

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO. 688

By: Thompson

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5
6 AS INTRODUCED

7 An Act relating to motor vehicle registration;
8 amending 47 O.S. 2011, Sections 1102, as last amended
9 by Section 1, Chapter 57, O.S.L. 2016, 1113, as last
10 amended by Section 4, Chapter 208, O.S.L. 2018,
11 1115.3, 1132, as amended by Section 2, Chapter 337,
12 O.S.L. 2012, 1134, 1141.1, as amended by Section 4,
13 Chapter 158, O.S.L. 2012 (47 O.S. Supp. 2018,
14 Sections 1102, 1113, 1132 and 1141.1), which relate
15 to the Oklahoma Vehicle License and Registration Act;
16 defining and modifying terms; deleting obsolete
17 language; providing for one-time registration of
18 noncommercial trailers by the Oklahoma Tax Commission
19 within specified time period; setting fee for
20 registration of noncommercial trailers and providing
21 for apportionment; establishing registration
22 requirement and fee for transfer or change of
23 ownership of noncommercial trailer; providing for
24 penalty for failure to register noncommercial trailer
25 within certain time period; clarifying applicability
26 of certain fee to specified trailers for farm-related
27 use; requiring certain noncommercial trailers for
28 farm-related use to be registered; providing for
29 retention of certain fees by motor license agents for
30 noncommercial trailer registration; repealing 47 O.S.
31 2011, Section 1133.3, which relates to the optional
32 registration of noncommercial trailers; and providing
33 an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1102, as
2 last amended by Section 1, Chapter 57, O.S.L. 2016 (47 O.S. Supp.
3 2018, Section 1102), is amended to read as follows:

4 Section 1102. As used in the Oklahoma Vehicle License and
5 Registration Act:

6 1. "All-terrain vehicle" means a vehicle manufactured and used
7 exclusively for off-highway use traveling on four or more non-
8 highway tires, and being fifty (50) inches or less in width;

9 2. "Carrying capacity" means the carrying capacity of a vehicle
10 as determined or declared in tons of cargo or payload by the owner;
11 provided, that such declared capacity shall not be less than the
12 minimum tonnage capacity fixed, listed or advertised by the
13 manufacturer of any vehicle;

14 3. "Certificate of title" means a document which is proof of
15 legal ownership of a motor vehicle as described and provided for in
16 Section 1105 of this title;

17 4. "Chips and oil" or the term "road oil and crushed rock"
18 means, with respect to materials authorized for use in the surfacing
19 of roads or highways in this title or in any equivalent statute
20 pertaining to road or highway surfacing in the State of Oklahoma,
21 any asphaltic materials. Wherever chips and oil or road oil and
22 crushed rock are authorized for use in the surfacing of roads or
23 highways in this state, whether by the Department of Transportation,
24 or by the county commissioners, or other road building authority

1 subject to the Oklahoma Vehicle License and Registration Act,
2 asphaltic materials are also authorized for use in such surfacing
3 and construction;

4 5. "Combined laden weight" means the weight of a truck or
5 station wagon and its cargo or payload transported thereon, or the
6 weight of a truck or truck-tractor plus the weight of any trailers
7 or semitrailers together with the cargo or payload transported
8 thereon;

9 6. "Commercial trailer" means any trailer, as defined in
10 Section 1-180 of this title, or semitrailer, as defined in Section
11 1-162 of this title, when such trailer or semitrailer is used
12 primarily for business or commercial purposes;

13 7. "Commercial trailer dealer" means any person, firm or
14 corporation engaged in the business of selling any new and unused,
15 or used, or both new and used commercial trailers;

16 8. "Commercial vehicle" means any vehicle over eight thousand
17 (8,000) pounds combined laden weight used primarily for business or
18 commercial purposes. Each motor vehicle being registered pursuant
19 to the provisions of this section shall have the name of the
20 commercial establishment or the words "Commercial Vehicle"
21 permanently and prominently displayed upon the outside of the
22 vehicle in letters not less than two (2) inches high. Such letters
23 shall be in sharp contrast to the background and shall be of
24 sufficient shape and color as to be readily legible during daylight

1 hours, from a distance of fifty (50) feet while the vehicle is not
2 in motion;

3 9. "Commission" or "Tax Commission" means the Oklahoma Tax
4 Commission;

5 10. "Construction machinery" means machines or devices drawn as
6 trailers which are designed and used for construction, tree trimming
7 and waste maintenance projects, which derive no revenue from the
8 transportation of persons or property, whose use of the highway is
9 only incidental and which are not mounted or affixed to another
10 vehicle; provided, construction machinery shall not include
11 implements of husbandry as defined in Section 1-125 of this title;

12 11. "Dealer" means any person, firm, association, corporation
13 or trust who sells, solicits or advertises the sale of new and
14 unused motor vehicles and holds a bona fide contract or franchise in
15 effect with a manufacturer or distributor of a particular make of
16 new or unused motor vehicle or vehicles for the sale of same;

