An Act

ENROLLED HOUSE
BILL NO. 1082

By: Ownbey, Ritze, Hoskin and Vaughan of the House

and

Simpson of the Senate

An Act relating to driver licenses; amending 47 O.S. 2011, Section 6-115, which relates to the expiration and renewal of driver licenses; modifying certain renewal requirement; amending 47 O.S. 2011, Section 6-209, which relates to the surrender and seizure of driver licenses; deleting driver license return requirement; providing for the issuance of new driver licenses under certain circumstances; denying property interest in driver licenses; requiring immediate surrender of driver license under certain circumstances; and providing an effective date.

SUBJECT: Driver licenses

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-115, is amended to read as follows:

Section 6-115. A. Except as otherwise provided in this section, every driver license shall be issued for a period of no more than four (4) years; provided, if the applicant or licensee is an alien, the license shall be issued for a period which does not exceed the lesser of:

1. Four (4) years; or

2. The expiration date on the valid documentation authorizing the presence of the applicant or licensee in the United States, as

required by paragraph 9 of subsection A of Section 6-103 of this title.

B. Except as otherwise provided in this section, the expiration date of an initial license shall be no more than four (4) years from the last day of the month of issuance or no more than four (4) years from the last day of the birth month of the applicant immediately preceding the date of issuance, if requested by the applicant.

C. Except as otherwise provided in this section, the expiration date of a renewal license shall be:

1. For a renewal during the month of expiration, four (4) years from the last day of the month of expiration of the expiring license or four (4) years from the last day of the birth month of the licensee immediately preceding the expiration date of the expiring license, if requested by the licensee; or

2. For a renewal prior to the month of expiration, as provided by rule of the Department, four (4) years from the last day of the month of expiration of the current license; provided, no license shall be issued with an expiration date of more than five (5) years from the date of renewal.

D. Notwithstanding the provisions of subsection E of Section 1550.42 of Title 21 of the Oklahoma Statutes, any Oklahoma driver license that is not more than ~~thirty (30) days~~ one (1) year past the date of expiration provided on the driver license shall be presumed to be a valid form of identification for the purposes of renewing an Oklahoma driver license.

E. Except as otherwise provided in this section, every driver license shall be renewable by the licensee upon application to either the Department of Public Safety or a motor license agent, furnishing both primary and secondary proofs of identity, the current mailing address of the person and payment of the required fee, if the person is otherwise eligible for renewal. If the licensee is an alien, the licensee shall appear before a driver license examiner of the Department and, after furnishing primary and secondary proofs of identity as required in this section, shall be issued a renewal driver license for a period which does not exceed the lesser of:

1. Four (4) years; or

2. The expiration date on the valid documentation authorizing the presence of the applicant or licensee in the United States, as required by paragraph 9 of subsection A of Section 6-103 of this title.

F. All applicants for renewals of driver licenses who have proven collision records or apparent physical defects may be required to take an examination as specified by the Commissioner of Public Safety.

G. When a person makes application for a driver license, or makes application to renew a driver license, and the person has been convicted of, or received a deferred judgment for, any offense required to register pursuant to the Sex Offenders Registration Act, the driver license shall be valid for a period of one (1) year from the month of issuance, but may be renewed yearly during the time the person is registered on the Sex Offender Registry. The cost for such license shall be the same as for other driver licenses and renewals.

H. The Department of Public Safety shall promulgate rules prescribing forms of primary and secondary identification acceptable for the renewal of an Oklahoma driver license.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-209, is amended to read as follows:

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

B. The Department, upon entering an order canceling or denying a driver license or suspending or revoking ~~a person's~~ the driving

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

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

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

SECTION 3. This act shall become effective November 1, 2013.

Passed the House of Representatives the 5th day of March, 2013.

Presiding Officer of the House
of Representatives

Passed the Senate the 15th day of April, 2013.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 16th
day of April, 20 13, at 2:48 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 22nd
day of April, 20 13, at 2:48 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 22nd
day of April, 20 13, at 4:30 o'clock P. M.
By: