
17 designed and issued to any person wishing to demonstrate support for
18 the Guthrie Street Kings. The license plates shall be designed in
19 consultation with the Guthrie Street Kings. Service Oklahoma shall
20 be authorized to enter into a licensing agreement with the Guthrie
21 Street Kings for any licensing fees which may be required in order
22 to use the organization's logo or design. The licensing agreement
23 shall provide for a payment to the Guthrie Street Kings of not more
24 than Twenty Dollars (\$20.00) for each license plate issued;

1 109. Epilepsy Foundation License Plate - such plates shall be
2 designed and issued to any person wishing to demonstrate support for
3 the Epilepsy Foundation. The license plates shall be designed in
4 consultation with the Epilepsy Foundation of Oklahoma. Service
5 Oklahoma shall be authorized to enter into licensing agreements with
6 the Epilepsy Foundation for any licensing fees which may be required
7 in order to use the organization's logo or design. The licensing
8 agreement shall provide for a payment to the Epilepsy Foundation of
9 not more than Twenty Dollars (\$20.00) for each license plate issued;

10 110. America First License Plate - such plates shall be
11 designed and issued to any person wishing to demonstrate support for
12 the proclamation of "America First". The license plates shall be
13 designed in consultation with Warriors for Freedom and the Honoring
14 America's Warriors Foundations. Service Oklahoma shall be
15 authorized to enter into licensing agreements with the Warriors for
16 Freedom and Honoring America's Warriors Foundations for any
17 licensing fees which may be required in order to use the
18 Foundations' logos or designs. The licensing agreements shall
19 provide for a payment to the Honoring America's Warriors Foundation
20 of not more than Ten Dollars (\$10.00) and a payment to the Warriors
21 for Freedom Foundation of not more than Ten Dollars (\$10.00) for
22 each license plate issued;

23 111. Diabetes Awareness License Plate - such plates shall be
24 designed and issued to any person wishing to provide financial

1 support for Diabetes Solutions of Oklahoma. The license plates
2 shall be designed in consultation with Diabetes Solutions of
3 Oklahoma. ~~The Tax Commission~~ Service Oklahoma shall be authorized
4 to enter into licensing agreements with Diabetes Solutions of
5 Oklahoma for any licensing fees which may be required in order to
6 use the Diabetes Solutions of Oklahoma logos or designs. The
7 licensing agreements shall provide for a deposit to the Diabetes
8 Awareness License Plate Revolving Fund established in Section ~~4~~
9 1104.33 of this ~~act~~ title;

10 112. Alliance of Mental Health Providers of Oklahoma License
11 Plate - such plates shall be designed and issued to any person
12 wishing to demonstrate support for the Alliance of Mental Health
13 Providers of Oklahoma. The license plates shall be designed in
14 consultation with the Alliance of Mental Health Providers of
15 Oklahoma. ~~The Tax Commission~~ Service Oklahoma shall be authorized
16 to enter into licensing agreements with the Alliance of Mental
17 Health Providers of Oklahoma for any licensing fees which may be
18 required in order to use the organization's logo or design. The
19 licensing agreement shall provide for a payment to the Alliance of
20 Mental Health Providers of Oklahoma of not more than Twenty Dollars
21 (\$20.00) for each license plate issued; and

22 113. Stillwater Public Schools License Plate - such plates
23 shall be designed and issued to any person wishing to demonstrate
24 support for the Stillwater School District. The license plates

1 shall be designed in consultation with the administration of the
2 Stillwater School District. ~~The Tax Commission~~ Service Oklahoma
3 shall be authorized to enter into a licensing agreement with the
4 Stillwater School District for any licensing fees which may be
5 required in order to use the school district's logo or design. The
6 licensing agreement shall provide for a payment to the Stillwater
7 School District of not more than Twenty Dollars (\$20.00) for each
8 license plate issued.

