

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL 622

6 By: Hall of the Senate

7 and

8 Kerbs of the House

9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to Service Oklahoma; amending 22 O.S.
11 2021, Sections 471.6, as amended by Section 5,
12 Chapter 277, O.S.L. 2022, 991a, as amended by Section
13 2, Chapter 469, O.S.L. 2021, 1111.2, 1115.1, 1115.1A,
14 and 1115.5 (22 O.S. Supp. 2022, Section 471.6), which
15 relate to final eligibility hearing, suspension of
16 driving privileges, sentencing powers of the court,
17 failure to appear for arraignment, release on
18 personal recognizance, release on personal
19 recognizance for traffic violation, and Department of
20 Public Safety powers and duties relative to
21 suspension of driving privilege; revising references;
22 amending 42 O.S. 2021, Sections 90, 91, as amended by
23 Section 1 of Enrolled House Bill No. 1927 of the 1st
24 Session of the 59th Oklahoma Legislature, and 91A, as
amended by Section 2 of Enrolled House Bill No. 1927
of the 1st Session of the 59th Oklahoma Legislature,
which relate to notice preparers to register and
liens on certain personal property for service;
modifying references; amending 47 O.S. 2021, Sections
2-106, as amended by Section 28, Chapter 282, O.S.L.
2022, 2-108.3, as amended by Section 29, Chapter 282,
O.S.L. 2022, and Sections 1, 2, 3, 4, 6, 7, 8, and
10, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
Sections 2-106, 2-108.3, 3-101, 3-102, 3-103, 3-104,
3-106, 3-107, 3-108, and 3-110), which relates to the
driver license services, motor vehicle ownership and
registration information, creation of Service
Oklahoma, definitions, powers of the Director,

1 Operator Board, Service Oklahoma Revolving Fund,
2 creating a Petty Cash Fund, records, and interagency
3 agreements; providing for purposes; prohibiting
4 certain purchase; authorizing creation of forms,
5 systems and procedures; separating agencies; amending
6 47 O.S. 2021, Sections 6-101, as last amended by
7 Section 37, Chapter 282, O.S.L. 2022, 6-102, as last
8 amended by Section 39, Chapter 282, O.S.L. 2022, 6-
9 105, as last amended by Section 5 of Enrolled House
10 Bill No. 2133 of the 1st Session of the 59th Oklahoma
11 Legislature, 6-110, as last amended by Section 1 of
12 Enrolled House Bill No. 2750 of the 1st Session of
13 the 59th Oklahoma Legislature, 6-111, as last amended
14 by Section 1 of Enrolled Senate Bill No. 682 of the
15 1st Session of the 59th Legislature, 6-113, 6-116, as
16 amended by Section 56, Chapter 282, O.S.L. 2022, 6-
17 117, as amended by Section 57, Chapter 282, O.S.L.
18 2022, 6-205.1, as amended by Section 1, Chapter 376,
19 O.S.L. 2022, 6-211, as last amended by Section 2,
20 Chapter 376, O.S.L. 2022, 156.1, as last amended by
21 Section 3 of Enrolled House Bill No. 2253 of the 1st
22 Session of the 59th Oklahoma Legislature, 752, 753,
23 as amended by Section 6, Chapter 376, O.S.L. 2022,
24 754, as amended by Section 7, Chapter 376, O.S.L.
2022, 761, 802, 803, 804, 805, 806, 1104, as last
amended by Section 1, Chapter 363, O.S.L. 2022, 1109,
as amended by Section 121, Chapter 282, O.S.L. 2022,
1135.5, as last amended by Section 23 of Enrolled
Senate Bill No. 782 of the 1st Session of the 59th
Oklahoma Legislature, and 1140, as amended by Section
174, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
Sections 6-101, 6-102, 6-105, 6-110, 6-111, 6-116, 6-
117, 6-205.1, 6-211, 753, 754, 1104, 1109, 1135.5,
and 1140), which relate to class requirements for
driver licenses, persons exempt from license
requirements, graduated Class D licenses, examination
of applicants, issuance of license or identification
card, restricted licenses, notice of change of
address or name, records kept by the Department,
periods of revocation, right of appeal to district
court, use of state-owned vehicles, administration of
tests, refusal to submit to test, seizure of
licenses, operation of motor vehicle while impaired,
administration and enforcement of human trafficking
information, school license, instructor's license,
license fees, suspension or revocation of license,
confidentiality of information, special license

1 plates, and qualifications to locate and operate
2 Service Oklahoma locations; modifying period of
3 certain permit; authorizing certain application
4 processing and document recognition; allowing certain
5 fee retention; requiring certain national criminal
6 history record check; requiring certain driving
7 record; setting certain time for notification and
8 replacement; authorizing certain use of state owned
9 vehicles; modifying inclusions; modifying certain
10 number of plates required; requiring certain
11 residency; allowing certain sell or transfer;
12 requiring certain guidelines and requirements;
13 defining terms; modifying references; amending 63
14 O.S. 2021, Section 1-229.13, which relates to
15 furnishing of tobacco or vapor products to persons
16 under 21; modifying references; amending 68 O.S.
17 2021, Section 118, which relates to written
18 estimates; modifying responsible entity; amending 70
19 O.S. 2021, Section 19-115, which relates to
20 coordinator of driver education programs; modifying
21 references; amending 75 O.S. 2021, Section 250.4,
22 which relates to compliance with the Administrative
23 Procedures Act; modifying inclusions; updating
24 statutory language; updating statutory references;
repealing 47 O.S. 2021, Section 2-106, as amended by
Section 28, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
2022, Section 2-106), which relates to the Driver
License Services Division; repealing 47 O.S. 2021,
Section 1114.2, as amended by Section 131, Chapter
282, O.S.L. 2022 (47 O.S. Supp. 2022, Section
1114.2), which relates to residency requirements for
licensed operators; providing an effective date; and
declaring an emergency.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 471.6, as
amended by Section 5, Chapter 277, O.S.L. 2022 (22 O.S. Supp. 2022,
Section 471.6), is amended to read as follows:

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:

24

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 2. AMENDATORY 22 O.S. 2021, Section 991a, as
7 amended by Section 2, Chapter 469, O.S.L. 2021, is amended to read
8 as follows:

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

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

17 a. to provide restitution to the victim as provided by
18 Section 991f et seq. of this title or according to a
19 schedule of payments established by the sentencing
20 court, together with interest upon any pecuniary sum
21 at the rate of twelve percent (12%) per annum, if the
22 defendant agrees to pay such restitution or, in the
23 opinion of the court, if the defendant is able to pay
24 such restitution without imposing manifest hardship on

1 the defendant or the immediate family and if the
2 extent of the damage to the victim is determinable
3 with reasonable certainty,

4 b. to reimburse any state agency for amounts paid by the
5 state agency for hospital and medical expenses
6 incurred by the victim or victims, as a result of the
7 criminal act for which such person was convicted,
8 which reimbursement shall be made directly to the
9 state agency, with interest accruing thereon at the
10 rate of twelve percent (12%) per annum,

11 c. to engage in a term of community service without
12 compensation, according to a schedule consistent with
13 the employment and family responsibilities of the
14 person convicted,

15 d. to pay a reasonable sum into any trust fund
16 established pursuant to the provisions of Sections 176
17 through 180.4 of Title 60 of the Oklahoma Statutes and
18 which provides restitution payments by convicted
19 defendants to victims of crimes committed within this
20 state wherein such victim has incurred a financial
21 loss,

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

24

1 f. to confinement as provided by law together with a term
2 of post-imprisonment community supervision for not
3 less than three (3) years of the total term allowed by
4 law for imprisonment, with or without restitution;
5 provided, however, the authority of this provision is
6 limited to Section 843.5 of Title 21 of the Oklahoma
7 Statutes when the offense involved sexual abuse or
8 sexual exploitation; Sections 681, 741 and 843.1 of
9 Title 21 of the Oklahoma Statutes when the offense
10 involved sexual abuse or sexual exploitation; and
11 Sections 865 et seq., 885, 886, 888, 891, 1021,
12 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1115 and
13 1123 of Title 21 of the Oklahoma Statutes,

14 g. to repay the reward or part of the reward paid by a
15 local certified crime stoppers program and the
16 Oklahoma Reward System. In determining whether the
17 defendant shall repay the reward or part of the
18 reward, the court shall consider the ability of the
19 defendant to make the payment, the financial hardship
20 on the defendant to make the required payment and the
21 importance of the information to the prosecution of
22 the defendant as provided by the arresting officer or
23 the district attorney with due regard for the
24 confidentiality of the records of the local certified

1 crime stoppers program and the Oklahoma Reward System.
2 The court shall assess this repayment against the
3 defendant as a cost of prosecution. The term
4 "certified" means crime stoppers organizations that
5 annually meet the certification standards for crime
6 stoppers programs established by the Oklahoma Crime
7 Stoppers Association to the extent those standards do
8 not conflict with state statutes. The term "court"
9 refers to all municipal and district courts within
10 this state. The "Oklahoma Reward System" means the
11 reward program established by Section 150.18 of Title
12 74 of the Oklahoma Statutes,

13 h. to reimburse the Oklahoma State Bureau of
14 Investigation for costs incurred by that agency during
15 its investigation of the crime for which the defendant
16 pleaded guilty, nolo contendere or was convicted
17 including compensation for laboratory, technical or
18 investigation services performed by the Bureau if, in
19 the opinion of the court, the defendant is able to pay
20 without imposing manifest hardship on the defendant,
21 and if the costs incurred by the Bureau during the
22 investigation of the defendant's case may be
23 determined with reasonable certainty,
24

- 1 i. to reimburse the Oklahoma State Bureau of
2 Investigation and any authorized law enforcement
3 agency for all costs incurred by that agency for
4 cleaning up an illegal drug laboratory site for which
5 the defendant pleaded guilty, nolo contendere or was
6 convicted. The court clerk shall collect the amount
7 and may retain five percent (5%) of such monies to be
8 deposited in the Court Clerk's Revolving Fund to cover
9 administrative costs and shall remit the remainder to
10 the Oklahoma State Bureau of Investigation to be
11 deposited in the OSBI Revolving Fund established by
12 Section 150.19a of Title 74 of the Oklahoma Statutes
13 or to the general fund wherein the other law
14 enforcement agency is located,
- 15 j. to pay a reasonable sum to the Crime Victims
16 Compensation Board, created by Section 142.2 et seq.
17 of Title 21 of the Oklahoma Statutes, for the benefit
18 of crime victims,
- 19 k. to reimburse the court fund for amounts paid to court-
20 appointed attorneys for representing the defendant in
21 the case in which the person is being sentenced,
- 22 l. to participate in an assessment and evaluation by an
23 assessment agency or assessment personnel certified by
24 the Department of Mental Health and Substance Abuse

1 Services pursuant to Section 3-460 of Title 43A of the
2 Oklahoma Statutes and, as determined by the
3 assessment, participate in an alcohol and drug
4 substance abuse course or treatment program or both,
5 pursuant to Sections 3-452 and 3-453 of Title 43A of
6 the Oklahoma Statutes, or as ordered by the court,
7 m. to be placed in a victims impact panel program, as
8 defined in subsection H of this section, or
9 victim/offender reconciliation program and payment of
10 a fee to the program of Seventy-five Dollars (\$75.00)
11 as set by the governing authority of the program to
12 offset the cost of participation by the defendant.
13 Provided, each victim/offender reconciliation program
14 shall be required to obtain a written consent form
15 voluntarily signed by the victim and defendant that
16 specifies the methods to be used to resolve the
17 issues, the obligations and rights of each person and
18 the confidentiality of the proceedings. Volunteer
19 mediators and employees of a victim/offender
20 reconciliation program shall be immune from liability
21 and have rights of confidentiality as provided in
22 Section 1805 of Title 12 of the Oklahoma Statutes,
23 n. to install, at the expense of the defendant, an
24 ignition interlock device approved by the Board of

1 Tests for Alcohol and Drug Influence. The device
2 shall be installed upon every motor vehicle operated
3 by the defendant, and the court shall require that a
4 notation of this restriction be affixed to the
5 defendant's driver license. The restriction shall
6 remain on the driver license not exceeding two (2)
7 years to be determined by the court. The restriction
8 may be modified or removed only by order of the court
9 and notice of any modification order shall be given to
10 ~~the Department of Public Safety~~ Service Oklahoma.

11 Upon the expiration of the period for the restriction,
12 ~~the Department of Public Safety~~ Service Oklahoma shall
13 remove the restriction without further court order.

14 Failure to comply with the order to install an
15 ignition interlock device or operating any vehicle
16 without a device during the period of restriction
17 shall be a violation of the sentence and may be
18 punished as deemed proper by the sentencing court. As
19 used in this paragraph, "ignition interlock device"
20 means a device that, without tampering or intervention
21 by another person, would prevent the defendant from
22 operating a motor vehicle if the defendant has a blood
23 or breath alcohol concentration of two-hundredths
24 (0.02) or greater,

1 o. to be confined by electronic monitoring administered
2 and supervised by the Department of Corrections or a
3 community sentence provider, and payment of a
4 monitoring fee to the supervising authority, not to
5 exceed Three Hundred Dollars (\$300.00) per month. Any
6 fees collected pursuant to this subparagraph shall be
7 deposited with the appropriate supervising authority.
8 Any willful violation of an order of the court for the
9 payment of the monitoring fee shall be a violation of
10 the sentence and may be punished as deemed proper by
11 the sentencing court. As used in this paragraph,
12 "electronic monitoring" means confinement of the
13 defendant within a specified location or locations
14 with supervision by means of an electronic device
15 approved by the Department of Corrections which is
16 designed to detect if the defendant is in the court-
17 ordered location at the required times and which
18 records violations for investigation by a qualified
19 supervisory agency or person,

20 p. to perform one or more courses of treatment, education
21 or rehabilitation for any conditions, behaviors,
22 deficiencies or disorders which may contribute to
23 criminal conduct including but not limited to alcohol
24 and substance abuse, mental health, emotional health,

1 physical health, propensity for violence, antisocial
2 behavior, personality or attitudes, deviant sexual
3 behavior, child development, parenting assistance, job
4 skills, vocational-technical skills, domestic
5 relations, literacy, education or any other
6 identifiable deficiency which may be treated
7 appropriately in the community and for which a
8 certified provider or a program recognized by the
9 court as having significant positive impact exists in
10 the community. Any treatment, education or
11 rehabilitation provider required to be certified
12 pursuant to law or rule shall be certified by the
13 appropriate state agency or a national organization,
14 q. to submit to periodic testing for alcohol,
15 intoxicating substance or controlled dangerous
16 substances by a qualified laboratory,
17 r. to pay a fee or costs for treatment, education,
18 supervision, participation in a program or any
19 combination thereof as determined by the court, based
20 upon the defendant's ability to pay the fees or costs,
21 s. to be supervised by a Department of Corrections
22 employee, a private supervision provider or other
23 person designated by the court,
24

- t. to obtain positive behavior modeling by a trained mentor,
- u. to serve a term of confinement in a restrictive housing facility available in the community,
- v. to serve a term of confinement in the county jail at night or during weekends pursuant to Section 991a-2 of this title or for work release,
- w. to obtain employment or participate in employment-related activities,
- x. to participate in mandatory day reporting to facilities or persons for services, payments, duties or person-to-person contacts as specified by the court,
- y. to pay day fines not to exceed fifty percent (50%) of the net wages earned. For purposes of this paragraph, "day fine" means the offender is ordered to pay an amount calculated as a percentage of net daily wages earned. The day fine shall be paid to the local community sentencing system as reparation to the community. Day fines shall be used to support the local system,
- z. to submit to blood or saliva testing as required by subsection I of this section,

- 1 aa. to repair or restore property damaged by the
2 defendant's conduct, if the court determines the
3 defendant possesses sufficient skill to repair or
4 restore the property and the victim consents to the
5 repairing or restoring of the property,
- 6 bb. to restore damaged property in kind or payment of out-
7 of-pocket expenses to the victim, if the court is able
8 to determine the actual out-of-pocket expenses
9 suffered by the victim,
- 10 cc. to attend a victim-offender reconciliation program if
11 the victim agrees to participate and the offender is
12 deemed appropriate for participation,
- 13 dd. in the case of a person convicted of prostitution
14 pursuant to Section 1029 of Title 21 of the Oklahoma
15 Statutes, require such person to receive counseling
16 for the behavior which may have caused such person to
17 engage in prostitution activities. Such person may be
18 required to receive counseling in areas including but
19 not limited to alcohol and substance abuse, sexual
20 behavior problems or domestic abuse or child abuse
21 problems,
- 22 ee. in the case of a sex offender sentenced after November
23 1, 1989, and required by law to register pursuant to
24 the Sex Offender Registration Act, the court shall

1 require the person to comply with sex offender
2 specific rules and conditions of supervision
3 established by the Department of Corrections and
4 require the person to participate in a treatment
5 program designed for the treatment of sex offenders
6 during the period of time while the offender is
7 subject to supervision by the Department of
8 Corrections. The treatment program shall include
9 polygraph examinations specifically designed for use
10 with sex offenders for purposes of supervision and
11 treatment compliance, and shall be administered not
12 less than each six (6) months during the period of
13 supervision. The examination shall be administered by
14 a certified licensed polygraph examiner. The
15 treatment program must be approved by the Department
16 of Corrections or the Department of Mental Health and
17 Substance Abuse Services. Such treatment shall be at
18 the expense of the defendant based on the defendant's
19 ability to pay,

20 ff. in addition to other sentencing powers of the court,
21 the court in the case of a defendant being sentenced
22 for a felony conviction for a violation of Section 2-
23 402 of Title 63 of the Oklahoma Statutes which
24 involves marijuana may require the person to

1 participate in a drug court program, if available. If
2 a drug court program is not available, the defendant
3 may be required to participate in a community
4 sanctions program, if available,

5 gg. in the case of a person convicted of any false or
6 bogus check violation, as defined in Section 1541.4 of
7 Title 21 of the Oklahoma Statutes, impose a fee of
8 Twenty-five Dollars (\$25.00) to the victim for each
9 check, and impose a bogus check fee to be paid to the
10 district attorney. The bogus check fee paid to the
11 district attorney shall be equal to the amount
12 assessed as court costs plus Twenty-five Dollars
13 (\$25.00) for each check upon filing of the case in
14 district court. This money shall be deposited in the
15 Bogus Check Restitution Program Fund as established in
16 subsection B of Section 114 of this title.

17 Additionally, the court may require the offender to
18 pay restitution and bogus check fees on any other
19 bogus check or checks that have been submitted to the
20 Bogus Check Restitution Program, and

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

22 However, any such order for restitution, community service,
23 payment to a local certified crime stoppers program, payment to the
24 Oklahoma Reward System or confinement in the county jail, or a

1 combination thereof, shall be made in conjunction with probation and
2 shall be made a condition of the suspended sentence.

3 However, unless under the supervision of the district attorney,
4 the offender shall be required to pay Forty Dollars (\$40.00) per
5 month to the district attorney during the first two (2) years of
6 probation to compensate the district attorney for the costs incurred
7 during the prosecution of the offender and for the additional work
8 of verifying the compliance of the offender with the rules and
9 conditions of his or her probation. The district attorney may waive
10 any part of this requirement in the best interests of justice. The
11 court shall not waive, suspend, defer or dismiss the costs of
12 prosecution in its entirety. However, if the court determines that
13 a reduction in the fine, costs and costs of prosecution is
14 warranted, the court shall equally apply the same percentage
15 reduction to the fine, costs and costs of prosecution owed by the
16 offender;

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

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

23 4. Order the defendant to reimburse the Oklahoma State Bureau
24 of Investigation for costs incurred by that agency during its

1 investigation of the crime for which the defendant pleaded guilty,
2 nolo contendere or was convicted including compensation for
3 laboratory, technical or investigation services performed by the
4 Bureau if, in the opinion of the court, the defendant is able to pay
5 without imposing manifest hardship on the defendant, and if the
6 costs incurred by the Bureau during the investigation of the
7 defendant's case may be determined with reasonable certainty;

8 5. Order the defendant to reimburse the Oklahoma State Bureau
9 of Investigation for all costs incurred by that agency for cleaning
10 up an illegal drug laboratory site for which the defendant pleaded
11 guilty, nolo contendere or was convicted. The court clerk shall
12 collect the amount and may retain five percent (5%) of such monies
13 to be deposited in the Court Clerk's Revolving Fund to cover
14 administrative costs and shall remit the remainder to the Oklahoma
15 State Bureau of Investigation to be deposited in the OSBI Revolving
16 Fund established by Section 150.19a of Title 74 of the Oklahoma
17 Statutes;

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

20 7. In addition to the other sentencing powers of the court, in
21 the case of a person convicted of operating or being in control of a
22 motor vehicle while the person was under the influence of alcohol,
23 other intoxicating substance or a combination of alcohol or another
24 intoxicating substance, or convicted of operating a motor vehicle

1 while the ability of the person to operate such vehicle was impaired
2 due to the consumption of alcohol, require such person:

3 a. to participate in an alcohol and drug assessment and
4 evaluation by an assessment agency or assessment
5 personnel certified by the Department of Mental Health
6 and Substance Abuse Services pursuant to Section 3-460
7 of Title 43A of the Oklahoma Statutes and, as
8 determined by the assessment, participate in an
9 alcohol and drug substance abuse course or treatment
10 program or both, pursuant to Sections 3-452 and 3-453
11 of Title 43A of the Oklahoma Statutes,

12 b. to attend a victims impact panel program, as defined
13 in subsection H of this section, and to pay a fee of
14 Seventy-five Dollars (\$75.00) as set by the governing
15 authority of the program and approved by the court, to
16 the program to offset the cost of participation by the
17 defendant, if in the opinion of the court the
18 defendant has the ability to pay such fee,

19 c. to both participate in the alcohol and drug substance
20 abuse course or treatment program, pursuant to
21 subparagraph a of this paragraph and attend a victims
22 impact panel program, pursuant to subparagraph b of
23 this paragraph,
24

- 1 d. to install, at the expense of the person, an ignition
2 interlock device approved by the Board of Tests for
3 Alcohol and Drug Influence, upon every motor vehicle
4 operated by such person and to require that a notation
5 of this restriction be affixed to the person's driver
6 license at the time of reinstatement of the license.
7 The restriction shall remain on the driver license for
8 such period as the court shall determine. The
9 restriction may be modified or removed by order of the
10 court and notice of the order shall be given to ~~the~~
11 ~~Department of Public Safety~~ Service Oklahoma. Upon
12 the expiration of the period for the restriction, ~~the~~
13 ~~Department of Public Safety~~ Service Oklahoma shall
14 remove the restriction without further court order.
15 Failure to comply with the order to install an
16 ignition interlock device or operating any vehicle
17 without such device during the period of restriction
18 shall be a violation of the sentence and may be
19 punished as deemed proper by the sentencing court, or
20 e. beginning January 1, 1993, to submit to electronically
21 monitored home detention administered and supervised
22 by the Department of Corrections, and to pay to the
23 Department a monitoring fee, not to exceed Seventy-
24 five Dollars (\$75.00) a month, to the Department of

1 Corrections, if in the opinion of the court the
2 defendant has the ability to pay such fee. Any fees
3 collected pursuant to this subparagraph shall be
4 deposited in the Department of Corrections Revolving
5 Fund. Any order by the court for the payment of the
6 monitoring fee, if willfully disobeyed, may be
7 enforced as an indirect contempt of court;

8 8. In addition to the other sentencing powers of the court, in
9 the case of a person convicted of prostitution pursuant to Section
10 1029 of Title 21 of the Oklahoma Statutes, require such person to
11 receive counseling for the behavior which may have caused such
12 person to engage in prostitution activities. Such person may be
13 required to receive counseling in areas including but not limited to
14 alcohol and substance abuse, sexual behavior problems or domestic
15 abuse or child abuse problems;

16 9. In addition to the other sentencing powers of the court, in
17 the case of a person convicted of any crime related to domestic
18 abuse, as defined in Section 60.1 of this title, the court may
19 require the defendant to undergo the treatment or participate in the
20 counseling services necessary to bring about the cessation of
21 domestic abuse against the victim. The defendant may be required to
22 pay all or part of the cost of the treatment or counseling services;

23 10. In addition to the other sentencing powers of the court,
24 the court, in the case of a sex offender sentenced after November 1,

1 1989, and required by law to register pursuant to the Sex Offenders
2 Registration Act, shall require the defendant to participate in a
3 treatment program designed specifically for the treatment of sex
4 offenders, if available. The treatment program will include
5 polygraph examinations specifically designed for use with sex
6 offenders for the purpose of supervision and treatment compliance,
7 provided the examination is administered by a certified licensed
8 polygraph examiner. The treatment program must be approved by the
9 Department of Corrections or the Department of Mental Health and
10 Substance Abuse Services. Such treatment shall be at the expense of
11 the defendant based on the ability of the defendant to pay;

12 11. In addition to the other sentencing powers of the court,
13 the court, in the case of a person convicted of abuse or neglect of
14 a child, as defined in Section 1-1-105 of Title 10A of the Oklahoma
15 Statutes, may require the person to undergo treatment or to
16 participate in counseling services. The defendant may be required
17 to pay all or part of the cost of the treatment or counseling
18 services;

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

24

1 13. In addition to the other sentencing powers of the court, a
2 sex offender who is habitual or aggravated as defined by Section 584
3 of Title 57 of the Oklahoma Statutes and who is required to register
4 as a sex offender pursuant to the Sex Offenders Registration Act
5 shall be supervised by the Department of Corrections for the
6 duration of the registration period and shall be assigned to a
7 global position monitoring device by the Department of Corrections
8 for the duration of the registration period. The cost of such
9 monitoring device shall be reimbursed by the offender;

10 14. In addition to the other sentencing powers of the court, in
11 the case of a sex offender who is required by law to register
12 pursuant to the Sex Offenders Registration Act, the court may
13 prohibit the person from accessing or using any Internet social
14 networking website that has the potential or likelihood of allowing
15 the sex offender to have contact with any child who is under the age
16 of eighteen (18) years;

17 15. In addition to the other sentencing powers of the court, in
18 the case of a sex offender who is required by law to register
19 pursuant to the Sex Offenders Registration Act, the court shall
20 require the person to register any electronic mail address
21 information, instant message, chat or other Internet communication
22 name or identity information that the person uses or intends to use
23 while accessing the Internet or used for other purposes of social
24 networking or other similar Internet communication; or

1 16. In addition to the other sentencing powers of the court,
2 and pursuant to the terms and conditions of a written plea
3 agreement, the court may prohibit the defendant from entering,
4 visiting or residing within the judicial district in which the
5 defendant was convicted until after completion of his or her
6 sentence; provided, however, the court shall ensure that the
7 defendant has access to those services or programs for which the
8 defendant is required to participate as a condition of probation.
9 When seeking to enter the prohibited judicial district for personal
10 business not related to his or her criminal case, the defendant
11 shall be required to obtain approval by the court.

12 B. Notwithstanding any other provision of law, any person who
13 is found guilty of a violation of any provision of Section 761 or
14 11-902 of Title 47 of the Oklahoma Statutes or any person pleading
15 guilty or nolo contendere for a violation of any provision of such
16 sections shall be ordered to participate in, prior to sentencing, an
17 alcohol and drug assessment and evaluation by an assessment agency
18 or assessment personnel certified by the Department of Mental Health
19 and Substance Abuse Services for the purpose of evaluating the
20 receptivity to treatment and prognosis of the person. The court
21 shall order the person to reimburse the agency or assessor for the
22 evaluation. The fee shall be the amount provided in subsection C of
23 Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation
24 shall be conducted at a certified assessment agency, the office of a

1 certified assessor or at another location as ordered by the court.
2 The agency or assessor shall, within seventy-two (72) hours from the
3 time the person is assessed, submit a written report to the court
4 for the purpose of assisting the court in its final sentencing
5 determination. No person, agency or facility operating an alcohol
6 and drug substance abuse evaluation program certified by the
7 Department of Mental Health and Substance Abuse Services shall
8 solicit or refer any person evaluated pursuant to this subsection
9 for any treatment program or alcohol and drug substance abuse
10 service in which such person, agency or facility has a vested
11 interest; however, this provision shall not be construed to prohibit
12 the court from ordering participation in or any person from
13 voluntarily utilizing a treatment program or alcohol and drug
14 substance abuse service offered by such person, agency or facility.
15 If a person is sentenced to the custody of the Department of
16 Corrections and the court has received a written evaluation report
17 pursuant to this subsection, the report shall be furnished to the
18 Department of Corrections with the judgment and sentence. Any
19 evaluation report submitted to the court pursuant to this subsection
20 shall be handled in a manner which will keep such report
21 confidential from the general public's review. Nothing contained in
22 this subsection shall be construed to prohibit the court from
23 ordering judgment and sentence in the event the defendant fails or
24

1 refuses to comply with an order of the court to obtain the
2 evaluation required by this subsection.

3 C. When sentencing a person convicted of a crime, the court
4 shall first consider a program of restitution for the victim, as
5 well as imposition of a fine or incarceration of the offender. The
6 provisions of paragraph 1 of subsection A of this section shall not
7 apply to defendants being sentenced upon their third or subsequent
8 to their third conviction of a felony or, beginning January 1, 1993,
9 to defendants being sentenced for their second or subsequent felony
10 conviction for violation of Section 11-902 of Title 47 of the
11 Oklahoma Statutes, except as otherwise provided in this subsection.
12 In the case of a person being sentenced for his or her second or
13 subsequent felony conviction for violation of Section 11-902 of
14 Title 47 of the Oklahoma Statutes, the court may sentence the person
15 pursuant to the provisions of paragraph 1 of subsection A of this
16 section if the court orders the person to submit to electronically
17 monitored home detention administered and supervised by the
18 Department of Corrections pursuant to subparagraph e of paragraph 7
19 of subsection A of this section. Provided, the court may waive
20 these prohibitions upon written application of the district
21 attorney. Both the application and the waiver shall be made part of
22 the record of the case.

23

24

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

4 E. Probation, for purposes of subsection A of this section, is
5 a procedure by which a defendant found guilty of a crime, whether
6 upon a verdict or plea of guilty or upon a plea of nolo contendere,
7 is released by the court subject to conditions imposed by the court
8 and subject to supervision by the Department of Corrections, a
9 private supervision provider or other person designated by the
10 court. Such supervision shall be initiated upon an order of
11 probation from the court, and shall not exceed two (2) years, unless
12 a petition alleging a violation of any condition of deferred
13 judgment or seeking revocation of the suspended sentence is filed
14 during the supervision, or as otherwise provided by law. In the
15 case of a person convicted of a sex offense, supervision shall begin
16 immediately upon release from incarceration or if parole is granted
17 and shall not be limited to two (2) years. Provided further, any
18 supervision provided for in this section may be extended for a
19 period not to exceed the expiration of the maximum term or terms of
20 the sentence upon a determination by the court or the Division of
21 Probation and Parole of the Department of Corrections that the best
22 interests of the public and the release will be served by an
23 extended period of supervision.

24

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

7 G. 1. The Department of Corrections is hereby authorized,
8 subject to funds available through appropriation by the Legislature,
9 to contract with counties for the administration of county Community
10 Service Sentencing Programs.

11 2. Any offender eligible to participate in the Program pursuant
12 to this section shall be eligible to participate in a county
13 Program; provided, participation in county-funded Programs shall not
14 be limited to offenders who would otherwise be sentenced to
15 confinement with the Department of Corrections.

16 3. The Department shall establish criteria and specifications
17 for contracts with counties for such Programs. A county may apply
18 to the Department for a contract for a county-funded Program for a
19 specific period of time. The Department shall be responsible for
20 ensuring that any contracting county complies in full with
21 specifications and requirements of the contract. The contract shall
22 set appropriate compensation to the county for services to the
23 Department.

24

1 4. The Department is hereby authorized to provide technical
2 assistance to any county in establishing a Program, regardless of
3 whether the county enters into a contract pursuant to this
4 subsection. Technical assistance shall include appropriate
5 staffing, development of community resources, sponsorship,
6 supervision and any other requirements.

7 5. The Department shall annually make a report to the Governor,
8 the President Pro Tempore of the Senate and the Speaker of the House
9 on the number of such Programs, the number of participating
10 offenders, the success rates of each Program according to criteria
11 established by the Department and the costs of each Program.

12 H. As used in this section:

13 1. "Ignition interlock device" means a device that, without
14 tampering or intervention by another person, would prevent the
15 defendant from operating a motor vehicle if the defendant has a
16 blood or breath alcohol concentration of two-hundredths (0.02) or
17 greater;

18 2. "Electronically monitored home detention" means
19 incarceration of the defendant within a specified location or
20 locations with monitoring by means of a device approved by the
21 Department of Corrections that detects if the person leaves the
22 confines of any specified location; and

23 3. "Victims impact panel program" means a program conducted by
24 a corporation registered with the Secretary of State in Oklahoma for

1 the sole purpose of operating a victims impact panel program. The
2 program shall include live presentations from presenters who will
3 share personal stories with participants about how alcohol, drug
4 abuse, the operation of a motor vehicle while using an electronic
5 communication device or the illegal conduct of others has personally
6 impacted the lives of the presenters. A victims impact panel
7 program shall be attended by persons who have committed the offense
8 of driving, operating or being in actual physical control of a motor
9 vehicle while under the influence of alcohol or other intoxicating
10 substance, operating a motor vehicle while the ability of the person
11 to operate such vehicle was impaired due to the consumption of
12 alcohol or any other substance or operating a motor vehicle while
13 using an electronic device or by persons who have been convicted of
14 furnishing alcoholic beverage to persons under twenty-one (21) years
15 of age, as provided in Sections 6-101 and 6-120 of Title 37A of the
16 Oklahoma Statutes. Persons attending a victims impact panel program
17 shall be required to pay a fee of Seventy-five Dollars (\$75.00) to
18 the provider of the program. A certificate of completion shall be
19 issued to the person upon satisfying the attendance and fee
20 requirements of the victims impact panel program. The certificate
21 of completion shall contain the business identification number of
22 the program provider. A certified assessment agency, certified
23 assessor or provider of an alcohol and drug substance abuse course
24 shall be prohibited from providing a victims impact panel program

1 and shall further be prohibited from having any proprietary or
2 pecuniary interest in a victims impact panel program. The provider
3 of the victims impact panel program shall carry general liability
4 insurance and maintain an accurate accounting of all business
5 transactions and funds received in relation to the victims impact
6 panel program. Beginning October 1, 2020, and each October 1
7 thereafter, the provider of the victims impact panel program shall
8 provide to the District Attorneys Council the following:

- 9 a. proof of registration with the Oklahoma Secretary of
10 State,
- 11 b. proof of general liability insurance,
- 12 c. end-of-year financial statements prepared by a
13 certified public accountant,
- 14 d. a copy of federal income tax returns filed with the
15 Internal Revenue Service,
- 16 e. a registration fee of One Thousand Dollars
17 (\$1,000.00). The registration fee shall be deposited
18 in the District Attorneys Council Revolving Fund
19 created in Section 215.28 of Title 19 of the Oklahoma
20 Statutes, and
- 21 f. a statement certifying that the provider of the
22 victims impact panel program has complied with all of
23 the requirements set forth in this paragraph.

1 I. A person convicted of a felony offense or receiving any form
2 of probation for an offense in which registration is required
3 pursuant to the Sex Offenders Registration Act, shall submit to
4 deoxyribonucleic acid (DNA) testing for law enforcement
5 identification purposes in accordance with Section 150.27 of Title
6 74 of the Oklahoma Statutes and the rules promulgated by the
7 Oklahoma State Bureau of Investigation for the OSBI Combined DNA
8 Index System (CODIS) Database. Subject to the availability of
9 funds, any person convicted of a misdemeanor offense of assault and
10 battery, domestic abuse, stalking, possession of a controlled
11 substance prohibited under the Uniform Controlled Dangerous
12 Substances Act, outraging public decency, resisting arrest, escape
13 or attempting to escape, eluding a police officer, Peeping Tom,
14 pointing a firearm, threatening an act of violence, breaking and
15 entering a dwelling place, destruction of property, negligent
16 homicide or causing a personal injury accident while driving under
17 the influence of any intoxicating substance, or any alien unlawfully
18 present under federal immigration law, upon arrest, shall submit to
19 DNA testing for law enforcement identification purposes in
20 accordance with Section 150.27 of Title 74 of the Oklahoma Statutes
21 and the rules promulgated by the Oklahoma State Bureau of
22 Investigation for the OSBI Combined DNA Index System (CODIS)
23 Database. Any defendant sentenced to probation shall be required to
24 submit to testing within thirty (30) days of sentencing either to

1 the Department of Corrections or to the county sheriff or other
2 peace officer as directed by the court. Defendants who are
3 sentenced to a term of incarceration shall submit to testing in
4 accordance with Section 530.1 of Title 57 of the Oklahoma Statutes,
5 for those defendants who enter the custody of the Department of
6 Corrections or to the county sheriff, for those defendants sentenced
7 to incarceration in a county jail. Convicted individuals who have
8 previously submitted to DNA testing under this section and for whom
9 a valid sample is on file in the OSBI Combined DNA Index System
10 (CODIS) Database at the time of sentencing shall not be required to
11 submit to additional testing. Except as required by the Sex
12 Offenders Registration Act, a deferred judgment does not require
13 submission to DNA testing.

