

1 ENGROSSED HOUSE AMENDMENT

2 TO

2 ENGROSSED SENATE BILL NO. 921

By: Rosino of the Senate

3 and

4 Kannady of the House

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7 An Act relating to the revocation of licenses;
8 amending 47 O.S. 2021, Section 6-212.5, as last
9 amended by Section 4, Chapter 265, O.S.L. 2024 (47
10 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.

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16 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
and insert:

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19 "An Act relating to the revocation of driver
20 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; amending 47 O.S. 2021, Section 753, as last
amended by Section 23, Chapter 310, O.S.L. 2023 (47
O.S. Supp. 2024, Section 753), which relates to the
refusal to submit to test; modifying certain

1 requirement for revocation of driver license; and
2 declaring an emergency.
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5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

6 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-212.5, as
7 last amended by Section 4, Chapter 265, O.S.L. 2024 (47 O.S. Supp.
8 2024, Section 6-212.5), is amended to read as follows:

9 Section 6-212.5. A. The Impaired Driver Accountability Program
10 (IDAP) established by the Department of Public Safety is hereby
11 transferred to the Board of Tests for Alcohol and Drug Influence for
12 impaired driving arrests occurring on or after November 1, 2022.
13 The Board of Tests for Alcohol and Drug Influence shall charge an
14 administrative fee of One Hundred Fifty Dollars (\$150.00) to each
15 person entered into IDAP. One Hundred Dollars (\$100.00) of each
16 administrative fee shall be deposited in the General Revenue Fund of
17 the State Treasury. Twenty-five Dollars (\$25.00) of each
18 administrative fee shall be deposited in the Department of Public
19 Safety Restricted Revolving Fund. Twenty-five Dollars (\$25.00) of
20 each administrative fee shall be deposited in the Board of Tests for
21 Alcohol and Drug Influence Revolving Fund. The Board of Tests for
22 Alcohol and Drug Influence shall promulgate rules necessary to
23 administer the program. The IDAP rules shall require, at a minimum:
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- 1 1. Installation of an approved ignition interlock device for
- 2 the periods set forth in Section 6-205.1 of this title;
- 3 2. A description of ignition interlock violations;
- 4 3. A description of criteria to determine acceptable
- 5 participation in the program;
- 6 4. Required violation-free periods of no less than ninety (90)
- 7 days at the end of each program to demonstrate compliance by the
- 8 participant;
- 9 5. Criteria for medical exemptions from ignition interlock
- 10 requirements for persons submitting a pulmonologist's certification
- 11 indicating the person has a documented medical condition preventing
- 12 the person from providing a breath sample of at least one and two-
- 13 tenths (1.2) liters. Medical exemptions shall not be construed to
- 14 grant the person driving privileges during the revocation;
- 15 6. Criteria for granting employer exceptions to ignition
- 16 interlock requirements in vehicles owned or leased by the employer.
- 17 Employer exceptions under this paragraph shall not be construed to
- 18 relieve the person from completing the Impaired Driver
- 19 Accountability Program. Employer exceptions under this paragraph
- 20 are only authorized for revocations imposed in accordance with
- 21 paragraph 1 of subsection A of Section 6-205.1 of this title; and
- 22 7. Criteria for granting affordability accommodations to
- 23 persons on public assistance programs or whose family income is at

1 or below one hundred fifty percent (150%) of the federal poverty
2 level.

3 B. Upon successful completion of the program, in accordance
4 with the rules of the Board of Tests for Alcohol and Drug Influence,
5 the person will be provided a completion certificate. Upon
6 presentation of the IDAP completion certificate and documentation
7 required by Section 6-212.2 of this title and payment of the
8 required statutory fees, Service Oklahoma will reinstate the driving
9 privileges of the person, if otherwise eligible.

10 C. The Board is authorized to promulgate rules necessary to
11 regulate ignition interlock devices and the providers of such
12 devices, which shall be subject to suspension or revocation in
13 accordance with the rules promulgated by the Board. The Board is
14 authorized to charge appropriate fees for operations incidental to
15 its required duties and responsibilities. No interlock provider
16 utilizing a lease, clause, or contractual agreement that authorizes
17 the provider to impound, physically immobilize, or seize a vehicle
18 for outstanding debts or arrears may be licensed by the Board.

19 D. The Board is authorized to prescribe uniform standards and
20 conditions for, and to approve satisfactory methods, procedures,
21 techniques, devices, equipment, and records for, ignition interlock
22 device performance and data.

23 E. The Board is authorized to prescribe and approve the
24 requisite education and training for the performance of ignition

1 interlock services. The Board shall establish standards and
2 ascertain the qualifications and competence of individuals who
3 provide ignition interlock services and to issue permits to such
4 individuals and service centers which shall be subject to suspension
5 or revocation in accordance with the rules promulgated by the Board.