9 C. The fee for such plates shall be Thirty-five Dollars
10 (\$35.00) per year of renewal and shall be in addition to all other
11 registration fees provided by the Oklahoma Vehicle License and
12 Registration Act. The fee shall be apportioned as follows:

13 1. Twenty Dollars (\$20.00) per year of renewal or any other
14 amount as provided in this title of the fee shall be apportioned as
15 provided or deposited in a fund as specified within the paragraph
16 authorizing the special license plate;

17 2. Eight Dollars (\$8.00) per year of renewal of the fee shall
18 be deposited in the Oklahoma Tax Commission Reimbursement Fund to be
19 used for the administration of the Oklahoma Vehicle License and
20 Registration Act. Beginning January 1, 2023, Eight Dollars (\$8.00)
21 per year of renewal of the fee shall be deposited in the Service
22 Oklahoma Reimbursement Fund to be used for the administration of the
23 Oklahoma Vehicle License and Registration Act; and
24

1 3. Any remaining amounts of the fee shall be apportioned as
2 provided in Section 1104 of this title.

3 SECTION 33. AMENDATORY 47 O.S. 2021, Section 1140, as
4 amended by Section 174, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
5 2022, Section 1140), is amended to read as follows:

6 Section 1140. A. The Service Oklahoma Operator Board shall
7 adopt rules prescribing minimum qualifications and requirements for
8 locating Service Oklahoma locations and for persons applying for a
9 license to operate a designated Service Oklahoma location. Such
10 qualifications and requirements shall include, but not be limited
11 to, the following:

12 1. Necessary job skills and experience;

13 2. Minimum office hours;

14 3. Provision for sufficient staffing, equipment, office space
15 and parking to provide maximum efficiency and maximum convenience to
16 the public;

17 4. Obtainment of a faithful performance surety bond as provided
18 for by law;

19 5. That the applicant has not been convicted of a felony and
20 that no felony charges are pending against the applicant;

21 6. That the location specified in the individual's application
22 for a license to operate a designated Service Oklahoma location not
23 be owned by a member of Service Oklahoma or an employee of Service
24 Oklahoma or any person related to a member of Service Oklahoma or an

1 employee of Service Oklahoma within the third degree ~~by~~ of
2 consanguinity, marriage, or adoption and that the location not be
3 within a three-mile radius of an existing licensed operator unless
4 the applicant is assuming the location of an operating licensed
5 operator;

6 7. That a single website, designated by Service Oklahoma, will
7 be used for the distribution of services provided by Service
8 Oklahoma with motor vehicle services to be fulfilled by licensed
9 operators;

10 8. That licensed operators will attend all required training
11 provided by Service Oklahoma; and

12 9. That there should be at least one Service Oklahoma location
13 in each county.

14 B. 1. Any person making application to the Service Oklahoma
15 Operator Board for the purpose of obtaining a license to operate a
16 designated Service Oklahoma location shall pay, when submitting the
17 application, a nonrefundable application fee of One Hundred Dollars
18 (\$100.00). All such application fees shall be deposited in the
19 Oklahoma Tax Commission Revolving Fund. Beginning January 1, 2023,
20 all such application fees shall be deposited in the Service Oklahoma
21 Revolving Fund.

22 2. Any person making application to the Service Oklahoma
23 Operator Board for the purpose of obtaining a license to operate a
24 designated Service Oklahoma location must meet standardization and

1 branding requirements established by the Service Oklahoma Operator
2 Board, upon recommendations from Service Oklahoma. Upon approval,
3 the person must either pay a fee to Service Oklahoma for all costs
4 related to meeting the standardization and branding requirements or
5 obtain approval from the Service Oklahoma Operator Board that the
6 location meets all standardization and branding requirements. All
7 such fees shall be deposited in the Service Oklahoma Revolving Fund.
8 The amount of the license fee will be determined by the Service
9 Oklahoma Operator Board. This provision shall not apply to any
10 existing Service Oklahoma location.

11 3. Any person making application to the Service Oklahoma
12 Operator Board shall have been a resident of the State of Oklahoma
13 for a period of six (6) months prior to submitting an application
14 for a license to operate a designated Service Oklahoma location. If
15 a licensed operator moves his or her residence to a place outside
16 the State of Oklahoma, the licensed operator shall provide notice to
17 the Service Oklahoma Operator Board and sell his or her license
18 within ninety (90) days of such notice.

19 C. Upon application by a person to serve as a licensed
20 operator, the Service Oklahoma Operator Board is authorized to make
21 a determination whether such person and such location meets the
22 criteria and guidelines established by the Service Oklahoma Operator
23 Board and, if such be the case, may issue a license to operate a
24 designated Service Oklahoma location.