14 Any person who is incarcerated in the custody of the Department
15 of Corrections after July 1, 1996, and who has not been released
16 before January 1, 2006, shall provide a blood or saliva sample prior
17 to release. Every person subject to DNA testing after January 1,
18 2006, whose sentence does not include a term of confinement with the
19 Department of Corrections shall submit a blood or saliva sample.
20 Every person subject to DNA testing who is sentenced to unsupervised
21 probation or otherwise not supervised by the Department of
22 Corrections shall submit for blood or saliva testing to the sheriff
23 of the sentencing county.

24

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

22 K. When sentencing a person who has been convicted of a crime
23 that would subject that person to the provisions of the Sex
24 Offenders Registration Act, neither the court nor the district

1 attorney shall be allowed to waive or exempt such person from the
2 registration requirements of the Sex Offenders Registration Act.

3 SECTION 3. AMENDATORY 22 O.S. 2021, Section 1111.2, is
4 amended to read as follows:

5 Section 1111.2. The arresting officer shall indicate on the
6 citation the date of the arraignment, and the defendant shall appear
7 in person or by counsel at the stated time and place for
8 arraignment. If the defendant fails to appear in court in person or
9 by counsel for arraignment on the charge against him, or fails to
10 arrange with the court within the time designated on the citation
11 for a future appearance, the cash bail, if cash bail has been
12 deposited by the defendant, shall be forfeited. If a license to
13 operate a motor vehicle has been deposited under subsection ~~(b)~~ B of
14 Section 1111 of this title, the court clerk shall immediately
15 forward to ~~the Department of Public Safety~~ Service Oklahoma the
16 operator's license attached to an official notification form
17 furnished by ~~the Department of Public Safety~~ Service Oklahoma,
18 advising that the defendant failed to appear; in addition, on motion
19 of the district attorney, the court shall issue a bench warrant for
20 the arrest of the defendant. If a license has been deposited under
21 subsection ~~(a)~~ A of Section 1111 of this title and the out-of-state
22 defendant's personal check is not honored, the court clerk shall
23 immediately forward to ~~the Department of Public Safety~~ Service
24 Oklahoma the license stating that the check has not been honored.

1 If bail has been forfeited, on motion of the district attorney, the
2 court shall issue a bench warrant. Provided, however, that bail
3 forfeiture shall not be construed as a plea of guilty or admission
4 in any civil action that may thereafter arise by reason of said
5 occurrence.

6 SECTION 4. AMENDATORY 22 O.S. 2021, Section 1115.1, is
7 amended to read as follows:

8 Section 1115.1. A. In addition to other provisions of law for
9 posting bail, any person, whether a resident of this state or a
10 nonresident, who is arrested by a law enforcement officer solely for
11 a misdemeanor violation of a state traffic law or municipal traffic
12 ordinance, shall be released by the arresting officer upon personal
13 recognizance if:

14 1. The arrested person has been issued a valid license to
15 operate a motor vehicle by this state, another state jurisdiction
16 within the United States, which is a participant in the Nonresident
17 Violator Compact or any party jurisdiction of the Nonresident
18 Violator Compact;

19 2. The arresting officer is satisfied as to the identity of the
20 arrested person;

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

1 4. The violation does not constitute:

2 a. a felony, ~~or~~

3 b. negligent homicide, ~~or~~

4 c. driving or being in actual physical control of a motor
5 vehicle while impaired or under the influence of
6 alcohol or other intoxicating substances, unless the
7 person is unconscious or injured and requires
8 immediate medical treatment as determined by a
9 treating physician, ~~or~~

10 d. eluding or attempting to elude a law enforcement
11 officer, ~~or~~

12 e. operating a motor vehicle without having been issued a
13 valid driver license, or while the driving privilege
14 and driver license is under suspension, revocation,
15 denial or cancellation, ~~or~~

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

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

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

22 1. Designate the traffic charge;

23 2. Record information from the arrested person's driver license
24 on the citation form, including the name, address, date of birth,

1 personal description, type of driver license, driver license number,
2 issuing state, and expiration date;

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

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

7 5. Permit the arrested person to sign a written promise to
8 contact, pay, or appear at the court, as provided for in the
9 citation.

10 The arresting officer shall then release the person upon personal
11 recognizance based upon the signed promise to appear. The citation
12 shall contain a written notice to the arrested person that release
13 upon personal recognizance based upon a signed written promise to
14 appear for arraignment is conditional and that failure to timely
15 appear for arraignment shall result in the suspension of the
16 arrested person's driving privilege and driver license in this
17 state, or in the nonresident's home state pursuant to the
18 Nonresident Violator Compact.

19 C. The court, or the court clerk as directed by the court, may
20 continue or reschedule the date and time of arraignment upon request
21 of the arrested person or the attorney for that person. If the
22 arraignment is continued or rescheduled, the arrested person shall
23 remain on personal recognizance and written promise to appear until
24 such arraignment, in the same manner and with the same consequences

1 as if the continued or rescheduled arraignment was entered on the
2 citation by the arresting officer and signed by the defendant. An
3 arraignment may be continued or rescheduled more than one time.
4 Provided, however, the court shall require an arraignment to be had
5 within a reasonable time. It shall remain the duty of the defendant
6 to appear for arraignment unless the citation is satisfied as
7 provided for in subsection D of this section.

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

24

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

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 and 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 signing a
17 written promise to appear for arraignment as provided
18 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 defendant's driving
5 privilege and driver license to operate a motor vehicle in this
6 state, or notify the defendant's home state and request suspension
7 of the defendant's driving privilege and driver license in
8 accordance with the provisions of the Nonresident Violator Compact.
9 Such notice and request shall be on a form approved or furnished by
10 ~~the Department of Public Safety~~ Service Oklahoma.

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

- 14 a. the defendant was arraigned, posted bail, paid a fine,
15 was jailed, or otherwise settled the case, ~~or~~
- 16 b. the defendant was not released upon personal
17 recognizance upon a signed written promise to appear
18 as provided for in this section or if released, was
19 not permitted to remain on such personal recognizance
20 for arraignment, ~~or~~
- 21 c. the violation relates to parking or standing, or
- 22 d. a period of one hundred twenty (120) calendar days or
23 more has elapsed from the date the citation was issued
24 by the arresting officer.

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

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

1 subsection shall in no event create any civil liability upon the
2 court, the court clerk, the State of Oklahoma or any political
3 subdivision thereof, or any state department or agency or any
4 employee thereof but duplicate proof shall be furnished to the
5 person entitled thereto upon request.

6 SECTION 5. AMENDATORY 22 O.S. 2021, Section 1115.1A, is
7 amended to read as follows:

8 Section 1115.1A. A. In addition to other provisions of law for
9 posting bail, any person, whether a resident of this state or a
10 nonresident, who is arrested by a law enforcement officer solely for
11 a misdemeanor violation of a state traffic law or municipal traffic
12 ordinance, shall be released by the arresting officer upon personal
13 recognizance if:

14 1. The arrested person has been issued a valid license to
15 operate a motor vehicle by this state, another state jurisdiction
16 within the United States, which is a participant in the Nonresident
17 Violator Compact or any party jurisdiction of the Nonresident
18 Violator Compact;

19 2. The arresting officer is satisfied as to the identity of the
20 arrested person and certifies the date and time and the location of
21 the violation, as evidenced by the electronic signature of the
22 officer;

23 3. The arrested person acknowledges, as evidenced by the
24 electronic signature of the person, a written promise to appear as

1 provided for on the citation, unless the person is unconscious or
2 injured and requires immediate medical treatment as determined by a
3 treating physician; and

4 4. The violation does not constitute:

5 a. a felony,

6 b. negligent homicide,

7 c. driving or being in actual physical control of a motor
8 vehicle while impaired or under the influence of
9 alcohol or other intoxicating substances, unless the
10 person is unconscious or injured and requires
11 immediate medical treatment as determined by a
12 treating physician,

13 d. eluding or attempting to elude a law enforcement
14 officer,

15 e. operating a motor vehicle without having been issued a
16 valid driver license or while the driving privilege
17 and driver license is under suspension, revocation,
18 denial or cancellation,

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

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

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

- 1 1. Designate the traffic charge;
- 2 2. Record information from the driver license of the arrested
- 3 person on the citation form, including the name, address, date of
- 4 birth, physical description, type of driver license, driver license
- 5 number, issuing state, and expiration date;
- 6 3. Record the motor vehicle make, model and tag information;
- 7 4. Record the date and time on which, or before which, the
- 8 arrested person promises, as evidenced by the electronic signature
- 9 of the person, to contact, pay, or appear at the court, as
- 10 applicable to the court;
- 11 5. Record the electronic signature of the arrested person which
- 12 shall serve as evidence and acknowledgment of a promise to contact,
- 13 pay, or appear at the court, as provided for in the citation; and
- 14 6. Record the electronic signature of the arrested person which
- 15 shall serve as evidence to certify the date and time and the
- 16 location that the arrested person was served with a copy of the
- 17 citation and notice to appear,
- 18 after which, the arresting officer shall then release the person
- 19 upon personal recognizance based upon the acknowledged promise to
- 20 appear. The citation shall contain a written notice to the arrested
- 21 person that release upon personal recognizance based upon an
- 22 acknowledged promise to appear, as evidenced by the electronic
- 23 signature of the person, for arraignment is conditional and that
- 24 failure to timely appear for arraignment shall result in the

1 suspension of the driving privilege and driver license of the
2 arrested person in this state, or in the home state of the
3 nonresident pursuant to the Nonresident Violator Compact.

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

18 D. A defendant released upon personal recognizance may elect to
19 enter a plea of guilty or nolo contendere to the violation charged
20 at any time before the defendant is required to appear for
21 arraignment by indicating such plea on the copy of the citation
22 furnished to the defendant or on a legible copy, together with the
23 date of the plea and signature of the defendant, or such plea may be
24 entered by the defendant using an electronic method provided by the

1 court for such purposes, either through the website of the court or
2 otherwise. The defendant shall be responsible for assuring full
3 payment of the fine and costs to the appropriate court clerk.
4 Payment of the fine and costs may be made by personal, cashier's,
5 traveler's, certified or guaranteed bank check, postal or commercial
6 money order, or other form of payment approved by the court in an
7 amount prescribed as bail for the offense. Provided, however, the
8 defendant shall not use currency for payment by mail. Payment of
9 the fine and costs which is not accompanied by a written plea of
10 guilty or nolo contendere shall constitute a plea of nolo contendere
11 entered by the defendant as allowed by law, and shall function as a
12 written, dated and signed citation form acceptable to the court. A
13 plea of guilty or nolo contendere as provided for in this subsection
14 shall be accepted by the court and the amount of the fine and costs
15 shall be:

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

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

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

22 E. 1. If, pursuant to the provisions of subsection D of this
23 section, the defendant does not timely elect to enter a plea of
24 guilty or nolo contendere and fails to timely appear for

1 arraignment, the court may issue a warrant for the arrest of the
2 defendant. The municipal or district court clerk, within one
3 hundred twenty (120) calendar days from the date the citation was
4 issued by the arresting officer, shall notify ~~the Department of~~
5 ~~Public Safety~~ Service Oklahoma that:

- 6 a. the defendant was issued a traffic citation and
7 released upon personal recognizance after
8 acknowledging a written promise to appear for
9 arraignment as provided for in the citation,
- 10 b. the defendant has failed to appear for arraignment
11 without good cause shown,
- 12 c. the defendant has not posted bail, paid a fine, or
13 made any other arrangement with the court to satisfy
14 the citation, and
- 15 d. the citation has not been satisfied as provided by
16 law.

17 Additionally, the court clerk shall request ~~the Department of Public~~
18 ~~Safety~~ Service Oklahoma to either suspend the driving privilege and
19 driver license of the defendant to operate a motor vehicle in this
20 state, or notify the home state of the defendant and request
21 suspension of the driving privilege and driver license of the
22 defendant in accordance with the provisions of the Nonresident
23 Violator Compact. The notice and request shall be on a form
24

1 approved or furnished by ~~the Department of Public Safety~~ Service
2 Oklahoma.

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

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

8 b. the defendant was not released upon personal
9 recognizance upon an acknowledged written promise to
10 appear as provided for in this section or if released,
11 was not permitted to remain on such personal
12 recognizance for arraignment,

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

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

17 F. Following receipt of the notice and request from the court
18 clerk for driving privilege and driver license suspension as
19 provided for in subsection E of this section, ~~the Department of~~
20 ~~Public Safety~~ Service Oklahoma shall proceed as provided for in
21 Section 1115.5 of this title.

22 G. The municipal or district court clerk shall maintain a
23 record of each request for driving privilege and driver license
24 suspension submitted to ~~the Department of Public Safety~~ Service

1 Oklahoma pursuant to the provisions of this section. When the court
2 or court clerk receives appropriate bail or payment of the fine and
3 costs, settles the citation, makes other arrangements with the
4 defendant, or otherwise closes the case, the court clerk shall
5 furnish proof thereof to the defendant, if the defendant personally
6 appears, or shall mail such proof by first-class mail, postage
7 prepaid, to the defendant at the address noted on the citation or at
8 such other address as is furnished by the defendant or by email if
9 the defendant has furnished an email address for such purposes.
10 Additionally, the court or court clerk shall notify the home
11 jurisdiction of the defendant as listed on the citation, if such
12 jurisdiction is a member of the Nonresident Violator Compact, and
13 shall, in all other cases, notify ~~the Department~~ Service Oklahoma of
14 the resolution of the case. The form of proof and the procedures
15 for notification shall be approved by ~~the Department of Public~~
16 ~~Safety~~ Service Oklahoma. Provided however, failure by the court or
17 court clerk to furnish such proof or notice in the manner provided
18 for in this subsection shall in no event create any civil liability
19 upon the court, the court clerk, the State of Oklahoma or any
20 political subdivision thereof, or any state department or agency or
21 any employee thereof but duplicate proof shall be furnished to the
22 person entitled to such proof or notice upon request.

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

4 SECTION 6. AMENDATORY 22 O.S. 2021, Section 1115.5, is
5 amended to read as follows:

6 Section 1115.5. A. 1. Following receipt of notification and a
7 request for driving privilege suspension from a municipal or
8 district court clerk as provided for in Section 1115.1 of this title
9 or Section 1 of this act, ~~the Department of Public Safety Service~~
10 Oklahoma shall:

- 11 a. suspend the privilege of the person to operate a motor
12 vehicle in this state; or
- 13 b. request suspension of the driving privilege of the
14 person in the state which issued the license as
15 provided by the Nonresident Violator Compact.

16 A person whose license is subject to suspension pursuant to this
17 section may avoid the effective date of the suspension or, if
18 suspended, shall be eligible for reinstatement, if otherwise
19 eligible, upon meeting the requirements of subsection C of this
20 section.

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

24

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

6 B. Following receipt of a request from another jurisdiction for
7 the suspension of the driving privilege of an Oklahoma resident as
8 provided by the Nonresident Violator Compact, ~~the Department of~~
9 ~~Public Safety~~ Service Oklahoma, if the request appears to be valid,
10 shall initiate suspension of the privilege of the person to operate
11 a motor vehicle in this state. If suspended, such suspension shall
12 remain in effect until the person meets the requirements of
13 subsection C of this section.

14 C. 1. A person whose license is subject to suspension in this
15 state pursuant to the provisions of this section may avoid the
16 effective date of suspension, or if suspended in this state, shall
17 be eligible for reinstatement, if otherwise eligible, upon:

18 a. making application therefore to ~~the Department of~~
19 ~~Public Safety~~ Service Oklahoma, and

20 b. showing proof from the court or court clerk that the
21 person has entered an appearance in the case which was
22 the basis for the suspension action and was released
23 by the court as provided for by the Nonresident
24 Violator Compact or consistent provisions, and

1 c. submitting with the application the fees, as provided
2 for in Section 6-212 of Title 47 of the Oklahoma
3 Statutes. The fees shall be remitted to the State
4 Treasurer to be credited to the General Revenue Fund
5 of the State Treasury;

6 2. Upon reinstatement, ~~the Department of Public Safety Service~~
7 Oklahoma may remove any record of the suspension and reinstatement
8 as provided for in this section from the file of the individual
9 licensee and maintain an internal record of the suspension and
10 reinstatement for fiscal and other purposes.

11 D. Any person whose driving privilege is suspended or subject
12 to suspension in this state pursuant to the provisions of this
13 section, at any time, may informally present specific reasons or
14 documentation to ~~the Department of Public Safety Service Oklahoma~~ to
15 show that such suspension may be unwarranted. ~~The Department of~~
16 ~~Public Safety Service Oklahoma~~ may stay the suspension or suspension
17 action pending receipt of further information or documentation from
18 the person or from the jurisdiction requesting such suspension, or
19 pending review of the record, or other inquiry. If ~~the Department~~
20 ~~of Public Safety Service Oklahoma~~ determines the suspension is
21 unwarranted, the suspension action shall be withdrawn or vacated
22 without the requirement of a processing fee and a reinstatement fee
23 and ~~the Department of Public Safety Service Oklahoma~~ shall
24 accordingly notify the jurisdiction which requested the suspension.

1 If, however, the request for suspension appears valid, ~~the~~
2 ~~Department of Public Safety~~ Service Oklahoma shall proceed with
3 suspension of the driving privilege of the person and the person
4 shall have the right to appeal as provided for by Section 6-211 of
5 Title 47 of the Oklahoma Statutes. Provided, however, the court
6 shall not consider modification, but shall either sustain or vacate
7 the order of suspension of ~~the Department of Public Safety~~ Service
8 Oklahoma based upon the records on file with ~~the Department of~~
9 ~~Public Safety~~ Service Oklahoma, the law and other relevant evidence.

10 SECTION 7. AMENDATORY 42 O.S. 2021, Section 90, is
11 amended to read as follows:

12 Section 90. A person or persons charging a fee for the
13 preparation or assistance in preparation of notices required by
14 Chapter 2 of Title 42 of the Oklahoma Statutes, other than a person
15 licensed under Title 5 of the Oklahoma Statutes, shall register with
16 and submit a fifty-dollar annual fee to ~~the Oklahoma Tax Commission~~
17 Service Oklahoma; provided, however, such requirements shall not
18 apply to a lawful possessor or employee of a lawful possessor of the
19 property for which such notices are issued. All documentation
20 related to notices prepared by a person required to register
21 pursuant to this section shall include the name of the person. A
22 penalty of One Hundred Dollars (\$100.00) shall be imposed upon a
23 person who prepares or assists in the preparation of notices in
24 violation of the requirements of this section. ~~The Oklahoma Tax~~

1 ~~Commission~~ Service Oklahoma shall promulgate rules to effectuate the
2 requirements of this section.

3 SECTION 8. AMENDATORY 42 O.S. 2021, Section 91, as
4 amended by Section 1 of Enrolled House Bill No. 1927 of the 1st
5 Session of the 59th Oklahoma Legislature, is amended to read as
6 follows:

7 Section 91. A. 1. a. This section applies to every vehicle,
8 all-terrain vehicle, utility vehicle, manufactured
9 home, motorcycle, boat, outboard motor, or trailer
10 that has a certificate of title issued by the ~~Oklahoma~~
11 ~~Tax Commission~~ Service Oklahoma or by a federally
12 recognized Indian tribe in the State of Oklahoma,
13 except as otherwise provided in subsection D of this
14 section. This section does not apply to farm
15 equipment as defined in Section 91.2 of this title.
16 The items of personal property to which this section
17 applies are collectively referred to as "Section 91
18 Personal Property". If personal property is
19 apparently covered both by this section and by
20 Sections 191 through 200 of this title, the procedures
21 set out in this section shall apply instead of
22 Sections 191 through 200 of this title.

23 b. Salvage pools as defined in Section 591.2 of Title 47
24 of the Oklahoma Statutes and class AA licensed wrecker

1 services taking possession of a vehicle pursuant to an
2 agreement with or at the direction of, or dispatched
3 by, a state or local law enforcement or government
4 agency, or pursuant to the abandoned vehicle renewal
5 provisions of Section 954A of Title 47 of the Oklahoma
6 Statutes, shall not be subject to the provisions of
7 this section, but shall be subject to the provisions
8 of Section 91A of this title. Unless otherwise
9 provided by this subparagraph, class AA licensed
10 wrecker services performing consensual tows shall be
11 subject to the provisions of this section.

12 2. Any person who, while lawfully in possession of an article
13 of Section 91 Personal Property, renders any service to the owner
14 thereof by furnishing storage, rental space, material, labor or
15 skill for the protection, improvement, safekeeping, towing, right to
16 occupy space, storage or carriage thereof, has a special lien
17 thereon, dependent on possession, for the compensation, if any,
18 which is due to such person from the owner for such service.

19 3. This special lien shall be subordinate to any perfected
20 security interest unless the claimant complies with the requirements
21 of this section. Failure to comply with any requirements of this
22 section shall result in denial of any title application and cause
23 the special lien to be subordinate to any perfected lien. Upon such
24 denial, the applicant shall be entitled to one resubmission of the

1 title application within fifteen (15) business days of receipt of
2 the denial, and proceed to comply with the requirements of this
3 section. In the event of a denial, the Notice of Possessory Lien
4 and the Notice of Sale may be mailed on the same day in separate
5 envelopes and storage charges shall only be charged from the date of
6 resubmission; however, before a Notice of Sale is to be mailed, the
7 personal property must have been possessed by the possessory lien
8 claimant for at least twenty-one (21) days. Furthermore, if the
9 denial was due to error by the party submitting the title
10 application, then no additional fee for the resubmission shall be
11 charged to the property owner. "Failure to comply" includes, but is
12 not limited to:

- 13 a. failure to timely provide additional documentation
14 supporting or verifying any entry on submitted forms
15 as requested by ~~the Tax Commission~~ Service Oklahoma,
16 including but not limited to United States Postal
17 Service proof of return receipt requested such as Form
18 3811 or United States Postal Service electronic
19 equivalent,
- 20 b. failure to provide the documentation supporting lawful
21 possession as defined in paragraph 3 of subsection H
22 of this section,

23
24

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

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

- a. a statement that the notice is a Notice of Possessory 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
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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 9. AMENDATORY 42 O.S. 2021, Section 91A, as
13 amended by Section 2 of Enrolled House Bill No. 1927 of the 1st
14 Session of the 59th Oklahoma Legislature, is amended to read as
15 follows:

16 Section 91A. A. 1. a. This section applies to all types of
17 personal property other than:

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

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

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

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. In the event of a denial, the Notice of
5 Possessory Lien and the Notice of Sale may be mailed
6 on the same day in separate envelopes and storage
7 charges shall only be charged from the date of
8 resubmission; however, before a Notice of Sale is to
9 be mailed, the personal property must have been
10 possessed by the possessory lien claimant for at least
11 twenty-one (21) days. Furthermore, if the denial was
12 due to error by the party submitting the title
13 application, then no additional fee for the
14 resubmission shall be charged to the property owner.
15 "Failure to comply" includes, but is not limited to:
16 (1) failure to timely provide additional
17 documentation supporting or verifying any entry
18 on submitted forms as requested by ~~the Tax~~
19 ~~Commission~~ Service Oklahoma,
20 (2) failure to provide the documentation supporting
21 lawful possession as outlined in paragraph 3 of
22 subsection H of this section,
23
24

- 1 (3) claimant being other than the individual who
2 provided the service giving rise to the special
3 lien, as in subparagraph a of this paragraph,
4 (4) claimant not being in possession of the vehicle,
5 or
6 (5) notification and proceedings not accomplished in
7 accordance with subparagraph c of this paragraph,
8 and paragraph 3 of this subsection.

9 c. Any person claiming a lien under this section shall
10 request, within five (5) business days of performing
11 any service or work on the property, ~~the Tax~~
12 ~~Commission~~ Service Oklahoma or ~~other~~ another
13 appropriate license agency to furnish the name and
14 address of the current owner of and any lienholder
15 upon the property. ~~The Motor Vehicle Division of the~~
16 ~~Tax Commission~~ Service Oklahoma or an appropriate
17 license agency shall respond in person or by mail to
18 the lien claimant within ten (10) business days of the
19 receipt of the request for information. ~~The Tax~~
20 ~~Commission~~ Service Oklahoma shall render assistance to
21 ascertain ownership, if needed. The lien claimant
22 shall send, within seven (7) business days of receipt
23 of the requested information from ~~the Oklahoma Tax~~
24 ~~Commission~~ Service Oklahoma or ~~other~~ another license

1 agency, a notice of the location of the property by
2 certified mail with return receipt requested, postage
3 prepaid, to the owner and any lienholder of the
4 vehicle at the addresses furnished. The lien claimant
5 may charge Twenty Dollars (\$20.00) for processing plus
6 the cost of postage if the notice is timely sent
7 pursuant to the requirements of this subparagraph in
8 addition to fees regulated by the Oklahoma Corporation
9 Commission for licensed wreckers. If the lien
10 claimant is unable to meet the time requirements due
11 to a lack of or an altered vehicle identification
12 number on the property, the lien claimant shall
13 proceed diligently to obtain the proper vehicle
14 identification number and shall meet the time
15 requirements on the notice once the vehicle
16 identification number is known. If the lien claimant
17 is required to send additional notices because of
18 change of ownership or lienholder after it has timely
19 complied with the requirements of this subparagraph,
20 the lien claimant shall remain in compliance if such
21 additional notices are sent within the required time
22 periods from the date of discovery of the new owners
23 or lienholders. The notice shall be in writing and
24 shall contain, but not be limited to, the following:

- 1 (1) a statement that the notice is a Notice of
2 Possessory Lien,
- 3 (2) the complete legal name, physical and mailing
4 address, and telephone number of the claimant,
- 5 (3) the complete legal name, physical and mailing
6 address of the person who requested that the
7 claimant render service to the owner by
8 furnishing material, labor or skill, storage, or
9 rental space, or the date the property was
10 abandoned if the claimant did not render any
11 other service,
- 12 (4) a description of the article of personal
13 property, and the complete physical and mailing
14 address of the location of the article of
15 personal property,
- 16 (5) the nature of the work, labor or service
17 performed, material furnished, or the storage or
18 rental arrangement, and the date thereof, and
19 written proof of authority to perform the work,
20 labor or service provided that, in the case of a
21 law enforcement directed tow, the logbook entry
22 prescribed in OAC 595:25-5-5 or the tow ticket as
23 defined by the Corporation Commission shall serve
24 as written proof of authority,

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

9 (7) an itemized statement describing the date or
10 dates the labor or services were performed and
11 material furnished and the charges claimed for
12 each item, the totals of which shall equal the
13 total compensation claimed.

14 The lien claimant shall not be required to send the
15 notice required in this subparagraph if the property
16 is released to an interested party before the notice
17 is mailed and no additional charges or fees continue
18 to accrue. If a law enforcement agency has the
19 property towed to a law enforcement facility, the
20 person claiming a lien under this section shall not be
21 required to send notice until the property is released
22 by law enforcement to the claimant or the date which
23 claimant starts charging storage, whichever is
24 earlier. A lien claimant shall have an extension of

1 ten (10) business days to send the notice required in
2 this subparagraph if a state of emergency has been
3 declared in the county in which the property is
4 located.

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

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

11 a. the names of the owner and any other known party or
12 parties who may claim any interest in the property,

13 b. a description of the property to be sold, including a
14 visual inspection or a photograph if the property is a
15 motor vehicle, and the physical location of the
16 property,

17 c. the nature of the work, labor or service performed,
18 material furnished, or the storage or rental
19 arrangement, and the date thereof, and written proof
20 of authority to perform the work, labor or service
21 provided. In the case of a law enforcement directed
22 tow, the logbook entry prescribed in OAC 595:25-5-5 or
23 the tow ticket as defined by the Corporation
24 Commission, shall serve as written proof of authority,

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

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

1 b. In the case of any item of personal property without a
2 certificate of title and not required to be titled
3 under Oklahoma law, a party who claims any interest in
4 the property shall include all owners of the property;
5 any secured party who has an active financing
6 statement on file with the county clerk of Oklahoma
7 County listing one or more owners of the property by
8 legal name as debtors and indicating a collateral
9 description that would include the property; and any
10 other person having any interest in the personal
11 property, of whom the claimant has actual notice.

12 c. In the case of personal property subject to this
13 section for which a certificate of title has been
14 issued by any jurisdiction, a party who claims any
15 interest in the property shall include all owners of
16 the article of personal property as indicated by the
17 certificate of title; lien debtors, if any, other than
18 the owners; any lienholder whose lien is noted on the
19 face of the certificate of title; and any other person
20 having any interest in the article of personal
21 property, of whom the claimant has actual notice.

22 d. When the jurisdiction of titling for a vehicle, all-
23 terrain vehicle, motorcycle, boat, outboard motor, or
24 trailer that is five (5) model years old or newer, or

1 a manufactured home that is fifteen (15) model years
2 old or newer, cannot be determined by ordinary means,
3 the claimant, the agent of the claimant, or the
4 attorney of the claimant, shall request, in writing,
5 that ~~the Oklahoma Tax Commission Motor Vehicle~~
6 ~~Division~~ Service Oklahoma ascertain the jurisdiction
7 where the vehicle or manufactured home is titled. ~~The~~
8 ~~Oklahoma Tax Commission Motor Vehicle Division~~ Service
9 Oklahoma shall, within fourteen (14) days from the
10 date the request is received, provide information as
11 to the jurisdiction where the personal property is
12 titled. If ~~the Oklahoma Tax Commission Motor Vehicle~~
13 ~~Division~~ Service Oklahoma is unable to provide the
14 information, it shall provide notice that the record
15 is not available.

16 e. When personal property is of a type that Oklahoma law
17 requires to be titled, the owner of record of that
18 property is unknown, and the jurisdiction of titling
19 and owner of record cannot be determined by ordinary
20 means and also, if applicable, cannot be determined in
21 accordance with the preceding subparagraph, then the
22 special lien may be foreclosed by publication of a
23 legal notice in a legal newspaper in the county where
24 the personal property is located, as defined in

1 Section 106 of Title 25 of the Oklahoma Statutes.
2 Such notice shall include the description of the
3 property by year, make, vehicle identification number
4 if available from the property, the name of the
5 individual who may be contacted for information, and
6 the telephone number of that person or the address
7 where the vehicle is located. The legal notice shall
8 be published once per week for three (3) consecutive
9 weeks. As soon as circumstances exist as described in
10 the first sentence of this subparagraph, the first
11 date of publication may occur even if the special lien
12 has not accrued for over thirty (30) days. The first
13 date available for public sale of the vehicle is the
14 day following publication of the final notice, but no
15 fewer than thirty (30) days after the lien has
16 accrued. When the owner of record is unknown, the
17 Notice of Sale nevertheless must be completed and
18 mailed to any known interested party by certified
19 mail. For purposes of this paragraph, interested
20 parties shall include all persons described in
21 subparagraph b or subparagraph c of this paragraph,
22 whichever is applicable, with the exception of any
23 owner who is unknown. Except in circumstances
24 described in paragraph 7 of this subsection that

1 provide for a shorter time period, the Notice of Sale
2 shall be posted in two public places in the county
3 where the property is to be sold at least ten (10)
4 days before the time therein specified for such sale,
5 and the Notice of Sale shall not be mailed until at
6 least thirty (30) days after the lien has accrued.

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

9 6. Proceedings for foreclosure under this act shall commence in
10 twenty (20) days after the lien has accrued, except as provided
11 elsewhere in Oklahoma law.

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

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 or in relation to which the
3 service was 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 acknowledgment of receipt of a notice that
8 the article may be subject to repossession. The notice and
9 acknowledgment 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. This section applies if a vehicle, all-terrain 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 Oklahoma, but there is
16 no active lien recorded on the certificate of title.

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

23 3. This section applies if personal property to which Section
24 91 of this title otherwise would apply has been registered by ~~the~~

1 ~~Tax Commission~~ Service Oklahoma or by a federally recognized Indian
2 tribe in the State of Oklahoma, and there is a lien of record but no
3 certificate of title has been issued.

4 4. This section applies if personal property to which Section
5 91 of this title otherwise would apply has not been registered by
6 either ~~the Tax Commission~~ Service Oklahoma or a federally recognized
7 Indian tribe in the State of Oklahoma, and no certificate of title
8 has been issued, but there is a lien of record.

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

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

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

22 8. This section applies to salvage pools as defined in Section
23 591.2 of Title 47 of the Oklahoma Statutes.

24

1 9. This section applies to ~~class~~ Class AA licensed wrecker
2 services taking possession of a vehicle pursuant to an agreement
3 with, or at the direction of, or dispatched by a state or local law
4 enforcement or government agency, or pursuant to the abandoned
5 vehicle removal provisions of Section 954A of Title 47 of the
6 Oklahoma Statutes with respect to all types of personal property,
7 regardless of whether that personal property has a certificate of
8 title.

9 10. For a vehicle abandoned at a salvage pool, if the cost of
10 repairing the vehicle for safe operation on the highway does not
11 exceed sixty percent (60%) of the fair market value of the vehicle
12 as defined in Section 1111 of Title 47 of the Oklahoma Statutes, a
13 salvage title shall not be required.

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

22 F. Upon receipt of notice of legal proceedings, ~~the Tax~~
23 ~~Commission~~ Service Oklahoma shall cause the sale process to be put
24 on hold until notice of resolution of court proceedings is received

1 from the court. If such notice of commencement of court proceedings
2 is not filed with ~~the Tax Commission~~ Service Oklahoma, the
3 possessory lien sale process may continue.

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

5 H. For purposes of this section:

6 1. "Possession" includes actual possession and constructive
7 possession;

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

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

18 Class AA wrecker services taking possession of a vehicle
19 pursuant to an agreement with, or at the direction of, or dispatched
20 by, a state or local law enforcement or government agency, or
21 pursuant to the abandoned vehicle removal provisions of Section 954A
22 of Title 47 of the Oklahoma Statutes, shall be considered lawfully
23 in possession of the vehicle. If the person lacks such
24

1 documentation, the procedures established by this section shall not
2 apply; and

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

7 I. For purposes of this section, the United States Postal
8 Service approved electronic equivalent of proof of return receipt
9 requested Form 3811 shall satisfy return receipt requested
10 documentation requirements.

11 J. If a person claiming a special lien pursuant to this section
12 fails to comply with any of the requirements of this section, any
13 interested party may proceed against the person claiming such lien
14 for all damages arising therefrom, including conversion, if the
15 article of personal property has been sold. If the notice or
16 notices required by this section shall be shown to be knowingly
17 false or fraudulent, the interested party shall be entitled to
18 treble damages. The prevailing party shall be entitled to all
19 costs, including reasonable attorney fees.

20 K. Any interested party shall be permitted to visually inspect
21 and verify the services rendered by the claimant prior to the sale
22 of the article of property during normal business hours. If the
23 claimant fails to allow any interested party to inspect the
24 property, the interested party shall mail a request for inspection

1 by certified mail, return receipt requested, to the claimant.
2 Within three (3) business days of receipt of the request for
3 inspection, the claimant shall mail a photograph of the property, by
4 certified mail, return receipt requested, and a date of inspection
5 within five (5) business days from the date of the notice to
6 inspect. The lienholder shall be allowed to retrieve the property
7 without being required to bring the title into the lienholder's
8 name, if the lienholder provides proof it is a lienholder and any
9 payment due the claimant for lawful charges where the claimant has
10 complied with this section. Upon the release of personal property
11 to an insurer or representative of the insurer, wrecker operators
12 shall be exempt from all liability and shall be held harmless for
13 any losses or claims of loss. In the event any law enforcement
14 agency places a hold on the property, the party wanting to inspect
15 or photograph the property shall obtain permission from the law
16 enforcement agency that placed the hold on the property before
17 inspecting or photographing.

