

SENATE FLOOR VERSION

February 11, 2025

SENATE BILL NO. 921

By: Rosino of the Senate

and

Kannady of the House

An Act relating to the revocation of licenses; amending 47 O.S. 2021, Section 6-212.5, as last amended by Section 4, Chapter 265, O.S.L. 2024 (47 O.S. Supp. 2024, Section 6-212.5), which relates to the Impaired Driver Accountability Program; requiring submission of certain request and fee after receipt of certain notice; updating statutory language; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-212.5, as

last amended by Section 4, Chapter 265, O.S.L. 2024 (47 O.S. Supp.)

2024, Section 6-212.5), is amended to read as follows:

Section 6-212.5. A. The Impaired Driver Accountability Program

(IDAP) established by the Department of Public Safety is hereby

transferred to the Board of Tests for Alcohol and Drug Influence for

impaired driving arrests occurring on or after November 1, 2022

The Board of Tests for Alcohol and Drug Influence shall charge an

Administrative fee of One Hundred Fifty Dollars (\$150.00) to each

panes cut and into TRAP. One Hundred Dollars (\$100.00) of each

1 administrative fee shall be deposited in the General Revenue Fund of
2 the State Treasury. Twenty-five Dollars (\$25.00) of each
3 administrative fee shall be deposited in the Department of Public
4 Safety Restricted Revolving Fund. Twenty-five Dollars (\$25.00) of
5 each administrative fee shall be deposited in the Board of Tests for
6 Alcohol and Drug Influence Revolving Fund. The Board of Tests for
7 Alcohol and Drug Influence shall promulgate rules necessary to
8 administer the program. The IDAP rules shall require, at a minimum:

9 1. Installation of an approved ignition interlock device for
10 the periods set forth in Section 6-205.1 of this title;

11 2. A description of ignition interlock violations;

12 3. A description of criteria to determine acceptable
13 participation in the program;

14 4. Required violation free periods of no less than ninety (90)
15 days at the end of each program to demonstrate compliance by the
16 participant;

17 5. Criteria for medical exemptions from ignition interlock
18 requirements for persons submitting a pulmonologist's certification
19 indicating the person has a documented medical condition preventing
20 the person from providing a breath sample of at least one and two-
21 tenths (1.2) liters. Medical exemptions shall not be construed to
22 grant the person driving privileges during the revocation;

23 6. Criteria for granting employer exceptions to ignition
24 interlock requirements in vehicles owned or leased by the employer.

1 Employer exceptions under this paragraph shall not be construed to
2 relieve the person from completing the Impaired Driver
3 Accountability Program. Employer exceptions under this paragraph
4 are only authorized for revocations imposed in accordance with
5 paragraph 1 of subsection A of Section 6-205.1 of this title; and

6 7. Criteria for granting affordability accommodations to
7 persons on public assistance programs or whose family income is at
8 or below one hundred fifty percent (150%) of the federal poverty
9 level.

10 B. Upon successful completion of the program, in accordance
11 with the rules of the Board of Tests for Alcohol and Drug Influence,
12 the person will be provided a completion certificate. Upon
13 presentation of the IDAP completion certificate and documentation
14 required by Section 6-212.2 of this title and payment of the
15 required statutory fees, Service Oklahoma will reinstate the driving
16 privileges of the person, if otherwise eligible.

17 C. The Board is authorized to promulgate rules necessary to
18 regulate ignition interlock devices and the providers of such
19 devices, which shall be subject to suspension or revocation in
20 accordance with the rules promulgated by the Board. The Board is
21 authorized to charge appropriate fees for operations incidental to
22 its required duties and responsibilities. No interlock provider
23 utilizing a lease, clause, or contractual agreement that authorizes

1 the provider to impound, physically immobilize, or seize a vehicle
2 for outstanding debts or arrears may be licensed by the Board.

3 D. The Board is authorized to prescribe uniform standards and
4 conditions for, and to approve satisfactory methods, procedures,
5 techniques, devices, equipment, and records for, ignition interlock
6 device performance and data.

7 E. The Board is authorized to prescribe and approve the
8 requisite education and training for the performance of ignition
9 interlock services. The Board shall establish standards and
10 ascertain the qualifications and competence of individuals who
11 provide ignition interlock services and to issue permits to such
12 individuals and service centers which shall be subject to suspension
13 or revocation in accordance with the rules promulgated by the Board.

14 F. The driving record of a person subject to revocation under
15 the provisions of Section 753 or 754 of this title contained in
16 paragraph 1 of subsection A of Section 6-205.1 of this title,
17 excluding those subject to revocation under the provisions of
18 paragraph 2 of subsection A of Section 6-205 of this title, who
19 enrolls in IDAP in accordance with this paragraph shall be updated
20 to indicate completion of IDAP without revocation, provided the
21 following requirements are satisfied:

22 1. At the time of the arrest, the person was a holder of a
23 Class D driver license and was not driving or in actual physical
24 control of a commercial motor vehicle;

1 2. The Board of Tests for Alcohol and Drug Influence receives
2 the request for IDAP participation and payment of the program
3 administration fee as set forth in this section within thirty (30)
4 calendar days from the date of the ~~arrest~~ receipt of the revocation
5 notice from Service Oklahoma;

6 3. The person is otherwise eligible for driving privileges in
7 Oklahoma on the date he or she enrolls in IDAP;

8 4. The person provides proof of enrollment in IDAP to Service
9 Oklahoma and obtains a restricted driver license pursuant to Section
10 6-212.3 of this title prior to the revocation taking effect;

11 5. The person provides proof of completion of IDAP to Service
12 Oklahoma;

13 6. The person has complied with the reinstatement requirements
14 set forth in Section 6-212 of this title, including the payment of
15 any necessary fees;

16 7. The person provides proof of completion of the alcohol and
17 drug assessment and evaluation required by Section 6-212.2 of this
18 title; and

19 8. The person enrolling in IDAP in accordance ~~to~~ with the
20 provisions of this subsection shall waive the right to file an
21 appeal pursuant to Section 6-211 of this title regarding the arrest
22 related to the IDAP enrollment.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 11, 2025 - DO PASS

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