**TITLE 595. DEPARTMENT OF PUBLIC SAFETY**

**CHAPTER 10. CLASS D DRIVER LICENSES AND IDENTIFICATION CARDS AND MOTOR LICENSE AGENT PROCEDURES**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. Procedure for obtaining and maintaining a driver license or identification card

595:10-1-3. Procedures for obtaining an initial driver license [AMENDED]

595:10-1-5. Graduated driver license; persons under eighteen (18) years of age [AMENDED]

595:10-1-25. Procedure for obtaining an identification card [AMENDED]

595:10-1-26. Procedure for obtaining a renewal identification card [AMENDED]

595:10-1-27. Procedure for obtaining a replacement identification card [AMENDED]

595:10-1-35. Procedure to make a change of name on a driver license or an identification card [AMENDED]

Subchapter 3. Examination

595:10-3-7. Knowledge test [AMENDED]

595:10-3-9. Skills examination [AMENDED]

Subchapter 11. Certified schools and designated Class D examiners

595:10-11-5. Requirements for certification as a designated examiner; display of certificate; certification renewal [AMENDED]

595:10-11-10. Records to be maintained by designated examiners [AMENDED]

595:10-11-14. Prohibited acts; conduct [AMENDED]

Subchapter 15. Provisional Driver License Program

595:10-15-2. Definitions [AMENDED]

595:10-15-3. Eligibility Criteria [AMENDED]

595:10-15-4. Participants in the PDL Program [AMENDED]

595:10-15-5. Terms and conditions under which the Participant Licensee can drive [REVOKED]

595:10-15-6. Proof of insurance [REVOKED]

595:10-15-7. Completion of Required forms, payment of the initial minimum monthly payment, and payment of the Provisional License fee [AMENDED]

595:10-15-8. Termination (removal) from the PDL Program, cancellation of the Restricted Driver License issued under the Provisional Driver License Program~~, ineligibility from future participation in the PDL Program, and Review~~ [AMENDED]

**SUMMARY:**

The proposed rules revise documentation requirements related to obtaining a REAL ID Compliant driver license including procedures for confirming the applicant’s social security number. The proposed revisions allow for Driver License Supervisors discretion to approve alternative forms of identification when no other suitable means of establishing identity are available. Language related to birth certificates is simplified in the proposed revisions. Secondary proofs of identification are eliminated in the proposed rules. The proposed revisions eliminate requirements to establish school attendance or demonstrate an eighth grade reading proficiency. Provisions related to obtaining an identification card are updated in the proposed rules to clarify the requirement to provide a valid social security number. The proposed rules provide for written driver examinations to be administered by examination proctors. The proposed rules eliminate backing as a required skill on skills examinations. The requirements for motorcycle safety instructors are updated. The proposed rules update requirements related to obtaining a nationwide criminal history background check for driver education instructors. The proposed rules update record keeping requirements for driver education schools. The prohibition on designated examiners administering tests for students previously taught by the examiner. Major statutory changes enacted in HB 1795 are reflected in the proposed rules regarding the Provisional Driver License Program, including elimination of requirements that remove participants from the program upon non-payment of fees. Portions of the rules repeating statutory language are revoked in the proposed rules.

**AUTHORITY:**

Department of Public Safety; 47 O.S. §2-108.5

**COMMENT PERIOD:**

Persons wishing to express their views in writing may do so before 5:00 p.m. on March 17, 2022, at the following address: Latosha Carrillo, Legal Division, P.O. Box 11415, Oklahoma City, OK 73136, or latosha.carrillo@dps.ok.gov.

**PUBLIC HEARING:**

A public hearing will be held at 9:45 a.m. on March 18, 2022, at the Robert E. Lester Training Center, 3600 N. Martin Luther King Ave, Oklahoma City, OK 73111. Anyone wishing to speak must sign in at the door by 9:50 a.m.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department of Public Safety requests business entities affected by these proposed rules provide the Department, within the comment period described above, in dollar amounts if possible, the increase in the level of direct costs, revenue loss, or other costs expected to be incurred by said entities such as fees; and indirect costs such as reporting, recordkeeping, professional services, labor, construction, or equipment expected to be incurred by the entity due to compliance with the proposed rules. Business entities may submit this information before 5:00 p.m. on March 17, 2022, at the following address: Latosha Carrillo, Legal Division, P.O. Box 11415, Oklahoma City, OK 73136, or latosha.carrillo@dps.ok.gov.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Department of Public Safety, Legal Division, P.O. Box 11415, Oklahoma City, OK 73136, or latosha.carrillo@dps.ok.gov., or www.dps.ok.gov.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D) a rule impact statement will be prepared and will be available at the above address beginning March 2, 2022.

**CONTACT PERSON:**

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