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

20 SECTION 10. AMENDATORY 47 O.S. 2021, Section 2-106, as
21 amended by Section 28, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
22 Section 2-106), is amended to read as follows:

23 Section 2-106. A. There are hereby established in Service
24 Oklahoma the Driver License Services Division and other such

1 divisions as the Executive Director of Service Oklahoma may direct.
2 There are also hereby established in the Department of Public Safety
3 the Driver Compliance Division and such other divisions as the
4 Commissioner of Public Safety may direct.

5 B. The Driver License Services Division shall consist of
6 noncommissioned classified employees of Service Oklahoma who may
7 administer tests for the purpose of issuing driver licenses pursuant
8 to Section 6-101 et seq. of this title.

9 C. Any employee appointed to the position of Driver License
10 Examiner shall be not less than twenty-one (21) nor more than sixty-
11 five (65) years of age and any person appointed to the position of
12 Senior Driver License Examiner shall have held the position of
13 Driver License Examiner with the Department or Service Oklahoma for
14 not less than three (3) years immediately preceding such
15 appointment.

16 D. 1. Any person appointed to any position created pursuant to
17 this section shall:

- 18 a. be a citizen of ~~the State of Oklahoma~~ this state,
- 19 b. be of good moral character,
- 20 c. possess a high school diploma or General Educational
21 Development equivalency certificate, and
- 22 d. meet physical and mental standards as the Executive
23 Director of Service Oklahoma may prescribe. The scope
24 of the physical and mental examinations for persons

1 appointed as a Driver License Examiner or Senior
2 Driver License Examiner shall be as prescribed by the
3 Executive Director of Service Oklahoma.

4 2. Any person appointed to the position of Driver License
5 Examiner shall be required to satisfactorily complete ~~satisfactorily~~
6 a course of training as prescribed by the Executive Director of
7 Service Oklahoma.

8 E. Drunkenness, being under the influence of an intoxicating
9 substance or any conduct not becoming an officer or public employee
10 shall be sufficient grounds for the removal of any employee
11 appointed pursuant to this section.

12 F. The annual salaries of personnel comprising this section
13 shall be in accordance and conformity with the findings for
14 Department of Public Safety law enforcement personnel of the State
15 of Oklahoma Total Remuneration Study of 2013.

16 SECTION 11. AMENDATORY 47 O.S. 2021, Section 2-108.3, as
17 amended by Section 29, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
18 Section 2-108.3), is amended to read as follows:

19 Section 2-108.3. A. In an effort to improve the public safety
20 of all citizens of this state, a more uniform and expeditious method
21 of obtaining ownership and registration information of all motor
22 vehicles operating on the roads and highways of this state is
23 required. Any method developed shall be conducted in accordance
24 with subsection B of this section.

1 B. In addition to the powers and duties prescribed by law, the
2 Executive Director of Service Oklahoma shall be authorized to direct
3 Service Oklahoma to develop a proposal for an intergovernmental
4 cooperative agreement pursuant to paragraph 1 of subsection D of
5 Section 1221 of Title 74 of the Oklahoma Statutes between Service
6 Oklahoma and all tribal governments that issue tribal license plates
7 and maintain ownership and registration information.

8 SECTION 12. AMENDATORY Section 1, Chapter 282, O.S.L.
9 2022 (47 O.S. Supp. 2022, Section 3-101), is amended to read as
10 follows:

11 Section 3-101. A. ~~Service Oklahoma, a division of the Office~~
12 ~~of Management and Enterprise Services,~~ is hereby created, which
13 shall consist of the Executive Director of Service Oklahoma and such
14 divisions, sections, committees, offices, boards, and positions as
15 may be established by the Executive Director of Service Oklahoma or
16 by law.

17 The applicable powers, duties, and responsibilities exercised by
18 the Driver License Services Division of the Department of Public
19 Safety shall be fully transferred to Service Oklahoma on November 1,
20 2022. All employees of the Department of Public Safety whose duties
21 are transferred under this act shall be transferred to Service
22 Oklahoma.

23 The applicable powers, duties, and responsibilities exercised by
24 the Motor Services Division of the Oklahoma Tax Commission shall be

1 fully transferred to Service Oklahoma on January 1, 2023. All
2 employees of the Oklahoma Tax Commission whose duties are
3 transferred under this act shall be transferred to Service Oklahoma.

4 B. 1. Beginning on the effective date of this act, Service
5 Oklahoma shall cease to be part of or a division of the Office of
6 Management and Enterprise Services and shall be deemed to be a
7 separate and distinct agency, to be known as Service Oklahoma.
8 Service Oklahoma and the Executive Director of Service Oklahoma
9 shall continue to exercise their statutory powers, duties, and
10 contractual responsibilities. All records, property, equipment,
11 assets, monies, financial interests, liabilities, matters pending,
12 and funds of the division shall be transferred to Service Oklahoma.

13 2. Service Oklahoma shall succeed to any contractual rights or
14 responsibilities incurred by the Office of Management and Enterprise
15 Services pertaining to licensed operators.

16 3. Rules promulgated by the Office of Management and Enterprise
17 Services pertaining to Service Oklahoma that are in effect on the
18 effective date of this act shall be immediately adopted and enforced
19 by the Executive Director of Service Oklahoma. The Executive
20 Director maintains the authority to further promulgate and enforce
21 rules.

22 4. The Office of Management and Enterprise Services and Service
23 Oklahoma may enter into an agreement for the transfer of personnel
24 from the Office of Management and Enterprise Services to Service

1 Oklahoma. No employee shall be transferred to Service Oklahoma
2 except on the freely given written consent of the employee. All
3 employees who are transferred to Service Oklahoma shall not be
4 required to accept a lesser grade or salary than presently received.
5 All employees shall retain leave, sick, and annual time earned, and
6 any retirement and longevity benefits which have accrued during
7 their tenure with the Office of Management and Enterprise Services.
8 The transfer of personnel between the state agencies shall be
9 coordinated with the Office of Management and Enterprise Services.

10 5. The expenses incurred by Service Oklahoma as a result of the
11 transfer required by this subsection shall be paid by Service
12 Oklahoma.

13 6. The division within the Department known as Service Oklahoma
14 shall be abolished by the Office of Management and Enterprise
15 Services after the transfer has been completed.

16 7. The Office of Management and Enterprise Services shall
17 coordinate the transfer of records, property, equipment, assets,
18 funds, allotments, purchase orders, liabilities, outstanding
19 financial obligations, or encumbrances provided for in this
20 subsection.

21 SECTION 13. AMENDATORY Section 2, Chapter 282, O.S.L.
22 2022 (47 O.S. Supp. 2022, Section 3-102), is amended to read as
23 follows:

24 Section 3-102. As used in this act:

1 1. "Board" shall mean the Service Oklahoma Operator Board;

2 2. "Committee" shall mean the Licensed Operator Advisory
3 Committee;

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

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

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

12 6. "Licensed operator" shall mean an individual who obtains a
13 license from the Service Oklahoma Operator Board to operate a
14 designated Service Oklahoma location and offers third-party
15 fulfillment of designated services to be rendered by Service
16 Oklahoma, as set forth in Section 1140 et seq. of ~~Title 47 of the~~
17 ~~Oklahoma Statutes~~ this title. Any reference to motor license agent
18 in the Oklahoma Statutes shall mean licensed operator; and

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

1 SECTION 14. AMENDATORY Section 3, Chapter 282, O.S.L.
2 2022 (47 O.S. Supp. 2022, Section 3-103), is amended to read as
3 follows:

4 Section 3-103. A. The Executive Director of Service Oklahoma
5 shall be appointed by the Governor with the advice and consent of
6 the Senate. The Executive Director shall serve at the pleasure of
7 the Governor and may be removed or replaced without cause.

8 Compensation for the Executive Director shall be determined pursuant
9 to Section 3601.2 of Title 74 of the Oklahoma Statutes. The
10 Executive Director may be removed from office by a two-thirds (2/3)
11 vote of the members elected to and constituting each chamber of the
12 Oklahoma Legislature.

13 B. The Executive Director of Service Oklahoma shall be the
14 chief executive officer of Service Oklahoma and shall act for
15 Service Oklahoma in all matters except as may be otherwise provided
16 by law. The powers and duties of the Executive Director shall
17 include, but not be limited to:

- 18 1. Organize Service Oklahoma in a manner to efficiently achieve
19 the objectives of Service Oklahoma;
- 20 2. Supervise all activities of Service Oklahoma;
- 21 3. Administer programs and policies of Service Oklahoma;
- 22 4. Employ, discharge, appoint, contract, and fix duties and
23 compensation of employees at the discretion of the Executive
24 Director;

1 5. Appoint assistants, deputies, officers, investigators,
2 attorneys, and other employees as may be necessary to carry out
3 functions of Service Oklahoma;

4 6. Prescribe rules and regulations for the operation of Service
5 Oklahoma;

6 7. Provide input and recommendations to the Service Oklahoma
7 Operator Board on all matters including branding and physical
8 standardization requirements, customer service metrics, analysis,
9 and improvement processes for licensed operators, and processes for
10 termination of licensed operators for failure to comply with the
11 customer service metrics;

12 8. Establish internal policies and procedures;

13 9. Prescribe and provide suitable forms deemed necessary to
14 carry out the functions of Service Oklahoma and any other laws the
15 enforcement and administration of which are vested in Service
16 Oklahoma;

17 10. Establish such divisions, sections, committees, advisory
18 committees, offices, and positions in Service Oklahoma as the
19 Executive Director deems necessary to carry out the functions of
20 Service Oklahoma;

21 11. Accept and disburse grants, allotments, gifts, devises,
22 bequests, funds, appropriations, and other property made or offered
23 to Service Oklahoma; and
24

1 12. Create the budget for Service Oklahoma to be submitted to
2 the Legislature each year.

3 C. The salary and other expenses for the Executive Director
4 shall be budgeted as a separate line item through ~~the Office of~~
5 ~~Management and Enterprise Services~~ Service Oklahoma. The operating
6 expenses of Service Oklahoma shall be set by the Executive Director
7 and shall be budgeted as a separate line item through ~~the Office of~~
8 ~~Management and Enterprise Services~~ Service Oklahoma.

9 D. 1. The Executive Director of Service Oklahoma shall direct
10 all purchases, hiring, procurement, and budget for Service Oklahoma
11 ~~of the Office of Management and Enterprise Services~~ and establish,
12 implement, and enforce policies and procedures related thereto,
13 consistent with the Oklahoma Central Purchasing Act. Service
14 Oklahoma and the Executive Director shall be subject to the
15 requirements of the Public Competitive Bidding Act of 1974, the
16 Oklahoma Lighting Energy Conservation Act, and the Public ~~Building~~
17 ~~Construction and Planning~~ Facilities Act.

18 2. The Executive Director of Service Oklahoma, or any employee
19 or agent of the Executive Director of Service Oklahoma acting within
20 the scope of delegated authority, shall have the same power and
21 authority related to purchases, hiring, procurement, and budget for
22 Service Oklahoma as outlined in paragraph 1 of this subsection for
23 Service Oklahoma as the State Purchasing Director has for all
24 acquisitions used or consumed by state agencies as established in

1 the Oklahoma Central Purchasing Act. Such authority shall,
2 consistent with the authority granted to the State Purchasing
3 Director ~~pursuant to Section 85.10 of Title 74 of the Oklahoma~~
4 ~~Statutes~~, include the power to designate financial or proprietary
5 information submitted by a bidder confidential and reject all
6 requests to disclose the information so designated, if the Executive
7 Director of Service Oklahoma requires the bidder to submit the
8 financial or proprietary information with a bid, proposal, or
9 quotation.

10 SECTION 15. AMENDATORY Section 4, Chapter 282, O.S.L.
11 2022 (47 O.S. Supp. 2022, Section 3-104), is amended to read as
12 follows:

13 Section 3-104. A. There is hereby created the Service Oklahoma
14 Operator Board, which shall be an advisory body to the Executive
15 Director of Service Oklahoma and shall consist of nine (9) members
16 who shall each serve a term of two (2) years.

17 B. The membership of the Board shall be comprised as follows:

18 1. Two members appointed by the Governor;

19 2. Two members appointed by the President Pro Tempore of the
20 ~~Oklahoma State~~ Senate;

21 3. Two members appointed by the Speaker of the ~~Oklahoma~~ House
22 of Representatives;

23 4. One member who shall be a licensed operator, currently in
24 good standing with Service Oklahoma, who operates a Service Oklahoma

1 location in a county with a population of one hundred thousand
2 (100,000) or more, according to the latest Federal Decennial Census
3 data, who shall be appointed by the President Pro Tempore of the
4 Senate;

5 5. One member who shall be a licensed operator, currently in
6 good standing with Service Oklahoma, who operates a Service Oklahoma
7 location in a county with a population of less than one hundred
8 thousand (100,000), according to the latest Federal Decennial Census
9 data, who shall be appointed by the Speaker of the House of
10 Representatives; and

11 6. One member who shall be the Executive Director of Service
12 Oklahoma or a person designated by the Executive Director.

13 C. 1. Appointments to the initial Service Oklahoma Operator
14 Board shall be made within forty-five (45) days of ~~the effective~~
15 ~~date of this act~~ May 19, 2022.

16 2. The Executive Director of Service Oklahoma shall make the
17 initial appointment to fill the position of chair of the Licensed
18 Operator Advisory Committee. This appointee shall only serve until
19 the chair of the Licensed Operator Advisory Committee is determined.

20 3. Each member shall serve at the pleasure of his or her
21 appointing authority and may be removed or replaced without cause.

22 4. Any member of the Board shall be prohibited from voting on
23 any issue in which the member has a direct financial interest.

24 D. The Board shall have the power and duty to:

- 1 1. Approve guidelines, objectives, and performance standards
2 for licensed operators;
- 3 2. Establish branding and physical standardization
4 requirements, with the input and recommendation of the Executive
5 Director of Service Oklahoma;
- 6 3. Establish customer service metrics, analysis, and
7 improvement processes for licensed operators, and processes for
8 termination of licensed operators for failure to comply with the
9 customer service metrics, with the input and recommendation of the
10 Executive Director of Service Oklahoma;
- 11 4. Make recommendations to the Executive Director of Service
12 Oklahoma on all matters related to licensed operators;
- 13 5. Assist Service Oklahoma in conducting periodic reviews
14 related to the goals, objectives, priorities, and policies related
15 to licensed operators; and
- 16 6. Establish rules and qualifications for members of the
17 Licensed Operator Advisory Committee.
- 18 E. The Board shall hold meetings as necessary at a place and
19 time to be fixed by the Board. The Board shall elect, at its first
20 meeting, one member to serve as chair and one member to serve as
21 vice-chair. At the first meeting in each calendar year, the chair
22 and vice-chair for the ensuing year shall be elected by the Board.
23 Special meetings may be called by the chair or by four members of
24 the Board by delivery of written notice to each member of the Board.

1 F. A majority of the members of the Board shall constitute a
2 quorum for the transaction of business and taking any official
3 actions. Official action of the Board shall require a favorable
4 vote by a majority of the members present.

5 G. Members of the Board shall serve without compensation but
6 shall be reimbursed for expenses incurred in the performance of
7 their duties in accordance with the provisions of the State Travel
8 Reimbursement Act.

9 H. The Board shall act in accordance with the provisions of the
10 Oklahoma Open Records Act and the Administrative Procedures Act.

11 SECTION 16. AMENDATORY Section 6, Chapter 282, O.S.L.
12 2022 (47 O.S. Supp. 2022, Section 3-106), is amended to read as
13 follows:

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

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~~ the fund are hereby appropriated and shall be
6 budgeted and expended by Service Oklahoma for the restricted
7 purposes of the monies as prescribed by law. Expenditures from ~~said~~
8 the fund shall be made upon warrants issued by the State Treasurer
9 against claims filed as prescribed by law with the Director of the
10 Office of Management and Enterprise Services for approval and
11 payment.

12 C. There is hereby created in the State Treasury a revolving
13 fund for Service Oklahoma, to be designated the "Service Oklahoma
14 Computer Imaging System Revolving Fund". The fund shall be a
15 continuing fund not subject to fiscal year limitations. All monies
16 accruing to the credit of ~~said~~ the fund are hereby appropriated and
17 shall be budgeted and expended by Service Oklahoma for the purpose
18 of implementing, developing, administering, and maintaining the
19 computer imaging system of Service Oklahoma. Expenditures from ~~said~~
20 the 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 D. There is hereby created a Petty Cash Fund for Service
2 Oklahoma. The fund shall be used by Service Oklahoma to operate
3 cash drawers as necessary. The amount of the Petty Cash Fund shall
4 be determined by the Executive Director of Service Oklahoma and the
5 Director of the Office of Management and Enterprise Services.
6 Purchases from the Petty Cash Fund shall be prohibited. The
7 Director of Office of Management and Enterprise Services shall be
8 authorized to prescribe forms, systems, and procedures for the
9 administration of the Petty Cash Fund.

10 SECTION 17. AMENDATORY Section 7, Chapter 282, O.S.L.
11 2022 (47 O.S. Supp. 2022, Section 3-107), is amended to read as
12 follows:

13 Section 3-107. A. All records of Service Oklahoma, other than
14 those declared by law to be confidential for the use of Service
15 Oklahoma, shall be open to public inspection during normal business
16 hours.

17 B. The records and files of Service Oklahoma concerning any
18 state tax law shall be considered confidential and privileged,
19 except as otherwise provided by law, and neither Service Oklahoma
20 nor any employee engaged in the administration of Service Oklahoma
21 or charged with the custody of any such records or files nor any
22 person who may have secured information from Service Oklahoma shall
23 disclose any information obtained from the records or files or from
24

1 any examination or inspection of the premises or property of any
2 person.

3 C. The Executive Director shall supervise the maintenance of
4 all records of Service Oklahoma and shall adopt rules concerning the
5 destruction and retention of records. Records of Service Oklahoma
6 shall not be subject to the provisions of:

7 1. Sections 305 through 317 of Title 67 of the Oklahoma
8 Statutes or be transferred to the custody or control of the ~~State~~
9 Archives and Records Commission;

10 2. Section 590 of Title 21 of the Oklahoma Statutes; or

11 3. The Records Management Act, Sections 201 through 215 of
12 Title 67 of the Oklahoma Statutes.

13 In carrying out the powers and duties of Service Oklahoma, the
14 Executive Director may, pursuant to an adopted rule, order
15 destruction of records deemed to no longer be of value to Service
16 Oklahoma.

17 D. 1. The Executive Director may cause any or all records kept
18 by Service Oklahoma to be photographed, microphotographed,
19 photostatted, reproduced on film, or stored on computer storage
20 medium. The film or reproducing material shall be of durable
21 material, and the device used to reproduce the records on the film
22 or reproducing material shall accurately reproduce and perpetuate
23 the original records in all detail.

24

1 2. The photostatic copy, photograph, microphotograph,
2 photographic film, or computerized image of the original record
3 shall be deemed to be an original record for all purposes and shall
4 be admissible as evidence in all courts or administrative agencies.
5 A facsimile, exemplification, or certified copy thereof shall be
6 deemed to be a transcript, exemplification, or certified copy of the
7 original.

8 3. The photostatic copies, photographs, microphotographs,
9 reproduction on film, or computerized images shall be placed in
10 conveniently accessible files and provisions shall be made for
11 preserving, examining, and using copies, photographs,
12 microphotographs, reproductions on film, and computerized images.
13 The Executive Director is empowered to authorize the disposal,
14 archival storage, or the destruction of the original records or
15 papers.

16 SECTION 18. AMENDATORY Section 8, Chapter 282, O.S.L.
17 2022 (47 O.S. Supp. 2022, Section 3-108), is amended to read as
18 follows:

19 Section 3-108. A. The Executive Director may enter into
20 interagency agreements for the inspection, release, and disclosure
21 of information contained in the records of Service Oklahoma to the
22 extent that the inspection, release, or disclosure is necessary and
23 appropriate.

24

1 B. The Executive Director may enter into interagency agreements
2 in order to administer the responsibilities pursuant to the
3 provisions of ~~this act~~ Section 3-101 et seq. of this title,
4 including, but not limited to, the receipt of proceeds for the
5 provision of services provided by Service Oklahoma.

6 C. The Executive Director may enter into interagency agreements
7 with the Department of Public Safety to assume control over the
8 operations or management and acquire ownership of any satellite
9 offices of the Department of Public Safety that provide driving
10 services.

11 SECTION 19. AMENDATORY Section 10, Chapter 282, O.S.L.
12 2022 (47 O.S. Supp. 2022, Section 3-110), is amended to read as
13 follows:

14 Section 3-110. A. Officers and employees of Service Oklahoma
15 designated by the Executive Director for the purpose of
16 administering the motor vehicle laws of this state are authorized to
17 administer oaths and acknowledge signatures and shall do so without
18 fee.

19 B. The Executive Director and such officers of Service Oklahoma
20 as the Executive Director may designate are hereby authorized to
21 prepare under the seal of Service Oklahoma and deliver upon request
22 a certified copy of any record of Service Oklahoma, charging a fee
23 of Three Dollars (\$3.00) for each record so certified, and every
24 such certified copy shall be admissible in any proceeding in any

1 court in like manner as the original thereof. A certification fee
2 shall be charged:

3 1. Only if the person requesting the record specifically
4 requests that the record be certified; and

5 2. In addition to the copying and reproduction fees provided by
6 the Oklahoma Open Records Act and any other applicable law.

7 C. The Executive Director and such officers of Service Oklahoma
8 as the Executive Director may designate are hereby authorized to
9 provide at no charge a copy of any record required to be maintained
10 by Service Oklahoma to any of the following government agencies when
11 requested in the performance of official governmental duties:

12 1. The driver license agency of any other state;

13 2. Any court, district attorney, or municipal prosecutor in
14 this state or any other state;

15 3. Any law enforcement agency in this state or any other state
16 or any federal agency empowered by law to make arrests for public
17 offenses;

18 4. Any public school district in this state for purposes of
19 providing the Motor Vehicle Report of a currently employed school
20 bus driver or person making application for employment as a school
21 bus driver;

22 5. The Department of Human Services for the purpose of
23 providing the Motor Vehicle Report to ascertain the suitability of
24

1 any person being considered by the Department of Human Services for
2 placement of a child in foster care or adoption of the child;

3 6. The Office of Juvenile Affairs for the purpose of providing
4 the Motor Vehicle Report to ascertain the suitability of any person
5 being considered by the Office of Juvenile Affairs for placement of
6 a child in foster care;

7 7. Any nonprofit provider exempt from federal income tax
8 pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986,
9 as amended, and contracted by the Developmental Disabilities
10 Services Division of the ~~Oklahoma~~ Department of Human Services; or

11 8. Any state agency in this state.

12 D. Any record required to be maintained by Service Oklahoma may
13 be released to any other entity free of charge when the release of
14 the record would be for the benefit of the public, as determined by
15 the Executive Director or a designee of the Executive Director.

16 E. The following records shall be provided by Service Oklahoma
17 to any authorized recipient, pursuant to the provisions of the
18 Driver's Privacy Protection Act, 18 U.S.C., Sections 2721 through
19 2725, upon payment of the appropriate fees for the records:

20 1. A Motor Vehicle Report, as defined in Section 6-117 of Title
21 47 of the Oklahoma Statutes; and

22 2. A copy of any driving record related to the Motor Vehicle
23 Report.

1 F. 1. The provisions of subsections B, D, and E of this
2 section and the Oklahoma Open Records Act shall not apply to the
3 release of personal information from any driving record of any
4 person. Such personal information shall be confidential except as
5 provided for in this subsection or in the provisions of the Driver's
6 Privacy Protection Act, 18 U.S.C., Sections 2721 through 2725. Upon
7 written request to the Executive Director of Service Oklahoma by a
8 law enforcement agency or another state's or country's driver
9 licensing agency for personal information on a specific individual
10 as named or otherwise identified in the written request, to be used
11 in the official capacity of the agency, the Executive Director may
12 release such personal information to the agency pursuant to the
13 provisions of the Driver's Privacy Protection Act, 18 U.S.C.,
14 Sections 2721 through 2725. Provided, the provisions of this
15 subsection or any other provision of ~~this act~~ Section 3-101 et seq.
16 of this title shall not be construed to keep audio or video
17 recordings of Service Oklahoma confidential beyond any exception
18 provided for in the Oklahoma Open Records Act.

19 2. For the purposes of this subsection, "personal information"
20 means information which identifies a person, including, but not
21 limited to, a photograph or image of the person in computerized
22 format, fingerprint image in computerized format, signature or
23 signature in computerized format, Social Security number, residence
24 address, mailing address, and medical or disability information.

1 SECTION 20. AMENDATORY 47 O.S. 2021, Section 6-101, as
2 last amended by Section 37, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2022, Section 6-101), is amended to read as follows:

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

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

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

1 Classes B, C and D, except as provided for in paragraph 4 of this
2 subsection.

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

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

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

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

24

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

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

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

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

1 upon verification that the person has successfully completed a
2 certified Motorcycle Safety Foundation rider course approved by the
3 Department, in conjunction with Service Oklahoma.

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

17 F. 1. Any person eighteen (18) years of age or older may apply
18 for a restricted Class A, B or C commercial learner permit. Service
19 Oklahoma, after the applicant has passed all parts of the
20 examination for a Class D license and has successfully passed all
21 parts of the examination for a Class A, B or C commercial license
22 other than the driving examination, may issue to the applicant a
23 commercial learner permit which shall entitle the person having
24 immediate lawful possession of the commercial learner permit and a

1 valid Oklahoma driver license or provisional driver license pursuant
2 to Section 6-212 of this title to operate a Class A, B or C
3 commercial motor vehicle upon the public highways solely for the
4 purpose of behind-the-wheel training in accordance with rules
5 promulgated by the Department.

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

23 3. No person shall apply for and Service Oklahoma shall not
24 issue an original Class A, B or C driver license until the person

1 has been issued a commercial learner permit and held the permit for
2 at least fourteen (14) days. Any person who currently holds a Class
3 B or C license and who wishes to apply for another class of
4 commercial driver license shall be required to apply for a
5 commercial learner permit and to hold the permit for at least
6 fourteen (14) days before applying for the Class A or B license, as
7 applicable. Any person who currently holds a Class A, B or C
8 license and who wishes to add an endorsement or remove a restriction
9 for which a skills examination is required shall be required to
10 apply for a commercial learner permit and to hold the permit for at
11 least fourteen (14) days before applying for the endorsement.

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

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

1 reapply for a new commercial learner permit, as provided for in this
2 subsection.

3 G. 1. For purposes of this title:

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

18 b. "REAL ID Noncompliant Driver License" or
19 "Identification Card" means a driver license or
20 identification card issued by ~~the State of Oklahoma~~
21 this state that has not been certified by the United
22 States Department of Homeland Security (USDHS) as
23 being compliant with the requirements of the REAL ID
24 Act of 2005. A REAL ID Noncompliant Driver License or

1 Identification Card will be clearly marked on the face
2 indicating that it is not compliant with the federal
3 REAL ID Act of 2005 and is not acceptable for official
4 federal purposes. The driver license or
5 identification card will have a unique design or color
6 indicator that clearly distinguishes it from a
7 compliant license or card.

8 2. Original Driver License and Identification Card Issuance:

9 a. Application for an original REAL ID Compliant or REAL
10 ID Noncompliant Driver License or Identification Card
11 shall be made to Service Oklahoma. Beginning January
12 1, 2023, application for an original REAL ID Compliant
13 Driver License or Identification Card may be made to
14 Service Oklahoma or a licensed operator provided such
15 licensed operator is authorized to process
16 applications for REAL ID Compliant Driver Licenses and
17 Identification Cards. Applications for a REAL ID
18 Noncompliant Driver License or Identification Card
19 shall be made to Service Oklahoma.

20 b. Service Oklahoma employees shall perform all document
21 recognition and other requirements needed for approval
22 of an original REAL ID Compliant or REAL ID
23 Noncompliant Driver License or Identification Card
24 application. Beginning January 1, 2023, Service

1 Oklahoma employees or authorized licensed operators
2 shall perform all document recognition and other
3 requirements necessary for approval of an original
4 REAL ID Compliant Driver License or Identification
5 Card application. Service Oklahoma employees shall
6 perform all document recognition and other
7 requirements necessary for approval of a REAL ID
8 Noncompliant Driver License or Identification Card
9 application.

10 c. Upon approval of an original REAL ID Compliant or REAL
11 ID Noncompliant Driver License or Identification Card
12 application, the applicant may take the approved
13 application document to a licensed operator to receive
14 a temporary driver license or identification card.

15 d. The licensed operator shall process the approved REAL
16 ID Compliant or REAL ID Noncompliant Driver License or
17 Identification Card application and upon payment shall
18 provide the applicant a temporary driver license or
19 identification card. A temporary driver license or
20 identification card shall afford the holder the
21 privileges otherwise granted by the specific class of
22 driver license or identification card for the period
23 of time listed on the temporary driver license or
24 identification card or the period of time prior to the

1 applicant receiving a REAL ID Compliant or REAL ID
2 Noncompliant Driver License or Identification Card,
3 whichever time period is shorter.

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

6 a. Application for renewal or replacement of a REAL ID
7 Compliant Driver License or Identification Card may be
8 made to Service Oklahoma or to a licensed operator;
9 provided, such licensed operator is authorized to
10 process application for REAL ID Compliant Driver
11 Licenses and Identification Cards. A licensed
12 operator may process the voluntary downgrade of a REAL
13 ID Compliant Commercial Driver License to any lower
14 class license upon request of the licensee; provided,
15 no additional endorsements or restrictions are placed
16 on the license.

17 b. Service Oklahoma employees or authorized licensed
18 operators shall perform all document recognition and
19 other requirements needed for approval of a renewal or
20 replacement REAL ID Compliant Driver License or
21 Identification Card application.

22 c. Upon approval of a renewal or replacement REAL ID
23 Compliant Driver License or Identification Card
24 application, the applicant may receive a temporary

1 driver license or identification card from Service
2 Oklahoma or an authorized licensed operator.

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

13 e. For purposes of this title, an application for a REAL
14 ID Compliant Driver License or Identification Card by
15 an individual with a valid Oklahoma-issued driver
16 license or identification card shall be considered a
17 renewal of a REAL ID Compliant Driver License or
18 Identification Card.

19 4. REAL ID Noncompliant Driver License and Identification Card

20 Renewal and Replacement:

21 a. Application for renewal or replacement of a REAL ID
22 Noncompliant Driver License or Identification Card may
23 be made to Service Oklahoma or to a licensed operator.
24 A licensed operator may process the voluntary

1 downgrade of a REAL ID Noncompliant Commercial Driver
2 License to any lower class license upon request of the
3 licensee; provided, no additional endorsements or
4 restrictions are added to the license.

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

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

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

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

7	Class A Commercial Learner	
8	Permit	\$25.00
9	Class A Commercial License	\$25.00
10	Class B Commercial Learner	
11	Permit	\$15.00
12	Class B Commercial License	\$15.00
13	Class C Commercial Learner	
14	Permit	\$15.00
15	Class C Commercial License	\$15.00
16	Class D License	\$ 4.00
17	Motorcycle Endorsement	\$ 4.00

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

22 I. The fee charged for any failed examination shall be Four
23 Dollars (\$4.00) for any license classification. Notwithstanding the
24 provisions of Section 1104 of this title, all monies collected from

1 such examination fees pursuant to the provisions of this subsection
2 shall be deposited in the General Revenue Fund of this state.

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

9 License Class	4-year	8-year
10 Class A Commercial Learner		
11 Permit	\$56.50	\$113.00
12 Class A Commercial License	\$56.50	\$113.00
13 Class B Commercial Learner		
14 Permit	\$56.50	\$113.00
15 Class B Commercial License	\$56.50	\$113.00
16 Class C Commercial Learner		
17 Permit	\$46.50	\$93.00
18 Class C Commercial License	\$46.50	\$93.00
19 Class D License	\$38.50	\$77.00

20 K. In addition to any fee charged pursuant to the provisions of
21 subsection H of this section, the fee charged for the issuance or
22 renewal of a REAL ID Compliant Driver License shall be in accordance
23 with the following schedule; provided, that any applicant who has a
24

1 CDL Learner Permit shall be charged only the replacement fee for the
2 issuance of the license:

3	License Class	4-year	8-year
4	REAL ID Compliant Class A		
5	Commercial Learner Permit	\$56.50	\$113.00
6	REAL ID Compliant Class A		
7	Commercial License	\$56.50	\$113.00
8	REAL ID Compliant Class B		
9	Commercial Learner Permit	\$56.50	\$113.00
10	REAL ID Compliant Class B		
11	Commercial License	\$56.50	\$113.00
12	REAL ID Compliant Class C		
13	Commercial Learner Permit	\$46.50	\$93.00
14	REAL ID Compliant Class C		
15	Commercial License	\$46.50	\$93.00
16	REAL ID Compliant Class D		
17	License	\$38.50	\$77.00

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

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

24

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

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

11 Beginning November 1, 2022, Six Dollars and seventy-five cents
12 (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents
13 (\$13.50) of an 8-year license shall be deposited to the Service
14 Oklahoma Computer Imaging System Revolving Fund to be used solely
15 for the purpose of administration and maintenance of the
16 computerized imaging system of Service Oklahoma;

17 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
18 (\$20.00) of an 8-year license shall be deposited to the Department
19 of Public Safety Revolving Fund for all original or renewal
20 issuances of licenses through October 31, 2022. Beginning November
21 1, 2022, Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
22 (\$20.00) of an 8-year license shall be deposited to the Service
23 Oklahoma Revolving Fund for all original or renewal issuances of
24 licenses; and

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

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

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

	4-year	8-year
9 Age 62	\$21.25	\$42.50
10 Age 63	\$17.50	\$35.00
11 Age 64	\$13.75	\$27.50
12 Age 65	-0-	

13
14 P. No person who has been honorably discharged from active
15 service in any branch of the Armed Forces of the United States or
16 Oklahoma National Guard and who has been certified by the United
17 States Department of Veterans Affairs, its successor or the Armed
18 Forces of the United States to be a disabled veteran in receipt of
19 compensation at the one-hundred-percent rate for a permanent
20 disability sustained through military action or accident resulting
21 from disease contracted while in such active service and registered
22 with the veterans registry created by the Oklahoma Department of
23 Veterans Affairs shall be charged a fee for the issuance,
24 replacement or renewal of an Oklahoma driver license; provided, that

1 if a veteran has been previously exempt from a fee pursuant to this
2 subsection, no registration with the veterans registry shall be
3 required.

4 Q. In accordance with the provisions of subsection G of this
5 section, Service Oklahoma is authorized to promulgate rules for the
6 issuance and renewal of driver licenses authorized pursuant to the
7 provisions of Sections 6-101 through 6-309 of this title; provided,
8 that no such rules applicable to the issuance or renewal of REAL ID
9 Noncompliant Driver Licenses shall create more stringent standards
10 than such rules applicable as of January 1, 2017, unless directly
11 related to a specific change in statutory law concerning standards
12 for REAL ID Noncompliant Driver Licenses. Applications, upon forms
13 approved by Service Oklahoma, for such licenses shall be handled, in
14 accordance with the provisions of subsection G of this section, by
15 the licensed operator; provided, Service Oklahoma is authorized to
16 assume these duties in any county of this state. Each licensed
17 operator accepting applications for driver licenses shall receive
18 Six Dollars (\$6.00) for a 4-year REAL ID Noncompliant Driver License
19 or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver
20 License or Ten Dollars (\$10.00) for a 4-year REAL ID Compliant
21 Driver License or Twenty Dollars (\$20.00) for an 8-year REAL ID
22 Compliant Driver License to be deducted from the total collected for
23 each license or renewal application accepted. Beginning July 1,
24 2022, and ending May 31, 2023, each motor license agent or licensed

1 operator accepting applications for driver licenses for individuals
2 over the age of sixty-five (65) years or for applications for driver
3 licenses pursuant to the provisions of subsection P of this section
4 shall receive Six Dollars (\$6.00) for a 4-year driver license or
5 Twelve Dollars (\$12.00) for an 8-year drive license, to be deducted
6 daily by the motor license agent or licensed operator receipts. The
7 amount retained pursuant to this subsection shall not be retained by
8 any state agency. The fees received by the licensed operator,
9 authorized by this subsection, shall be used for operating expenses.
10 For purposes of this subsection, "licensed operator" shall mean an
11 individual who obtains a license from the Service Oklahoma Operator
12 Board to operate a designated Service Oklahoma location and offers
13 third-party fulfillment of designated services to be rendered by
14 Service Oklahoma.

