

1 **SENATE FLOOR VERSION**

2 April 2, 2024

3 ENGROSSED HOUSE
4 BILL NO. 3671

By: Miller, Talley, and West
(Tammy) of the House

5 and

6 Coleman and Garvin of the
7 Senate

8
9 An Act relating to motor vehicles; authorizing
10 Service Oklahoma to allow individuals to make certain
11 voluntary designation; stating purpose and use;
12 authorizing the display or nondisplay of designation
13 on credentials; allowing removal of certain
14 designation; requiring establishment and maintenance
15 of certain registry; stating purpose of registry;
16 requiring development of certain form; allowing
17 certain voluntary report of diagnosis be submitted;
18 listing information to be stored by registry;
19 providing for submission of certain information;
20 allowing certain opportunities for holders of certain
21 credentials; limiting availability of submitted
22 information; prescribing use of certain information;
23 stating certain information shall be confidential;
24 limiting liability for certain causes; requiring
Service Oklahoma comply with certain federal
requirements; authorizing the promulgation of rules;
requiring the development of certain program;
requiring program consist of certain elements;
requiring program be available annually to certain
entities; providing for codification; and providing
an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6-125 of Title 47, unless there
3 is created a duplication in numbering, reads as follows:

4 A. 1. Service Oklahoma shall permit a driver license or state
5 identification cardholder to voluntarily designate that the person
6 has been diagnosed with an autism spectrum disorder by a licensed
7 primary care physician, licensed psychologist, or licensed
8 psychiatrist. The designation shall be used by a law enforcement
9 officer or an emergency medical professional to identify and
10 effectively communicate with a person who has been diagnosed with an
11 autism spectrum disorder and shall not be used for any other purpose
12 by any other person.

13 2. The cardholder may choose whether the voluntary designation
14 indicating that a person has been diagnosed with an autism spectrum
15 disorder pursuant to paragraph 1 of this subsection shall be
16 displayed on the driver license or identification card or in the
17 Oklahoma Law Enforcement Telecommunications System (OLETS) in
18 accordance with procedures prescribed by Service Oklahoma. A holder
19 of a driver license or identification card who makes a voluntary
20 designation pursuant to this section shall have the opportunity to
21 remove the designation at any time.

22 B. 1. Service Oklahoma shall establish and maintain an
23 automated statewide registry accessible by law enforcement officers
24 for the purpose of identifying and effectively communicating with a

1 person who has been diagnosed with an autism spectrum disorder by a
2 licensed primary care physician, licensed psychologist, or licensed
3 psychiatrist. Service Oklahoma shall permit a person diagnosed with
4 an autism spectrum disorder to voluntarily report the diagnosis to
5 Service Oklahoma for inclusion in the registry. The registry shall
6 be capable of storing information, which shall include, but not be
7 limited to:

- 8 a. the license plate and registration information of any
9 motor vehicle that the person intends to regularly
10 operate,
- 11 b. the emergency contact information of a person who can
12 communicate on behalf of the person who has been
13 diagnosed with an autism spectrum disorder, and
- 14 c. any other information that may assist a law
15 enforcement officer when communicating with the
16 person.

17 2. Service Oklahoma shall develop a standardized autism
18 diagnosis form that provides a diagnosing or treating licensed
19 primary care physician, licensed psychologist, or licensed
20 psychiatrist to certify that an individual has been diagnosed with
21 an autism spectrum disorder. The holder of an Oklahoma driver
22 license or identification card or a person making application or
23 renewal for a driver license or identification card issued by
24 Service Oklahoma may voluntarily submit the form to the registry

1 established pursuant to paragraph 1 of this subsection, through
2 procedures established by Service Oklahoma. A holder of a driver
3 license or identification card who submits information to the
4 registry shall have the opportunity to revise, update the
5 information, or be removed from the registry at any time.

6 3. Information submitted pursuant to this section shall only be
7 available to Service Oklahoma, licensed operators who are designated
8 to collect and maintain the information, and law enforcement
9 officers when accessing the person's motor vehicle records. The
10 information shall be exclusively used during a motor vehicle stop or
11 other law enforcement action to assist law enforcement officers in
12 identifying and effectively communicating with a person who has been
13 diagnosed with an autism spectrum disorder.

14 4. Any information submitted to Service Oklahoma or licensed
15 operators pursuant to this section shall not be considered a
16 government record pursuant to subparagraph c of paragraph 1 of
17 Section 24A.5 of Title 51 of the Oklahoma Statutes and shall not be
18 discoverable as a government record by any person, entity, or
19 governmental agency, except upon a subpoena issued by a grand jury
20 or a court order in a criminal matter.

21 5. Service Oklahoma, its employees, or licensed operators, for
22 the purpose of discharging their duties pursuant to this act, shall
23 not be liable to any person for civil damages or subject to criminal
24 prosecution resulting from or caused by:

- 1 a. any disruption or failure in Internet service caused
2 by any accident, malfunction, act of sabotage or
3 nature, or any other condition or circumstance that
4 Service Oklahoma has not, directly or indirectly,
5 caused, and which prevents the holder of an Oklahoma
6 driver license or identification card from accessing
7 or inputting information into the registry established
8 pursuant to this subsection, or which results in, or
9 prevents, Service Oklahoma, licensed operators,
10 designated Service Oklahoma employees, and law
11 enforcement officers from accessing, establishing, or
12 maintaining the database,
- 13 b. any misuse of, or the failure or omission to input
14 accurate information, or the inputting of inaccurate
15 or outdated information into the registry by any
16 holder of an Oklahoma driver license or identification
17 card, or
- 18 c. the inability of any law enforcement officer to make
19 contact, in good faith, with any designated emergency
20 contact person. This limitation of liability is
21 inapplicable if such failure resulted from a malicious
22 purpose or a wanton and willful disregard for the
23 safety of persons or property.
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1 6. With regard to the issuance of REAL-ID compliant licenses
2 containing designations pursuant to this section, Service Oklahoma
3 shall comply with all federal design requirements and shall seek
4 design approval from all necessary federal agencies, including, but
5 not limited to, the United States Department of Homeland Security.

6 7. Service Oklahoma is authorized to promulgate any rules
7 necessary to effectuate the provisions of this section.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 6-125.1 of Title 47, unless
10 there is created a duplication in numbering, reads as follows:

11 The Department of Public Safety, in consultation with Service
12 Oklahoma, the Council on Law Enforcement Education and Training, the
13 Oklahoma Department of Mental Health and Substance Abuse Services,
14 and other entities or individuals with expertise in autism, shall
15 develop a program to assist and train law enforcement officers to
16 effectively communicate with a person who has been diagnosed with an
17 autism spectrum disorder by a licensed primary care physician,
18 licensed psychologist, or licensed psychiatrist. In addition, the
19 program shall include training in de-escalation methods when
20 interacting with a person who has been diagnosed with an autism
21 spectrum disorder, proper utilization of the registry established
22 pursuant to Section 1 of this act, proper utilization of any
23 specific information regarding an individual listed in the registry,
24 and any other information that may be useful to law enforcement

1 officers when interacting with a person who has been diagnosed with
2 an autism spectrum disorder.

3 The program established pursuant to this section shall be
4 available annually to every state, tribal, county, and municipal law
5 enforcement agency in this state.

6 SECTION 3. This act shall become effective November 1, 2025.

7 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
8 April 2, 2024 - DO PASS

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