

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 528

By: Bergstrom

AS INTRODUCED

An Act relating to driver licenses; amending 47 O.S. 2021, Section 6-110, as last amended by Section 44, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2024, Section 6-110), which relates to examination of applicants; prohibiting Service Oklahoma from certain consideration of criminal background check; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-110, as last amended by Section 44, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2024, Section 6-110), is amended to read as follows:

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

1 examination proctors with regard to any written examination required
2 by this section. The examination shall include a test of the
3 applicant's:

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

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

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

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

1 a. a valid unexpired driver license issued by any state
2 or country for the same type or types of vehicles, or

3 b. an expired driver license that:

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

6 (2) is not a Class A, B, or C commercial driver
7 license or commercial driver license permit.

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

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

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

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

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

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

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

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

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

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

22 5. Service Oklahoma shall require each designated examiner and
23 driver education instructor applicant to submit to an electronic
24 national criminal history record check pursuant to Section 150.9 of
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1 Title 74 of the Oklahoma Statutes. The fees for the record check
2 shall be borne by the designated examiner, designated examiner
3 applicant, driver education instructor, or driver education
4 instructor applicant. Service Oklahoma shall not take into
5 consideration any felonies or misdemeanors that have been resolved
6 prior to ten (10) years before the date of submission by the
7 applicant.

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

11 E. 1. Upon application and approval of Service Oklahoma, any
12 public or private commercial truck driving school that has or
13 maintains a program instructing students for a Class A, B, or C
14 license, public transit agency, state, county or municipal
15 government agency in this state, such as local school districts, the
16 Oklahoma Department of Career and Technology Education, or
17 institutions of higher education, or a private entity, shall be
18 authorized to hire or employ designated examiners approved by
19 Service Oklahoma to be third-party examiners of the Class A, B, or C
20 driving skills portion ~~and/or~~ or knowledge written portion, pursuant
21 to paragraph A of this section, of the Oklahoma driving examination.
22 All designated examiners must successfully have completed the
23 courses and training as outlined in paragraph 2 of this subsection.
24 Service Oklahoma shall be required to approve at least one public

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

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

12 3. Service Oklahoma shall require each third-party examiner
13 applicant and commercial school driver education instructor
14 applicant to submit to an electronic national criminal history
15 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
16 Statutes. On or before December 1, 2022, Service Oklahoma shall
17 require each third-party examiner or commercial school driver
18 education instructor to submit to an electronic national criminal
19 history record check pursuant to Section 150.9 of Title 74 of the
20 Oklahoma Statutes. The fees for the background check shall be borne
21 by the third-party examiner, third-party examiner applicant,
22 commercial school driver education instructor or commercial school
23 driver education instructor applicant. Service Oklahoma shall not
24 take into consideration any felonies or misdemeanors that have been

1 resolved prior to ten (10) years before the date of submission by
2 the 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 2. This act shall become effective November 1, 2025.

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