

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 921

By: Rosino

AS INTRODUCED

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

1 person entered into IDAP. One Hundred Dollars (\$100.00) of each  
2 administrative fee shall be deposited in the General Revenue Fund of  
3 the State Treasury. Twenty-five Dollars (\$25.00) of each  
4 administrative fee shall be deposited in the Department of Public  
5 Safety Restricted Revolving Fund. Twenty-five Dollars (\$25.00) of  
6 each administrative fee shall be deposited in the Board of Tests for  
7 Alcohol and Drug Influence Revolving Fund. The Board of Tests for  
8 Alcohol and Drug Influence shall promulgate rules necessary to  
9 administer the program. The IDAP rules shall require, at a minimum:

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

12 2. A description of ignition interlock violations;

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

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

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

1       6. Criteria for granting employer exceptions to ignition  
2 interlock requirements in vehicles owned or leased by the employer.  
3 Employer exceptions under this paragraph shall not be construed to  
4 relieve the person from completing the Impaired Driver  
5 Accountability Program. Employer exceptions under this paragraph  
6 are only authorized for revocations imposed in accordance with  
7 paragraph 1 of subsection A of Section 6-205.1 of this title; and

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

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

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

1 utilizing a lease, clause, or contractual agreement that authorizes  
2 the provider to impound, physically immobilize, or seize a vehicle  
3 for outstanding debts or arrears may be licensed by the Board.

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

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

15 F. The driving record of a person subject to revocation under  
16 the provisions of Section 753 or 754 of this title contained in  
17 paragraph 1 of subsection A of Section 6-205.1 of this title,  
18 excluding those subject to revocation under the provisions of  
19 paragraph 2 of subsection A of Section 6-205 of this title, who  
20 enrolls in IDAP in accordance with this paragraph shall be updated  
21 to indicate completion of IDAP without revocation, provided the  
22 following requirements are satisfied:  
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1        1. At the time of the arrest, the person was a holder of a  
2 Class D driver license and was not driving or in actual physical  
3 control of a commercial motor vehicle;

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

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

11       4. The person provides proof of enrollment in IDAP to Service  
12 Oklahoma and obtains a restricted driver license pursuant to Section  
13 6-212.3 of this title prior to the revocation taking effect;

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

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

19       7. The person provides proof of completion of the alcohol and  
20 drug assessment and evaluation required by Section 6-212.2 of this  
21 title; and

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

3 SECTION 2. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

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