

1 2. Three wheels in contact with the ground, but excluding a
2 tractor;

3 3. A combustion engine or an electric motor:

4 a. if the power source is a combustion engine, an engine
5 with a piston or rotor displacement of one hundred
6 fifty cubic centimeters (150 ~~eu-em~~ cc) or greater, or

7 b. if the power source is an electric motor, a power
8 source capable of producing one thousand (1,000) watts
9 or greater;

10 4. For each occupant, safety belts or safety shoulder harnesses
11 which shall be of a type and shall be installed pursuant to 49
12 C.F.R., Section 571.208 et seq.; and

13 5. All equipment required by the provisions of Article II et
14 seq. of Chapter 12 of this title, with respect to equipment on
15 vehicles.

16 B. An autocycle shall be registered as a motor vehicle.

17 C. The operator of an autocycle shall not be required to have
18 an "M" endorsement on the Class D License pursuant to Section 6-
19 110.1 of this title.

20 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1-133.2, is
21 amended to read as follows:

22 Section 1-133.2 Moped.

23 Moped.
24

1 A "moped" is any motor-driven cycle with a an electric or
2 internal combustion motor which produces not to exceed two brake
3 horsepower and which is not capable of propelling the vehicle at a
4 speed in excess of thirty-five (35) miles per hour on level ground.
5 If an internal combustion engine is used, the displacement shall not
6 exceed fifty ~~(50)~~ cubic centimeters (50 cc), and the moped shall
7 have a power drive system that functions directly or automatically
8 without clutching or shifting by the operator after the drive system
9 is engaged.

10 SECTION 3. AMENDATORY 47 O.S. 2021, Section 1-135, is
11 amended to read as follows:

12 Section 1-135. Motorcycle.

13 Motorcycle.

14 A motorcycle is any motor vehicle having:

- 15 1. A seat or saddle for the use of each rider;
16 2. Not more than three wheels in contact with the ground, but
17 excluding a tractor; and

18 3. ~~A~~ An electric or combustion engine motor:

19 a. if the power source is a combustion engine, an engine
20 with a piston or rotor displacement of one hundred
21 fifty cubic centimeters (150 ~~eu-em~~ cc) or greater, or

22 b. if the power source is an electric motor, with a power
23 source capable of producing one thousand (1,000) watts
24 or greater.

1 SECTION 4. AMENDATORY 47 O.S. 2021, Section 1-136, is
2 amended to read as follows:

3 Section 1-136. Motor-driven cycle.

4 Motor-driven cycle.

5 A motor-driven cycle is any motor vehicle having:

6 1. A power source that:

7 a. if the power source is a combustion engine, has a
8 piston or rotor displacement of greater than thirty-
9 five cubic centimeters (35 ~~eu-em~~ cc) but less than one
10 hundred fifty cubic centimeters (150 ~~eu-em~~ cc)
11 regardless of the number of chambers in the power
12 source, or

13 b. if the power source is electric, has a power output of
14 ~~greater~~ less than one thousand (1,000) watts; and

15 2. A seat or saddle for the use of each rider; and

16 3. Not more than three wheels in contact with the ground.

17 SECTION 5. AMENDATORY 47 O.S. 2021, Section 6-105, as
18 amended by Section 42, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
19 Section 6-105), is amended to read as follows:

20 Section 6-105. A. Unless a legal custodial parent or legal
21 guardian has filed an objection to licensure pursuant to Section 6-
22 103.1 of this title, any person under eighteen (18) years of age who
23 is in compliance with or not subject to Section 6-107.3 of this
24 title may be permitted to operate:

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

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

5 3. A farm vehicle under the provisions prescribed in subsection
6 I of this section.

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

13 C. Any person:

14 1. Who is at least fifteen and one-half (15 1/2) years of age
15 and is currently receiving instruction in or has successfully
16 completed driver education. For purposes of this section, the term
17 "driver education" shall mean:

18 a. a prescribed secondary school driver education course,
19 as provided for in Sections 19-113 through 19-121 of
20 Title 70 of the Oklahoma Statutes,

21 b. a driver education course, certified by the Department
22 of Public Safety, from a parochial, private, or other
23 nonpublic secondary school,

24

1 c. a commercial driver training course, as defined by
2 Sections 801 through 808 of this title,

3 d. a parent-taught driver education course, certified by
4 the Department of Public Safety. The Department shall
5 promulgate rules for any parent-taught driver
6 education course, or

7 e. a driver education course certified by a state other
8 than Oklahoma; or

9 2. Who is at least sixteen (16) years of age,

10 may, upon successfully passing all parts of the driver license
11 examination administered by Service Oklahoma, or an approved written
12 examination proctor, except the driving examination, be issued a
13 learner permit which will grant the permittee the privilege to
14 operate a Class D motor vehicle upon the public highways only
15 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
16 by a licensed driver who is at least twenty-one (21) years of age
17 and who is actually occupying a seat beside the permittee; provided,
18 the written examination for a learner permit may be waived by
19 Service Oklahoma upon verification that the person has successfully
20 completed driver education.