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

22 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
23 collected pursuant to this section shall be paid by the Tax
24 Commission to the State Treasurer to be deposited each fiscal year

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

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

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

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

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

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

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

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

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

23
24

1 SECTION 21. AMENDATORY 47 O.S. 2021, Section 6-102, as
2 last amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2022, Section 6-102), is amended to read as follows:

4 Section 6-102. A. A nonresident who is sixteen (16) years of
5 age or older may operate a motor vehicle in this state as authorized
6 by the class, restrictions, and endorsements specified on the
7 license, if the nonresident is:

8 1. Properly licensed in the home state or country to operate a
9 commercial or noncommercial motor vehicle and who has immediate
10 possession of a valid driver license issued by the home state or
11 country; or

12 2. A member of the Armed Forces of the United States or the
13 spouse or dependent of such member who has been issued and is in
14 possession of a valid driver license issued by an overseas component
15 of the Armed Forces of the United States.

16 B. A resident who is at least fifteen (15) years of age may
17 operate a vehicle in this state without a driver license, if the
18 resident is:

19 1. Operating a vehicle pursuant to subsection B of Section 6-
20 105 of this title; or

21 2. Taking the driving skills examination as required by Section
22 6-110 of this title, when accompanied by a Driver License Examiner
23 of Service Oklahoma or by a designated examiner approved and
24 certified by Service Oklahoma.

1 C. Any person, while in the performance of official duties, may
2 operate any class of motor vehicle if the person possesses any class
3 of valid Oklahoma driver license or a valid driver license issued by
4 another state, if the person is:

5 1. A member of the Armed Forces of the United States who is on
6 active duty;

7 2. A member of the military reserves, not including United
8 States reserve technician;

9 3. A member of the National Guard who is on active duty,
10 including National Guard military technicians;

11 4. A member of the National Guard who is on part-time National
12 Guard training, including National Guard military technicians; or

13 5. A member of the United States Coast Guard who is on active
14 duty.

15 D. The Executive Director of Service Oklahoma is hereby
16 authorized to adopt rules as may be necessary to enter into
17 reciprocity agreements with foreign countries. The rules shall
18 specify that the driver license standards of the foreign country
19 shall be comparable to those of this state. The rules shall also
20 require foreign drivers, who are operating a motor vehicle in
21 Oklahoma under such a reciprocity agreement, to comply with the
22 compulsory motor vehicle liability insurance and financial
23 responsibility laws of this state.

24

1 SECTION 22. AMENDATORY 47 O.S. 2021, Section 6-105, as
2 last amended by Section 5 of Enrolled House Bill No. 2133 of the 1st
3 Session of the 59th Oklahoma Legislature (47 O.S. Supp. 2022,
4 Section 6-105), is amended to read as follows:

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

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

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

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

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

22 C. Any person:

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

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 ~~the Department~~
7 ~~of Public Safety~~ Service Oklahoma, from a parochial,
8 private, or other nonpublic secondary school,
- 9 c. a commercial driver training course, as defined by
10 Sections 801 through 808 of this title,
- 11 d. a parent-taught driver education course, certified by
12 Service of Oklahoma, in conjunction with the
13 Department of Public Safety. ~~The Department~~ Service
14 Oklahoma shall promulgate rules for any parent-taught
15 driver education course, or
- 16 e. a driver education course certified by a state other
17 than Oklahoma; or

18 2. Who is at least sixteen (16) years of age,
19 may, upon successfully passing all parts of the driver license
20 examination administered by Service Oklahoma, or an approved written
21 examination proctor, except the driving examination, be issued a
22 learner permit which will grant the permittee the privilege to
23 operate a Class D motor vehicle upon the public highways only
24 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied

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

6 D. 1. Any person:

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

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

19 c. who has completed a free course approved by the
20 Oklahoma Department of Transportation on teen driver
21 work zone and first responder safety,

22 may be issued an intermediate Class D license upon successfully
23 passing all parts of the driver license examinations administered by
24 Service Oklahoma; provided, the written examination, if it has not

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

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

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

22 (1) only between the hours of 5:00 a.m. and 10:00
23 p.m., except for driving to and from work,
24

1 school, school activities, and church activities,
2 or

3 (2) at any time, if a licensed driver who is at least
4 twenty-one (21) years of age is actually
5 occupying a seat beside the intermediate Class D
6 licensee, or if the intermediate Class D licensee
7 is a farm or ranch resident, and is operating a
8 motor vehicle while engaged in farming or
9 ranching operations outside the limits of a
10 municipality, or driving to and from work,
11 school, school activities, or church activities,
12 and

13 b. shall not operate a motor vehicle with more than one
14 passenger unless:

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

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

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

22 1. One (1) year; or

23 2. ~~Six (6) months~~ One hundred eighty (180) days, if the person
24 has completed both the driver education and the parent-certified

1 behind-the-wheel training provisions of subparagraph b of paragraph
2 1 of subsection D of this section,
3 may be issued a Class D license. However, notwithstanding the date
4 of issuance of the Class D license, if the person has been convicted
5 of a traffic offense which is reported on the driving record of that
6 person, the time periods specified in paragraph 1 or 2 of this
7 subsection, as applicable, shall be recalculated to begin from the
8 date of conviction for the traffic offense, and must elapse before
9 that person may be issued a 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 periods specified in
12 paragraph 1 or 2 of this subsection, as applicable, shall be
13 recalculated to begin from the most recent date of conviction, and
14 must elapse before that person may be issued a Class D license.

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

1 traffic laws of this state pertaining to the operation of a motor
2 vehicle.

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

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

20 1. With a piston displacement not to exceed three hundred cubic
21 centimeters (300 cc) or a sixteen and eight-tenths (16.8) kilowatt
22 electric power source;

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

24 3. While wearing approved protective headgear; and

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

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

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

16 I. Service Oklahoma may in its discretion issue a special
17 permit to any person who has attained the age of fourteen (14)
18 years, authorizing such person to operate farm vehicles between the
19 farm and the market to haul commodities grown on the farm; provided,
20 that the special permit shall be temporary and shall expire not more
21 than thirty (30) days after the issuance of the special permit.
22 Special permits shall be issued only to farm residents and shall be
23 issued only during the time of the harvest of the principal crops
24 grown on such farm. Provided, however, Service Oklahoma shall not

1 issue a special permit pursuant to this subsection until Service
2 Oklahoma is fully satisfied after the examination of the application
3 and other evidence furnished in support thereof, that the person is
4 physically and mentally developed to such a degree that the
5 operation of a motor vehicle by the person would not be inimical to
6 public safety.

7 J. As used in this section:

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

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

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

19 SECTION 23. AMENDATORY 47 O.S. 2021, Section 6-110, as
20 last amended by Section 1 of Enrolled House Bill No. 2750 of the 1st
21 Session of the 59th Oklahoma Legislature (47 O.S. Supp. 2022,
22 Section 6-110), is amended to read as follows:

23 Section 6-110. A. 1. Service Oklahoma shall establish
24 procedures to ensure every applicant for an original Class A, B, C

1 or D license and for any endorsements thereon is examined by Service
2 Oklahoma, or an approved written examination proctor, except as
3 otherwise provided in Section 6-101 et seq. of this title or as
4 provided in paragraph 2 of this subsection or in subsections D and E
5 of this section. Service Oklahoma is authorized to approve and
6 enter into agreements with third parties to act as approved written
7 examination proctors with regard to any written examination required
8 by this section. The examination shall include a test of the
9 applicant's:

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

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

23
24

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

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

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

11 b. an expired driver license that:

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

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

16 3. Service Oklahoma shall accept skills test results from
17 another state for Class A, B or C license applicants who have
18 successfully completed commercial motor vehicle driver training in
19 that state and successfully passed the skills test in that state;
20 provided, Service Oklahoma shall not accept skills test results from
21 another state when the applicant has not successfully completed
22 commercial motor vehicle driver training in that state. Nothing in
23 this section shall be construed to prohibit Service Oklahoma from
24

1 administering the skills test to any applicant who has successfully
2 completed commercial vehicle driver training in another state.

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

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

21 B. Any person holding a valid Oklahoma Class D license or
22 provisional driver license pursuant to Section 6-212 of this title
23 and applying for a Class A, B or C commercial license shall be
24 required to successfully complete all examinations as required for

1 the specified class. Failure to submit to Service Oklahoma
2 federally required medical certification information pursuant to 49
3 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade
4 of a commercial license to a Class D license. Provided, however,
5 once the required medical certification information has been
6 received by Service Oklahoma, the license shall be reinstated to the
7 classification of the commercial license prior to the downgrade and
8 the holder of such a license shall not be required to reapply.

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

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

23 2. The Department of Public Safety, in conjunction with Service
24 Oklahoma, shall adopt a curriculum of required courses and training

1 to be offered to applicants who are qualified to apply to be a
2 designated examiner. The courses and training for certification
3 shall meet the same standards as required for driver examiners of
4 Service Oklahoma.

5 3. Each person applying to be a designated examiner shall be
6 required to pay an initial designated examiner certification fee of
7 One Thousand Dollars (\$1,000.00). Upon successful completion of
8 training prescribed by paragraph 2 of this subsection, the person
9 shall be required to pay an annual designated examiner certification
10 fee of Five Hundred Dollars (\$500.00). If an applicant for the
11 designated examiner program is employed by an Oklahoma public school
12 system that offers driver education, and he or she administers the
13 skills test only to students enrolled in a public school driver
14 education program, the certification fee may be waived by Service
15 Oklahoma. Each designated examiner certification shall expire on
16 the last day of the calendar year and may be renewed upon
17 application to Service Oklahoma. The designated examiner
18 certification fees collected by Service Oklahoma pursuant to this
19 subsection shall be deposited to the credit of the Department of
20 Public Safety Restricted Revolving Fund to be used for the purposes
21 of this subsection, through October 31, 2022. Beginning November 1,
22 2022, the designated examiner certification fees collected by
23 Service Oklahoma pursuant to this subsection shall be deposited to
24 the credit of the Service Oklahoma Revolving Fund. No designated

1 examiner certification fee shall be refunded in the event that
2 certification is denied, suspended or revoked.

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

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

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

19 E. 1. Upon application and approval of Service Oklahoma, any
20 public or private commercial truck driving school that has or
21 maintains a program instructing students for a Class A, B or C
22 license, public transit agency, state, county or municipal
23 government agency in this state, such as local school districts, the
24 Oklahoma Department of Career and Technology Education, or

1 institutions of higher education, or a private entity, shall be
2 authorized to hire or employ designated examiners approved by
3 Service Oklahoma to be third-party examiners of the Class A, B or C
4 driving skills portion and/or knowledge written portion, pursuant to
5 paragraph A of this section, of the Oklahoma driving examination.
6 All designated examiners must successfully have completed the
7 courses and training as outlined in paragraph 2 of this subsection.
8 Service Oklahoma shall be required to approve at least one public
9 transit agency that has or maintains a program instructing students
10 for a Class A, B or C license to hire or employ third-party
11 examiners pursuant to this section. It shall be permissible for any
12 public transit agency operating in the State of Oklahoma to utilize
13 the third-party examiners hired or employed by a public transit
14 agency approved by Service Oklahoma.

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 third-party examiners. The courses and training
18 for certification shall meet the same standards as required for
19 commercial driver examiners of Service Oklahoma.

20 3. Service Oklahoma shall require each third-party examiner
21 applicant and commercial school driver education instructor
22 applicant to submit to an electronic national criminal history
23 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
24 Statutes. On or before December 1, 2022, Service Oklahoma shall

1 require each third-party examiner or commercial school driver
2 education instructor to submit to an electronic national criminal
3 history record check pursuant to Section 150.9 of Title 74 of the
4 Oklahoma Statutes. The fees for the background check shall be borne
5 by the third-party examiner, third-party examiner applicant,
6 commercial school driver education instructor or commercial school
7 driver education instructor applicant.

8 F. Service Oklahoma shall promulgate rules to:

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

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

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

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

23 SECTION 24. AMENDATORY 47 O.S. 2021, Section 6-111, as
24 last amended by Section 1 of Enrolled Senate Bill No. 682 of the 1st

1 Session of the 59th Legislature (47 O.S. Supp. 2022, Section 6-111),
2 is amended to read as follows:

3 Section 6-111. A. 1. Service Oklahoma shall, upon payment of
4 the required fee, issue to every applicant qualifying therefor a
5 Class A, B, C or D driver license or identification card as applied
6 for, which license or card shall bear thereon a distinguishing
7 alphanumeric identification assigned to the licensee or cardholder,
8 date of issuance and date of expiration of the license or card, the
9 full legal name, signature or computerized signature, date of birth,
10 residence address, unless specified as an exception in the Code of
11 Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized
12 color image of the licensee or cardholder taken in accordance with
13 Service Oklahoma rules and security features as determined by
14 Service Oklahoma. The image shall depict a full front unobstructed
15 view of the entire face of the licensee or cardholder; provided, a
16 commercial learner permit shall not bear the image of the licensee.
17 When any person is issued both a driver license and an
18 identification card, Service Oklahoma shall ensure the information
19 on both the license and the card are the same, unless otherwise
20 provided by law.

21 2. A driver license or identification card issued by Service
22 Oklahoma on or after March 1, 2004, shall bear thereon the county of
23 residence of the licensee or cardholder.

24

1 3. Service Oklahoma may cancel the distinguishing number, when
2 that distinguishing number is another person's Social Security
3 number, assign a new distinguishing alphanumeric identification, and
4 issue a new license or identification card without charge to the
5 licensee or cardholder.

6 4. Service Oklahoma may promulgate rules for inclusion of the
7 height and a brief description of the licensee or cardholder on the
8 face of the card or license identifying the licensee or cardholder
9 as deaf or hard-of-hearing.

10 5. It is unlawful for any person to apply, adhere, or otherwise
11 attach to a driver license or identification card any decal,
12 sticker, label, or other attachment. Any law enforcement officer is
13 authorized to remove and dispose of any unlawful decal, sticker,
14 label, or other attachment from the driver license of a person. The
15 law enforcement officer, the employing agency of the officer,
16 Service Oklahoma, and the State of Oklahoma shall be immune from any
17 liability for any loss suffered by the licensee, cardholder, or the
18 owner of the decal, sticker, label, or other attachment caused by
19 the removal and destruction of the decal, sticker, label, or other
20 attachment.

21 6. Service Oklahoma may develop by rule a procedure which
22 complies with the provisions of subsection G of Section 6-101 of
23 this title whereby a person may apply for a renewal or replacement
24 Oklahoma Class D license or Oklahoma identification card.

1 B. 1. Service Oklahoma may issue or authorize the issuance of
2 a temporary permit or license to an applicant for a driver license
3 permitting such applicant to operate a motor vehicle while Service
4 Oklahoma is completing its investigation and determination of all
5 facts relative to such applicant's privilege to receive a license,
6 or while a permanent driver license is being produced and delivered
7 to the applicant. Such permit or license must be in the immediate
8 possession of the driver while operating a motor vehicle, and it
9 shall be invalid when the applicant's permanent driver license has
10 been issued and delivered or for good cause has been refused.

11 2. Service Oklahoma may issue or authorize the issuance of a
12 temporary identification card to an applicant, permitting the holder
13 the privileges otherwise granted by identification cards, while a
14 permanent driver license is being provided and delivered to the
15 applicant. Such card shall be invalid when the applicant's
16 permanent identification card has been issued and delivered, or for
17 good cause has been refused.

18 C. 1. Service Oklahoma may issue a restricted commercial
19 driver license to drivers eighteen (18) years of age or older for
20 any of the following specific farm-related service industries:

- 21 a. farm retail outlets and suppliers,
- 22 b. agri-chemical businesses,
- 23 c. custom harvesters, and
- 24 d. livestock feeders.

1 The applicant shall ~~hold~~ have held a valid ~~Oklahoma~~ driver
2 license for at least one year. Applicants with more than two (2)
3 years of driving experience shall have a good driving record for the
4 most recent two-year period and shall meet all the requirements for
5 a commercial driver license. The restricted commercial driver
6 license shall not exceed ~~a total of one hundred eighty (180) days~~
7 ~~within any twelve-month period~~ the maximum total days that federal
8 law allows. Applicants for the restricted commercial driver license
9 shall be exempt from the knowledge and skills test. Application of
10 the restricted commercial driver license does not have to be used in
11 consecutive days. The use of the permit shall be declared at
12 application.

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

- 15 a. has not had more than one license,
- 16 b. has not had any license suspended, revoked, or
17 canceled,
- 18 c. has not had any conviction for any type of
19 disqualifying offenses or serious traffic violations,
20 or
- 21 d. has not had any conviction for a violation of state or
22 local law relating to motor vehicle traffic control,
23 other than a parking violation, arising in connection

24

1 with any traffic accident and has no record of an
2 accident in which they are at fault.

3 3. The restricted commercial driver license shall not be valid
4 for operators of commercial motor vehicles beyond one hundred fifty
5 (150) miles from the place of business or the farm currently being
6 served. Such license shall be limited to Class B or C vehicles.
7 Holders of such licenses who transport hazardous materials which are
8 required to be placarded shall be limited to the following:

- 9 a. diesel fuel in quantities of one thousand (1,000)
10 gallons or less,
- 11 b. liquid fertilizers in vehicles with total capacities
12 of three thousand (3,000) gallons or less, and
- 13 c. solid fertilizers that are not mixed with any organic
14 substance.

15 No other placarded hazardous materials shall be transported by
16 holders of such licenses.

17 D. Service Oklahoma may issue a non-domiciled commercial
18 learner permit or a non-domiciled commercial driver license.

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

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

3 E. 1. Service Oklahoma 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. Service Oklahoma 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 Service Oklahoma 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 Service
20 Oklahoma 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 Service Oklahoma 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 Service Oklahoma to
19 submit his or her 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. Service Oklahoma 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 25. 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.

6 SECTION 26. 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 27. AMENDATORY 47 O.S. 2021, Section 6-117, as
12 amended by Section 57, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
13 Section 6-117), is amended to read as follows:

14 Section 6-117. A. Service Oklahoma shall file every
15 application for a driver license or identification card received by
16 Service Oklahoma and shall maintain suitable indexes containing:

17 1. All applications denied and on each thereof note the reasons
18 for the denial;

19 2. All applications granted;

20 3. The name of every person whose driving privilege has been
21 suspended, revoked, canceled, or disqualified by Service Oklahoma
22 and after each such name note the reasons for the action. Any
23 notation of suspension of the driving privilege of a person for
24 reason of nonpayment of a fine shall be removed from the driving

1 record after the person has paid the fine and the driving privilege
2 of the person is reinstated as provided for by law;

3 4. The county of residence, the name, date of birth, and
4 mailing address of each person residing in that county who is
5 eighteen (18) years of age or older, and who is the holder of a
6 current driver license or a current identification card issued by
7 Service Oklahoma for the purpose of ascertaining names of all
8 persons qualified for jury service as required by Section 18 of
9 Title 38 of the Oklahoma Statutes; and

10 5. The name, driver license number, and mailing address of
11 every person for the purpose of giving notice, if necessary, as
12 required by Section 2-116 of this title.

13 B. Service Oklahoma shall file all collision reports and
14 abstracts of court records of convictions received by it pursuant to
15 the laws of this state and maintain convenient records of the
16 records and reports or make suitable notations in order that an
17 individual record of a person showing the convictions of the person
18 and the traffic collisions in which the person has been involved
19 shall be readily ascertainable and available for the consideration
20 of Service Oklahoma upon any application for a driver license or
21 renewal of a driver license and at other suitable times. Any
22 abstract, index or other entry relating to a driving record
23 according to the licensing authority in another state or a province
24 of Canada may be posted upon the driving record of any resident of

1 this state when notice thereof is received by documentation or by
2 electronic transmission. The individual record of a person shall
3 not include any collision reports and abstracts of court records
4 involving a collision in which the person was not issued a citation
5 or if a citation is issued and the person was not convicted.

6 C. 1. Service Oklahoma may designate and is hereby authorized
7 to prepare under the seal of Service Oklahoma and deliver upon
8 request a copy of any collision report on file with the Department,
9 charging a fee of:

10 a. beginning on July 1, 2011, through June 30, 2013,
11 Fifteen Dollars (\$15.00), of which Eight Dollars
12 (\$8.00) shall be deposited by the Commissioner to the
13 credit of the Department of Public Safety Revolving
14 Fund and, in addition to other purposes authorized by
15 law, the expenditures from that fund of monies derived
16 from the Eight Dollars (\$8.00) pursuant to this
17 subparagraph shall be used to fund any Oklahoma
18 Highway Patrol Trooper Academy provided by the
19 Department of Public Safety. Any remaining funds
20 shall be deposited in an account to be utilized
21 exclusively for future expenses directly related to
22 the operation of an Oklahoma Highway Patrol Academy,
23 and
24

1 b. beginning on July 1, 2013, and any year thereafter,
2 Seven Dollars (\$7.00).

3 However, Service Oklahoma shall not be required to furnish
4 personal information from the collision report which is contrary to
5 the provisions of the Driver's Privacy Protection Act, 18 United
6 States Code, Sections 2721 through 2725.

7 2. Notwithstanding the provisions of paragraph 1 of this
8 subsection, Service Oklahoma is authorized to enter into contracts
9 to supply information regarding vehicles reported to be involved in
10 collisions. For each vehicle, the information shall be limited to
11 that which only describes the vehicle and the collision. Service
12 Oklahoma shall not be required to provide any information regarding
13 the owner or operator of the vehicle or any information which would
14 conflict with Section 2-110 or Section 1109 of this title.

15 D. Service Oklahoma or any licensed operator upon request shall
16 prepare and furnish to any authorized person a Motor Vehicle Report
17 of any person subject to the provisions of the motor vehicle laws of
18 this state. However, Service Oklahoma shall not be required to
19 furnish personal information from a driving record contrary to the
20 provisions of the Driver's Privacy Protection Act, 18 United States
21 Code, Sections 2721 through 2725. The Motor Vehicle Report shall be
22 a summary of the driving record of the person and shall include the
23 enumeration of any motor vehicle collisions, reference to
24 convictions for violations of motor vehicle laws, and any action

1 taken against the privilege of the person to operate a motor
2 vehicle, as shown by the files of Service Oklahoma for the three (3)
3 years preceding the date of the request. The Motor Vehicle Report,
4 to include any record or information associated with the Motor
5 Vehicle Report, shall not be deemed a "public civil record" as
6 defined in Section 18 of Title 22 of the Oklahoma Statutes, and
7 shall not be subject to expungement. Service Oklahoma shall not be
8 required to release to any person, in whole or in part and in any
9 format, a driving index, as described in subsection A of this
10 section, except as otherwise provided for by law. For each Motor
11 Vehicle Report furnished by Service Oklahoma, Service Oklahoma shall
12 collect the sum of Twenty-five Dollars (\$25.00), Twenty Dollars
13 (\$20.00) of which shall be deposited in the General Revenue Fund and
14 Five Dollars (\$5.00) shall be deposited in the Department of Public
15 Safety Revolving Fund through October 31, 2022. Beginning November
16 1, 2022, the Five Dollars (\$5.00) shall be deposited in the Service
17 Oklahoma Revolving Fund. For each Motor Vehicle Report furnished by
18 a licensed operator, the licensed operator shall collect the sum of
19 Twenty-five Dollars (\$25.00), Eighteen Dollars (\$18.00) of which
20 shall be paid to the Oklahoma Tax Commission for deposit in the
21 General Revenue Fund in the State Treasury, Five Dollars (\$5.00)
22 shall be deposited in the Department of Public Safety Revolving Fund
23 and Two Dollars (\$2.00) of which shall be retained by the licensed
24 operator through October 31, 2022. Beginning November 1, 2022, for

1 each Motor Vehicle Report furnished by a licensed operator, the
2 licensed operator shall collect the sum of Twenty-five Dollars
3 (\$25.00), Eighteen Dollars (\$18.00) of which shall be paid to the
4 Oklahoma Tax Commission for deposit in the General Revenue Fund in
5 the State Treasury, Five Dollars (\$5.00) of which shall be deposited
6 in the Service Oklahoma Revolving Fund, and Two Dollars (\$2.00)
7 shall be retained by the licensed operator. Persons sixty-five (65)
8 years of age or older shall not be required to pay a fee for their
9 own Motor Vehicle Report furnished by Service Oklahoma or a licensed
10 operator. For purposes of this subsection, a Motor Vehicle Report
11 shall include a report which indicates that no driving record is on
12 file with Service Oklahoma for the information received by Service
13 Oklahoma in the request for the Motor Vehicle Report.

14 E. Service Oklahoma may develop procedures whereby an acting
15 agent of an employer or an employer of a person:

- 16 1. Who has a Class A, B, C or D driver license; and
- 17 2. Who operates a commercial, company-owned or personal motor
18 vehicle during the course of business in the course of his or her
19 employment with the employer, may automatically be notified,
20 pursuant to a fee schedule established by Service Oklahoma, should
21 the driving record of a person reflect a traffic conviction in any
22 court or an administrative action by Service Oklahoma which alters
23 the status of the commercial driving privileges of the person, or
24 any other change to the driving status. The notification system

1 shall include electronic delivery of a Motor Vehicle Report at least
2 annually for any employee who is a commercial driver licensee or who
3 operates a commercial motor vehicle, as required by 49 C.F.R.,
4 Section 391.25, or who operates a company-owned or personal motor
5 vehicle during the course of business. All monies received by the
6 Commissioner of Public Safety and the officers and employees of the
7 Department pursuant to this subsection shall be deposited in the
8 Department of Public Safety Restricted Revolving Fund through
9 October 31, 2022. Beginning November 1, 2022, all monies received
10 by the Executive Director of Service Oklahoma and the officers and
11 employees of Service Oklahoma pursuant to this subsection shall be
12 deposited in the Service Oklahoma Revolving Fund. For each Motor
13 Vehicle Report furnished by Service Oklahoma, through the electronic
14 notification system, Service Oklahoma shall collect the sum of
15 Twenty-five Dollars (\$25.00), Eighteen Dollars (\$18.00) of which
16 shall be deposited in the General Revenue Fund in the State
17 Treasury. Five Dollars (\$5.00) shall be deposited in the Department
18 of Public Safety Revolving Fund through October 31, 2022. Beginning
19 November 1, 2022, for each Motor Vehicle Report furnished by Service
20 Oklahoma, through the electronic notification system, Service
21 Oklahoma shall collect the sum of Twenty-five Dollars (\$25.00),
22 Eighteen Dollars (\$18.00) of which shall be deposited in the General
23 Revenue Fund in the State Treasury, and Five Dollars (\$5.00) of
24 which shall be deposited in the Service Oklahoma Revolving Fund.

1 Two Dollars (\$2.00) shall be retained by Service Oklahoma or its
2 authorized agent for the purpose of development and maintenance of
3 the electronic notification system.

4 F. Service Oklahoma is authorized to establish a procedure for
5 reviewing the driving records of state residents who are existing
6 policyholders of any insurance company licensed to operate in this
7 state during specified periods of time and producing a report which
8 identifies the policyholders which have had violation and/or status
9 changes to their driving records during such time period. Service
10 Oklahoma may sell such report to the insurance company or its agent
11 at a fee to be set by Service Oklahoma. Any such report sold by
12 Service Oklahoma shall only consist of information otherwise
13 lawfully obtainable by the insurance company or its agent. The fee
14 shall be sufficient to recover all costs incurred by Service
15 Oklahoma and ensure that there will be no net revenue loss to the
16 state. Such fee shall be deposited in the Department of Public
17 Safety Revolving Fund through October 31, 2022. Beginning November
18 1, 2022, such fee shall be deposited in the Service Oklahoma
19 Revolving Fund.

20 G. All monies received by the Commissioner of Public Safety or
21 Service Oklahoma and the officers and employees of the Department
22 shall be remitted to the State Treasurer to be credited to the
23 General Revenue Fund in the State Treasury except as otherwise
24 provided for by law.

1 SECTION 28. AMENDATORY 47 O.S. 2021, Section 6-205.1, as
2 amended by Section 1, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
3 Section 6-205.1), is amended to read as follows:

4 Section 6-205.1. A. The driving privilege of a person who is
5 convicted of any offense as provided in paragraph 2 of subsection A
6 of Section 6-205 of this title, or a person who has refused to
7 submit to a test or tests as provided in Section 753 of this title,
8 or a person whose alcohol concentration is subject to the provisions
9 of Section 754 of this title shall be revoked or denied by ~~the~~
10 ~~Department of Public Safety~~ Service Oklahoma for the following
11 period, as applicable:

12 1. The first license revocation pursuant to paragraph 2 of
13 subsection A of Section 6-205 of this title or Section 753 or 754 of
14 this title, within ten (10) years preceding the date of arrest
15 relating thereto, shall be for a period of no less than one hundred
16 eighty (180) days and until the person completes the Impaired Driver
17 Accountability Program in accordance with the rules of the Board of
18 Tests for Alcohol and Drug Influence. The period of revocation and
19 the Impaired Driver Accountability Program shall run concurrently
20 and each shall be for no less than one hundred eighty (180) days;

21 2. A revocation pursuant to paragraph 2 of subsection A of
22 Section 6-205 of this title or Section 753 or 754 of this title
23 shall be for a period of no less than one (1) year and until the
24 person completes the Impaired Driver Accountability Program in

1 accordance with the rules of the Board of Tests for Alcohol and Drug
2 Influence, if within ten (10) years preceding the date of arrest
3 relating thereto, as shown by the records of ~~the Department~~ Service

4 Oklahoma:

- 5 a. a prior revocation commenced pursuant to paragraph 2
6 or 6 of subsection A of Section 6-205 of this title or
7 Section 753 or 754 of this title, or
- 8 b. the record of the person reflects a prior conviction
9 in another jurisdiction which did not result in a
10 revocation of Oklahoma driving privileges, for a
11 violation substantially similar to paragraph 2 of
12 subsection A of Section 6-205 of this title, and the
13 person was not a resident or a licensee of Oklahoma at
14 the time of the offense resulting in the conviction.

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

18 3. A revocation pursuant to paragraph 2 of subsection A of
19 Section 6-205 of this title or Section 753 or 754 of this title
20 shall be for a period of no less than two (2) years and until the
21 person completes the Impaired Driver Accountability Program in
22 accordance with the rules of the Board of Tests for Alcohol and Drug
23 Influence, if within ten (10) years preceding the date of arrest

24

1 relating thereto, as shown by the records of ~~the Department~~ Service

2 Oklahoma:

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

6 b. two or more current enrollments in or previous
7 completions of the Impaired Driver Accountability
8 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 of subsection A of Section 6-205 of this title, and
14 the person was not a resident or a 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, b and c of this
21 paragraph.

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

1 4. The revocation of the driving privilege of any person under
2 Section 6-205, 6-205.1, 753, or 754 of this title shall not run
3 concurrently with any other revocation of driving privilege under
4 Section 6-205, 6-205.1, 753, or 754 of this title resulting from a
5 different incident.

6 B. The driving privilege of a person who is convicted of any
7 offense as provided in paragraph 3 or 6 of subsection A of Section
8 6-205 of this title shall be revoked or denied by ~~the Department of~~
9 ~~Public Safety~~ Service Oklahoma for the following period, as
10 applicable:

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

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

18 a. a prior revocation commenced pursuant to paragraph 2,
19 3 or 6 of subsection A of Section 6-205 of this title,
20 or Section 753 or 754 of this title,

21 b. a prior revocation commenced pursuant to paragraph 2,
22 3 or 6 of subsection A of Section 6-205 of this title
23 or Section 753 or 754 of this title, or current
24

1 enrollment in or previous completion of the Impaired
2 Driver Accountability Program, or

- 3 c. the record of the person reflects a prior conviction
4 in another jurisdiction which did not result in a
5 revocation of Oklahoma driving privileges, for a
6 violation substantially similar to paragraph 2, 3 or 6
7 of subsection A of Section 6-205 of this title, and
8 the person was not a resident or a licensee of
9 Oklahoma at the time of the offense resulting in the
10 conviction.

11 Such period shall not be modified; or

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

- 15 a. two or more prior revocations commenced pursuant to
16 paragraph 2 or 6 of subsection A of Section 6-205 of
17 this title, or Section 753 or 754 of this title,
18 b. two or more prior revocations commenced pursuant to
19 paragraph 2 or 6 of subsection A of Section 6-205 of
20 this title or Section 753 or 754 of this title, or two
21 or more current enrollments in or previous completions
22 of the Impaired Driver Accountability Program,
23 c. the record of the person reflects two or more prior
24 convictions in another jurisdiction which did not

1 result in a revocation of Oklahoma driving privileges,
2 for a violation substantially similar to paragraph 2
3 or 6 of subsection A of Section 6-205 of this title,
4 and the person was not a resident or licensee of
5 Oklahoma at the time of the offense resulting in the
6 conviction, or

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

12 Such period shall not be modified.

13 The revocation of the driving privilege of any person under this
14 subsection shall not run concurrently with any other withdrawal of
15 driving privilege resulting from a different incident and which
16 requires the driving privilege to be withdrawn for a prescribed
17 amount of time. A denial based on a conviction of any offense as
18 provided in paragraph 6 of subsection A of Section 6-205 of this
19 title shall become effective on the first day the convicted person
20 is otherwise eligible to apply for and be granted driving privileges
21 if the person was not eligible to do so at the time of the
22 conviction.

23 C. For the purposes of this section:
24

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

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

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

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

15 SECTION 29. AMENDATORY 47 O.S. 2021, Section 6-211, as
16 last amended by Section 2, Chapter 376, O.S.L. 2022 (47 O.S. Supp.
17 2022, Section 6-211), is amended to read as follows:

18 Section 6-211. A. Any person denied driving privileges, or
19 whose driving privilege has been canceled, denied, suspended or
20 revoked by ~~the Department~~ Service Oklahoma, except where such
21 cancellation, denial, suspension or revocation is mandatory, under
22 the provisions of Section 6-205 of this title, or disqualified by
23 ~~the Department~~ Service Oklahoma, under the provisions of Section 6-
24 205.2 or 761 of this title, shall have the right of appeal to the

1 district court as hereinafter provided. Proceedings before the
2 district court shall be exempt from the provisions of the Oklahoma
3 Pleading and Discovery codes, except that the appeal shall be by
4 petition, without responsive pleadings. The district court is
5 hereby vested with original jurisdiction to hear the petition.

6 B. A person whose driving privilege is denied, canceled,
7 revoked or suspended due to inability to meet standards prescribed
8 by law, or due to an out-of-state conviction or violation, or due to
9 an excessive point accumulation on the traffic record, or for an
10 unlawful license issued, may appeal in the county in which the
11 person resides.

12 C. Any person whose driving privilege is canceled, denied,
13 suspended or revoked may appeal to the district court in the county
14 in which the offense was committed upon which ~~the Department~~ Service
15 Oklahoma based its order.

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

21 E. The petition shall be filed within thirty (30) days after
22 the notice of revocation, pursuant to Section 753 or 754 of this
23 title, has been served upon the person by ~~the Department of Public~~
24 ~~Safety~~ Service Oklahoma. The petition shall contain a description

1 of the facts and circumstances of the underlying incident sufficient
2 to determine the arresting law enforcement agency and the date of
3 the incident. It shall be the duty of the district court to enter
4 an order setting the matter for hearing not less than thirty (30)
5 days and not more than sixty (60) days from the date the petition is
6 filed. A certified copy of petition and order for hearing shall be
7 served forthwith by the petitioner ~~upon the Commissioner of Public~~
8 ~~Safety~~ to the office of Service Oklahoma by certified mail at ~~the~~
9 ~~Department of Public Safety~~ Service Oklahoma, Oklahoma City,
10 Oklahoma.

11 F. Upon a hearing relating to a revocation or disqualification
12 pursuant to a conviction for an offense enumerated in Section 6-205,
13 6-205.2 or 761 of this title, the court shall not consider the
14 propriety or merits of the revocation or disqualification action,
15 except to correct the identity of the person convicted as shown by
16 records of ~~the Department~~ Service Oklahoma.

