An Act

ENROLLED SENATE
BILL NO. 997

By: Barrington of the Senate

and

Roberts (Dustin) of the House

An Act relating to driver licenses; amending 47 O.S. 2011, Section 6-122, as last amended by Section 5, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-122), which relates to renewal by mail; modifying inclusions; authorizing certain renewals for active military; amending 47 O.S. 2011, Section 6-303, as amended by Section 1, Chapter 382, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-303), which relates to driving while license under suspension; modifying language; and providing an effective date.

SUBJECT: Driver license renewal or replacement

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-122, as last amended by Section 5, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-122), is amended to read as follows:

Section 6-122. The Department of Public Safety may develop procedures whereby driver licenses issued under the provisions of Section 6-101 et seq. of this title may be renewed <u>or replaced</u> by the applicant by mail or online except for licenses to be renewed <u>or replaced</u> by aliens as prescribed by subsection E of Section 6-115 of this title. Any license issued pursuant to this section shall be valid for a period as prescribed in Section 6-115 of this title.

The Department shall not renew or replace a license by mail or online unless the immediately preceding issuance ~~or~~, renewal or replacement was done in person by the applicant.

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

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

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

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

SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-303, as amended by Section 1, Chapter 382, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-303), is amended to read as follows:

Section 6-303. A. No person shall operate a motor vehicle upon the public roads, streets, highways, turnpikes or other public place of this state without having a valid driver license for the class of vehicle being operated from the Department of Public Safety, except as herein specifically exempted.

Any violation of the provisions of this subsection shall constitute a misdemeanor and shall be punishable by a fine of not less than Fifty Dollars ($50.00) nor more than Three Hundred Dollars ($300.00) plus costs or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

Any person charged with violating this section who produces in court, on or before the court date, a renewal or replacement driver license issued to him or her shall be entitled to dismissal of such charge without payment of court costs and fine.

B. Any person who drives a motor vehicle on any public roads, streets, highways, turnpikes or other public place of this state at a time when the person's privilege to do so is canceled, denied,

suspended or revoked or at a time when the person is disqualified from so doing shall be guilty of a misdemeanor and upon conviction shall be punished by a fine:

1. For a first conviction, of not less than One Hundred Dollars ($100.00) and not more than Five Hundred Dollars ($500.00);

2. For a second conviction, of not less than Two Hundred Dollars ($200.00) and not more than Seven Hundred Fifty Dollars ($750.00); ~~or~~

3. For a third and subsequent conviction, of not less than Three Hundred Dollars ($300.00) and not more than One Thousand Dollars ($1,000.00)~~,~~;

or by imprisonment for not more than one (1) year or by both such fine and imprisonment. Each act of driving on the highways as prohibited shall constitute a separate offense.

C. Any person who drives a motor vehicle on any public roads, streets, highways, turnpikes or other public roads of this state at a time when the driving privilege of that person is canceled, denied, suspended or revoked, pursuant to paragraph 1 of subsection A of Section 6-205.1 of this title, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine:

1. For a first conviction, of not less than Five Hundred Dollars ($500.00) and not more than One Thousand Dollars ($1,000.00);

2. For a second conviction, of not less than One Thousand Dollars ($1,000.00) and not more than Two Thousand Dollars ($2,000.00); ~~or~~

3. For a third and subsequent conviction, of not less than Two Thousand Dollars ($2,000.00) and not more than Five Thousand Dollars ($5,000.00)~~,~~;

or by imprisonment for not more than one (1) year or by both such fine and imprisonment. Each act of driving on the highways as prohibited shall constitute a separate offense.

D. The Department, upon receiving a record of conviction of an offense committed by any person whose license or privilege to operate motor vehicles is under suspension or revocation, shall extend the period of such suspension or revocation for an additional three-month period of time. The additional orders of suspension or revocation shall be dated and become effective the day following the date terminating the prior order of suspension or revocation.

E. The Department, upon receiving a record of conviction of an offense committed by any person whose license or privilege to operate motor vehicles is under revocation, pursuant to paragraph 1, 2, or 3 of subsection A of Section 6-205.1 of this title, shall extend the period of such revocation for an additional four-month period of time. The additional orders of revocation shall be dated and become effective the day following the date terminating the prior order of revocation.

F. The Department, upon receiving a record of conviction for a person convicted of an offense specified in Section 11-905 of this title, shall extend the period of such suspension, revocation or denial of driving privilege for an additional twelve-month period of time. The additional orders of suspension, revocation or denial of driving privilege shall be dated and become effective the day following the date terminating the prior order of suspension, revocation or denial of driving privilege.

G. It shall be a misdemeanor punishable by imprisonment for not less than seven (7) days nor more than six (6) months, or by a fine of not more than Five Hundred Dollars ($500.00), or by both such fine and imprisonment, for any person to apply for a renewal or a replacement license to operate a motor vehicle while the person's license, permit or other evidence of driving privilege is in the custody of a law enforcement officer or the Department. A notice regarding this offense and the penalty therefor shall be included on the same form containing the notice of revocation issued by the officer.

H. Any fine collected pursuant to a second or subsequent conviction, as provided in subsections B and C of this section, shall be deposited to the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of Title 63 of the Oklahoma Statutes.

I. Any person who drives a motorcycle or motor-driven cycle, as defined in this title, on public roads, streets, highways, turnpikes or other public place of this state without the proper endorsement on a current state-issued license shall be guilty of a misdemeanor. Any person charged with violating this section may request a six-month deferral for the purpose of obtaining the following:

1. Proof of successful completion of a Motorcycle Safety Foundation rider course approved by the Department; and

2. Proper motorcycle endorsement on the person's valid driver license.

Upon presenting the court with proof of satisfaction of both requirements within the deferral period, the offender shall be entitled to dismissal of the charge, and may be subject to a reduced payment of court costs and fine.

SECTION 3. This act shall become effective November 1, 2016.

Passed the Senate the 8th day of March, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 14th day of April, 2016.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 18th

day of April, 20 16, at 3:24 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 21st

day of April, 20 16, at 9:48 o'clock A M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st

day of April, 20 16, at 11:13 o'clock A. M.

By: Chris Benge