21 D. 1. Any person:

22 a. who has applied for, been issued, and has possessed a
23 learner permit for a minimum of six (6) months, and
24

1 b. whose custodial legal parent or legal guardian
2 certifies to Service Oklahoma by sworn affidavit that
3 the person has received a minimum of fifty (50) hours
4 of actual behind-the-wheel training, of which at least
5 ten (10) hours of such training was at night, from a
6 licensed driver who was at least twenty-one (21) years
7 of age and who was properly licensed to operate a
8 Class D motor vehicle for a minimum of two (2) years,
9 may be issued an intermediate Class D license upon successfully
10 passing all parts of the driver license examinations administered by
11 Service Oklahoma; provided, the written examination, if it has not
12 previously been administered or waived, may be waived by Service
13 Oklahoma upon verification that the person has successfully
14 completed driver education or the driving examination may be waived
15 by Service Oklahoma upon successful passage of the examination
16 administered by a certified designated examiner, as provided for in
17 Section 6-110 of this title. However, notwithstanding the date of
18 issuance of the learner permit, if the person has been convicted of
19 a traffic offense which is reported on the driving record of that
20 person, the time period specified in subparagraph a of this
21 paragraph shall be recalculated to begin from the date of conviction
22 for the traffic offense, and must elapse before that person may be
23 issued an intermediate Class D license. If the person has been
24 convicted of more than one traffic offense which is reported on the

1 driving record of that person, the time period specified in
2 subparagraph a of this paragraph shall be recalculated to begin from
3 the most recent date of conviction, and must elapse before that
4 person may be issued an intermediate Class D license.

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

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

9 (1) only between the hours of 5:00 a.m. and 10:00
10 p.m., except for driving to and from work,
11 school, school activities, and church activities,
12 or

13 (2) at any time, if a licensed driver who is at least
14 twenty-one (21) years of age is actually
15 occupying a seat beside the intermediate Class D
16 licensee, or if the intermediate Class D licensee
17 is a farm or ranch resident, and is operating a
18 motor vehicle while engaged in farming or
19 ranching operations outside the limits of a
20 municipality, or driving to and from work,
21 school, school activities, or church activities,
22 and

23 b. shall not operate a motor vehicle with more than one
24 passenger unless:

- 1 (1) all passengers live in the same household as the
2 custodial legal parent or legal guardian, or
3 (2) a licensed driver at least twenty-one (21) years
4 of age is actually occupying a seat beside the
5 intermediate Class D licensee.

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

8 1. One (1) year; or

9 2. Six (6) months, if the person has completed both the driver
10 education and the parent-certified behind-the-wheel training
11 provisions of subparagraph b of paragraph 1 of subsection D of this
12 section,

13 may be issued a Class D license. However, notwithstanding the date
14 of issuance of the Class D license, if the person has been convicted
15 of a traffic offense which is reported on the driving record of that
16 person, the time periods specified in paragraph 1 or 2 of this
17 subsection, as applicable, shall be recalculated to begin from the
18 date of conviction for the traffic offense, and must elapse before
19 that person may be issued a Class D license. If the person has been
20 convicted of more than one traffic offense which is reported on the
21 driving record of that person, the time periods specified in
22 paragraph 1 or 2 of this subsection, as applicable, shall be
23 recalculated to begin from the most recent date of conviction, and
24 must elapse before that person may be issued a Class D license.

1 F. Learner permits and intermediate Class D licenses shall be
2 issued for the same period as all other driver licenses. The
3 licenses may be suspended or canceled at the discretion of the
4 Department for violation of restrictions, for failing to give the
5 required or correct information on the application, for knowingly
6 giving false or inaccurate information on the application or any
7 subsequent documentation related to the granting of driving
8 privileges, for using a hand-held electronic device while operating
9 a motor vehicle for non-life-threatening emergency purposes or for
10 violation of any traffic laws of this state pertaining to the
11 operation of a motor vehicle.

12 G. Service Oklahoma shall promulgate rules establishing
13 procedures for removal of learner permit and intermediate Class D
14 license restrictions from the permit or license upon the permittee
15 or licensee qualifying for a less restricted or an unrestricted
16 license.

17 H. Any person fourteen (14) years of age or older may apply for
18 a restricted Class D license with a motorcycle-only restriction.
19 After the person has successfully passed all parts of the motorcycle
20 examination other than the driving examination, has successfully
21 completed a certified state-approved motorcycle basic rider course
22 approved by the Department of Public Safety, in conjunction with
23 Service Oklahoma, and has met all requirements provided for in the
24 rules of the Department and Service Oklahoma, Service Oklahoma shall

1 issue to the person a restricted Class D license with a motorcycle-
2 only restriction which shall grant to the person, while having the
3 license in the person's immediate possession, the privilege to
4 operate a motorcycle or motor-driven cycle:

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

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

9 3. While wearing approved protective headgear; and

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

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

20 The written examination and driving examination for a restricted
21 Class D license with a motorcycle-only endorsement shall be waived
22 by Service Oklahoma upon verification that the person has
23 successfully completed a certified state-approved motorcycle basic
24 rider course approved by the Department and Service Oklahoma.

1 I. Service Oklahoma may in its discretion issue a special
2 permit to any person who has attained the age of fourteen (14)
3 years, authorizing such person to operate farm vehicles between the
4 farm and the market to haul commodities grown on the farm; provided,
5 that the special permit shall be temporary and shall expire not more
6 than thirty (30) days after the issuance of the special permit.
7 Special permits shall be issued only to farm residents and shall be
8 issued only during the time of the harvest of the principal crops
9 grown on such farm. Provided, however, Service Oklahoma shall not
10 issue a special permit pursuant to this subsection until Service
11 Oklahoma is fully satisfied after the examination of the application
12 and other evidence furnished in support thereof, that the person is
13 physically and mentally developed to such a degree that the
14 operation of a motor vehicle by the person would not be inimical to
15 public safety.

16 J. As used in this section:

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

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

24

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

5 SECTION 6. This act shall become effective November 1, 2023.

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7 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/14/2023 -
8 DO PASS, As Coauthored.

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