17 G. When the records of ~~the Department~~ Service Oklahoma do not
18 reflect receipt of a sworn report of a law enforcement officer
19 stating that the officer had reasonable grounds to believe the
20 petitioner had been driving or was in actual physical control of a
21 motor vehicle upon the public roads, highways, streets, turnpikes,
22 or other public place of this state while under the influence of
23 alcohol, any other intoxicating substance, or the combined influence
24 of alcohol and any other intoxicating substance, the court shall,

1 upon application by ~~the Department~~ Service Oklahoma, stay the appeal
2 for one hundred eighty (180) days from the date of the arrest as
3 alleged in the petition, or until the sworn report is received by
4 ~~the Department~~ Service Oklahoma. If the records of ~~the Department~~
5 Service Oklahoma do not reflect receipt of the sworn report
6 described in this subsection at the expiration of the stay, the
7 court shall enter an order directing ~~the Department~~ Service Oklahoma
8 to take no action upon receipt of the sworn report related to the
9 arrest as described in the petition. In no event shall a court
10 award costs or fees, including attorney fees, based upon the records
11 of ~~the Department~~ Service Oklahoma that do not reflect the receipt
12 of the sworn report as described in this subsection.

13 H. The court shall take testimony and examine the facts and
14 circumstances, including all of the records on file in the office of
15 ~~the Department of Public Safety~~ Service Oklahoma relative to the
16 offense committed and the driving record of the person, and
17 determine from the facts, circumstances, and records whether or not
18 the petitioner is entitled to driving privileges or shall be subject
19 to the order of denial, cancellation, suspension or revocation
20 issued by ~~the Department~~ Service Oklahoma. In case the court finds
21 that the order was not justified, the court may sustain the appeal,
22 vacate the order of ~~the Department~~ Service Oklahoma and direct that
23 driving privileges be restored to the petitioner, if otherwise
24 eligible.

1 I. The testimony of any hearing pursuant to this section shall
2 be taken by the court stenographer and preserved for the purpose of
3 appeal and, in case ~~the Department~~ Service Oklahoma files notice of
4 appeal from the order of the court as provided herein, the court
5 shall order and direct the court clerk to prepare and furnish a
6 complete transcript of all pleadings and proceedings, together with
7 a complete transcript taken at the hearing at no cost to ~~the~~
8 ~~Department~~ Service Oklahoma, except the cost of transcribing.

9 J. Upon ~~the Department's~~ Service Oklahoma's receipt of a
10 petition challenging ~~the Department's~~ Service Oklahoma's action
11 against the driving privileges of any person under this title, ~~the~~
12 ~~Department~~ Service Oklahoma shall withhold taking the action which
13 is the subject of the appeal or stay the order which is the subject
14 of the appeal. During the pendency of the appeal, ~~the Department~~
15 Service Oklahoma shall grant or restore driving privileges to the
16 person if the person is otherwise eligible.

17 K. An appeal may be taken by the person or by ~~the Department~~
18 Service Oklahoma from the order or judgment of the district court to
19 the Supreme Court of the State of Oklahoma as otherwise provided by
20 law.

21 SECTION 30. AMENDATORY 47 O.S. 2021, Section 156.1, as
22 last amended by Section 3 of Enrolled House Bill No. 2253 of the 1st
23 Session of the 59th Oklahoma Legislature, is amended to read as
24 follows:

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

15 B. 1. Any state employee, other than the individuals provided
16 for in paragraph 2 of this subsection and any employee of the
17 Department of Public Safety who is ~~an employee in the Driver License~~
18 ~~Examining Division or the Driver Compliance Division~~ or a wrecker
19 inspector or auditor of the Wrecker Services Division as provided
20 for in paragraph 3 of this subsection, who receives emergency
21 telephone calls regularly at the residence of the employee when the
22 employee is not on duty and is regularly called upon to use a
23 vehicle after normal work hours in response to such emergency calls,
24 may be permitted to use a vehicle belonging to the state to provide

1 transportation between the residence of the employee and the
2 assigned place of employment, provided such distance does not exceed
3 seventy-five (75) miles in any round trip or is within the county
4 where the assigned place of employment is located. Provided
5 further, an employee may be permitted to use a state-owned or state-
6 leased vehicle to provide temporary transportation between a
7 specific work location other than the assigned place of employment
8 and the residence of the employee, if such use shall result in a
9 monetary saving to the agency, and such authorization shall not be
10 subject to the distance or area restrictions provided for in this
11 paragraph. Authorization for temporary use of a state-owned or
12 state-leased vehicle for a specific project shall be in writing
13 stating the justification for this use and the saving expected to
14 result. Such authorization shall be valid for not to exceed sixty
15 (60) days. Any state entity other than law enforcement that avails
16 itself of this provision shall keep a monthly record of all
17 participating employees, the number of emergency calls received and
18 the number of times that a state vehicle was used in the performance
19 of such emergency calls.

20 2. Any employee of the Department of Public Safety, Oklahoma
21 Department of Corrections, Office of the Attorney General, Oklahoma
22 State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma
23 State Bureau of Investigation, Alcoholic Beverage Laws Enforcement
24 Commission, Oklahoma Horse Racing Commission, Oklahoma Department of

1 Agriculture, Food, and Forestry, Office of the Inspector General
2 within the Department of Human Services or Office of the State Fire
3 Marshal, who is a law enforcement officer or criminalist, Public
4 Information officer, Special Investigator or Assistant Director of
5 the Oklahoma State Bureau of Investigation, CLEET-certified
6 Investigator for a state board or any employee of a district
7 attorney who is a law enforcement officer, may be permitted to use a
8 state-owned or state-leased vehicle to provide transportation
9 between the residence of the employee and the assigned place of
10 employment and between the residence and any location other than the
11 assigned place of employment to which the employee travels in the
12 performance of the official duty of the employee.

13 3. Any employee of the Department of Public Safety who is ~~an~~
14 ~~employee in the Driver License Examining Division, an employee of~~
15 ~~the Driver Compliance Division,~~ a wrecker inspector or auditor of
16 the Wrecker Services Division, or a noncommissioned pilot may be
17 permitted, as determined by the Commissioner, to use a state-owned
18 or state-leased vehicle to provide transportation between the
19 residence of the employee and the assigned place of employment and
20 between the residence and any location other than the assigned place
21 of employment to which the employee travels in the performance of
22 the official duty of the employee.

23 4. The Director, department heads and other essential employees
24 of the Department of Wildlife Conservation, as authorized by the

1 Wildlife Conservation Commission, may be permitted to use a state-
2 owned or state-leased vehicle to provide transportation between the
3 residence of the employee and the assigned place of employment and
4 between the residence and any location other than the assigned place
5 of employment to which the employee travels in the performance of
6 the official duty of the employee.

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

15 6. The Attorney General, division heads, emergency responders,
16 agents, assistant attorneys general, and other essential employees
17 of the Office of the Attorney General, as authorized by the Attorney
18 General, may be permitted to use a state-owned or state-leased
19 vehicle to provide transportation between the residence of the
20 employee and the assigned place of employment and between the
21 residence and any location other than the assigned place of
22 employment to which the employee travels in the performance of the
23 official duty of the employee.

24

1 7. 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 an employee 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.

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

18 SECTION 31. AMENDATORY 47 O.S. 2021, Section 752, is
19 amended to read as follows:

20 Section 752. A. Only a licensed medical doctor, licensed
21 osteopathic physician, licensed chiropractic physician, registered
22 nurse, licensed practical nurse, physician's assistant, certified by
23 any state's appropriate licensing authority, an employee of a
24 hospital or other health care facility authorized by the hospital or

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

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

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

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

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

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

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

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

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

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

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

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

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

1 shall make all necessary arrangements for the performance of such
2 independent analysis other than the forwarding or delivery of such
3 specimen.

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

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

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

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

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

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

22 SECTION 32. AMENDATORY 47 O.S. 2021, Section 753, as
23 amended by Section 6, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
24 Section 753), is amended to read as follows:

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

1 nonresident operating privilege for a period provided by Section 6-
2 205.1 of this title. If the person is a resident or nonresident
3 without a license or permit to operate a motor vehicle in this
4 state, the ~~Commissioner of Public Safety~~ Director of Service
5 Oklahoma shall deny to the person the issuance of a license or
6 permit for a period provided by Section 6-205.1 of this title
7 subject to a review as provided in Section 754 of this title. The
8 revocation or denial shall become effective forty-five (45) days
9 after the arrested person is given written notice thereof by the
10 officer or by ~~the Department of Public Safety~~ Service Oklahoma as
11 provided in Section 754 of this title.

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

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

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

22 SECTION 33. AMENDATORY 47 O.S. 2021, Section 754, as
23 amended by Section 7, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2022,
24 Section 754), is amended to read as follows:

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

18 B. Upon receipt of a written blood or breath test report
19 reflecting that the arrested person, if under twenty-one (21) years
20 of age, had any measurable quantity of alcohol in the blood or
21 breath of the person, or, if the arrested person is twenty-one (21)
22 years of age or older, a blood or breath alcohol concentration of
23 eight-hundredths (0.08) or more, accompanied by a sworn report from
24 a law enforcement officer that the officer had reasonable grounds to

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

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

24

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

- 4 a. if timely requested by the person, the person was not
5 denied a breath or blood test,
- 6 b. the specimen was obtained from the person within two
7 (2) hours of the arrest of the person,
- 8 c. the person, if under twenty-one (21) years of age, was
9 advised that driving privileges would be revoked or
10 denied if the test result reflected the presence of
11 any measurable quantity of alcohol,
- 12 d. the person, if twenty-one (21) years of age or older,
13 was advised that driving privileges would be revoked
14 or denied if the test result reflected an alcohol
15 concentration of eight-hundredths (0.08) or more, and
- 16 e. the test result in fact reflects the alcohol
17 concentration.

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

- 22 a. the person refused to submit to the test or tests, and
- 23
24

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 34. 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 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;
23
24

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 35. 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~~ 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 36. 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 37. 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 38. 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 39. 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 finds the licensee or
22 applicant has not complied with, or has violated, any of the
23 provisions of this Act or any regulation adopted by ~~the Commissioner~~
24 Service Oklahoma hereunder. Any canceled, suspended or revoked

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

5 SECTION 40. AMENDATORY 47 O.S. 2021, Section 1104, as
6 last amended by Section 1, Chapter 363, O.S.L. 2022 (47 O.S. Supp.
7 2022, Section 1104), is amended to read as follows:

8 Section 1104. A. Unless otherwise provided by law, all fees,
9 taxes and penalties collected or received pursuant to the Oklahoma
10 Vehicle License and Registration Act or Section 1-101 et seq. of
11 this title shall be apportioned and distributed monthly by the
12 Oklahoma Tax Commission in accordance with this section. Service
13 Oklahoma shall provide to the Oklahoma Tax Commission monthly
14 reports of motor vehicle collection information, including, but not
15 limited to, motor vehicle monthly apportionment information,
16 refunds, cancelled vouchers, waste tire collections, organ donor
17 program amounts, driver license records, prorated amounts, and sales
18 tax amounts. The reports shall be delivered electronically pursuant
19 to the current calendar year apportionment disbursement schedule
20 provided to Service Oklahoma by the Oklahoma Tax Commission on or
21 before December 1st annually.

22 B. 1. The following percentages of the monies referred to in
23 subsection A of this section shall be apportioned to the various
24 school districts in accordance with paragraph 2 of this subsection:

- 1 a. from October 1, 2000, until June 30, 2001, thirty-five
2 and forty-six one-hundredths percent (35.46%),
3 b. for the year beginning July 1, 2001, and ending June
4 30, 2002, thirty-five and ninety-one one-hundredths
5 percent (35.91%),
6 c. for the year beginning July 1, 2002, through the year
7 ending on June 30, 2015, thirty-six and twenty one-
8 hundredths percent (36.20%),
9 d. for the year beginning July 1, 2015, through the year
10 ending on June 30, 2019, thirty-six and twenty one-
11 hundredths percent (36.20%), but in no event shall the
12 amount apportioned in any fiscal year pursuant to this
13 subparagraph exceed the total amount apportioned for
14 the fiscal year ending on June 30, 2015. Any amounts
15 in excess of such limitation shall be placed to the
16 credit of the General Revenue Fund, and
17 e. for the year beginning July 1, 2019, and all
18 subsequent years, thirty-six and twenty one-hundredths
19 percent (36.20%), but in no event shall the amount
20 apportioned in any fiscal year pursuant to this
21 subparagraph exceed the total amount apportioned for
22 the fiscal year ending on June 30, 2015. Any amounts
23 in excess of such limitation shall be placed to the
24 credit of the Rebuilding Oklahoma Access and Driver

1 Safety Fund created in Section 1521 of Title 69 of the
2 Oklahoma Statutes.

3 2. The monies apportioned pursuant to subparagraphs a through e
4 of paragraph 1 of this subsection shall be apportioned to the
5 various school districts so that each district shall receive an
6 amount based upon the proportion that each district's average daily
7 attendance bears to the total average daily attendance of those
8 districts entitled to receive funds pursuant to this section as
9 certified by the State Department of Education.

10 Each district's allocation of funds shall be remitted to the
11 county treasurer of the county wherein the administrative
12 headquarters of the district are located.

13 No district shall be eligible for the funds herein provided
14 unless the district makes an ad valorem tax levy of fifteen (15)
15 mills and maintains nine (9) years of instruction and pursuant to
16 the rules of the State Board of Education, is authorized to maintain
17 ten (10) years of instruction.

18 C. The following percentages of the monies referred to in
19 subsection A of this section shall be remitted to the State
20 Treasurer to be credited to the General Revenue Fund of the State
21 Treasury:

22 1. From October 1, 2000, until June 30, 2001, forty-five and
23 ninety-seven one-hundredths percent (45.97%);
24

- 1 2. For the year beginning July 1, 2001, and ending June 30,
2 2002, forty-five and twenty-nine one-hundredths percent (45.29%);
- 3 3. For the year beginning July 1, 2002, and for the subsequent
4 fiscal years ending June 30, 2007, forty-four and eighty-four one-
5 hundredths percent (44.84%);
- 6 4. For the year beginning July 1, 2007, and ending June 30,
7 2008, thirty-nine and eighty-four one-hundredths percent (39.84%);
- 8 5. For the year beginning July 1, 2008, and ending June 30,
9 2009, thirty-four and eighty-four one-hundredths percent (34.84%);
- 10 6. For the period beginning July 1, 2009, and ending December
11 31, 2012, twenty-nine and eighty-four one-hundredths percent
12 (29.84%);
- 13 7. For the period beginning January 1, 2013, and ending June
14 30, 2013, twenty-nine and thirty-four one-hundredths percent
15 (29.34%);
- 16 8. For the year beginning July 1, 2013, and ending June 30,
17 2014, twenty-six and eighty-four one-hundredths percent (26.84%);
18 and
- 19 9. For the year beginning July 1, 2014, through the year ending
20 June 30, 2019, twenty-four and eighty-four one-hundredths percent
21 (24.84%).
- 22 D. The following percentages of the monies referred to in
23 subsection A of this section shall be remitted to the State
24 Treasurer to be credited to the State Transportation Fund:

1 1. From October 1, 2000, until June 30, 2001, thirty one-
2 hundredths percent (0.30%);

3 2. For the year beginning July 1, 2001, through the year ending
4 on June 30, 2015, thirty-one one-hundredths percent (0.31%);

5 3. For the year beginning July 1, 2015, through the year ending
6 on June 30, 2019, thirty-one one-hundredths percent (0.31%), but in
7 no event shall the amount apportioned in any fiscal year pursuant to
8 this paragraph exceed the total amount apportioned for the fiscal
9 year ending on June 30, 2015. Any amounts in excess of such
10 limitation shall be placed to the credit of the General Revenue
11 Fund; and

12 4. For the year beginning July 1, 2019, and all subsequent
13 years, thirty-one one-hundredths percent (0.31%), but in no event
14 shall the amount apportioned in any fiscal year pursuant to this
15 paragraph exceed the total amount apportioned for the fiscal year
16 ending on June 30, 2015. Any amounts in excess of such limitation
17 shall be placed to the credit of the Rebuilding Oklahoma Access and
18 Driver Safety Fund created in Section 1521 of Title 69 of the
19 Oklahoma Statutes.

20 E. 1. The following percentages of the monies referred to in
21 subsection A of this section shall be apportioned to the various
22 counties as set forth in paragraph 2 of this subsection:

23 a. from October 1, 2000, until June 30, 2001, seven and
24 nine one-hundredths percent (7.09%),

- 1 b. for the year beginning July 1, 2001, and ending June
2 30, 2002, seven and eighteen one-hundredths percent
3 (7.18%),
- 4 c. for the year beginning July 1, 2002, through the year
5 ending on June 30, 2015, seven and twenty-four one-
6 hundredths percent (7.24%),
- 7 d. for the year beginning July 1, 2015, through the year
8 ending on June 30, 2019, seven and twenty-four one-
9 hundredths percent (7.24%), but in no event shall the
10 amount apportioned in any fiscal year pursuant to this
11 subparagraph exceed the total amount apportioned for
12 the fiscal year ending on June 30, 2015. Any amounts
13 in excess of such limitation shall be placed to the
14 credit of the General Revenue Fund, and
- 15 e. for the year beginning July 1, 2019, and all
16 subsequent years, seven and twenty-four one-hundredths
17 percent (7.24%), but in no event shall the amount
18 apportioned in any fiscal year pursuant to this
19 subparagraph exceed the total amount apportioned for
20 the fiscal year ending on June 30, 2015. Any amounts
21 in excess of such limitation shall be placed to the
22 credit of the Rebuilding Oklahoma Access and Driver
23 Safety Fund created in Section 1521 of Title 69 of the
24 Oklahoma Statutes.

1 2. The monies apportioned pursuant to subparagraphs a through e
2 of paragraph 1 of this subsection shall be apportioned as follows:
3 forty percent (40%) of such sum shall be distributed to the various
4 counties in that proportion which the county road mileage of each
5 county bears to the entire state road mileage as certified by the
6 Transportation Commission and the remaining sixty percent (60%) of
7 such sum shall be distributed to the various counties on the basis
8 which the population and area of each county bears to the total
9 population and area of the state. The population shall be as shown
10 by the last Federal Decennial Census or the most recent annual
11 estimate provided by the United States Bureau of the Census. The
12 funds shall be used for the purpose of constructing and maintaining
13 county highways; provided, however, the county treasurer may deposit
14 so much of the funds in the sinking fund as may be necessary for the
15 retirement of interest and annual accrual of indebtedness created by
16 the issuance of county or township bonds for road purposes. Such
17 deposits to the sinking fund shall not exceed forty percent (40%) of
18 the funds allocated to a county pursuant to this paragraph.

19 F. 1. The following percentages of the monies referred to in
20 subsection A of this section shall be remitted to the county
21 treasurers of the respective counties and by them deposited in a
22 separate special revenue fund to be used by the county commissioners
23 in accordance with paragraph 2 of this subsection:
24

- 1 a. from October 1, 2000, until June 30, 2001, two and
2 fifty-three one-hundredths percent (2.53%),
- 3 b. for the year beginning July 1, 2001, and ending June
4 30, 2002, two and fifty-six one-hundredths percent
5 (2.56%),
- 6 c. for the year beginning July 1, 2002, through the year
7 ending on June 30, 2015, two and fifty-nine one-
8 hundredths percent (2.59%),
- 9 d. for the year beginning July 1, 2015, through the year
10 ending on June 30, 2019, two and fifty-nine one-
11 hundredths percent (2.59%), but in no event shall the
12 amount apportioned in any fiscal year pursuant to this
13 subparagraph exceed the total amount apportioned for
14 the fiscal year ending on June 30, 2015. Any amounts
15 in excess of such limitation shall be placed to the
16 credit of the General Revenue Fund, and
- 17 e. for the year beginning July 1, 2019, and all
18 subsequent years, two and fifty-nine one-hundredths
19 percent (2.59%), but in no event shall the amount
20 apportioned in any fiscal year pursuant to this
21 subparagraph exceed the total amount apportioned for
22 the fiscal year ending on June 30, 2015. Any amounts
23 in excess of such limitation shall be placed to the
24 credit of the Rebuilding Oklahoma Access and Driver

1 Safety Fund created in Section 1521 of Title 69 of the
2 Oklahoma Statutes.

3 2. The monies apportioned pursuant to subparagraphs a through e
4 of paragraph 1 of this subsection shall be used for the primary
5 purpose of matching federal funds for the construction of federal
6 aid projects on county roads, or constructing and maintaining county
7 or township highways and permanent bridges of such counties. The
8 distribution of monies apportioned by this paragraph shall be made
9 upon the basis of the current formula based upon road mileage, area
10 and population as related to county road improvement and maintenance
11 costs. Provided, however, the Department of Transportation may
12 update the formula factors from time to time as necessary to account
13 for changing conditions.

14 G. 1. The following percentages of the monies referred to in
15 subsection A of this section shall be transmitted by the Tax
16 Commission to the various counties as set forth in paragraph 2 of
17 this subsection:

18 a. from October 1, 2000, until June 30, 2001, three and
19 fifty-five one-hundredths percent (3.55%),

20 b. for the year beginning July 1, 2001, and ending June
21 30, 2002, three and fifty-nine one-hundredths percent
22 (3.59%),

1 c. for the year beginning July 1, 2002, through the year
2 ending on June 30, 2015, three and sixty-two one-
3 hundredths percent (3.62%),

4 d. for the year beginning July 1, 2015, through the year
5 ending on June 30, 2019, three and sixty-two one-
6 hundredths percent (3.62%), but in no event shall the
7 amount apportioned in any fiscal year pursuant to this
8 subparagraph exceed the total amount apportioned for
9 the fiscal year ending on June 30, 2015. Any amounts
10 in excess of such limitation shall be placed to the
11 credit of the General Revenue Fund, and

12 e. for the year beginning July 1, 2019, and all
13 subsequent years, three and sixty-two one-hundredths
14 percent (3.62%), but in no event shall the amount
15 apportioned in any fiscal year pursuant to this
16 subparagraph exceed the total amount apportioned for
17 the fiscal year ending on June 30, 2015. Any amounts
18 in excess of such limitation shall be placed to the
19 credit of the Rebuilding Oklahoma Access and Driver
20 Safety Fund created in Section 1521 of Title 69 of the
21 Oklahoma Statutes.

22 2. The monies apportioned pursuant to subparagraphs a through e
23 of paragraph 1 of this subsection shall be transmitted to the
24 various counties on the basis of a formula to be developed by the

1 Department of Transportation. Such formula shall be similar to that
2 currently used for the distribution of County Bridge Program ~~Funds~~
3 funds, but also taking into consideration the effect of terrain and
4 traffic volume as related to county road improvement and maintenance
5 costs. Provided, however, the Department of Transportation may
6 update the formula factors from time to time as necessary to account
7 for changing conditions. The funds shall be transmitted to the
8 various county treasurers to be deposited in the county highway fund
9 of their respective counties.

10 H. 1. The following percentages of the monies referred to in
11 subsection A of this section shall be apportioned to the various
12 counties as set forth in paragraph 2 of this subsection:

- 13 a. from October 1, 2000, until June 30, 2001, eighty-one
14 one-hundredths percent (0.81%),
- 15 b. for the year beginning July 1, 2001, and ending June
16 30, 2002, eighty-two one-hundredths percent (0.82%),
- 17 c. for the year beginning July 1, 2002, through the year
18 ending on June 30, 2015, eighty-three one-hundredths
19 percent (0.83%),
- 20 d. for the year beginning July 1, 2015, through the year
21 ending on June 30, 2019, eighty-three one-hundredths
22 percent (0.83%), but in no event shall the amount
23 apportioned in any fiscal year pursuant to this
24 subparagraph exceed the total amount apportioned for

1 the fiscal year ending on June 30, 2015. Any amounts
2 in excess of such limitation shall be placed to the
3 credit of the General Revenue Fund, and

4 e. for the year beginning July 1, 2019, and all
5 subsequent years, eighty-three one-hundredths percent
6 (0.83%), but in no event shall the amount apportioned
7 in any fiscal year pursuant to this subparagraph
8 exceed the total amount apportioned for the fiscal
9 year ending on June 30, 2015. Any amounts in excess
10 of such limitation shall be placed to the credit of
11 the Rebuilding Oklahoma Access and Driver Safety Fund
12 created in Section 1521 of Title 69 of the Oklahoma
13 Statutes.

14 2. The monies apportioned pursuant to subparagraphs a through e
15 of paragraph 1 of this subsection shall be apportioned to the
16 various counties based upon the proportion that each county's
17 population bears to the total state population.

18 Each county's allocation of funds shall be remitted to the
19 various county treasurers to be deposited in the general fund of the
20 county and used for the support of county government.

21 I. 1. The following percentages of the monies referred to in
22 subsection A of this section shall be apportioned to the various
23 cities and incorporated towns as set forth in paragraph 2 of this
24 subsection:

- 1 a. from October 1, 2000, until June 30, 2001, three and
2 four one-hundredths percent (3.04%),
- 3 b. for the year beginning July 1, 2001, and ending June
4 30, 2002, three and eight one-hundredths percent
5 (3.08%),
- 6 c. for the year beginning July 1, 2002, through the year
7 ending on June 30, 2015, three and ten one-hundredths
8 percent (3.10%),
- 9 d. for the year beginning July 1, 2015, through the year
10 ending on June 30, 2019, three and ten one-hundredths
11 percent (3.10%), but in no event shall the amount
12 apportioned in any fiscal year pursuant to this
13 subparagraph exceed the total amount apportioned for
14 the fiscal year ending on June 30, 2015. Any amounts
15 in excess of such limitation shall be placed to the
16 credit of the General Revenue Fund, and
- 17 e. for the year beginning July 1, 2019, and all
18 subsequent years, three and ten one-hundredths percent
19 (3.10%), but in no event shall the amount apportioned
20 in any fiscal year pursuant to this subparagraph
21 exceed the total amount apportioned for the fiscal
22 year ending on June 30, 2015. Any amounts in excess
23 of such limitation shall be placed to the credit of
24 the Rebuilding Oklahoma Access and Driver Safety Fund

1 created in Section 1521 of Title 69 of the Oklahoma
2 Statutes.

3 2. The monies apportioned pursuant to subparagraphs a through e
4 of paragraph 1 of this subsection shall be apportioned to the
5 various cities and incorporated towns based upon the proportion that
6 each city or incorporated town's population bears to the total
7 population of all cities and incorporated towns in the state. Such
8 funds shall be remitted to the various county treasurers for
9 allocation to the various cities and incorporated towns. All such
10 funds shall be used for the construction, maintenance, repair,
11 improvement and lighting of streets and alleys. Provided, however,
12 the governing board of any city or town may, with the approval of
13 the county excise board, transfer any surplus funds to the general
14 revenue fund of such city or town whenever an emergency requires
15 such a transfer.

16 J. The following percentages of the monies referred to in
17 subsection A of this section shall be remitted to the State
18 Treasurer to be credited to the Oklahoma Law Enforcement Retirement
19 Fund:

20 1. From October 1, 2000, until June 30, 2001, one and twenty-
21 two one-hundredths percent (1.22%);

22 2. For the year beginning July 1, 2001, and ending June 30,
23 2002, one and twenty-three one-hundredths percent (1.23%); and
24

1 3. For the year beginning July 1, 2002, and all subsequent
2 years, one and twenty-four one-hundredths percent (1.24%).

3 K. Three one-hundredths of one percent (3/100 of 1%) of the
4 monies referred to in subsection A of this section shall be remitted
5 to the State Treasurer to be credited to the Wildlife Conservation
6 Fund. Seventy-five percent (75%) of the funds shall be used for
7 fish habitat restoration and twenty-five percent (25%) of the funds
8 shall be used in the fish hatchery system for fish production.

9 L. 1. For the year beginning July 1, 2007, and ending June 30,
10 2008, five percent (5%) of monies referred to in subsection A of
11 this section shall be remitted to the State Treasurer to be credited
12 to the County Improvements for Roads and Bridges Fund as created in
13 Section 507 of Title 69 of the Oklahoma Statutes.

14 2. For the year beginning July 1, 2008, and ending June 30,
15 2009, ten percent (10%) of monies referred to in subsection A of
16 this section shall be remitted to the State Treasurer to be credited
17 to the County Improvements for Roads and Bridges Fund as created in
18 Section 507 of Title 69 of the Oklahoma Statutes.

19 3. For the period beginning July 1, 2009, and ending December
20 31, 2012, fifteen percent (15%) of monies referred to in subsection
21 A of this section shall be remitted to the State Treasurer to be
22 credited to the County Improvements for Roads and Bridges Fund as
23 created in Section 507 of Title 69 of the Oklahoma Statutes.

1 4. For the period beginning January 1, 2013, and ending June
2 30, 2013, fifteen and fifty one-hundredths percent (15.50%) of
3 monies referred to in subsection A of this section shall be remitted
4 to the State Treasurer to be credited to the County Improvements for
5 Roads and Bridges Fund as created in Section 507 of Title 69 of the
6 Oklahoma Statutes.

7 5. For the year beginning July 1, 2013, and ending June 30,
8 2014, eighteen percent (18%) of monies referred to in subsection A
9 of this section shall be remitted to the State Treasurer to be
10 credited to the County Improvements for Roads and Bridges Fund as
11 created in Section 507 of Title 69 of the Oklahoma Statutes.

12 6. For the year beginning July 1, 2014, twenty percent (20%) of
13 monies referred to in subsection A of this section shall be remitted
14 to the State Treasurer to be credited to the County Improvements for
15 Roads and Bridges Fund as created in Section 507 of Title 69 of the
16 Oklahoma Statutes.

17 7. For the year beginning July 1, 2015, through the year ending
18 on June 30, 2019, twenty percent (20%) of monies referred to in
19 subsection A of this section shall be remitted to the State
20 Treasurer to be credited to the County Improvements for Roads and
21 Bridges Fund as created in Section 507 of Title 69 of the Oklahoma
22 Statutes, but in no event shall the total amount apportioned in any
23 fiscal year pursuant to this paragraph exceed One Hundred Twenty
24 Million Dollars (\$120,000,000.00). Any amounts in excess of One

1 Hundred Twenty Million Dollars (\$120,000,000.00) shall be placed to
2 the credit of the General Revenue Fund.

3 8. a. Except as provided in subparagraph b of this
4 paragraph, for the year beginning July 1, 2019, and
5 all subsequent years, twenty percent (20%) of monies
6 referred to in subsection A of this section shall be
7 remitted to the State Treasurer to be credited to the
8 County Improvements for Roads and Bridges Fund as
9 created in Section 507 of Title 69 of the Oklahoma
10 Statutes, but in no event shall the total amount
11 apportioned in any fiscal year pursuant to this
12 paragraph exceed the fiscal year limitations provided
13 in subparagraph c of this paragraph. Any amounts in
14 excess of the fiscal year limitations provided in
15 subparagraph c of this paragraph shall be placed to
16 the credit of the Rebuilding Oklahoma Access and
17 Driver Safety Fund created in Section 1521 of Title 69
18 of the Oklahoma Statutes,

19 b. (1) for the fiscal year beginning July 1, 2021,
20 through the fiscal year ending June 30, 2026, the
21 Oklahoma Tax Commission shall remit twenty-five
22 percent (25%) of the monthly allocation,
23 otherwise scheduled to be credited to the County
24 Improvements for Roads and Bridges Fund, to the

1 various counties of the state. The Commission
2 shall distribute such funds monthly to each
3 county treasurer as follows:

4 (a) one-third (1/3) of such funds shall be
5 distributed to the various counties in the
6 proportion which the area of each county
7 bears to the total area of the state,

8 (b) one-third (1/3) of such funds shall be
9 distributed to the various counties in the
10 proportion which the certified county road
11 miles of each county bear to the total sum
12 of county road miles in the state, and

13 (c) one-third (1/3) of such funds shall be
14 distributed to the various counties in the
15 proportion which the total replacement cost
16 for obsolete or deficient bridges according
17 to the most recent ODOT yearly Bridge
18 Summary Report for County Bridges for each
19 county bears to the total amount of such
20 cost for all such county bridges in the
21 state, and

22 (2) for the fiscal year beginning July 1, 2026, and
23 all subsequent fiscal years thereafter, the
24 Oklahoma Tax Commission shall remit twenty-five

1 percent (25%) of the monthly allocation,
2 otherwise scheduled to be credited to the County
3 Improvements for Roads and Bridges Fund, to the
4 various counties of the state. The Commission
5 shall distribute such funds monthly to each
6 county treasurer as follows:

7 (a) one-third (1/3) of such funds shall be
8 distributed to the various counties in the
9 proportion which the area of each county
10 bears to the total area of the state,

11 (b) one-third (1/3) of such funds shall be
12 distributed to the various counties in the
13 proportion which the certified county road
14 miles of each county bear to the total sum
15 of county road miles in the state, and

16 (c) one-third (1/3) of such funds shall be
17 distributed to the various counties in the
18 proportion which the number of county
19 bridges in each county according to the ODOT
20 2020 Bridge Summary Report for County
21 Bridges bears to the total sum of county
22 bridges in the state according to such
23 report.
24

1 Each county treasurer shall deposit such funds to the
2 county's county highway fund and such funds shall be used
3 for maintenance and operations. In no event shall the
4 total amount apportioned in any fiscal year pursuant to the
5 provisions of subparagraphs a and b of this paragraph
6 exceed the fiscal year limitations provided in subparagraph
7 c of this paragraph, and

8 c. the total amount apportioned each fiscal year pursuant
9 to this paragraph shall be limited as follows:

- | | | |
|----|----------------------------------|-------------------|
| 10 | (1) for fiscal years 2020 | |
| 11 | through 2022 | \$120,000,000.00, |
| 12 | (2) for fiscal year 2023 | \$125,000,000.00, |
| 13 | (3) for fiscal year 2024 | \$130,000,000.00, |
| 14 | (4) for fiscal year 2025 | \$135,000,000.00, |
| 15 | (5) for fiscal year 2026 | \$140,000,000.00, |
| 16 | (6) for fiscal year 2027 | \$145,000,000.00, |
| 17 | (7) for fiscal year 2028 and all | |
| 18 | subsequent fiscal years | |
| 19 | thereafter | \$150,000,000.00. |

20 M. Twenty-four and eighty-four one-hundredths percent (24.84%)
21 of the monies referred to in subsection A of this section shall be
22 remitted to the State Treasurer to be credited to the Rebuilding
23 Oklahoma Access and Driver Safety Fund created in Section 1521 of
24 Title 69 of the Oklahoma Statutes.

1 N. Monies allocated to counties by this section may be
2 estimated by the county excise board in the budget for the county as
3 anticipated revenue to the extent of ninety percent (90%) of the
4 previous year's income from such source; provided, not more than
5 fifteen percent (15%) can be encumbered during any month.

6 O. Notwithstanding any other provisions of this section, for
7 the fiscal year beginning July 1, 2003, the first One Hundred
8 Thousand Dollars (\$100,000.00) of the monies collected or received
9 by the Tax Commission pursuant to the registration of motorcycles
10 and mopeds in this state shall be placed to the credit of the
11 Oklahoma Tax Commission ~~Revolving~~ Fund.

12 SECTION 41. AMENDATORY 47 O.S. 2021, Section 1109, as
13 amended by Section 121, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
14 2022, Section 1109), is amended to read as follows:

15 Section 1109. A. All information contained in certificates of
16 title, applications therefor, vehicle registration records, records
17 related to boats and motors, and computer data files is hereby
18 declared to be confidential information and shall not be copied by
19 anyone or disclosed to anyone other than employees of Service
20 Oklahoma or the Corporation Commission in the regular course of
21 their employment, except as provided in subsection B of this
22 section. As used in this section, "personal information" means
23 information that identifies an individual including name, address
24 (excluding the five-digit ZIP code) and telephone number, but does

1 not include information on vehicular accidents, driving violations
2 and driver's status.