1 D. 1. A licensed operator may be permitted, upon application,
2 to sell or transfer an existing license to operate a designated
3 Service Oklahoma location. Any sale or transfer of a license is
4 subject to approval of the Service Oklahoma Operator Board. In
5 order to sell or transfer an existing licensed operator license, the
6 licensed operator shall meet the following guidelines and
7 requirements:

8 a. the licensed operator shall be in good standing with
9 the Service Oklahoma Operator Board,

10 b. the licensed operator shall have held a licensed
11 operator license, issued by the Service Oklahoma
12 Operator Board, for a minimum of five (5) years, and

13 c. the licensed operator shall provide the Service
14 Oklahoma Operator Board evidence that the proposed
15 buyer or transferee of the licensed operator ~~licensee~~
16 license meets the qualifications and requirements set
17 forth in subsection A of this section, has the ability
18 to meet all financial requirements and terms of any
19 current existing contract between the licensed
20 operator and Service Oklahoma, and agrees to the
21 onboarding and training requirements of Service
22 Oklahoma, as established by Service Oklahoma and the
23 Service Oklahoma Operator Board.

1 2. The purchase price of a licensed operator license shall be
2 agreed upon by the licensed operator and the individual purchasing
3 the license to operate a designated Service Oklahoma location.
4 However, the purchaser or transferee agrees to pay a transfer fee to
5 Service Oklahoma in the amount of three percent (3%) of the last
6 annual gross revenue from fees retained at the Service Oklahoma
7 location to be purchased, not to exceed Fifteen Thousand Dollars
8 (\$15,000.00). The transfer fee shall be deposited in the Service
9 Oklahoma Revolving Fund.

10 3. Upon receipt of the application to sell or transfer an
11 existing licensed operator license, the Service Oklahoma Operator
12 Board ~~will~~ shall determine whether the licensed operator license may
13 be sold or transferred on the condition that the existing location
14 is in good standing and the new licensee meets the requirements
15 outlined in Section 1140 et seq. of this title.

16 4. The Service Oklahoma Operator Board may, at its discretion,
17 buy back a licensed operator license from a licensed operator who
18 desires to sell or transfer its licensed operator license but has
19 held a licensed operator license issued by Service Oklahoma for less
20 than five (5) years. The purchase price for such a license ~~will~~
21 shall be one-half (1/2) times the most recent annual gross revenue
22 from fees retained of that Service Oklahoma location, not to exceed
23 Two Hundred Thousand Dollars (\$200,000.00).

24

1 5. a. Licensed operators issued a license to operate a
2 designated Service Oklahoma location on January 1,
3 2023, may be permitted, upon application, to sell or
4 transfer their existing license within the first five
5 (5) years. Any sale or transfer of such a license is
6 subject to the approval of the Service Oklahoma
7 Operator Board. In order to sell or transfer the
8 existing license within the first five (5) years, the
9 licensed operator shall meet the following guidelines
10 and requirements:

11 (1) the licensed operator shall be in good standing
12 with the Service Oklahoma Operator Board, and

13 (2) the licensed operator shall provide the Service
14 Oklahoma Operator Board evidence that the
15 proposed buyer or transferee of the licensed
16 operator license meets the qualifications and
17 requirements set forth in this section, has the
18 ability to meet all financial requirements and
19 terms of any current existing contract between
20 the licensed operator and Service Oklahoma, and
21 agrees to the onboarding and training
22 requirements of Service Oklahoma, as established
23 by Service Oklahoma and the Service Oklahoma
24 Operator Board.

1 b. The branding and physical standardization exemption
2 specified in this section shall not transfer to the
3 buyer or transferee, unless:

4 (1) the licensed operator submitted a contingent
5 resignation and the buyer or transferee submitted
6 a related application to the Oklahoma Tax
7 Commission prior to May 19, 2022, or

8 (2) the buyer or transferee is related to the
9 licensed operator within the third degree of
10 consanguinity, marriage, or adoption.

11 E. 1. Licensed operators shall be subject to all laws relating
12 to licensed operators and shall be subject to removal for cause by
13 the Service Oklahoma Operator Board. Any action taken by Service
14 Oklahoma to revoke a license shall be pursuant to and in accordance
15 with the provisions of the Administrative Procedures Act. For the
16 purposes of this section, "for cause" shall be defined as follows:

17 a. repeated violations of written contracts, rules,
18 regulations and statutes pertaining to licensed
19 operators after written warning by the Service
20 Oklahoma Operator Board and an opportunity to correct
21 such violations,

22 b. failure of the licensed operator to promptly remit
23 funds owed to Service Oklahoma upon written demand,
24

- 1 c. being charged with a felony crime involving dishonesty
2 or moral turpitude,
3 d. failure to timely file state and federal income tax
4 returns, or
5 e. any act of official misconduct as set forth in Section
6 93 of Title 51 of the Oklahoma Statutes.