6 F. The driving record of a person subject to revocation under
7 the provisions of Section 753 or 754 of this title contained in
8 paragraph 1 of subsection A of Section 6-205.1 of this title,
9 excluding those subject to revocation under the provisions of
10 paragraph 2 of subsection A of Section 6-205 of this title, who
11 enrolls in IDAP in accordance with this paragraph shall be updated
12 to indicate completion of IDAP without revocation, provided the
13 following requirements are satisfied:

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

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

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

1 4. The person provides proof of enrollment in IDAP to Service
2 Oklahoma and obtains a restricted driver license pursuant to Section
3 6-212.3 of this title prior to the revocation taking effect;

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

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

9 7. The person provides proof of completion of the alcohol and
10 drug assessment and evaluation required by Section 6-212.2 of this
11 title; and

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

16 SECTION 2. AMENDATORY 47 O.S. 2021, Section 753, as last
17 amended by Section 23, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2024,
18 Section 753), is amended to read as follows:

19 Section 753. A. If a conscious person under arrest refuses to
20 submit to testing of his or her blood or breath for the purpose of
21 determining the alcohol concentration thereof, or to a test of his
22 or her blood, saliva or urine for the purpose of determining the
23 presence or concentration of any other intoxicating substance, or
24 the combined influence of alcohol and any other intoxicating

1 substance, none shall be given except upon the issuance of a search
2 warrant or unless the investigating officer has probable cause to
3 believe that the person under arrest, while intoxicated, has
4 operated the motor vehicle in such a manner as to have caused the
5 death or serious physical injury of any other person or persons. In
6 such event, such test otherwise authorized by law may be made in the
7 same manner as if a search warrant had been issued for such test or
8 tests. The sample shall be taken in a medically acceptable manner
9 as authorized by Section 752 of this title. The Director of Service
10 Oklahoma, upon the receipt of a sworn report of the law enforcement
11 officer that the officer had reasonable grounds to believe the
12 arrested person had been driving or was in actual physical control
13 of a motor vehicle upon the public roads, highways, streets,
14 turnpikes or other public place of this state while under the
15 influence of alcohol, any other intoxicating substance, or the
16 combined influence of alcohol and any other intoxicating substance,
17 ~~or~~ and that the person had refused to submit to the test or tests,
18 shall revoke the license to drive and any nonresident operating
19 privilege for a period provided by Section 6-205.1 of this title.
20 If the person is a resident or nonresident without a license or
21 permit to operate a motor vehicle in this state, the Director of
22 Service Oklahoma shall deny to the person the issuance of a license
23 or permit for a period provided by Section 6-205.1 of this title
24 subject to a review as provided in Section 754 of this title. The

1 revocation or denial shall become effective forty-five (45) days
2 after the arrested person is given written notice thereof by the
3 officer or by Service Oklahoma as provided in Section 754 of this
4 title.

5 B. Service Oklahoma shall immediately reinstate the driving
6 privilege of the person if:

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

10 2. Service Oklahoma receives a written blood or breath test
11 report that reflects the arrested person did not have any measurable
12 quantity of alcohol, or any other intoxicating substance, or the
13 combination of alcohol and any other intoxicating substance in the
14 blood or breath of the arrested person.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval."

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Passed the House of Representatives the 7th day of May, 2025.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2025.

Presiding Officer of the Senate

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2 BILL NO. 921

3 By: Rosino of the Senate

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9 O.S. Supp. 2024, Section 6-212.5), which relates to
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of certain notice; updating statutory language; and
declaring an emergency.

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

12 SECTION 4. AMENDATORY 47 O.S. 2021, Section 6-212.5, as
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14 2024, Section 6-212.5), is amended to read as follows:

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20 administrative fee of One Hundred Fifty Dollars (\$150.00) to each
21 person entered into IDAP. One Hundred Dollars (\$100.00) of each
22 administrative fee shall be deposited in the General Revenue Fund of
23 the State Treasury. Twenty-five Dollars (\$25.00) of each

1 administrative fee shall be deposited in the Department of Public
2 Safety Restricted Revolving Fund. Twenty-five Dollars (\$25.00) of
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8 the periods set forth in Section 6-205.1 of this title;

9 2. A description of ignition interlock violations;

10 3. A description of criteria to determine acceptable
11 participation in the program;

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

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

21 6. Criteria for granting employer exceptions to ignition
22 interlock requirements in vehicles owned or leased by the employer.
23 Employer exceptions under this paragraph shall not be construed to
24 relieve the person from completing the Impaired Driver

1 Accountability Program. Employer exceptions under this paragraph
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3 paragraph 1 of subsection A of Section 6-205.1 of this title; and

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

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

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20 its required duties and responsibilities. No interlock provider
21 utilizing a lease, clause, or contractual agreement that authorizes
22 the provider to impound, physically immobilize, or seize a vehicle
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6 requisite education and training for the performance of ignition
7 interlock services. The Board shall establish standards and
8 ascertain the qualifications and competence of individuals who
9 provide ignition interlock services and to issue permits to such
10 individuals and service centers which shall be subject to suspension
11 or revocation in accordance with the rules promulgated by the Board.

12 F. The driving record of a person subject to revocation under
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14 paragraph 1 of subsection A of Section 6-205.1 of this title,
15 excluding those subject to revocation under the provisions of
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24 the request for IDAP participation and payment of the program

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9 5. The person provides proof of completion of IDAP to Service
10 Oklahoma;

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

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

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

21 SECTION 5. It being immediately necessary for the preservation
22 of the public peace, health or safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

Passed the Senate the 12th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the _____ day of _____,
2025.

Presiding Officer of the House
of Representatives