3 B. Personal information referred to in subsection A of this
4 section shall be disclosed for use in connection with matters of
5 motor vehicle or driver safety and theft, motor vehicle emissions,
6 motor vehicle product alterations, recalls or advisories, and
7 removal of non-owner records from the original owner records of
8 motor vehicle manufacturers to carry out the purpose of Titles I and
9 IV of the Anti Car Theft Act of 1992, the Automobile Information
10 Disclosure Act (15 U.S.C., Section 1231 et seq.), the Clean Air Act
11 (42 U.S.C., Section 7401 et seq.) and Chapters 301, 305 and 321-331
12 of Title 49 of the United States Code and may be disclosed as
13 follows:

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

22 2. For use by any motor vehicle manufacturer or an authorized
23 representative thereof in connection with matters of motor vehicle
24 or driver safety and theft, motor vehicle emissions, motor vehicle

1 product alterations, recalls or advisories, performance monitoring
2 of motor vehicles, motor vehicle parts and dealers, motor vehicle
3 market research activities, including survey research, and removal
4 of non-owner records from the original owner records of motor
5 vehicle manufacturers. The confidentiality of the information shall
6 be protected, as set out above, and used only for the purpose
7 stated; provided, further, that Service Oklahoma or the Corporation
8 Commission shall be authorized to review the use of and the measures
9 employed to safeguard the information; and provided, further, that
10 the manufacturer or representative shall bear the cost incurred by
11 Service Oklahoma or the Corporation Commission in the production of
12 the information requested. If the confidentiality provisions, as
13 set out above, are violated, the provisions of subsection D of
14 Section 205 of Title 68 of the Oklahoma Statutes shall apply and the
15 privilege of obtaining information shall be terminated. Any
16 manufacturer or representative violating the provisions of this
17 paragraph, upon conviction, shall be punishable by a fine not to
18 exceed Fifty Thousand Dollars (\$50,000.00);

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

24

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

7 5. For use by a legitimate business or its agents, employees,
8 or contractors for use in the normal course of business, upon
9 payment of a fee of One Dollar (\$1.00) per vehicle record page to
10 Service Oklahoma, the Corporation Commission or any licensed
11 operator, but only:

- 12 a. to verify the accuracy of personal information
13 submitted by the individual to whom the information
14 pertains to the business or its agents, employees, or
15 contractors, or
- 16 b. to obtain the correct information, if such information
17 submitted by the individual to whom the information
18 pertains to the business is not correct, or is no
19 longer correct, but only for the purposes of
20 preventing fraud by, pursuing legal remedies against,
21 or recovering on a debt or security interest against
22 the individual;

23 6. For use in connection with any civil, criminal,
24 administrative or arbitral proceeding in any federal, state or local

1 court or agency or before any self-regulatory body, including the
2 service of process, investigation in anticipation of litigation, and
3 the execution or enforcement of judgments and orders, or pursuant to
4 an order of a federal, state or local court, upon payment of a fee
5 of One Dollar (\$1.00) per vehicle record page to Service Oklahoma,
6 the Corporation Commission or any licensed operator;

7 7. For use by any insurer or insurance support organization, or
8 by a self-insured entity, or its agents, employees, or contractors,
9 in connection with claims investigation activities, anti-fraud
10 activities, rating or underwriting, upon payment of a fee of One
11 Dollar (\$1.00) per vehicle record page to Service Oklahoma, the
12 Corporation Commission or any licensed operator;

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

18 9. For use by a requester, upon payment of a fee of One Dollar
19 (\$1.00) per vehicle record page to Service Oklahoma, the Corporation
20 Commission or any licensed operator, if the requester demonstrates
21 that it has obtained the written consent of the individual to whom
22 the information pertains;

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

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

6 Service Oklahoma shall collect a reasonable fee to recover the
7 costs of providing the data. As used in this section, the term
8 "vehicle record page" means a computer-generated printout of the
9 motor vehicle inquiry screen. Information provided on the motor
10 vehicle inquiry screen printout shall include the current vehicle
11 owner name and address, vehicle make, model and year, identifying
12 numbers for the vehicle license plate, certificate of title and
13 vehicle identification number, relevant dates relating to the
14 vehicle registration and certificate of title, lienholder
15 information and lien status.

16 C. In addition to the information provided on the vehicle
17 record page, Service Oklahoma or the Corporation Commission may,
18 upon written request, release to any requester authorized by the
19 provisions of this section to obtain individual motor vehicle
20 information, corresponding copies of vehicle certificates of title,
21 applications therefor, vehicle registration records and computer
22 data files.

23 There shall be an informational search and retrieval fee of Five
24 Dollars (\$5.00) per vehicle computer record search. If Service

1 Oklahoma or the Corporation Commission performs a manual search, the
2 fee shall be Seven Dollars and fifty cents (\$7.50) per vehicle.
3 Service Oklahoma is authorized to promulgate rules whereby licensed
4 operators, when requesting such documentation in the performance of
5 their duties, are exempt from this retrieval fee. Certified copies
6 of vehicle certificates of title and applications therefor shall be
7 included within the informational search and retrieval by Service
8 Oklahoma or the Corporation Commission for a fee of Ten Dollars
9 (\$10.00). Such duly certified copies may be received in evidence
10 with the same effect as the original when the original is not in the
11 possession or under the control of the party desiring to use the
12 same.

13 D. Requesters authorized by this section to receive information
14 shall submit to Service Oklahoma, the Corporation Commission or any
15 licensed operator an affidavit supported by such documentation as
16 Service Oklahoma or the Corporation Commission may require, on a
17 form prescribed by Service Oklahoma or the Corporation Commission
18 certifying that the information is requested for a lawful and
19 legitimate purpose and will not be further disseminated.

20 E. Notwithstanding the foregoing, Service Oklahoma or the
21 Corporation Commission may allow the release of information from its
22 motor vehicle records upon magnetic tape consisting only of the
23 following information:

24 1. The date of the certificate of title;

- 1 2. The certificate of title number;
- 2 3. The type of title issued for the vehicle;
- 3 4. The odometer reading from the certificate of title;
- 4 5. The year in which the vehicle was manufactured;
- 5 6. The vehicle identification number for the vehicle;
- 6 7. The make of the vehicle; and
- 7 8. The location in which the vehicle is registered.

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

17 F. Notwithstanding the provisions of this section or of Section
18 205 of Title 68 of the Oklahoma Statutes, Service Oklahoma or the
19 Corporation Commission may inform a secured party that taxes and
20 fees are delinquent with respect to a vehicle upon which the secured
21 party has a perfected lien.

22 G. Fees received by a licensed operator pursuant to the
23 provisions of this section shall not be included in the maximum sum
24

1 that may be retained by licensed operators as compensation pursuant
2 to the provisions of Section 1143 of this title.

3 H. All funds collected by the Tax Commission pursuant to the
4 provisions of this section shall be deposited in the Oklahoma Tax
5 Commission ~~Revolving~~ Fund. Beginning January 1, 2023, all funds
6 collected by Service Oklahoma pursuant to the provisions of this
7 section shall be deposited in the Service Oklahoma Revolving Fund.
8 All funds collected by the Corporation Commission pursuant to the
9 provisions of this section shall be apportioned as provided in
10 subsection C of Section 1161 of this title.

11 I. It is further provided that the provisions of this section
12 shall be strictly interpreted and shall not be construed as
13 permitting the disclosure of any other information contained in the
14 files and records of Service Oklahoma or the Corporation Commission.

15 J. It shall be unlawful for any person to commit any of the
16 following acts:

17 1. To knowingly obtain or disclose personal information from a
18 motor vehicle record for any use not expressly permitted by this
19 section; or

20 2. To make false representation to obtain any personal
21 information from an individual's motor vehicle record.

22 Any violation of the provisions of this section shall constitute
23 a misdemeanor and shall be punishable by the imposition of a fine
24 not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment

1 in the county jail for a term not exceeding one (1) year, or by both
2 such fine and imprisonment. Where applicable, a person convicted of
3 a violation of the provisions of this section shall be removed or
4 dismissed from office or state employment. No liability whatsoever,
5 civil or criminal, shall attach to any member or employee of Service
6 Oklahoma or the Corporation Commission for any error or omission in
7 the disclosure of such information.

8 SECTION 42. AMENDATORY 47 O.S. 2021, Section 1135.5, as
9 last amended by Section 23 of Enrolled Senate Bill No. 782 of the
10 1st Session of the 59th Oklahoma Legislature (47 O.S. Supp. 2022,
11 Section 1135.5), is amended to read as follows:

12 Section 1135.5. A. Service Oklahoma is hereby authorized to
13 design and issue appropriate official special license plates to
14 persons wishing to demonstrate support and provide financial
15 assistance as provided by this section.

16 Special license plates shall not be transferred to any other
17 person but shall be removed from the vehicle upon transfer of
18 ownership and retained. The special license plate may then be used
19 on another vehicle but only after such other vehicle has been
20 registered for the current year with a licensed operator.

21 Special license plates shall be renewed each year by Service
22 Oklahoma or a licensed operator, unless authorized by Service
23 Oklahoma to be renewed for a period greater than one (1) year.
24 Service Oklahoma shall notify by mail all persons issued special

1 license plates. The notice shall contain all necessary information
2 and shall contain instructions for the renewal procedure upon
3 presentation to a licensed operator or Service Oklahoma. The
4 license plates shall be issued on a staggered system.

5 Service Oklahoma is hereby directed to develop and implement a
6 system whereby licensed operators are permitted to accept
7 applications for special license plates authorized under this
8 section. The licensed operator shall confirm the applicant's
9 eligibility, if applicable, collect and deposit any amount
10 specifically authorized by law, accept and process the necessary
11 information directly into such system and generate a receipt
12 accordingly. For performance of these duties, licensed operators
13 shall retain the fee provided in Section 1141.1 of this title for
14 registration of a motor vehicle. The licensed operator fees for
15 acceptance of applications and renewals shall be paid out of the Tax
16 Commission Reimbursement Fund. Beginning January 1, 2023, the
17 licensed operator fees for acceptance of applications and renewals
18 shall be paid out of the Service Oklahoma Reimbursement Fund.

19 If fewer than ~~one hundred~~ fifty of any type of special license
20 plates authorized prior to January 1, 2004, are issued prior to
21 January 1, 2006, Service Oklahoma shall discontinue issuance and
22 renewal of that type of special license plate. Any such authorized
23 special license plate registrant shall be allowed to display the
24 license plate upon the designated vehicle until the registration

1 expiration date. After such time the expired special license plate
2 shall be removed from the vehicle.

3 For special license plates authorized on or after July 1, 2004,
4 no special license plates shall be developed or issued by Service
5 Oklahoma until Service Oklahoma receives one hundred prepaid
6 applications therefor. The prepaid applications must be received by
7 Service Oklahoma within one hundred eighty (180) days of the
8 effective date of the authorization or the authority to issue shall
9 be null and void. In the event one hundred prepaid applications are
10 not received by Service Oklahoma within such prescribed time period
11 any payment so received shall be refunded accordingly.

12 B. The special license plates provided by this section are as
13 follows:

14 1. University or College Supporter License Plate - such plates
15 shall be designed and issued to any person wishing to demonstrate
16 support to any state-supported or private university or college. As
17 provided in this section, an amount of the fee collected shall be
18 apportioned as provided in Section 1104.1 of this title;

19 2. Environmental Awareness License Plate - such plates shall be
20 designed, subject to the criteria to be presented to Service
21 Oklahoma by the Department of Environmental Quality in consultation
22 with the Oklahoma Arts Council, and issued to any person wishing to
23 demonstrate support to implement the statewide general public
24 Environmental Education Program created pursuant to the provisions

1 of the Oklahoma Environmental Quality Code. Such plates shall be
2 designed and issued to any person in any combination of numbers and
3 letters from one to a maximum of seven, as for personalized license
4 plates. A dealer's license plate issued pursuant to Section 1116.1
5 or 1128 of this title may be designated an Environmental Awareness
6 License Plate upon payment of the fee imposed by this section and
7 any other registration fees required by the Oklahoma Vehicle License
8 and Registration Act. As provided in this section, an amount of the
9 fee collected shall be apportioned pursuant to Section 1104.2 of
10 this title;

11 3. Firefighter License Plate - such plates shall be designed
12 for any career or retired firefighter, volunteer or paid.
13 Firefighters may apply for firefighter plates for up to four
14 vehicles with a rated capacity of one (1) ton or less or for a
15 motorcycle upon proof of a fire department membership by either an
16 identification card or letter from the chief of the fire department.
17 Retirees who are eligible for such plates shall provide proof of
18 eligibility upon initial application, but shall not be required to
19 provide proof of eligibility annually. The surviving spouse of any
20 deceased firefighter, if the spouse has not since remarried, may
21 apply for a firefighter license plate for one vehicle with a rated
22 carrying capacity of one (1) ton or less or for a motorcycle upon
23 proof that the deceased firefighter was a member of a fire
24 department by either an identification card or letter from the chief

1 of the fire department. The license plate shall be designed in
2 consultation with the Oklahoma State Firefighters Association.

3 As provided in this section, an amount of the fee collected
4 shall be deposited to the Oklahoma State Firemen's Museum Building &
5 Memorial Fund for support of the Oklahoma State Firefighters Museum
6 and the Oklahoma Fallen and Living Firefighters Memorial;

7 4. Wildlife Conservation License Plate - such plates shall be
8 designed, subject to the criteria to be presented to Service
9 Oklahoma by the Department of Wildlife Conservation in consultation
10 with the Oklahoma Arts Council, and issued to any person wishing to
11 demonstrate support for wildlife conservation in this state through
12 the Wildlife Diversity Fund, provided for in Section 3-310 of Title
13 29 of the Oklahoma Statutes. Such plates may be designed and issued
14 to any person as for personalized license plates.

15 As provided in this section, an amount of the fee collected
16 shall be apportioned pursuant to subsection D of Section 3-310 of
17 Title 29 of the Oklahoma Statutes;

18 5. Child Abuse Prevention License Plate - such plates shall be
19 designed, subject to the criteria to be presented to Service
20 Oklahoma by the Office of Child Abuse Prevention in the State
21 Department of Health and the Child Abuse Prevention Action
22 Committee, and issued to any person wishing to demonstrate support
23 for the prevention of child abuse.

24

1 As provided in this section, an amount of the fee collected
2 shall be deposited in the Child Abuse Prevention Fund;

3 6. United States Olympic and Paralympic Committee Supporter
4 License Plate - such plates shall be designed and issued to any
5 person wishing to demonstrate support for the United States Olympic
6 and Paralympic Committee. The plates shall be issued to any person
7 in any combination of numbers and letters from one to a maximum of
8 seven, as for personalized license plates. The plate shall contain
9 the official United States Olympic and Paralympic Committee logo.
10 Service Oklahoma shall be authorized, if necessary, to enter into a
11 licensing agreement with the United States Olympic and Paralympic
12 Committee for any licensing fees which may be required in order to
13 use the United States Olympic and Paralympic Committee logo or
14 design. The licensing agreement shall provide for a payment of not
15 more than Twenty-five Dollars (\$25.00) for each license plate
16 issued;

17 7. Oklahoma History License Plate - such plates shall be
18 designed and issued to any person wishing to demonstrate interest in
19 Oklahoma history. As provided in this section, an amount of the fee
20 collected shall be deposited to the Oklahoma Historical Society
21 Revolving Fund to be used for educational purposes;

22 8. Historic Route 66 License Plate - such:

- 23 a. vehicle plates shall be designed to honor historic
24 Route 66, also known as the "Mother Road". As

1 provided in this section, an amount of the fee
2 collected for each vehicle license plate shall be
3 apportioned to the Oklahoma Historical Society
4 Revolving Fund to be distributed to the Oklahoma Route
5 66 Museum located in Clinton, Oklahoma, and

6 b. motorcycle plates shall be designed in consultation
7 with the Oklahoma Route 66 Association, Inc. Service
8 Oklahoma shall be authorized to enter into a licensing
9 agreement with the Oklahoma Route 66 Association,
10 Inc., for any licensing fees which may be required in
11 order to use the Oklahoma Route 66 Association, Inc.,
12 logo or design. The licensing agreement shall provide
13 for a payment to the Oklahoma Route 66 Association,
14 Inc., of not more than Twenty Dollars (\$20.00) for
15 each motorcycle license plate issued;

16 9. Heart of the Heartland License Plate - such plates shall be
17 designed and issued to any person wishing to honor the victims of
18 the terrorist bombing attack on the Alfred P. Murrah Federal
19 Building in downtown Oklahoma City on April 19, 1995. As provided
20 in this section, an amount of the fee collected shall be deposited
21 in the Heart of the Heartland Scholarship Fund, as established in
22 Section 2282 of Title 70 of the Oklahoma Statutes;

23 10. Emergency Medical Technician License Plate - such plates
24 shall be designed and issued to any person who is an emergency

1 medical technician. Such persons may apply for an emergency medical
2 technician license plate for each vehicle with a rated carrying
3 capacity of one (1) ton or less upon proof of an emergency medical
4 technician's license. The license plate shall be designed in
5 consultation with the Oklahoma Emergency Medical Technicians
6 Association. As provided in this section, an amount of the fee
7 collected shall be apportioned to the Emergency Medical Personnel
8 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
9 of the Oklahoma Statutes;

10 11. Fight Breast Cancer License Plate - such plates shall be
11 designed to demonstrate support for the prevention and treatment of
12 breast cancer in this state;

13 12. Crime Victims Awareness License Plate - such plates shall
14 be designed and issued to any person wishing to demonstrate
15 awareness of and support for victims of crimes. The license plates
16 shall be designed in consultation with the Crime Victims
17 Compensation Program. As provided in this section, an amount of the
18 fee collected shall be apportioned to the Attorney General's
19 Revolving Fund for the Office of the Attorney General, which is
20 hereby directed to use such funds to contract with a statewide
21 nonprofit organization to provide services to crime victims;

22 13. Safe Kids Oklahoma License Plate - such plates shall be
23 designed and issued to any person wishing to demonstrate support and
24 awareness of the Safe Kids Oklahoma. The license plate shall be

1 designed in consultation with the Oklahoma Safe Kids Association.
2 As provided in this section, an amount of the fee collected shall be
3 deposited in the Children's Hospital - Oklahoma Safe Kids
4 Association Revolving Fund to be distributed to the Safe Kids
5 Oklahoma program;

6 14. Oklahoma Four-H Club License Plate - such plates shall be
7 designed, subject to criteria to be presented to Service Oklahoma by
8 the Four-H Foundation, and issued to any person wishing to
9 demonstrate support of the Oklahoma Four-H Club. Such plates may be
10 designed and issued to any person as for personalized license
11 plates. As provided in this section, an amount of the fee collected
12 shall be apportioned to the OSU Extension Service License Plate
13 Revolving Fund created in Section 1104.4 of this title;

14 15. Agricultural Awareness License Plate - such plates shall be
15 designed, subject to criteria to be presented to Service Oklahoma,
16 by the Oklahoma Department of Agriculture, Food, and Forestry in
17 consultation with the Oklahoma Arts Council, and issued to any
18 person wishing to demonstrate support of the Department's Ag in the
19 Classroom Education Program. As provided in this section, an amount
20 of the fee collected shall be apportioned as provided in Section
21 1104.3 of this title;

22 16. Oklahoma Statehood Centennial License Plate - such plates
23 shall be designed and issued to any person wishing to commemorate
24 the centennial of Oklahoma's admission to statehood in 1907. The

1 license plates shall be designed in consultation with the Oklahoma
2 Capitol Complex and Centennial Commemoration Commission. As
3 provided in this section, an amount of the fee collected shall be
4 deposited in the Oklahoma Department of Commerce Revolving Fund
5 created in Section 5012 of Title 74 of the Oklahoma Statutes;

6 17. Support Education License Plate - such plates shall be
7 designed, subject to criteria to be presented to Service Oklahoma by
8 the State Department of Education in consultation with the Oklahoma
9 Arts Council, and issued to any person wishing to demonstrate
10 support for education in this state. All licensed operators shall
11 display a sample of the Support Education License plate in the area
12 of the business accessed by the public. Twenty-three Dollars
13 (\$23.00) of the fee collected shall be apportioned as follows:

- 14 a. five percent (5%) shall be deposited to the Education
15 Reform Revolving Fund,
- 16 b. five percent (5%) shall be deposited to the Oklahoma
17 State Regents for Higher Education Revolving Fund,
- 18 c. five percent (5%) shall be deposited to the State
19 Career-Technology Fund, and
- 20 d. eighty-five percent (85%) shall be deposited to the
21 Teachers' Retirement Benefit Fund as set forth in
22 Section 17-108 of Title 70 of the Oklahoma Statutes.

23 However, when the Teachers' Retirement Benefit Fund attains a
24 seventy percent (70%) funded ratio based on an annual actuarial

1 valuation as required by law, the amount of the fee shall be
2 apportioned equally pursuant to subparagraphs a, b and c of this
3 paragraph;

4 18. Retired Oklahoma Highway Patrol Officers License Plate -
5 such plates shall be designed and issued to any retired officer of
6 the Oklahoma Highway Patrol. The license plate shall have the
7 legend "Oklahoma" and shall contain, in the center of the plate, the
8 Highway Patrol Officers patch using the same colors and pattern as
9 used in the patch. Centered on the bottom of the license plate
10 shall be the word "Retired". The letters "TRP" shall be used in
11 combination with three numbers on either side of the insignia or
12 emblem. The color of the letters and numbers shall be brown.
13 Retirees who are eligible for such plates shall provide proof of
14 eligibility upon initial application, but shall not be required to
15 provide proof of eligibility annually. The surviving spouse of any
16 deceased retired officer of the Oklahoma Highway Patrol, if the
17 spouse has not since remarried, or if remarried, the remarriage is
18 terminated by death, divorce, or annulment, may apply for a Retired
19 Oklahoma Highway Patrol Officers license plate. As provided in this
20 section, an amount of the fee collected shall be deposited into the
21 Oklahoma Law Enforcement Retirement Fund;

22 19. Boy Scouts of America Supporter License Plate - such plates
23 shall be designed and issued to any person wishing to demonstrate
24 support for the Boy Scouts of America. The plates shall be issued

1 to any person in any combination of numbers and letters from one to
2 a maximum of seven, as for personalized license plates. The plate
3 shall contain the official Boy Scouts of America logo. Service
4 Oklahoma shall be authorized, if necessary, to enter into a
5 licensing agreement with the Boy Scouts of America for any licensing
6 fees which may be required in order to use the Boy Scouts of America
7 logo or design. The licensing agreement shall provide for a payment
8 to the Boy Scouts of America of not more than Twenty Dollars
9 (\$20.00) for each license plate issued;

10 20. Urban Forestry and Beautification License Plate - such
11 plates shall be designed, subject to criteria to be presented to
12 Service Oklahoma, by the Oklahoma Department of Agriculture, Food,
13 and Forestry in consultation with nonprofit organizations in this
14 state that develop and operate programs to encourage urban forestry
15 and beautification, and issued to any person wishing to demonstrate
16 support of such programs. As provided in this section, an amount of
17 the fee collected shall be apportioned as provided in Section 1104.5
18 of this title;

19 21. Oklahoma State Parks Supporter License Plate - such plates
20 shall be designed, subject to criteria to be presented to Serve
21 Oklahoma by the Oklahoma Tourism and Recreation Department, and
22 issued to any person wishing to demonstrate support for the Oklahoma
23 state parks system. Twenty-three Dollars (\$23.00) of the fee
24 collected shall be deposited in the Oklahoma Tourism and Recreation

1 Department Revolving Fund. Such money shall be designated for and
2 may only be expended for the support of Oklahoma state parks;

3 22. Adoption Creates Families License Plate - such plates shall
4 be issued to any person wishing to demonstrate support of pregnant
5 women who are committed to placing their children for adoption and
6 wishing to provide assistance to guardians, adoptive parents and
7 other created families to assist in the adoption and placement of
8 children in permanent, safe homes. The license plates shall be
9 designed and final terminology delivered in consultation with the
10 Oklahoma Adoption Coalition and the Department of Human Services.
11 Twenty-five Dollars (\$25.00) of the fee collected shall be deposited
12 in a revolving fund established in the State Treasury for and to be
13 used by the Department of Human Services for the implementation of
14 the Investing in Stronger Oklahoma Families Act specifically for
15 created families;

16 23. Choose Life License Plate - such plates shall be designed,
17 subject to criteria presented to Service Oklahoma, by Choose Life
18 America, Inc., and issued to any person who wishes to demonstrate
19 support of organizations that encourage adoption as a positive
20 choice for women with unplanned pregnancies. As provided in this
21 section, an amount of the fee collected shall be deposited in the
22 Choose Life Assistance Program Revolving Fund established in Section
23 1104.6 of this title;

24

1 24. Future Farmers of America License Plate - such plates shall
2 be designed and issued to persons wishing to demonstrate support for
3 the Oklahoma FFA Association (formerly known as Future Farmers of
4 America). The license plates shall be designed in consultation with
5 the Oklahoma FFA Association Board of Directors. As provided in
6 this section, an amount of the fee collected shall be apportioned as
7 provided in Section 1104.7 of this title;

8 25. Lions Club License Plate - such plates shall be designed
9 and issued to persons wishing to demonstrate support for the Lions
10 Clubs of Oklahoma. The plates shall be issued to any person in any
11 combination of numbers and letters from one to a maximum of seven,
12 as for personalized license plates. The license plates shall be
13 designed in consultation with the Oklahoma Lions Service Foundation
14 and shall contain the official logo of the International Association
15 of Lions Clubs. Service Oklahoma shall be authorized to enter into
16 a licensing agreement with the Oklahoma Lions Service Foundation.
17 The licensing agreement shall provide for a payment to the Oklahoma
18 Lions Service Foundation of not more than Ten Dollars (\$10.00) for
19 each license plate issued;

20 26. Color Oklahoma License Plate - such plates shall be
21 designed, subject to criteria to be presented to Service Oklahoma by
22 the Oklahoma Native Plant Society, and issued to any person wishing
23 to demonstrate support for preserving and planting wildflowers and
24 native plants in this state and to promote Oklahoma's wildflower

1 heritage through education. As provided in this section, an amount
2 of the fee collected shall be apportioned as provided in Section
3 1104.8 of this title;

4 27. Girl Scouts of the United States of America Supporter
5 License Plate - such plates shall be designed and issued to any
6 person wishing to demonstrate support for the Girl Scouts of the
7 United States of America. The plates shall be issued to any person
8 in any combination of numbers and letters from one to a maximum of
9 seven, as for personalized license plates. The plate shall contain
10 the official Girl Scouts of the United States of America logo.
11 Service Oklahoma shall be authorized, if necessary, to enter into a
12 licensing agreement with the Girl Scouts of the United States of
13 America for any licensing fees which may be required in order to use
14 the Girl Scouts of the United States of America logo or design. The
15 licensing agreement shall provide for a payment to the Magic Empire
16 Council of Girl Scouts, acting on behalf of all Oklahoma Girl Scout
17 councils, of not more than Twenty Dollars (\$20.00) for each license
18 plate issued;

19 28. Oklahoma City Memorial Marathon License Plate - such plates
20 shall be designed and issued to any person wishing to demonstrate
21 support for the Oklahoma City Memorial Marathon. The plate shall be
22 designed in consultation with the Oklahoma City Memorial Marathon.
23 Service Oklahoma shall be authorized to enter into a licensing
24 agreement with the Oklahoma City Memorial Marathon for any licensing

1 fees which may be required in order to use the Oklahoma City
2 Memorial Marathon logo or design. The licensing agreement shall
3 provide for a payment to the Oklahoma City Memorial Marathon of not
4 more than Twenty Dollars (\$20.00) for each license plate issued;

5 29. Oklahoma Scenic Rivers License Plate - such plates shall be
6 designed to demonstrate support for the Grand River Dam Authority.
7 The plates shall be designed in consultation with the Grand River
8 Dam Authority. Twenty-five Dollars (\$25.00) of the fee shall be
9 apportioned to the Grand River Dam Authority;

10 30. Fight Cancer License Plate - such plates shall be designed
11 to demonstrate support for the Oklahoma Central Cancer Registry.
12 The plate shall contain the American Cancer Society logo. The
13 American Cancer Society logo shall be used in accordance with the
14 American Cancer Society's branding guidelines and shall only be
15 utilized to support the Oklahoma Central Cancer Registry. Twenty
16 Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma
17 Central Cancer Registry Revolving Fund;

18 31. Animal Friendly License Plate - such plates shall be
19 designed and issued to any person wishing to demonstrate support for
20 controlling the overpopulation of dogs and cats through educational
21 and sterilization efforts. The plates shall be designed in
22 consultation with the Veterinary Medical Association. Twenty
23 Dollars (\$20.00) of the fee collected shall be designated by the
24 purchaser of the plate to be deposited in the Oklahoma Pet

1 Overpopulation Fund created in Section 2368.13 of Title 68 of the
2 Oklahoma Statutes or the Animal Friendly Revolving Fund created in
3 Section 1104.10 of this title;

4 32. Patriot License Plate - such plates shall be designed in
5 consultation with the Military Department of the State of Oklahoma
6 and issued to any person wishing to demonstrate support for Oklahoma
7 residents who are members of the Oklahoma National Guard and
8 deployed on active duty. The plates shall be issued to any person
9 in any combination of numbers and letters from one to a maximum of
10 seven, as for personalized license plates. As provided in this
11 section, a portion of the fee collected shall be deposited in the
12 Patriot License Plate Revolving Fund created in Section 1104.11 of
13 this title;

14 33. Global War on Terrorism License Plate - such plate shall be
15 designed in consultation with the Military Department of the State
16 of Oklahoma and issued to any person wishing to demonstrate support
17 for Oklahoma residents who are members of the Armed Forces of the
18 United States or Oklahoma National Guard that have served in the
19 Global War on Terrorism. The plate shall be issued to any person in
20 any combination of numbers and letters from one to a maximum of six.
21 As provided in this section, a portion of the fee collected shall be
22 deposited in the Oklahoma National Guard Museum Fund created in
23 Section 235.1 of Title 44 of the Oklahoma Statutes;

24

1 34. Boys and Girls Clubs of America Supporter License Plate -
2 such plates shall be designed and issued to any person wishing to
3 demonstrate support for the Boys and Girls Clubs of America. The
4 plates shall be issued to any person in any combination of numbers
5 and letters from one to a maximum of seven, as for personalized
6 license plates. The plate shall contain the official Boys and Girls
7 Clubs of America logo. Service Oklahoma, if necessary, may enter
8 into a licensing agreement with the Boys and Girls Clubs of America
9 for any licensing fees which may be required in order to use the
10 Boys and Girls Clubs of America logo or design. The licensing
11 agreement shall provide for a payment to the Boys and Girls Clubs of
12 America of not more than Twenty Dollars (\$20.00) for each license
13 plate issued;

14 35. Oklahoma Quarter Horse License Plate - such plates shall be
15 designed and issued to any person wishing to demonstrate support for
16 the American Quarter Horse in this state. The plate shall be
17 designed in consultation with the Oklahoma Quarter Horse
18 Association. As provided in this section, a portion of the fee
19 collected shall be deposited in the Oklahoma Quarter Horse Revolving
20 Fund created in Section 1104.12 of this title;

21 36. Oklahoma Association for the Deaf License Plate - such
22 plates shall be designed in consultation with the Oklahoma
23 Association for the Deaf and issued to any person wishing to
24 demonstrate support for Oklahoma residents who are deaf. The plates

1 shall be issued to any person in any combination of numbers and
2 letters from one to a maximum of seven, as for personalized license
3 plates. As provided in this section, a portion of the fee collected
4 shall be deposited in the Oklahoma Association for the Deaf License
5 Plate Revolving Fund created in Section 1104.15 of this title;

6 37. Oklahoma City Zoo License Plate - such plates shall be
7 issued to any person wishing to demonstrate support for the Oklahoma
8 City Zoo. The license plates shall be designed in consultation with
9 the Oklahoma Zoological Society, Inc. As provided in this section,
10 an amount of the fee collected shall be deposited in the Oklahoma
11 Zoological Society Revolving Fund created in Section 1104.13 of this
12 title;

13 38. March of Dimes License Plate - such plates shall be issued
14 to persons wishing to demonstrate support for the March of Dimes
15 mission to improve the health of babies by preventing birth defects,
16 premature birth and infant mortality. The license plates shall be
17 designed in consultation with the Oklahoma Chapter March of Dimes.
18 As provided in this section, an amount of the fee collected shall be
19 deposited in the Oklahoma Prevent Birth Defects, Premature Birth and
20 Infant Mortality Fund established in Section 1104.14 of this title;

21 39. Support Our Troops Supporter License Plate - such plates
22 shall be designed and issued to any person wishing to demonstrate
23 support for Support Our Troops Incorporated. The plates shall be
24 issued to any person in any combination of numbers and letters from

1 one to a maximum of six. The plate shall contain the official
2 Support Our Troops Incorporated logo which includes the mark
3 "Support Our Troops" across the bottom of the plate. Service
4 Oklahoma, if necessary, may enter into a licensing agreement with
5 Support Our Troops Incorporated for any licensing fees which may be
6 required in order to use the Support Our Troops Incorporated logo or
7 design. The licensing agreement shall provide for a payment to
8 Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for
9 each license plate issued;

10 40. Folds of Honor Supporter License Plate - such plates shall
11 be authorized to be designed and issued to any person wishing to
12 demonstrate support for the Oklahoma City Chapter of Folds of Honor
13 Incorporated, a nonprofit charitable organization exempt from
14 taxation pursuant to the provisions of the Internal Revenue Code, 26
15 U.S.C., Section 501(c)(3), providing educational scholarships to
16 spouses and children of America's fallen and disabled military
17 service members. The plates shall be issued to any person in any
18 combination of numbers and letters from one to a maximum of six.
19 Such person may apply for a Folds of Honor Supporter license plate
20 for a motorcycle; provided, the license plate for motorcycles may be
21 of similar design to the license plate for motor vehicles or may be
22 a new design in order to meet space requirements for a motorcycle
23 license plate. The plate shall be designed in consultation with the
24 Oklahoma City Chapter of Folds of Honor Incorporated and shall

1 contain the official Folds of Honor Incorporated logo which includes
2 the mark "Folds of Honor" across the bottom of the plate. Service
3 Oklahoma, if necessary, may enter into a licensing agreement with
4 Folds of Honor Incorporated for any licensing fees which may be
5 required in order to use the Folds of Honor Incorporated logo or
6 design. The licensing agreement shall provide for a payment to
7 Folds of Honor Incorporated of Twenty-five Dollars (\$25.00) for each
8 license plate issued. Subject to the provisions of subsection A of
9 this section, the Folds of Honor Supporter License Plate is hereby
10 reauthorized effective November 1, 2019;

11 41. Armed Forces Veterans Motorcycle License Plate - such
12 plates shall be designed for use on a motorcycle in consultation
13 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.
14 (ABATE), and issued to any honorably discharged former member of the
15 United States Armed Forces wishing to demonstrate support for the
16 Oklahoma National Guard Museum. Persons applying for such license
17 plate must show proof of past military service. As provided in this
18 section, a portion of the fee collected shall be deposited in the
19 Oklahoma National Guard Museum Fund created in Section 235.1 of
20 Title 44 of the Oklahoma Statutes;

21 42. Buffalo Soldier License Plate - such plates shall be issued
22 to any person wishing to honor and celebrate the history and
23 contribution of the Buffalo Soldiers. The license plates shall be
24 designed in consultation with the Lawton-Fort Sill Chapter of the

1 Buffalo Soldiers 9th and 10th (Horse) Cavalry National Association.
2 As provided in this section, an amount of the fee collected shall be
3 deposited in the Buffalo Soldier License Plate Revolving Fund
4 created in Section 1104.16 of this title;

5 43. Prevent Blindness Oklahoma License Plate - such plates
6 shall be issued to any person wishing to provide financial support
7 for vision screening of school age children in this state. The
8 license plates shall be designed in consultation with Prevent
9 Blindness Oklahoma. As provided in this section, an amount of the
10 fee collected shall be deposited in the Prevent Blindness Oklahoma
11 License Plate Revolving Fund created in Section 1104.17 of this
12 title;

13 44. Oklahoma State Capitol Restoration License Plate - such
14 plates shall be designed and issued to any person wishing to
15 demonstrate support for restoration of the Oklahoma State Capitol
16 building. The license plates shall be designed in consultation with
17 the Friends of the Capitol corporation, created pursuant to Section
18 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol
19 Preservation Commission created pursuant to Section 4102 of Title 74
20 of the Oklahoma Statutes. As provided in this section, an amount of
21 the fee collected shall be deposited in the Oklahoma Friends of the
22 Capitol License Plate Revolving Fund established in Section 1104.18
23 of this title;

24

1 45. Eastern Red Cedar Tree License Plate - such plates shall be
2 designed, subject to criteria to be presented to Service Oklahoma
3 and issued to any person wishing to demonstrate support for the
4 removal of Eastern Redcedar trees from lands in the state and to
5 develop marketable uses for the harvested trees. The license plate
6 shall be designed in consultation with the Oklahoma Department of
7 Agriculture, Food, and Forestry. Twenty-three Dollars (\$23.00) of
8 the fee collected shall be deposited in the Eastern Redcedar
9 Revolving Fund created in Section 18-407 of Title 2 of the Oklahoma
10 Statutes. The money shall be designated for and may only be
11 expended for the purposes as set forth in the Eastern Redcedar
12 Management Act;