7 In the event a license is revoked by the Service Oklahoma
8 Operator Board for cause, the Service Oklahoma location operated by
9 the licensed operator will be permanently closed and the licensed
10 operator shall not be entitled to any compensation.

11 Motor license agents and licensed operators in good standing as
12 of November 1, 2022, shall be exempt from the branding and physical
13 standardization requirements to be established by the Service
14 Oklahoma Operator Board, with the recommendation of the Director of
15 Service Oklahoma.

16 2. A license to operate a designated Service Oklahoma location
17 may be revoked by the Service Oklahoma Operator Board for failure to
18 meet the standards for customer satisfaction established by the
19 Service Oklahoma Operator Board. In the event of revocation, the
20 licensed operator shall sell his or her license to operate a Service
21 Oklahoma location to Service Oklahoma at a rate of one-half (1/2)
22 times the most recent annual gross revenue from fees retained of
23 that Service Oklahoma location, not to exceed Two Hundred Thousand
24 Dollars (\$200,000.00).

1 F. All licensed operators shall be licensed by and under the
2 supervision of Service Oklahoma; provided, any ~~agent~~ licensed
3 operator authorized to issue registrations pursuant to the
4 International Registration Plan shall also be under the supervision
5 of the Corporation Commission, subject to rules promulgated by the
6 Corporation Commission pursuant to the provisions of subsection E of
7 Section 1166 of this title. Service Oklahoma shall be the holder of
8 all licenses and has the right to approve and revoke such licenses.
9 After obtaining a license, any such licensed operator shall furnish
10 and file with Service Oklahoma a bond in such amount as may be fixed
11 by Service Oklahoma. Such licensed operator shall be removable at
12 the will of Service Oklahoma. Such licensed operator shall perform
13 all duties and do such things in the administration of the laws of
14 this state as shall be enjoined upon and required by the Service
15 Oklahoma Operator Board. Provided, Service Oklahoma may operate a
16 Service Oklahoma location in any county where a vacancy occurs, as
17 determined by Service Oklahoma.

18 G. In the event of a vacancy due to the death of a licensed
19 operator, the licensed operator's designee or a licensed operator
20 location employee shall immediately notify Service Oklahoma. A
21 licensed operator may designate an individual to continue to operate
22 the Service Oklahoma location upon the death of the licensed
23 operator. The designee shall apply to obtain a license to operate
24 the vacant licensed operator location with the Service Oklahoma

1 Operator Board within thirty (30) days of the licensed operator's
2 death. In the event that no designee is designated or that the
3 designee fails to apply to be a licensed operator with Service
4 Oklahoma within thirty (30) days, Service Oklahoma may take any and
5 all action it deems appropriate in order to provide for the orderly
6 transition and the maintenance of operations of the Service Oklahoma
7 location, as permitted by law.

8 H. When an application for registration is made with Service
9 Oklahoma, the Corporation Commission or a licensed operator, a
10 registration fee of One Dollar and seventy-five cents (\$1.75) shall
11 be collected for each license plate or decal issued. Such fees
12 shall be in addition to the registration fees on motor vehicles, and
13 when an application for registration is made to the licensed
14 operator, such licensed operator shall retain a fee as provided in
15 Section 1141.1 of this title. When the fee is paid by a person
16 making application directly with Service Oklahoma or the Corporation
17 Commission, as applicable, the registration fees shall be in the
18 same amount as provided for licensed operators and the fee provided
19 by Section 1141.1 of this title shall be deposited in the Oklahoma
20 Tax Commission Revolving Fund or as provided in Section 1167 of this
21 title, as applicable. Beginning January 1, 2023, the fee provided
22 by Section 1141.1 of this title shall be deposited in the Service
23 Oklahoma Revolving Fund or as provided in Section 1167 of this
24 title, as applicable. Service Oklahoma shall prepare schedules of

1 registration fees and charges for titles which shall include the
2 fees for such licensed operators and all fees and charges paid by a
3 person shall be listed separately on the application and
4 registration and totaled on the application and registration. The
5 licensed operators shall charge only such fees as are specifically
6 provided for by law, and all such authorized fees shall be posted in
7 such a manner that any person shall have notice of all fees that are
8 imposed by law.