13 46. Pancreatic Cancer Research License Plate - such plates
14 shall be issued to any person wishing to provide financial support
15 for the University of Oklahoma Foundation, Pancreatic Cancer
16 Research Fund. The plates shall be issued to any person in any
17 combination of numbers and letters from one to a maximum of six.
18 The license plates shall be designed in consultation with the
19 University of Oklahoma Foundation, Pancreatic Cancer Research Fund.
20 As provided in this section, an amount of the fee collected shall be
21 deposited in the Pancreatic Cancer Research License Plate Revolving
22 Fund created in Section 1104.19 of this title;

23 47. Alzheimer's Research License Plate - such plates shall be
24 issued to any person wishing to provide financial support for the

1 Oklahoma Chapter of the Alzheimer's Association. The license plates
2 shall be designed in consultation with the Oklahoma Chapter of the
3 Alzheimer's Association. As provided in this section, an amount of
4 the fee collected shall be deposited in the Alzheimer's Research
5 License Plate Revolving Fund created in Section 1104.20 of this
6 title;

7 48. Hospice and Palliative Care License Plate - such plates
8 shall be issued to any person wishing to provide financial support
9 for the Oklahoma Hospice and Palliative Care Association. The
10 license plates shall be designed in consultation with the Oklahoma
11 Hospice and Palliative Care Association. As provided in this
12 section, an amount of the fee collected shall be deposited in the
13 Hospice and Palliative Care License Plate Revolving Fund created in
14 Section 1104.21 of this title;

15 49. Juvenile Diabetes Research License Plate - such plates
16 shall be issued to any person wishing to provide financial support
17 for the Oklahoma Chapters of the Juvenile Diabetes Research
18 Foundation. The license plates shall be designed in consultation
19 with the Oklahoma Chapters of the Juvenile Diabetes Research
20 Foundation. As provided in this section, an amount of the fee
21 collected shall be deposited in the Juvenile Diabetes Research
22 License Plate Revolving Fund created in Section 1104.22 of this
23 title;

24

1 50. Deer Creek Schools Foundation License Plate - such plates
2 shall be issued to any person wishing to provide financial support
3 for the Deer Creek Schools Foundation. The license plates shall be
4 designed in consultation with the Deer Creek Schools Foundation.
5 The plates shall be issued to any person in any combination of
6 numbers and letters from one to a maximum of seven, as for
7 personalized license plates. As provided in this section, an amount
8 of the fee collected shall be deposited in the Deer Creek Schools
9 Foundation License Plate Revolving Fund created in Section 1104.23
10 of this title;

11 51. Lupus Awareness and Education License Plate - such plates
12 shall be issued to any person wishing to provide financial support
13 for the Oklahoma Chapter of the Lupus Foundation of America. The
14 license plates shall be designed in consultation with the Oklahoma
15 Chapter of the Lupus Foundation of America. As provided in this
16 section, an amount of the fee collected shall be deposited in the
17 Oklahoma Lupus License Plate Revolving Fund created in Section
18 1104.24 of this title. Subject to the provisions of subsection A of
19 this section, the Lupus Awareness and Education License Plate is
20 hereby reauthorized effective November 1, 2018;

21 52. Chiefs of Police License Plate - such plates shall be
22 issued to any person wishing to provide financial support for the
23 Oklahoma Association of Chiefs of Police for a vehicle or motorcycle
24 in any combination of numbers and letters from one to a maximum of

1 seven, as for personalized license plates. The license plates shall
2 be designed in consultation with the Oklahoma Association of Chiefs
3 of Police. The license plate for a motorcycle may be of similar
4 design as space permits or a new design in order to meet the space
5 requirements of a motorcycle license plate. Service Oklahoma shall
6 be authorized to enter into a licensing agreement with the Oklahoma
7 Association of Chiefs of Police for any licensing fees which may be
8 required in order to use the association's logo or design. The
9 licensing agreement shall provide for a payment to the Oklahoma
10 Association of Chiefs of Police of not more than Twenty Dollars
11 (\$20.00) for each license plate issued. Subject to the provisions
12 of subsection A of this section, the Chiefs of Police License Plate
13 is hereby reauthorized effective November 1, 2015;

14 53. Crossings Christian School License Plate - such plates
15 shall be designed and issued to any person wishing to demonstrate
16 support for Crossings Christian School located in Oklahoma City.
17 The license plates shall be designed in consultation with the
18 administration of Crossings Christian School. Service Oklahoma
19 shall be authorized to enter into a licensing agreement with
20 Crossings Christian School for any licensing fees which may be
21 required in order to use the school's logo or design. The licensing
22 agreement shall provide for a payment to the Crossings Christian
23 School of not more than Twenty Dollars (\$20.00) for each license
24 plate issued;

1 54. Hilldale Education Foundation License Plate - such plates
2 shall be designed and issued to any person wishing to demonstrate
3 support for the Hilldale Education Foundation. The license plates
4 shall be designed in consultation with the administration of the
5 Hilldale Education Foundation. Service Oklahoma shall be authorized
6 to enter into a licensing agreement with the Hilldale Education
7 Foundation for any licensing fees which may be required in order to
8 use the foundation's logo or design. The licensing agreement shall
9 provide for a payment to the Hilldale Education Foundation of not
10 more than Twenty Dollars (\$20.00) for each license plate issued;

11 55. Oklahoma Nurses License Plate - such plates shall be issued
12 to any person licensed pursuant to the Oklahoma Nursing Practice Act
13 and providing such documentation of current licensure as may be
14 required by Service Oklahoma. The license plates shall be designed
15 in consultation with the Oklahoma Nurses Association. As provided
16 in this section, an amount of the fee collected shall be deposited
17 in the Oklahoma Nurses License Plate Revolving Fund created in
18 Section 1104.26 of this title;

19 56. Oklahoma Sports Hall of Fame License Plate - such plates
20 shall be issued to any person wishing to demonstrate support for the
21 Oklahoma Sports Hall of Fame. The license plates shall be designed
22 in consultation with the administration of the Oklahoma Sports Hall
23 of Fame. Service Oklahoma shall be authorized to enter into a
24 licensing agreement with the Oklahoma Sports Hall of Fame for any

1 licensing fees which may be required in order to use the Hall of
2 Fame's logo or design. The licensing agreement shall provide for a
3 payment to the Oklahoma Sports Hall of Fame of not more than Twenty
4 Dollars (\$20.00) for each license plate issued;

5 57. Childhood Cancer Awareness License Plate - such plates
6 shall be issued to any person wishing to demonstrate support for the
7 Oklahoma Children's Cancer Association. The license plates shall be
8 designed in consultation with the administration of the Oklahoma
9 Children's Cancer Association. Service Oklahoma shall be authorized
10 to enter into a licensing agreement with the Oklahoma Children's
11 Cancer Association for any licensing fees which may be required in
12 order to use the Oklahoma Children's Cancer Association's logo or
13 design. The licensing agreement shall provide for a payment to the
14 Oklahoma Children's Cancer Association of not more than Twenty
15 Dollars (\$20.00) for each license plate issued;

16 58. Oklahoma Educational Television Authority License Plate -
17 such plates shall be designed and issued to any person wishing to
18 demonstrate support for the Oklahoma Educational Television
19 Authority and such plates shall be designed in consultation with the
20 Authority. As provided in this section, an amount of the fee
21 collected shall be deposited in The Educational Television Authority
22 Revolving Fund created in Section 156 of Title 62 of the Oklahoma
23 Statutes;

24

1 59. Remembering Fallen Heroes License Plate - such plates shall
2 be designed and issued to any person wishing to demonstrate support
3 for Concerns of Police Survivors, Inc. Such plates shall be
4 designed in consultation with the Oklahoma Chapter of Concerns of
5 Police Survivors, Inc. As provided in this section, an amount of
6 the fee collected shall be deposited in the Oklahoma Concerns of
7 Police Survivors License Plate Revolving Fund created in Section
8 1104.27 of this title;

9 60. Disabled American Veterans License Plate - such plates
10 shall be designed in consultation with the Disabled American
11 Veterans of Oklahoma and issued to any member of the organization
12 wishing to demonstrate support. Service Oklahoma shall be
13 authorized to enter into a licensing agreement with the Disabled
14 American Veterans of Oklahoma for any licensing fees which may be
15 required in order to use the organization's logo or design. The
16 licensing agreement shall provide for a payment to the Disabled
17 American Veterans of Oklahoma of not more than Twenty Dollars
18 (\$20.00) for each license plate issued. The plates shall
19 incorporate a numbering system agreed upon by the Disabled American
20 Veterans of Oklahoma and Service Oklahoma;

21 61. Owasso Rams Supporter License Plate - such plates shall be
22 designed and issued to any person wishing to demonstrate support for
23 the Owasso Rams, and shall be designed in consultation with
24 representatives of Owasso Public Schools. The plates shall be

1 issued to any person in any combination of numbers and letters from
2 one to a maximum of seven, as for personalized license plates. As
3 provided in this section, an amount of the fee collected shall be
4 deposited in the Education Reform Revolving Fund created in Section
5 34.89 of Title 62 of the Oklahoma Statutes;

6 62. Collinsville Cardinals Supporter License Plate - such
7 plates shall be designed and issued to any person wishing to
8 demonstrate support for the Collinsville Cardinals, and shall be
9 designed in consultation with representatives of Collinsville Public
10 Schools. The plates shall be issued to any person in any
11 combination of numbers and letters from one to a maximum of seven,
12 as for personalized license plates. As provided in this section, an
13 amount of the fee collected shall be deposited in the Education
14 Reform Revolving Fund created in Section 34.89 of Title 62 of the
15 Oklahoma Statutes;

16 63. Sperry Pirates Supporter License Plate - such plates shall
17 be designed and issued to any person wishing to demonstrate support
18 for the Sperry Pirates, and shall be designed in consultation with
19 representatives of Sperry Schools. The plates shall be issued to
20 any person in any combination of numbers and letters from one to a
21 maximum of seven, as for personalized license plates. As provided
22 in this section, an amount of the fee collected shall be deposited
23 in the Education Reform Revolving Fund created in Section 34.89 of
24 Title 62 of the Oklahoma Statutes;

1 64. Skiatook Bulldogs Supporter License Plate - such plates
2 shall be designed and issued to any person wishing to demonstrate
3 support for the Skiatook Bulldogs, and shall be designed in
4 consultation with representatives of Skiatook Public Schools. The
5 plates shall be issued to any person in any combination of numbers
6 and letters from one to a maximum of seven, as for personalized
7 license plates. As provided in this section, an amount of the fee
8 collected shall be deposited in the Education Reform Revolving Fund
9 created in Section 34.89 of Title 62 of the Oklahoma Statutes;

10 65. Rejoice Christian Eagles Supporter License Plate - such
11 plates shall be designed and issued to any person wishing to
12 demonstrate support for the Rejoice Christian Eagles, and shall be
13 designed in consultation with representatives of Rejoice Christian
14 Schools. The plates shall be issued to any person in any
15 combination of numbers and letters from one to a maximum of seven,
16 as for personalized license plates. As provided in this section, an
17 amount of the fee collected shall be deposited in the Education
18 Reform Revolving Fund created in Section 34.89 of Title 62 of the
19 Oklahoma Statutes;

20 66. East Central Cardinals Supporter License Plate - such
21 plates shall be designed and issued to any person wishing to
22 demonstrate support for the East Central Cardinals, and shall be
23 designed in consultation with representatives of East Central High
24 School. The plates shall be issued to any person in any combination

1 of numbers and letters from one to a maximum of seven, as for
2 personalized license plates. As provided in this section, an amount
3 of the fee collected shall be deposited in the Education Reform
4 Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma
5 Statutes;

6 67. Southeast Spartans Supporter License Plate - such plates
7 shall be designed and issued to any person wishing to demonstrate
8 support for the Southeast Spartans, and shall be designed in
9 consultation with the Southeast High School Alumni Association. The
10 plates shall be issued to any person in any combination of numbers
11 and letters from one to a maximum of seven, as for personalized
12 license plates. As provided in this section, an amount of the fee
13 collected shall be deposited in the Education Reform Revolving Fund
14 created in Section 34.89 of Title 62 of the Oklahoma Statutes;

15 68. Sooner State ABATE License Plate - such plates shall be
16 issued to any person wishing to provide financial support for Sooner
17 State ABATE (A Brotherhood Against Totalitarian Enactments). The
18 license plates shall be designed in consultation with Sooner State
19 ABATE. The plates shall be issued to any person in any combination
20 of numbers and letters from one to a maximum of seven, as for
21 personalized plates. The license plate for a motorcycle may be of
22 similar design as space permits or a new design in order to meet the
23 space requirements of a motorcycle license plate. Service Oklahoma
24 shall be authorized to enter into a licensing agreement with Sooner

1 State ABATE for any licensing fees, which may be required in order
2 to use the association's logo or design. The licensing agreement
3 shall provide for a payment to Sooner State ABATE of not more than
4 Twenty Dollars (\$20.00) for each license plate issued. Subject to
5 the provisions of subsection A of this section, the Sooner State
6 ABATE License Plate is hereby reauthorized effective November 1,
7 2019;

8 69. Oklahoma License to Educate License Plate - such plates
9 shall be designed and issued to any person wishing to demonstrate
10 support for Oklahoma educators. Such plates shall be designed in
11 consultation with the State Department of Education. As provided in
12 this section, an amount of the fee collected shall be deposited in
13 the Oklahoma Teacher Recruitment Revolving Fund created in Section
14 6-132 of Title 70 of the Oklahoma Statutes;

15 70. Piedmont Education Foundation License Plate - such plates
16 shall be designed and issued to any person wishing to demonstrate
17 support for the Piedmont Public Schools Education Foundation. Such
18 plates shall be designed in consultation with the Foundation. As
19 provided in this section, an amount of the fee collected shall be
20 deposited in the Piedmont Public Schools Education Foundation
21 License Plate Revolving Fund created in Section 1104.28 of this
22 title;

23 71. The Pride of Oklahoma License Plate - such plates shall be
24 designed and issued to any person wishing to demonstrate support for

1 the Pride of Oklahoma marching band and shall be designed in
2 consultation with the Pride of Oklahoma marching band. Service
3 Oklahoma shall be authorized to enter into a licensing agreement
4 with the University of Oklahoma or the Pride of Oklahoma marching
5 band for any licensing fees which may be required in order to use
6 the applicable logo or design. The licensing agreement shall
7 provide for a payment to the Pride of Oklahoma Fund at the
8 University of Oklahoma Foundation, Inc. of not more than Twenty
9 Dollars (\$20.00) for each license plate issued;

10 72. Jenks Trojans License Plate - such plates shall be designed
11 and issued to any person wishing to demonstrate support for the
12 Jenks school district. The license plates shall be designed in
13 consultation with the administration of the Jenks school district.
14 Service Oklahoma shall be authorized to enter into a licensing
15 agreement with the Jenks school district for any licensing fees
16 which may be required in order to use the school district's logo or
17 design. The licensing agreement shall provide for a payment to the
18 Jenks school district of not more than Twenty Dollars (\$20.00) for
19 each license plate issued;

20 73. Bixby Spartans License Plate - such plates shall be
21 designed and issued to any person wishing to demonstrate support for
22 the Bixby school district. The license plates shall be designed in
23 consultation with the administration of the Bixby school district.
24 Service Oklahoma shall be authorized to enter into a licensing

1 agreement with the Bixby 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 Bixby school district of not more than Twenty Dollars (\$20.00) for
5 each license plate issued;

6 74. Oklahoma Department of Aerospace and Aeronautics License
7 Plate - such plates shall be designed and issued to any person
8 wishing to demonstrate support for the Oklahoma aviation industry
9 and to promote awareness of aviation and aerospace. Such plates
10 shall be designed in consultation with the Oklahoma Department of
11 Aerospace and Aeronautics and shall be issued to any person in any
12 combination of numbers and letters from one to a maximum of seven,
13 as for personalized license plates. Twenty-four Dollars (\$24.00) of
14 the fee collected shall be deposited in the Oklahoma Department of
15 Aerospace and Aeronautics Revolving Fund, for expenditure as
16 provided in Section 91 of Title 3 of the Oklahoma Statutes;

17 75. Ducks Unlimited License Plate - such plates shall be
18 designed and issued to any person wishing to demonstrate support for
19 Ducks Unlimited. Such plates shall be designed in consultation with
20 Ducks Unlimited. Service Oklahoma shall be authorized to enter into
21 a licensing agreement with Ducks Unlimited for any licensing fee
22 which may be required in order to use the Ducks Unlimited logo or
23 design. The licensing agreement shall provide for a payment to
24

1 Ducks Unlimited of not more than Twenty Dollars (\$20.00) for each
2 license plate issued;

3 76. Prisoner of War and Missing in Action License Plate - such
4 plates shall be issued to any person wishing to increase awareness
5 of those who are currently prisoners of war or missing in action and
6 provide financial support for current veterans. The license plates
7 shall be designed in consultation with Rolling Thunder Oklahoma. As
8 provided in this section, an amount of the fee collected shall be
9 deposited in the Prisoner of War and Missing in Action License Plate
10 Revolving Fund created in Section 1104.29 of this title;

11 77. Woodward Boomers License Plate - such plates shall be
12 designed and issued to any person wishing to demonstrate support for
13 the Woodward school district. The license plates shall be designed
14 in consultation with the administration of the Woodward school
15 district. Service Oklahoma shall be authorized to enter into a
16 licensing agreement with the Woodward school district for any
17 licensing fees which may be required in order to use the school
18 district's logo or design. The licensing agreement shall provide
19 for a payment to the Woodward school district of not more than
20 Twenty Dollars (\$20.00) for each license plate issued;

21 78. Clinton Public School Foundation License Plate - such
22 plates shall be designed and issued to any person wishing to
23 demonstrate support for the Clinton Public School Foundation. The
24 license plates shall be designed in consultation with the Clinton

1 Public School Foundation. Service Oklahoma shall be authorized to
2 enter into a licensing agreement with the Clinton Public School
3 Foundation for any licensing fees which may be required in order to
4 use the school foundation's logo or design. The licensing agreement
5 shall provide for a payment to the Clinton Public School Foundation
6 of not more than Twenty Dollars (\$20.00) for each license plate
7 issued;

8 79. Navajo School Foundation License Plate - such plates shall
9 be issued to any person wishing to demonstrate support for the
10 Navajo School Foundation. The license plates shall be designed in
11 consultation with the administration of the Navajo School
12 Foundation. Service Oklahoma shall be authorized to enter into a
13 licensing agreement with the Navajo School Foundation for any
14 licensing fees which may be required in order to use the
15 Foundation's logo or design. The licensing agreement shall provide
16 for a payment to the Navajo School Foundation of not more than
17 Twenty Dollars (\$20.00) for each license plate issued;

18 80. Oklahoma Music Hall of Fame Inc. License Plate - such
19 plates shall be designed in consultation with the Oklahoma Music
20 Hall of Fame Inc. and issued to any member of the organization
21 wishing to demonstrate support. Service Oklahoma shall be
22 authorized to enter into a licensing agreement with the Oklahoma
23 Music Hall of Fame Inc. for any licensing fees which may be required
24 in order to use the organization's logo or design. The licensing

1 agreement shall provide for a payment to the Oklahoma Music Hall of
2 Fame Inc. of not more than Twenty Dollars (\$20.00) for each license
3 plate issued. The plates shall incorporate a numbering system
4 agreed upon by the Oklahoma Music Hall of Fame Inc. and Service
5 Oklahoma. Subject to the provisions of subsection A of this
6 section, the Oklahoma Music Hall of Fame Inc. License Plate is
7 hereby reauthorized effective November 1, 2019;

8 81. Techlahoma Foundation License Plate - such plates shall be
9 issued to any person wishing to provide financial support for the
10 Techlahoma Foundation. The license plate shall be designed in
11 consultation with the Techlahoma Foundation. The plate shall be
12 issued to any person in any combination of numbers and letters from
13 one to a maximum of seven, as for personalized license plates.
14 Service Oklahoma shall be authorized to enter into a licensing
15 agreement with the Techlahoma Foundation for any licensing fees,
16 which may be required in order to use the association's logo or
17 design. The licensing agreement shall provide for a payment to the
18 Techlahoma Foundation of not more than Twenty Dollars (\$20.00) for
19 each license plate issued;

20 82. Bethany Public Schools Foundation License Plate - such
21 plates shall be issued to any person wishing to demonstrate support
22 for the Bethany Public Schools Foundation. The license plates shall
23 be designed in consultation with the administration of the Bethany
24 Public Schools Foundation. Service Oklahoma shall be authorized to

1 enter into a licensing agreement with the Bethany Public Schools
2 Foundation for any licensing fees which may be required in order to
3 use the Foundation's logo or design. The licensing agreement shall
4 provide for a payment to the Bethany Public Schools Foundation of
5 not more than Twenty Dollars (\$20.00) for each license plate issued;

6 83. Cystic Fibrosis Foundation License Plate - such plates
7 shall be issued to any person wishing to demonstrate support for the
8 Cystic Fibrosis Foundation. The license plates shall be designed in
9 consultation with the administration of the Cystic Fibrosis
10 Foundation. Service Oklahoma shall be authorized to enter into a
11 licensing agreement with the Cystic Fibrosis Foundation for any
12 licensing fees which may be required in order to use the
13 Foundation's logo or design. The licensing agreement shall provide
14 for a payment to the Cystic Fibrosis Foundation of not more than
15 Twenty Dollars (\$20.00) for each license plate issued;

16 84. Down Syndrome Association of Central Oklahoma License Plate
17 - such plates shall be designed and issued to any person wishing to
18 demonstrate support for the Down Syndrome Association of Central
19 Oklahoma. Such plates shall be designed in consultation with the
20 Association. As provided in this section, an amount of the fee
21 collected shall be deposited in the Down Syndrome Association of
22 Central Oklahoma License Plate Revolving Fund created in Section
23 1104.30 of this title;

24

1 85. Elk City Education Foundation License Plate - such plates
2 shall be designed and issued to any person wishing to demonstrate
3 support for the Elk City Education Foundation. Such plates shall be
4 designed in consultation with the Foundation. As provided in this
5 section, an amount of the fee collected shall be deposited in the
6 Elk City Education Foundation License Plate Revolving Fund created
7 in Section 1104.31 of this title;

8 86. A Brotherhood Aiming Toward Education of Oklahoma (ABATE)
9 License Plate - such plates shall be designed and issued to any
10 person wishing to provide financial support for ABATE of Oklahoma.
11 Such plates shall be designed in consultation with ABATE of
12 Oklahoma. The plates shall be issued to any person in any
13 combination of numbers and letters from one to a maximum of seven,
14 as for personalized plates. The license plate for a motorcycle may
15 be of similar design as space permits or a new design in order to
16 meet the space requirements of a motorcycle license plate. Service
17 Oklahoma shall be authorized to enter into a licensing agreement
18 with ABATE of Oklahoma for any licensing fees which may be required
19 in order to use the ABATE of Oklahoma logo or design. The licensing
20 agreement shall provide for a payment to ABATE of Oklahoma of not
21 more than Twenty Dollars (\$20.00) for each license plate issued;

22 87. Downed Bikers Association License Plate - such plates shall
23 be designed for a vehicle or motorcycle in any combination of
24 numbers and letters from one to a maximum of seven, as for

1 personalized license plates, and issued to any person wishing to
2 demonstrate support for the Downed Bikers Association, a nonprofit
3 charitable organization exempt from taxation pursuant to the
4 provisions of the Internal Revenue Code, 26 U.S.C., Section
5 501(c)(3), which provides emotional and financial support for downed
6 bikers. The license plate shall be designed in consultation with
7 the Central Oklahoma Chapter of the Downed Bikers Association and
8 shall contain any official logo or design of the organization. The
9 license plate for a motorcycle may be of similar design as space
10 permits or a new design in order to meet the space requirements of a
11 motorcycle license plate. Service Oklahoma, if necessary, may enter
12 into a licensing agreement with the Downed Bikers Association for
13 any licensing fees which may be required in order to use the
14 organization's logo or design. The licensing agreement shall
15 provide for a payment to the Downed Bikers Association of not more
16 than Twenty Dollars (\$20.00) for each license plate;

17 88. Eagle Scout License Plate - such plates shall be designed
18 to demonstrate support for Eagle Scouts of the Boy Scouts of America
19 and shall include the Eagle Scout logo. Plates may be issued to any
20 person who can show proof of having obtained the rank of Eagle
21 Scout. Service Oklahoma shall be authorized to enter into a
22 licensing agreement with the various Oklahoma local councils for any
23 licensing fees which may be required in order to use the applicable
24 logo or design. The licensing agreement shall provide for a payment

1 of not more than Twenty Dollars (\$20.00) for each license plate
2 issued to the specific Oklahoma local area council designated by the
3 applicant;

4 89. Extraordinary Educators License Plate - such plates shall
5 be designed and issued to any person wishing to provide financial
6 support for common education in this state. Such plates shall be
7 designed in consultation with the State Department of Education.
8 The plates shall be issued to any person in any combination of
9 numbers and letters from one to a maximum of seven, as for
10 personalized license plates. As provided in this section, an amount
11 of the fee collected shall be deposited in the Extraordinary
12 Educators License Plate Revolving Fund created in Section 1104.32 of
13 this title;

14 90. Former Oklahoma Legislator License Plate - such plates
15 shall be designed and issued to any person who previously served as
16 a member of the House of Representatives or Senate. The license
17 plates shall be designed in consultation with the Oklahoma
18 Historical Society. As provided in this section, an amount of the
19 fee collected shall be deposited in the Oklahoma Historical Society
20 Capital Improvement and Operations Revolving Fund created in Section
21 1.10a of Title 53 of the Oklahoma Statutes. Service Oklahoma shall
22 create and maintain a list of former members of the House of
23 Representatives and Senate eligible to be issued such plates;
24 provided, that no former member of the House of Representatives and

1 Senate shall be eligible to possess more than two of such plates at
2 any one time. Service Oklahoma shall confer as needed with the
3 Chief Clerk of the House of Representatives and the Secretary of the
4 Senate to confirm that such list is complete and accurate;

5 91. Monarch Butterfly License Plate - such plates shall be
6 designed and issued to any person wishing to demonstrate support for
7 the operations of The Nature Conservancy of Oklahoma. Such plates
8 shall be designed in consultation with the Oklahoma Chapter of The
9 Nature Conservancy. Service Oklahoma shall be authorized to enter
10 into a licensing agreement with The Nature Conservancy of Oklahoma
11 for any licensing fees which may be required in order to use the
12 foundation's logo or design. The plates shall be issued to any
13 person in any combination of numbers and letters from one to a
14 maximum of seven, as for personalized license plates. The licensing
15 agreement shall provide for a payment to The Nature Conservancy of
16 Oklahoma of not more than Twenty Dollars (\$20.00) for each license
17 plate issued;

18 92. Oklahoma Tennis Foundation License Plate - such plates
19 shall be designed and issued to any person wishing to demonstrate
20 support for the Oklahoma Tennis Foundation. The license plates
21 shall be designed in consultation with the Oklahoma Tennis
22 Foundation. Service Oklahoma shall be authorized to enter into a
23 licensing agreement with the Oklahoma Tennis Foundation for any
24 licensing fees which may be required in order to use the

1 foundation's logo or design. The licensing agreement shall provide
2 for a payment to the Oklahoma Tennis Foundation of not more than
3 Twenty Dollars (\$20.00) for each license plate issued;

4 93. Oklahoma Veterans of Foreign Wars License Plate - such
5 plates shall be designed to honor the Oklahoma Veterans of Foreign
6 Wars Chapters and shall be issued to any resident of this state upon
7 proof of membership in the Oklahoma Veterans of Foreign Wars
8 organization. The license plates shall be designed in consultation
9 with the Oklahoma Veterans of Foreign Wars organization. Service
10 Oklahoma shall be authorized to enter into a licensing agreement
11 with the Oklahoma Veterans of Foreign Wars organization for any
12 licensing fees which may be required in order to use the
13 organization's logo or design. The licensing agreement shall
14 provide for a payment to the Oklahoma Veterans of Foreign Wars
15 organization of not more than Twenty Dollars (\$20.00) for each
16 license plate issued. Service Oklahoma shall reinstate any Veterans
17 of Foreign Wars license plates issued prior to November 1, 2021, and
18 shall reimburse any individual who held a Veterans of Foreign Wars
19 License Plate on October 31, 2021, for fees incurred for the
20 replacement of such plate;

21 94. Oklahoma Women Veterans Organization License Plate - such
22 plates shall be designed and issued to any female veteran of any
23 branch of the United States Armed Forces wishing to demonstrate
24 support for the Oklahoma Women Veterans Organization. The license

1 plates shall be designed in consultation with the Oklahoma Women
2 Veterans Organization. Service Oklahoma shall be authorized to
3 enter into a licensing agreement with the Oklahoma Women Veterans
4 Organization for any licensing fees which may be required in order
5 to use the organization's logo or design. The licensing agreement
6 shall provide for a payment to the Oklahoma Women Veterans
7 Organization of not more than Twenty Dollars (\$20.00) for each
8 license plate issued;

9 95. FIRST (For Inspiration and Recognition of Science and
10 Technology) in Oklahoma License Plate - such plates shall be issued
11 to any person wishing to demonstrate support for FIRST in Oklahoma
12 Robotics programs. The license plates shall be designed in
13 consultation with the administration of FIRST in Oklahoma. Service
14 Oklahoma shall be authorized to enter into a licensing agreement
15 with FIRST in Oklahoma for any licensing fees which may be required
16 in order to use the FIRST in Oklahoma logo or design. The licensing
17 agreement shall provide for a payment to FIRST in Oklahoma of not
18 more than Twenty Dollars (\$20.00) for each license plate issued;

19 96. Pittsburg State University License Plate - such plates
20 shall be designed and issued to any person wishing to demonstrate
21 support for the Pittsburg State University. The license plates
22 shall be designed in consultation with Pittsburg State University.
23 Service Oklahoma shall be authorized to enter into a licensing
24 agreement with Pittsburg State University for any licensing fees

1 which may be required in order to use the school foundation's logo
2 or design. The licensing agreement shall provide for a payment to
3 the Pittsburg State University of not more than Twenty Dollars
4 (\$20.00) for each license plate issued;

5 97. Greenwood Historical District License Plate - such plates
6 shall be issued to persons wishing to demonstrate support for the
7 Tulsa Juneteenth Festival held in the Greenwood Historical District
8 in Tulsa, Oklahoma. The plates shall be issued to any person in any
9 combination of numbers and letters from one to a maximum of seven,
10 as for personalized license plates. The license plates shall be
11 designed in consultation with the Black Wall Street Chamber of
12 Commerce. Service Oklahoma shall be authorized to enter into a
13 licensing agreement with the Tulsa Juneteenth Festival for any
14 licensing fees which may be required in order to use the Festival's
15 logo or design. For each license plate issued, the licensing
16 agreement shall provide for a payment of Twenty-five Dollars
17 (\$25.00) of the fee collected to the Tulsa Juneteenth Festival and
18 an additional Two Dollars (\$2.00) of the fee collected shall be
19 deposited in the Public School Classroom Support Revolving Fund, for
20 expenditure as provided in Section 1-123 of Title 70 of the Oklahoma
21 Statutes;

22 98. Oklahoma Veterans of Foreign Wars Auxiliary Chapters
23 License Plate - such plates shall be designed to honor the Oklahoma
24 Veterans of Foreign Wars Auxiliary Chapters and issued to any

1 resident of this state upon proof of membership in the Oklahoma
2 Veterans of Foreign Wars Auxiliary organization in this state. The
3 license plates shall be designed in consultation with the Oklahoma
4 Veterans of Foreign Wars Auxiliary organization. Service Oklahoma
5 shall be authorized to enter into a licensing agreement with the
6 Oklahoma Veterans of Foreign Wars Auxiliary organization for any
7 licensing fees which may be required in order to use the
8 organization's logo or design. The licensing agreement shall
9 provide for a payment to the Oklahoma Veterans of Foreign Wars
10 Auxiliary organization of not more than Twenty Dollars (\$20.00) for
11 each license plate issued;

12 99. Transportation to Transportation License Plate - such
13 plates shall be designed and issued to persons wishing to support
14 county roads and bridges. The license plates shall be designed in
15 consultation with the Association of County Commissioners of
16 Oklahoma. Twenty Dollars (\$20.00) of the fee collected shall be
17 paid to the county treasurer for the county in which the license
18 plate was purchased to be credited to the county highway fund
19 created pursuant to Section 1503 of Title 69 of the Oklahoma
20 Statutes;

21 100. Blue Star Mothers License Plate - such plates shall be
22 designed and issued to any person showing proof of membership in an
23 Oklahoma Chapter of Blue Star Mothers of America, Inc. The license
24 plates shall be designed in consultation with Blue Star Mothers of

1 America, Inc., Oklahoma Chapter One. Service Oklahoma shall be
2 authorized to enter into a licensing agreement with Blue Star
3 Mothers of America, Inc., Oklahoma Chapter One for any licensing
4 fees which may be required in order to use the Blue Star Mothers of
5 America logo or design. The licensing agreement shall provide for a
6 payment to Blue Star Mothers of America, Inc., Oklahoma Chapter One
7 of not more than Twenty Dollars (\$20.00) for each license plate
8 issued;

9 101. Oklahoma Golf License Plate - such plates shall be
10 designed and issued to any person wishing to demonstrate support for
11 the sport of golf in this state. The license plates shall be
12 designed in consultation with the South Central Section of the
13 Professional Golfers' Association of America and issued to any
14 person wishing to demonstrate support for the sport of golf in this
15 state. Service Oklahoma shall be authorized to enter into a
16 licensing agreement with the South Central Section of the
17 Professional Golfers' Association of America for any licensing fees
18 which may be required in order to use the organization's logo or
19 design. The licensing agreement shall provide for a payment to the
20 South Central Section of the Professional Golfers' Association of
21 America of not more than Twenty Dollars (\$20.00) for each license
22 plate issued;

23 102. Paramedic License Plate - such plates shall be designed
24 and issued to any person who is a paramedic. Such persons may apply

1 for a paramedic license plate for each vehicle with a rated carrying
2 capacity of one (1) ton or less or a motorcycle upon proof of a
3 paramedic license. The license plates shall be designed in
4 consultation with the Oklahoma State University-Oklahoma City
5 Paramedicine program and the Oklahoma Emergency Medical Technicians
6 Association. The letters "PM" shall be placed on the plate followed
7 by four random numbers, or such numbers as requested by such persons
8 applying for the plate. Twenty Dollars (\$20.00) of the fees
9 collected shall be deposited in the Emergency Medical Personnel
10 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
11 of the Oklahoma Statutes. Subject to the provisions of subsection A
12 of this section, the Paramedic License Plate is hereby reauthorized
13 effective November 1, 2022;

14 103. National Defense Service Medal License Plate - such plates
15 shall be designed and issued to those persons who have received the
16 National Defense Service Medal and wish to demonstrate support for
17 the Oklahoma Department of Veterans Affairs. The license plates
18 shall be designed in consultation with the Oklahoma Department of
19 Veterans Affairs. Service Oklahoma shall be authorized to enter
20 into a licensing agreement with the Oklahoma Department of Veterans
21 Affairs for any licensing fees which may be required in order to use
22 the Department's logo or design. The licensing agreement shall
23 provide for a payment to the Oklahoma Department of Veterans Affairs
24

1 of not more than Twenty Dollars (\$20.00) for each license plate
2 issued;

3 104. University of Oklahoma RUF/NEKS License Plate - such
4 plates shall be designed and issued to any past or present member of
5 the University of Oklahoma RUF/NEKS upon providing proof of
6 membership in the organization as may be required by Service
7 Oklahoma. The license plates shall be designed in consultation with
8 the University of Oklahoma RUF/NEKS. Service Oklahoma shall be
9 authorized to enter into a licensing agreement with the University
10 of Oklahoma RUF/NEKS for any licensing fees which may be required in
11 order to use the organization's logo or design. The licensing
12 agreement shall provide for a payment to the Mike James RUF/NEKS
13 Memorial Scholarship of not more than Twenty Dollars (\$20.00) for
14 each license plate issued;

15 105. Tulsa Community College License Plate - such plates shall
16 be issued to persons wishing to support Tulsa Community College.
17 The plates shall be designed in consultation with Tulsa Community
18 College. Service Oklahoma shall be authorized to enter into a
19 licensing agreement with Tulsa Community College for any licensing
20 fees which may be required in order to use the organization's logo
21 or design. The licensing agreement shall provide for a payment to
22 Tulsa Community College of not more than Twenty Dollars (\$20.00) for
23 each license plate issued;

24

1 106. Street Kings Car Club License Plate - such plates shall be
2 designed and issued to any person wishing to demonstrate support for
3 the Street Kings Car Club in Guthrie. The license plates shall be
4 designed in consultation with the Street Kings Car Club. Service
5 Oklahoma shall be authorized to enter into a licensing agreement
6 with the Street Kings Car Club for any licensing fees which may be
7 required in order to use the organization's logo or design. The
8 licensing agreement shall provide for a payment to the Street Kings
9 Car Club of not more than Twenty Dollars (\$20.00) for each license
10 plate issued;

11 107. Epilepsy Foundation License Plate - such plates shall be
12 designed and issued to any person wishing to demonstrate support for
13 the Epilepsy Foundation. The license plates shall be designed in
14 consultation with the Epilepsy Foundation of Oklahoma. Service
15 Oklahoma shall be authorized to enter into licensing agreements with
16 the Epilepsy Foundation for any licensing fees which may be required
17 in order to use the organization's logo or design. The licensing
18 agreement shall provide for a payment to the Epilepsy Foundation of
19 not more than Twenty Dollars (\$20.00) for each license plate issued;

20 108. America First License Plate - such plates shall be
21 designed and issued to any person wishing to demonstrate support for
22 the proclamation of "America First". The license plates shall be
23 designed in consultation with Warriors for Freedom and the Honoring
24 America's Warriors Foundations. Service Oklahoma shall be

1 authorized to enter into licensing agreements with the Warriors for
2 Freedom and Honoring America's Warriors Foundations for any
3 licensing fees which may be required in order to use the
4 Foundations' logos or designs. The licensing agreements shall
5 provide for a payment to the Honoring America's Warriors Foundation
6 of not more than Ten Dollars (\$10.00) and a payment to the Warriors
7 for Freedom Foundation of not more than Ten Dollars (\$10.00) for
8 each license plate issued;

9 109. Diabetes Awareness License Plate - such plates shall be
10 designed and issued to any person wishing to provide financial
11 support for Diabetes Solutions of Oklahoma. The license plates
12 shall be designed in consultation with Diabetes Solutions of
13 Oklahoma. Service Oklahoma shall be authorized to enter into
14 licensing agreements with Diabetes Solutions of Oklahoma for any
15 licensing fees which may be required in order to use the Diabetes
16 Solutions of Oklahoma logos or designs. The licensing agreements
17 shall provide for a deposit to the Diabetes Awareness License Plate
18 Revolving Fund established in Section 1104.33 of this title;

19 110. Alliance of Mental Health Providers of Oklahoma License
20 Plate - such plates shall be designed and issued to any person
21 wishing to demonstrate support for the Alliance of Mental Health
22 Providers of Oklahoma. The license plates shall be designed in
23 consultation with the Alliance of Mental Health Providers of
24 Oklahoma. Service Oklahoma shall be authorized to enter into

1 licensing agreements with the Alliance of Mental Health Providers of
2 Oklahoma for any licensing fees which may be required in order to
3 use the organization's logo or design. The licensing agreement
4 shall provide for a payment to the Alliance of Mental Health
5 Providers of Oklahoma of not more than Twenty Dollars (\$20.00) for
6 each license plate issued; and

7 111. Stillwater Public Schools License Plate - such plates
8 shall be designed and issued to any person wishing to demonstrate
9 support for the Stillwater School District. The license plates
10 shall be designed in consultation with the administration of the
11 Stillwater School District. Service Oklahoma shall be authorized to
12 enter into a licensing agreement with the Stillwater School District
13 for any licensing fees which may be required in order to use the
14 school district's logo or design. The licensing agreement shall
15 provide for a payment to the Stillwater School District of not more
16 than Twenty Dollars (\$20.00) for each license plate issued.