9 I. Any licensed operator shall be responsible for all costs
10 incurred by Service Oklahoma when relocating an existing Service
11 Oklahoma location. The Service Oklahoma Operator Board may waive
12 payment of such costs in case of unforeseen business or emergency
13 conditions beyond the control of the licensed operator.

14 J. Any existing contracts by or between any motor license agent
15 and the Oklahoma Tax Commission shall be assigned to Service
16 Oklahoma. All existing motor license agents in good standing with
17 the Oklahoma Tax Commission will be offered a subsequent contract
18 from Service Oklahoma to become a licensed operator to take effect
19 on January 1, 2023. The contract between existing motor license
20 agents and Service Oklahoma shall be agreed to no later than
21 December 31, 2022. In the event an existing motor license agent
22 declines to enter into the subsequent contract with Service Oklahoma
23 to become a licensed operator, that motor license agent may continue
24 to conduct business pursuant to the existing contract through

1 December 31, 2025, so long as that motor license agent remains in
2 good standing with Service Oklahoma in accordance with the terms of
3 the existing contract.

4 SECTION 34. AMENDATORY 63 O.S. 2021, Section 1-229.13,
5 is amended to read as follows:

6 Section 1-229.13 A. It is unlawful for any person to sell,
7 give or furnish in any manner any tobacco product, nicotine product
8 or vapor product to another person who is under twenty-one (21)
9 years of age, or to purchase in any manner a tobacco product,
10 nicotine product or vapor product on behalf of any such person. It
11 shall not be unlawful for an employee under twenty-one (21) years of
12 age to handle tobacco products, nicotine products or vapor products
13 when required in the performance of the employee's duties.

14 B. A person engaged in the sale or distribution of tobacco
15 products, nicotine products or vapor products shall demand proof of
16 age from a prospective purchaser or recipient if an ordinary person
17 would conclude on the basis of appearance that the prospective
18 purchaser may be under twenty-one (21) years of age.

19 If an individual engaged in the sale or distribution of tobacco
20 products, nicotine products or vapor products has demanded proof of
21 age from a prospective purchaser or recipient who is not under
22 twenty-one (21) years of age, the failure to subsequently require
23 proof of age shall not constitute a violation of this subsection.

24

1 C. 1. When a person violates subsection A or B of this
2 section, the Alcoholic Beverage Laws Enforcement (ABLE) Commission
3 shall impose an administrative fine of:

4 a. not more than One Hundred Dollars (\$100.00) for the
5 first offense,

6 b. not more than Two Hundred Dollars (\$200.00) for the
7 second offense within a two-year period following the
8 first offense,

9 c. not more than Three Hundred Dollars (\$300.00) for a
10 third offense within a two-year period following the
11 first offense. In addition to any other penalty, the
12 store's license to sell tobacco products or nicotine
13 products or the store's sales tax permit for a store
14 that is predominantly engaged in the sale of vapor
15 products in which the sale of other products is merely
16 incidental may be suspended for a period not exceeding
17 thirty (30) days, or

18 d. not more than Three Hundred Dollars (\$300.00) for a
19 fourth or subsequent offense within a two-year period
20 following the first offense. In addition to any other
21 penalty, the store's license to sell tobacco products
22 or nicotine products or the store's sales tax permit
23 for a store that is predominantly engaged in the sale
24 of vapor products in which the sale of other products

1 is merely incidental may be suspended for a period not
2 exceeding sixty (60) days.

3 2. When it has been determined that a penalty shall include a
4 license or permit suspension, the ABLE Commission shall notify the
5 Oklahoma Tax Commission, and the Tax Commission shall suspend the
6 store's license to sell tobacco products or nicotine products or the
7 store's sales tax permit for a store that is predominantly engaged
8 in the sale of vapor products in which the sale of other products is
9 merely incidental at the location where the offense occurred for the
10 period of time prescribed by the ABLE Commission.

11 3. Proof that the defendant demanded, was shown, and reasonably
12 relied upon proof of age shall be a defense to any action brought
13 pursuant to this section. A person cited for violating this section
14 shall be deemed to have reasonably relied upon proof of age, and
15 such person shall not be found guilty of the violation if such
16 person proves that:

- 17 a. the individual who purchased or received the tobacco
18 product, nicotine product or vapor product presented a
19 driver license or other government-issued photo
20 identification purporting to establish that such
21 individual was twenty-one (21) years of age or older,
22 or
23 b. the person cited for the violation confirmed the
24 validity of the driver license or other government-

1 issued photo identification presented by such
2 individual by performing a transaction scan by means
3 of a transaction scan device.

4 Provided, that this defense shall not relieve from liability any
5 person cited for a violation of this section if the person failed to
6 exercise reasonable diligence to determine whether the physical
7 description and picture appearing on the driver license or other
8 government-issued photo identification was that of the individual
9 who presented it. The availability of the defense described in this
10 subsection does not affect the availability of any other defense
11 under any other provision of law.

12 D. If the sale is made by an employee of the owner of a store
13 at which tobacco products, nicotine products or vapor products are
14 sold at retail, the employee shall be guilty of the violation and
15 shall be subject to the fine. Each violation by any employee of an
16 owner of a store licensed to sell tobacco products or nicotine
17 products or permitted to sell vapor products shall be deemed a
18 violation against the owner for purposes of a license suspension
19 pursuant to subsection C of this section. Each violation by an
20 employee of a store predominantly engaged in the sale of vapor
21 products in which the sale of other products is merely incidental
22 shall be deemed a violation against the owner for purposes of a
23 sales tax permit suspension pursuant to the provisions of subsection
24 C of this section. An owner of a store licensed to sell tobacco

1 products or nicotine products or permitted to sell vapor products
2 shall not be deemed in violation of the provisions of the Prevention
3 of Youth Access to Tobacco Act for any acts constituting a violation
4 by any person, when the violation occurs prior to actual employment
5 of the person by the storeowner or the violation occurs at a
6 location other than the owner's retail store. For purposes of
7 determining the liability of a person controlling franchises or
8 business operations in multiple locations, for any violations of
9 subsection A or B of this section, each individual franchise or
10 business location shall be deemed a separate entity.

11 E. On or before December 15, 1997, the ABLE Commission shall
12 adopt rules establishing a method of notification of storeowners
13 when an employee of such storeowner has been determined to be in
14 violation of this section by the ABLE Commission or convicted of a
15 violation by a municipality.

16 F. 1. Upon failure of the employee to pay the administrative
17 fine within ninety (90) days of the day of the assessment of such
18 fine, the ABLE Commission shall notify ~~the Department of Public~~
19 ~~Safety~~ Service Oklahoma, and ~~the Department~~ Service Oklahoma shall
20 suspend or not issue a driver license to the employee until proof of
21 payment has been furnished to ~~the Department of Public Safety~~
22 Service Oklahoma.

23 2. Upon failure of a storeowner to pay the administrative fine
24 within ninety (90) days of the assessment of the fine, the ABLE

1 Commission shall notify the Tax Commission, and the Tax Commission
2 shall suspend the store's license to sell tobacco products or
3 nicotine products or the store's sales tax permit for a store that
4 is predominantly engaged in the sale of vapor products in which the
5 sale of other products is merely incidental until proof of payment
6 has been furnished to the Oklahoma Tax Commission.

7 G. Cities and towns may enact and municipal police officers may
8 enforce ordinances prohibiting and penalizing conduct under
9 provisions of this section, but the provisions of municipal
10 ordinances shall be the same as provided for in this section, and
11 the penalty provisions under such ordinances shall not be more
12 stringent than those of this section.

13 H. County sheriffs may enforce the provisions of the Prevention
14 of Youth Access to Tobacco Act.

15 SECTION 35. AMENDATORY 70 O.S. 2021, Section 19-115, is
16 amended to read as follows:

17 Section 19-115. A. The establishment, conduct and scope of the
18 driver education program for secondary schools shall be the program
19 established by rules adopted and promulgated by the State Board of
20 Education, subject to the requirements and exceptions set forth in
21 Section 19-113 et seq. of this title. Said program shall be
22 established and maintained only in accordance with such rules and
23 laws. The State Superintendent of Public Instruction shall prepare
24 an administrative budget from funds made available under this

1 article, which budget shall be approved by the State Board of
2 Education. It shall be the responsibility of the State
3 Superintendent of Public Instruction to appoint supervisors of
4 safety education and the necessary clerical personnel.