17 C. The fee for such plates shall be Thirty-five Dollars
18 (\$35.00) per year of renewal and shall be in addition to all other
19 registration fees provided by the Oklahoma Vehicle License and
20 Registration Act. The fee shall be apportioned as follows:

21 1. Twenty Dollars (\$20.00) per year of renewal or any other
22 amount as provided in this title of the fee shall be apportioned as
23 provided or deposited in a fund as specified within the paragraph
24 authorizing the special license plate;

1 2. Eight Dollars (\$8.00) per year of renewal of the fee shall
2 be deposited in the Tax Commission Reimbursement Fund to be used for
3 the administration of the Oklahoma Vehicle License and Registration
4 Act. Beginning January 1, 2023, Eight Dollars (\$8.00) per year of
5 renewal of the fee shall be deposited in the Service Oklahoma
6 Reimbursement Fund to be used for the administration of the Oklahoma
7 Vehicle License and Registration Act; and

8 3. Any remaining amounts of the fee shall be apportioned as
9 provided in Section 1104 of this title.

10 SECTION 43. AMENDATORY 47 O.S. 2021, Section 1140, as
11 amended by Section 174, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
12 2022, Section 1140), is amended to read as follows:

13 Section 1140. A. The Service Oklahoma Operator Board shall
14 adopt rules prescribing minimum qualifications and requirements for
15 locating Service Oklahoma locations and for persons applying for a
16 license to operate a designated Service Oklahoma location. Such
17 qualifications and requirements shall include, but not be limited
18 to, the following:

19 1. Necessary job skills and experience;

20 2. Minimum office hours;

21 3. Provision for sufficient staffing, equipment, office space
22 and parking to provide maximum efficiency and maximum convenience to
23 the public;

24

1 4. Obtainment of a faithful performance surety bond as provided
2 for by law;

3 5. That the applicant has not been convicted of a felony and
4 that no felony charges are pending against the applicant;

5 6. That the location specified in the individual's application
6 for a license to operate a designated Service Oklahoma location not
7 be owned by a member of Service Oklahoma or an employee of Service
8 Oklahoma or any person related to a member of Service Oklahoma or an
9 employee of Service Oklahoma within the third degree by
10 consanguinity, marriage, or adoption and that the location not be
11 within a three-mile radius of an existing licensed operator unless
12 the applicant is assuming the location of an operating licensed
13 operator;

14 7. That a single website, designated by Service Oklahoma, will
15 be used for the distribution of services provided by Service
16 Oklahoma with motor vehicle services to be fulfilled by licensed
17 operators;

18 8. That licensed operators will attend all required training
19 provided by Service Oklahoma; and

20 9. That there should be at least one Service Oklahoma location
21 in each county.

22 B. 1. 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 shall pay, when submitting the

1 application, a nonrefundable application fee of One Hundred Dollars
2 (\$100.00). All such application fees shall be deposited in the
3 Oklahoma Tax Commission ~~Revolving~~ Fund. Beginning January 1, 2023,
4 all such application fees shall be deposited in the Service Oklahoma
5 Revolving Fund.

6 2. Any person making application to the Service Oklahoma
7 Operator Board for the purpose of obtaining a license to operate a
8 designated Service Oklahoma location must meet standardization and
9 branding requirements established by the Service Oklahoma Operator
10 Board, upon recommendations from Service Oklahoma. Upon approval,
11 the person must either pay a fee to Service Oklahoma for all costs
12 related to meeting the standardization and branding requirements or
13 obtain approval from the Service Oklahoma Operator Board that the
14 location meets all standardization and branding requirements. All
15 such fees shall be deposited in the Service Oklahoma Revolving Fund.
16 The amount of the license fee will be determined by the Service
17 Oklahoma Operator Board. This provision shall not apply to any
18 existing Service Oklahoma location.

19 3. Any person shall have been a resident of this state for a
20 period of six (6) months prior to submitting an application for a
21 license to operate a designated Service Oklahoma location. If a
22 licensed operator moves his or her residence to a place outside this
23 state, the licensed operator shall provide notice to the Service
24

1 Oklahoma Operator Board and sell his or her license within ninety
2 (90) days of such notice.

3 C. Upon application by a person to serve as a licensed
4 operator, the Service Oklahoma Operator Board is authorized to make
5 a determination whether such person and such location meets the
6 criteria and guidelines established by the Service Oklahoma Operator
7 Board and, if such be the case, may issue a license to operate a
8 designated Service Oklahoma location.

9 D. 1. A licensed operator may be permitted, upon application,
10 to sell or transfer an existing license to operate a designated
11 Service Oklahoma location. Any sale or transfer of a license is
12 subject to approval of the Service Oklahoma Operator Board. In
13 order to sell or transfer an existing licensed operator license, the
14 licensed operator shall meet the following guidelines and
15 requirements:

- 16 a. the licensed operator shall be in good standing with
17 the Service Oklahoma Operator Board,
- 18 b. the licensed operator shall have held a licensed
19 operator license, issued by the Service Oklahoma
20 Operator Board, for a minimum of five (5) years, and
- 21 c. the licensed operator shall provide the Service
22 Oklahoma Operator Board evidence that the proposed
23 buyer or transferee of the licensed operator licensee
24 meets the qualifications and requirements set forth in

1 subsection A of this section, has the ability to meet
2 all financial requirements and terms of any current
3 existing contract between the licensed operator and
4 Service Oklahoma, and agrees to the onboarding and
5 training requirements of Service Oklahoma, as
6 established by Service Oklahoma and the Service
7 Oklahoma Operator Board.

8 2. The purchase price of a licensed operator license shall be
9 agreed upon by the licensed operator and the individual purchasing
10 the license to operate a designated Service Oklahoma location.
11 However, the purchaser or transferee agrees to pay a transfer fee to
12 Service Oklahoma in the amount of three percent (3%) of the last
13 annual gross revenue from fees retained at the Service Oklahoma
14 location to be purchased, not to exceed Fifteen Thousand Dollars
15 (\$15,000.00). The transfer fee shall be deposited in the Service
16 Oklahoma Revolving Fund.

17 3. Upon receipt of the application to sell or transfer an
18 existing licensed operator license, the Service Oklahoma Operator
19 Board will determine whether the licensed operator license may be
20 sold or transferred on the condition that the existing location is
21 in good standing and the new licensee meets the requirements
22 outlined in Section 1140 et seq. of this title.

23 4. The Service Oklahoma Operator Board may, at its discretion,
24 buy back a licensed operator license from a licensed operator who

1 desires to sell or transfer its licensed operator license but has
2 held a licensed operator license issued by Service Oklahoma for less
3 than five (5) years. The purchase price for such a license will be
4 one-half (1/2) times the most recent annual gross revenue from fees
5 retained of that Service Oklahoma location, not to exceed Two
6 Hundred Thousand Dollars (\$200,000.00).

7 5. Licensed operators issued a license to operate a designated
8 Service Oklahoma location on January 1, 2023, may be permitted, upon
9 application, to sell or transfer their existing license within the
10 first five (5) years. Any sale or transfer of such license is
11 subject to the approval of the Service Oklahoma Operator Board.

12 a. In order to sell or transfer the existing license
13 within the first five (5) years, the licensed operator
14 shall meet the following guidelines and requirements:

15 (1) the licensed operator shall be in good standing
16 with the Service Oklahoma Operator Board, and

17 (2) the licensed operator shall provide the Service
18 Oklahoma Operator Board evidence that the

19 proposed buyer or transferee of the licensed

20 operator licensee meets the qualifications and

21 requirements set forth in this section, has the

22 ability to meet all financial requirements and

23 terms of any current existing contract between

24 the licensed operator and Service Oklahoma, and

1 agrees to the onboarding and training
2 requirements of Service Oklahoma, as established
3 by Service Oklahoma and the Service Oklahoma
4 Operator Board.

5 b. The branding and physical standardization exemption
6 specified in this section shall not transfer to the
7 purchaser, unless:

8 (1) the licensed operator submitted a contingent
9 resignation and the purchaser submitted a
10 relation application to the Oklahoma Tax
11 Commission prior to May 19, 2022, or

12 (2) the purchaser is related to the licensed operator
13 within the third degree by consanguinity,
14 marriage, or adoption.

15 E. 1. Licensed operators shall be subject to all laws relating
16 to licensed operators and shall be subject to removal for cause by
17 the Service Oklahoma Operator Board. Any action taken by Service
18 Oklahoma to revoke a license shall be pursuant to and in accordance
19 with the provisions of the Administrative Procedures Act. For the
20 purposes of this section, "for cause" shall be defined as follows:

21 a. repeated violations of written contracts, rules,
22 regulations and statutes pertaining to licensed
23 operators after written warning by the Service
24

1 Oklahoma Operator Board and an opportunity to correct
2 such violations,

3 b. failure of the licensed operator to promptly remit
4 funds owed to Service Oklahoma upon written demand,

5 c. being charged with a felony crime involving dishonesty
6 or moral turpitude,

7 d. failure to timely file state and federal income tax
8 returns, or

9 e. any act of official misconduct as set forth in Section
10 93 of Title 51 of the Oklahoma Statutes.

11 In the event a license is revoked by the Service Oklahoma
12 Operator Board for cause, the Service Oklahoma location operated by
13 the licensed operator will be permanently closed and the licensed
14 operator shall not be entitled to any compensation.

15 Motor license agents and licensed operators in good standing as
16 of November 1, 2022, shall be exempt from the branding and physical
17 standardization requirements to be established by the Service
18 Oklahoma Operator Board, with the recommendation of the Director of
19 Service Oklahoma.

20 2. A license to operate a designated Service Oklahoma location
21 may be revoked by the Service Oklahoma Operator Board for failure to
22 meet the standards for customer satisfaction established by the
23 Service Oklahoma Operator Board. In the event of revocation, the
24 licensed operator shall sell his or her license to operate a Service

1 Oklahoma location to Service Oklahoma at a rate of one-half (1/2)
2 times the most recent annual gross revenue from fees retained of
3 that Service Oklahoma location, not to exceed Two Hundred Thousand
4 Dollars (\$200,000.00).

5 F. All licensed operators shall be licensed by and under the
6 supervision of Service Oklahoma; provided, any agent authorized to
7 issue registrations pursuant to the International Registration Plan
8 shall also be under the supervision of the Corporation Commission,
9 subject to rules promulgated by the Corporation Commission pursuant
10 to the provisions of subsection E of Section 1166 of this title.
11 Service Oklahoma shall be the holder of all licenses and has the
12 right to approve and revoke such licenses. After obtaining a
13 license, any such licensed operator shall furnish and file with
14 Service Oklahoma a bond in such amount as may be fixed by Service
15 Oklahoma. Such licensed operator shall be removable at the will of
16 Service Oklahoma. Such licensed operator shall perform all duties
17 and do such things in the administration of the laws of this state
18 as shall be enjoined upon and required by the Service Oklahoma
19 Operator Board. Provided, Service Oklahoma may operate a Service
20 Oklahoma location in any county where a vacancy occurs, as
21 determined by Service Oklahoma.

22 G. In the event of a vacancy due to the death of a licensed
23 operator, the licensed operator's designee or a licensed operator
24 location employee shall immediately notify Service Oklahoma. A

1 licensed operator may designate an individual to continue to operate
2 the Service Oklahoma location upon the death of the licensed
3 operator. The designee shall apply to obtain a license to operate
4 the vacant licensed operator location with the Service Oklahoma
5 Operator Board within thirty (30) days of the licensed operator's
6 death. In the event that no designee is designated or that the
7 designee fails to apply to be a licensed operator with Service
8 Oklahoma within thirty (30) days, Service Oklahoma may take any and
9 all action it deems appropriate in order to provide for the orderly
10 transition and the maintenance of operations of the Service Oklahoma
11 location, as permitted by law.

12 H. When an application for registration is made with Service
13 Oklahoma, the Corporation Commission or a licensed operator, a
14 registration fee of One Dollar and seventy-five cents (\$1.75) shall
15 be collected for each license plate or decal issued. Such fees
16 shall be in addition to the registration fees on motor vehicles and
17 when an application for registration is made to the licensed
18 operator, such licensed operator shall retain a fee as provided in
19 Section 1141.1 of this title. When the fee is paid by a person
20 making application directly with Service Oklahoma or the Corporation
21 Commission, as applicable, the registration fees shall be in the
22 same amount as provided for licensed operators and the fee provided
23 by Section 1141.1 of this title shall be deposited in the Oklahoma
24 Tax Commission ~~Revolving~~ Fund or as provided in Section 1167 of this

1 title, as applicable. Beginning January 1, 2023, the fee provided
2 by Section 1141.1 of this title shall be deposited in the Service
3 Oklahoma Revolving Fund or as provided in Section 1167 of this
4 title, as applicable. Service Oklahoma shall prepare schedules of
5 registration fees and charges for titles which shall include the
6 fees for such licensed operators and all fees and charges paid by a
7 person shall be listed separately on the application and
8 registration and totaled on the application and registration. The
9 licensed operators shall charge only such fees as are specifically
10 provided for by law, and all such authorized fees shall be posted in
11 such a manner that any person shall have notice of all fees that are
12 imposed by law.

13 I. Any licensed operator shall be responsible for all costs
14 incurred by Service Oklahoma when relocating an existing Service
15 Oklahoma location. The Service Oklahoma Operator Board may waive
16 payment of such costs in case of unforeseen business or emergency
17 conditions beyond the control of the licensed operator.

18 J. Any existing contracts by or between any motor license agent
19 and the Oklahoma Tax Commission shall be assigned to Service
20 Oklahoma. All existing motor license agents in good standing with
21 the Oklahoma Tax Commission will be offered a subsequent contract
22 from Service Oklahoma to become a licensed operator to take effect
23 on January 1, 2023. The contract between existing motor license
24 agents and Service Oklahoma shall be agreed to no later than

1 December 31, 2022. In the event an existing motor license agent
2 declines to enter into the subsequent contract with Service Oklahoma
3 to become a licensed operator, that motor license agent may continue
4 to conduct business pursuant to the existing contract through
5 December 31, 2025, so long as that motor license agent remains in
6 good standing with Service Oklahoma in accordance with the terms of
7 the existing contract.

8 SECTION 44. AMENDATORY 63 O.S. 2021, Section 1-229.13,
9 is amended to read as follows:

10 Section 1-229.13. A. It is unlawful for any person to sell,
11 give or furnish in any manner any tobacco product, nicotine product
12 or vapor product to another person who is under twenty-one (21)
13 years of age, or to purchase in any manner a tobacco product,
14 nicotine product or vapor product on behalf of any such person. It
15 shall not be unlawful for an employee under twenty-one (21) years of
16 age to handle tobacco products, nicotine products or vapor products
17 when required in the performance of the employee's duties.

18 B. A person engaged in the sale or distribution of tobacco
19 products, nicotine products or vapor products shall demand proof of
20 age from a prospective purchaser or recipient if an ordinary person
21 would conclude on the basis of appearance that the prospective
22 purchaser may be under twenty-one (21) years of age.

23 If an individual engaged in the sale or distribution of tobacco
24 products, nicotine products or vapor products has demanded proof of

1 age from a prospective purchaser or recipient who is not under
2 twenty-one (21) years of age, the failure to subsequently require
3 proof of age shall not constitute a violation of this subsection.

4 C. 1. When a person violates subsection A or B of this
5 section, the Alcoholic Beverage Laws Enforcement (ABLE) Commission
6 shall impose an administrative fine of:

- 7 a. not more than One Hundred Dollars (\$100.00) for the
8 first offense,
- 9 b. not more than Two Hundred Dollars (\$200.00) for the
10 second offense within a two-year period following the
11 first offense,
- 12 c. not more than Three Hundred Dollars (\$300.00) for a
13 third offense within a two-year period following the
14 first offense. In addition to any other penalty, the
15 store's license to sell tobacco products or nicotine
16 products or the store's sales tax permit for a store
17 that is predominantly engaged in the sale of vapor
18 products in which the sale of other products is merely
19 incidental may be suspended for a period not exceeding
20 thirty (30) days, or
- 21 d. not more than Three Hundred Dollars (\$300.00) for a
22 fourth or subsequent offense within a two-year period
23 following the first offense. In addition to any other
24 penalty, the store's license to sell tobacco products

1 or nicotine products or the store's sales tax permit
2 for a store that is predominantly engaged in the sale
3 of vapor products in which the sale of other products
4 is merely incidental may be suspended for a period not
5 exceeding sixty (60) days.

6 2. When it has been determined that a penalty shall include a
7 license or permit suspension, the ABLE Commission shall notify the
8 Oklahoma Tax Commission, and the Tax Commission shall suspend the
9 store's license to sell tobacco products or nicotine products or the
10 store's sales tax permit for a store that is predominantly engaged
11 in the sale of vapor products in which the sale of other products is
12 merely incidental at the location where the offense occurred for the
13 period of time prescribed by the ABLE Commission.

14 3. Proof that the defendant demanded, was shown, and reasonably
15 relied upon proof of age shall be a defense to any action brought
16 pursuant to this section. A person cited for violating this section
17 shall be deemed to have reasonably relied upon proof of age, and
18 such person shall not be found guilty of the violation if such
19 person proves that:

20 a. the individual who purchased or received the tobacco
21 product, nicotine product or vapor product presented a
22 driver license or other government-issued photo
23 identification purporting to establish that such
24

1 individual was twenty-one (21) years of age or older,
2 or

3 b. the person cited for the violation confirmed the
4 validity of the driver license or other government-
5 issued photo identification presented by such
6 individual by performing a transaction scan by means
7 of a transaction scan device.

8 Provided, that this defense shall not relieve from liability any
9 person cited for a violation of this section if the person failed to
10 exercise reasonable diligence to determine whether the physical
11 description and picture appearing on the driver license or other
12 government-issued photo identification was that of the individual
13 who presented it. The availability of the defense described in this
14 subsection does not affect the availability of any other defense
15 under any other provision of law.

16 D. If the sale is made by an employee of the owner of a store
17 at which tobacco products, nicotine products or vapor products are
18 sold at retail, the employee shall be guilty of the violation and
19 shall be subject to the fine. Each violation by any employee of an
20 owner of a store licensed to sell tobacco products or nicotine
21 products or permitted to sell vapor products shall be deemed a
22 violation against the owner for purposes of a license suspension
23 pursuant to subsection C of this section. Each violation by an
24 employee of a store predominantly engaged in the sale of vapor

1 products in which the sale of other products is merely incidental
2 shall be deemed a violation against the owner for purposes of a
3 sales tax permit suspension pursuant to the provisions of subsection
4 C of this section. An owner of a store licensed to sell tobacco
5 products or nicotine products or permitted to sell vapor products
6 shall not be deemed in violation of the provisions of the Prevention
7 of Youth Access to Tobacco Act for any acts constituting a violation
8 by any person, when the violation occurs prior to actual employment
9 of the person by the storeowner or the violation occurs at a
10 location other than the owner's retail store. For purposes of
11 determining the liability of a person controlling franchises or
12 business operations in multiple locations, for any violations of
13 subsection A or B of this section, each individual franchise or
14 business location shall be deemed a separate entity.

15 E. On or before December 15, 1997, the ABLE Commission shall
16 adopt rules establishing a method of notification of storeowners
17 when an employee of such storeowner has been determined to be in
18 violation of this section by the ABLE Commission or convicted of a
19 violation by a municipality.

20 F. 1. Upon failure of the employee to pay the administrative
21 fine within ninety (90) days of the day of the assessment of such
22 fine, the ABLE Commission shall notify ~~the Department of Public~~
23 ~~Safety~~ Service Oklahoma, and ~~the Department~~ Service Oklahoma shall
24 suspend or not issue a driver license to the employee until proof of

1 payment has been furnished to ~~the Department of Public Safety~~
2 Service Oklahoma.

3 2. Upon failure of a storeowner to pay the administrative fine
4 within ninety (90) days of the assessment of the fine, the ABLE
5 Commission shall notify the Tax Commission, and the Tax Commission
6 shall suspend the store's license to sell tobacco products or
7 nicotine products or the store's sales tax permit for a store that
8 is predominantly engaged in the sale of vapor products in which the
9 sale of other products is merely incidental until proof of payment
10 has been furnished to the Oklahoma Tax Commission.

11 G. Cities and towns may enact and municipal police officers may
12 enforce ordinances prohibiting and penalizing conduct under
13 provisions of this section, but the provisions of municipal
14 ordinances shall be the same as provided for in this section, and
15 the penalty provisions under such ordinances shall not be more
16 stringent than those of this section.

17 H. County sheriffs may enforce the provisions of the Prevention
18 of Youth Access to Tobacco Act.

19 SECTION 45. AMENDATORY 68 O.S. 2021, Section 118, is
20 amended to read as follows:

21 Section 118. A. Upon receipt of a written request from a
22 member or employee of the Legislature, the Oklahoma Tax Commission
23 shall provide:
24

1 1. A written estimate of the revenue gain or loss to the state
2 as a result of an actual or proposed change to a any state tax law
3 within the implementation, enforcement and collection duties and
4 responsibilities of the Tax Commission; provided, upon request of a
5 legislative member or staff, Service Oklahoma shall be responsible
6 for furnishing written estimates of revenue gains or losses
7 attributable to current or proposed amendments to any state law
8 under its statutorily assigned functions and responsibilities;

9 2. A written statement of the Tax Commission's recommendation
10 to the State Board of Equalization as to the change in the amount
11 certified as available for appropriation by the Legislature as a
12 result of an actual or proposed change to a state tax law; and

13 3. A written statement outlining all analysis and methodology
14 provided by or made available by the Tax Commission to the State
15 Board of Equalization for the purpose of influencing or serving as
16 the basis for an official action of the State Board of Equalization.

17 The Tax Commission shall provide such estimate and statement
18 within two (2) weeks of the date the request was received unless the
19 member or employee of the Legislature specifies an earlier date.

20 B. On or after December 31, 2009, and subject to the
21 availability of funds, the Tax Commission shall develop the
22 estimates and statements required by subsection A of this section
23 utilizing a dynamic revenue estimating model. Such model shall take
24 into consideration changes in economic activity as a result of the

1 proposed legislation and consequent revenue gains or losses due to
2 factors such as taxpayer behavior, employment and business
3 investment. The Tax Commission may, subject to the laws of this
4 state relating to confidentiality of information, contract with
5 institutions of higher education in this state or other entities to
6 perform its duties as set forth in this subsection. The Tax
7 Commission is authorized to promulgate rules to carry out the
8 implementation of this section.

9 C. For the purpose of providing an annual forecast of gross
10 production tax revenues from the production of natural and
11 casinghead gas to the Office of Management and Enterprise Services,
12 the Tax Commission shall subscribe to appropriate reference
13 materials which provide economic outlook of future gas prices that
14 have most closely followed the historical trend of Oklahoma gas
15 prices. To determine the average differential between the published
16 forecasted prices and Oklahoma gas prices, the Tax Commission shall
17 compare prices in at least twenty-four (24) of the immediate thirty-
18 six (36) previous months of production. The Tax Commission shall
19 utilize the procedures provided herein to forecast the collection of
20 gross production tax revenues from the production of natural and
21 casinghead gas for the fiscal year beginning July 1, 2005, and each
22 fiscal year thereafter.

23 SECTION 46. AMENDATORY 70 O.S. 2021, Section 19-115, is
24 amended to read as follows:

1 Section 19-115. A. The establishment, conduct and scope of the
2 driver education program for secondary schools shall be the program
3 established by rules adopted and promulgated by the State Board of
4 Education, subject to the requirements and exceptions set forth in
5 Section 19-113 et seq. of this title. Said program shall be
6 established and maintained only in accordance with such rules and
7 laws. The State Superintendent of Public Instruction shall prepare
8 an administrative budget from funds made available under this
9 article, which budget shall be approved by the State Board of
10 Education. It shall be the responsibility of the State
11 Superintendent of Public Instruction to appoint supervisors of
12 safety education and the necessary clerical personnel.

13 B. The State Department of Education shall designate or employ
14 a state coordinator of driver education programs to provide
15 oversight of all driver education programs throughout the state.
16 The responsibilities of such coordinator shall include, but not be
17 limited to:

- 18 1. Assuring quality driver education programs in this state;
- 19 2. Serving as a liaison between the State Department of
20 Education and ~~the Department of Public Safety~~ Service Oklahoma;
- 21 3. Promoting driver safety throughout the state; and
- 22 4. Coordinating the activities of the supervisors of safety
23 education and the necessary clerical staff.

24

1 SECTION 47. AMENDATORY 75 O.S. 2021, Section 250.4, is
2 amended to read as follows:

3 Section 250.4. A. 1. Except as is otherwise specifically
4 provided in this subsection, each agency is required to comply with
5 Article I of the Administrative Procedures Act.

6 2. The Corporation Commission shall be required to comply with
7 the provisions of Article I of the Administrative Procedures Act
8 except for subsections A, B, C and E of Section 303 of this title
9 and Section 306 of this title. To the extent of any conflict or
10 inconsistency with Article I of the Administrative Procedures Act,
11 pursuant to Section 35 of Article IX of the Oklahoma Constitution,
12 it is expressly declared that Article I of the Administrative
13 Procedures Act is an amendment to and alteration of Sections 18
14 through 34 of Article IX of the Oklahoma Constitution.

15 3. The ~~Oklahoma~~ Military Department of the State of Oklahoma
16 shall be exempt from the provisions of Article I of the
17 Administrative Procedures Act to the extent it exercises its
18 responsibility for military affairs. Military publications, as
19 defined in Section 801 of Title 44 of the Oklahoma Statutes, shall
20 be exempt from the provisions of Article I and Article II of the
21 Administrative Procedures Act, except as provided in Section 251 of
22 this title.

23 4. The Oklahoma Ordnance Works Authority, the Northeast
24 Oklahoma Public Facilities Authority, the Oklahoma Office of

1 Homeland Security and the Board of Trustees of the Oklahoma College
2 Savings Plan shall be exempt from Article I of the Administrative
3 Procedures Act.

4 5. The Transportation Commission and the Department of
5 Transportation shall be exempt from Article I of the Administrative
6 Procedures Act to the extent they exercise their authority in
7 adopting standard specifications, special provisions, plans, design
8 standards, testing procedures, federally imposed requirements and
9 generally recognized standards, project planning and programming,
10 and the operation and control of the State Highway System.

11 6. The Oklahoma State Regents for Higher Education shall be
12 exempt from Article I of the Administrative Procedures Act with
13 respect to:

- 14 a. prescribing standards of higher education,
- 15 b. prescribing functions and courses of study in each
16 institution to conform to the standards,
- 17 c. granting of degrees and other forms of academic
18 recognition for completion of the prescribed courses,
- 19 d. allocation of state-appropriated funds, and
- 20 e. fees within the limits prescribed by the Legislature.

21 7. Institutional governing boards within The Oklahoma State
22 System of Higher Education shall be exempt from Article I of the
23 Administrative Procedures Act.

24

- 1 8. a. The Commissioner of Public Safety and the Director of
2 Service Oklahoma shall be exempt from Sections 303.1,
3 304, 307.1, 308 and 308.1 of this title insofar as it
4 is necessary to promulgate rules pursuant to the
5 Oklahoma Motor Carrier Safety and Hazardous Materials
6 Transportation Act, to maintain a current
7 incorporation of federal motor carrier safety and
8 hazardous material regulations, ~~or pursuant to Chapter~~
9 ~~6 of Title 47 of the Oklahoma Statutes, to maintain a~~
10 ~~current incorporation of federal commercial driver~~
11 ~~license regulations, for which the Commissioner has no~~
12 ~~discretion when the state is mandated to promulgate~~
13 ~~rules identical to federal rules and regulations.~~
- 14 b. Such rules may be adopted by the Commissioner and
15 shall be deemed promulgated twenty (20) days after
16 notice of adoption is published in "The Oklahoma
17 Register". Such publication need not set forth the
18 full text of the rule but may incorporate the federal
19 rules and regulations by reference.
- 20 c. Such copies of promulgated rules shall be filed with
21 the Secretary as required by Section 251 of this
22 title.
- 23 d. For any rules for which the Commissioner has
24 discretion to allow variances, tolerances or

1 modifications from the federal rules and regulations,
2 the Commissioner shall fully comply with Article I of
3 the Administrative Procedures Act.

4 9. The Council on Judicial Complaints shall be exempt from
5 Section 306 of Article I of the Administrative Procedures Act, with
6 respect to review of the validity or applicability of a rule by an
7 action for declaratory judgment, or any other relief based upon the
8 validity or applicability of a rule, in the district court or by an
9 appellate court. A party aggrieved by the validity or applicability
10 of a rule made by the Council on Judicial Complaints may petition
11 the Court on the Judiciary to review the rules and issue opinions
12 based upon them.

13 10. The Department of Corrections, State Board of Corrections,
14 county sheriffs and managers of city jails shall be exempt from
15 Article I of the Administrative Procedures Act with respect to:

- 16 a. prescribing internal management procedures for the
17 management of the state prisons, county jails and city
18 jails and for the management, supervision and control
19 of all incarcerated prisoners, and
- 20 b. prescribing internal management procedures for the
21 management of the probation and parole unit of the
22 Department of Corrections and for the supervision of
23 probationers and parolees.

1 11. The State Board of Education shall be exempt from Article I
2 of the Administrative Procedures Act with respect to prescribing
3 subject matter standards as provided for in Section 11-103.6a of
4 Title 70 of the Oklahoma Statutes.

5 B. As specified, the following agencies or classes of agency
6 activities are not required to comply with the provisions of Article
7 II of the Administrative Procedures Act:

8 1. The Oklahoma Tax Commission, except as provided in
9 subsection G of Section 1140 of Title 47 of the Oklahoma Statutes;

10 2. The Commission for Human Services;

11 3. The Oklahoma Ordnance Works Authority;

12 4. The Corporation Commission;

13 5. The Pardon and Parole Board;

14 6. The Midwestern Oklahoma Development Authority;

15 7. The Grand River Dam Authority;

16 8. The Northeast Oklahoma Public Facilities Authority;

17 9. The Council on Judicial Complaints;

18 10. The Board of Trustees of the Oklahoma College Savings Plan;

19 11. The supervisory or administrative agency of any penal,
20 mental, medical or eleemosynary institution, only with respect to
21 the institutional supervision, custody, control, care or treatment
22 of inmates, prisoners or patients therein; provided, that the
23 provisions of Article II shall apply to and govern all
24

1 administrative actions of the ~~Oklahoma~~ Oklahoma Alcohol and Drug Abuse
2 Prevention, Training, Treatment and Rehabilitation Authority;

3 12. The Board of Regents or employees of any university,
4 college, or other institution of higher learning;

5 13. The Oklahoma Horse Racing Commission, its employees or
6 agents only with respect to hearing and notice requirements on the
7 following classes of violations which are an imminent peril to the
8 public health, safety and welfare:

9 a. any rule regarding the running of a race,

10 b. any violation of medication laws and rules,

11 c. any suspension or revocation of an occupation license
12 by any racing jurisdiction recognized by the
13 Commission,

14 d. any assault or other destructive acts within
15 Commission-licensed premises,

16 e. any violation of prohibited devices, laws and rules,
17 or

18 f. any filing of false information;

19 14. The Commissioner of Public Safety and the Director of
20 Service Oklahoma only with respect to driver license hearings and
21 hearings conducted pursuant to the provisions of Section 2-115 of
22 Title 47 of the Oklahoma Statutes;

23

24

1 15. The Administrator of the Department of Securities only with
2 respect to hearings conducted pursuant to provisions of the Oklahoma
3 Take-over Disclosure Act of 1985;

4 16. Hearings conducted by a public agency pursuant to Section
5 962 of Title 47 of the Oklahoma Statutes;

6 17. The ~~Oklahoma~~ Military Department of the State of Oklahoma;

7 18. The University Hospitals Authority, including all hospitals
8 or other institutions operated by the University Hospitals
9 Authority;

10 19. The Oklahoma Health Care Authority Board and the
11 Administrator of the Oklahoma Health Care Authority; and

12 20. The Oklahoma Office of Homeland Security.

13 SECTION 48. REPEALER 47 O.S. 2021, Section 2-106, as
14 amended by Section 28, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
15 Section 2-106), is hereby repealed.

16 SECTION 49. REPEALER 47 O.S. 2021, Section 1114.2, as
17 amended by Section 131, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
18 2022, Section 1114.2), is hereby repealed.

19 SECTION 50. This act shall become effective July 1, 2023.

20 SECTION 51. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.
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