5 B. The State Department of Education shall designate or employ
6 a state coordinator of driver education programs to provide
7 oversight of all driver education programs throughout the state.
8 The responsibilities of such coordinator shall include, but not be
9 limited to:

- 10 1. Assuring quality driver education programs in this state;
- 11 2. Serving as a liaison between the State Department of
12 Education and ~~the Department of Public Safety~~ Service Oklahoma;
- 13 3. Promoting driver safety throughout the state; and
- 14 4. Coordinating the activities of the supervisors of safety
15 education and the necessary clerical staff.

16 SECTION 36. AMENDATORY 75 O.S. 2021, Section 250.4, is
17 amended to read as follows:

18 Section 250.4 A. 1. Except as is otherwise specifically
19 provided in this subsection, each agency is required to comply with
20 Article I of the Administrative Procedures Act.

21 2. The Corporation Commission shall be required to comply with
22 the provisions of Article I of the Administrative Procedures Act
23 except for subsections A, B, C and E of Section 303 of this title
24 and Section 306 of this title. To the extent of any conflict or

1 inconsistency with Article I of the Administrative Procedures Act,
2 pursuant to Section 35 of Article IX of the Oklahoma Constitution,
3 it is expressly declared that Article I of the Administrative
4 Procedures Act is an amendment to and alteration of Sections 18
5 through 34 of Article IX of the Oklahoma Constitution.

6 3. The Oklahoma Military Department shall be exempt from the
7 provisions of Article I of the Administrative Procedures Act to the
8 extent it exercises its responsibility for military affairs.
9 Military publications, as defined in Section 801 of Title 44 of the
10 Oklahoma Statutes, shall be exempt from the provisions of Article I
11 and Article II of the Administrative Procedures Act, except as
12 provided in Section 251 of this title.

13 4. The Oklahoma Ordnance Works Authority, the Northeast
14 Oklahoma Public Facilities Authority, the Oklahoma Office of
15 Homeland Security and the Board of Trustees of the Oklahoma College
16 Savings Plan shall be exempt from Article I of the Administrative
17 Procedures Act.

18 5. The Transportation Commission and the Department of
19 Transportation shall be exempt from Article I of the Administrative
20 Procedures Act to the extent they exercise their authority in
21 adopting standard specifications, special provisions, plans, design
22 standards, testing procedures, federally imposed requirements and
23 generally recognized standards, project planning and programming,
24 and the operation and control of the State Highway System.

1 6. The Oklahoma State Regents for Higher Education shall be
2 exempt from Article I of the Administrative Procedures Act with
3 respect to:

- 4 a. prescribing standards of higher education,
- 5 b. prescribing functions and courses of study in each
6 institution to conform to the standards,
- 7 c. granting of degrees and other forms of academic
8 recognition for completion of the prescribed courses,
- 9 d. allocation of state-appropriated funds, and
- 10 e. fees within the limits prescribed by the Legislature.

11 7. Institutional governing boards within The Oklahoma State
12 System of Higher Education shall be exempt from Article I of the
13 Administrative Procedures Act.

- 14 8. a. The Commissioner of Public Safety and the Director of
15 Service Oklahoma shall be exempt from Sections 303.1,
16 304, 307.1, 308 and 308.1 of this title insofar as it
17 is necessary to promulgate rules pursuant to the
18 Oklahoma Motor Carrier Safety and Hazardous Materials
19 Transportation Act, and to maintain a current
20 incorporation of federal motor carrier safety and
21 hazardous material regulations, ~~or pursuant to Chapter~~
22 ~~6 of Title 47 of the Oklahoma Statutes, to maintain a~~
23 ~~current incorporation of federal commercial driver~~
24 ~~license regulations, for which the Commissioner has no~~

1 ~~discretion when the state is mandated to promulgate~~
2 ~~rules identical to federal rules and regulations.~~

3 b. Such rules may be adopted by the Commissioner and
4 shall be deemed promulgated twenty (20) days after
5 notice of adoption is published in "The Oklahoma
6 Register". Such publication need not set forth the
7 full text of the rule but may incorporate the federal
8 rules and regulations by reference.

9 c. Such copies of promulgated rules shall be filed with
10 the Secretary as required by Section 251 of this
11 title.

12 d. For any rules for which the Commissioner has
13 discretion to allow variances, tolerances or
14 modifications from the federal rules and regulations,
15 the Commissioner shall fully comply with Article I of
16 the Administrative Procedures Act.

17 9. The Council on Judicial Complaints shall be exempt from
18 Section 306 of Article I of the Administrative Procedures Act, with
19 respect to review of the validity or applicability of a rule by an
20 action for declaratory judgment, or any other relief based upon the
21 validity or applicability of a rule, in the district court or by an
22 appellate court. A party aggrieved by the validity or applicability
23 of a rule made by the Council on Judicial Complaints may petition
24

1 the Court on the Judiciary to review the rules and issue opinions
2 based upon them.

3 10. The Department of Corrections, State Board of Corrections,
4 county sheriffs and managers of city jails shall be exempt from
5 Article I of the Administrative Procedures Act with respect to:

6 a. prescribing internal management procedures for the
7 management of the state prisons, county jails and city
8 jails and for the management, supervision and control
9 of all incarcerated prisoners, and

10 b. prescribing internal management procedures for the
11 management of the probation and parole unit of the
12 Department of Corrections and for the supervision of
13 probationers and parolees.

14 11. The State Board of Education shall be exempt from Article I
15 of the Administrative Procedures Act with respect to prescribing
16 subject matter standards as provided for in Section 11-103.6a of
17 Title 70 of the Oklahoma Statutes.

18 B. As specified, the following agencies or classes of agency
19 activities are not required to comply with the provisions of Article
20 II of the Administrative Procedures Act:

21 1. The Oklahoma Tax Commission, except as provided in
22 subsection G of Section 1140 of Title 47 of the Oklahoma Statutes;

23 2. The Commission for Human Services;

24 3. The Oklahoma Ordnance Works Authority;

- 1 4. The Corporation Commission;
- 2 5. The Pardon and Parole Board;
- 3 6. The Midwestern Oklahoma Development Authority;
- 4 7. The Grand River Dam Authority;
- 5 8. The Northeast Oklahoma Public Facilities Authority;
- 6 9. The Council on Judicial Complaints;
- 7 10. The Board of Trustees of the Oklahoma College Savings Plan;
- 8 11. The supervisory or administrative agency of any penal,
- 9 mental, medical or eleemosynary institution, only with respect to
- 10 the institutional supervision, custody, control, care or treatment
- 11 of inmates, prisoners or patients therein; provided, that the
- 12 provisions of Article II shall apply to and govern all
- 13 administrative actions of the Oklahoma Alcohol Prevention, Training,
- 14 Treatment and Rehabilitation Authority;
- 15 12. The Board of Regents or employees of any university,
- 16 college, or other institution of higher learning;
- 17 13. The Oklahoma Horse Racing Commission, its employees or
- 18 agents only with respect to hearing and notice requirements on the
- 19 following classes of violations which are an imminent peril to the
- 20 public health, safety and welfare:
- 21 a. any rule regarding the running of a race,
- 22 b. any violation of medication laws and rules,
- 23
- 24

- c. any suspension or revocation of an occupation license by any racing jurisdiction recognized by the Commission,
- d. any assault or other destructive acts within Commission-licensed premises,
- e. any violation of prohibited devices, laws and rules, or
- f. any filing of false information;

14. The Commissioner of Public Safety and the Director of Service Oklahoma only with respect to driver license hearings and hearings conducted pursuant to the provisions of Section 2-115 of Title 47 of the Oklahoma Statutes;

15. The Administrator of the Department of Securities only with respect to hearings conducted pursuant to provisions of the Oklahoma Take-over Disclosure Act of 1985;

16. Hearings conducted by a public agency pursuant to Section 962 of Title 47 of the Oklahoma Statutes;

17. The Oklahoma Military Department;

18. The University Hospitals Authority, including all hospitals or other institutions operated by the University Hospitals Authority;

19. The Oklahoma Health Care Authority Board and the Administrator of the Oklahoma Health Care Authority; and

20. The Oklahoma Office of Homeland Security.

1 SECTION 37. REPEALER 47 O.S. 2021, Sections 2-106, as
2 amended by Section 28, Chapter 282, O.S.L. 2022, and 1114.2, as
3 amended by Section 131, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
4 2022, Sections 2-106 and 1114.2), are hereby repealed.

5 SECTION 38. This act shall become effective July 1, 2023.

6 SECTION 39. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
11 April 4, 2023 - DO PASS AS AMENDED
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