17 12. "Mini-truck" means a foreign-manufactured import or
18 domestic-manufactured vehicle powered by an internal combustion
19 engine with a piston or rotor displacement of one thousand cubic
20 centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches
21 or less in width, with an unladen dry weight of three thousand four
22 hundred (3,400) pounds or less, traveling on four or more tires,
23 having a top speed of approximately fifty-five (55) miles per hour,
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1 equipped with a bed or compartment for hauling, and having an
2 enclosed passenger cab;

3 13. "Interstate commerce" means any commerce moving between any
4 place in a state and any place in another state or between places in
5 the same state through another state;

6 14. "Laden weight" means the combined weight of a vehicle when
7 fully equipped for use and the cargo or payload transported thereon;
8 provided, that in no event shall the laden weight be less than the
9 unladen weight of the vehicle fully equipped for use, plus the
10 manufacturer's rated carrying capacity;

11 15. "Local authorities" means every county, municipality or
12 local board or body having authority to adopt police regulations
13 under the Constitution and laws of this state;

14 16. "Low-speed electrical vehicle" means any four-wheeled
15 electrical vehicle that is powered by an electric motor that draws
16 current from rechargeable storage batteries or other sources of
17 electrical current and whose top speed is greater than twenty (20)
18 miles per hour but not greater than twenty-five (25) miles per hour
19 and is manufactured in compliance with the National Highway Traffic
20 Safety Administration standards for low-speed vehicles in 49 C.F.R.
21 571.500;

22 17. "Manufactured home" means a residential dwelling built in
23 accordance with the National Manufactured Housing Construction and
24 Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq., and
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1 rules promulgated pursuant thereto and the rules promulgated by the
2 Oklahoma Used Motor Vehicle and Parts Commission pursuant to Section
3 582 of this title. Manufactured home shall not mean a park model
4 recreational vehicle as defined in this section;

5 18. "Manufactured home dealer" means any person, firm or
6 corporation engaged in the business of selling any new and unused,
7 or used, or both new and used manufactured homes. Such information
8 and a valid franchise letter as proof of authorization to sell any
9 such new manufactured home product line or lines shall be attached
10 to the application for a dealer license to sell manufactured homes.
11 "Manufactured home dealer" shall not include any person, firm or
12 corporation who sells or contracts for the sale of the dealer's own
13 personally titled manufactured home or homes. No person, firm or
14 corporation shall be considered a manufactured home dealer as to any
15 manufactured home purchased or acquired by such person, firm or
16 corporation for purposes other than resale; provided, that the
17 restriction set forth in this sentence shall not prevent an
18 otherwise qualified person, firm or corporation from utilizing a
19 single manufactured home as a sales office;

20 19. "Medium-speed electrical vehicle" means any self-propelled,
21 electrically powered four-wheeled motor vehicle, equipped with a
22 roll cage or crush-proof body design, whose speed attainable in one
23 (1) mile is more than thirty (30) miles per hour but not greater
24 than thirty-five (35) miles per hour;

1 20. "Motor license agent" means any person appointed,
2 designated or authorized by the Oklahoma Tax Commission to collect
3 the fees and to enforce the provisions provided for in the Oklahoma
4 Vehicle License and Registration Act;

5 21. "New vehicle" or "unused vehicle" means a vehicle which has
6 been in the possession of the manufacturer, distributor or
7 wholesaler or has been sold only by the manufacturer, distributor or
8 wholesaler to a dealer;

9 22. "Noncommercial trailer" means a trailer not used for
10 business or commercial purposes. After the effective date of this
11 act, any noncommercial trailer shall be subject to the registration
12 and titling requirements of the Oklahoma Vehicle License and
13 Registration Act;

14 23. "Nonresident" means any person who is not a resident of
15 this state;

16 ~~23.~~ 24. "Off-road motorcycle" means any motorcycle, as defined
17 in Section 1-135 of this title, when such motorcycle has been
18 manufactured for and used exclusively off roads, highways and any
19 other paved surfaces;

20 ~~24.~~ 25. "Owner" means any person owning, operating or
21 possessing any vehicle herein defined;

22 ~~25.~~ 26. "Park model recreational vehicle" means a vehicle that
23 is:

- 1 a. designed and marketed as temporary living quarters for
2 camping, recreational, seasonal or travel use,
3 b. not permanently affixed to real property for use as a
4 permanent dwelling,
5 c. built on a single chassis mounted on wheels with a
6 gross trailer area not exceeding four hundred (400)
7 square feet in the setup mode, and
8 d. certified by the manufacturer as complying with
9 standard A119.5 of the American National Standards
10 Institute, Inc.;

11 ~~26.~~ 27. "Person" means any individual, copartner, joint
12 venture, association, corporation, limited liability company,
13 estate, trust, business trust, syndicate, the State of Oklahoma, or
14 any county, city, municipality, school district or other political
15 subdivision thereof, or any group or combination acting as a unit,
16 or any receiver appointed by the state or federal court;

17 ~~27.~~ 28. "Rebodied vehicle" means a vehicle:

- 18 a. which has been assembled using a new body or new major
19 component which is of the identical type as the
20 original vehicle and is licensed by the manufacturer
21 of the original vehicle and other original, new or
22 reconditioned parts. For purposes of this paragraph,
23 "new body or new major component" means a new body,
24 cab, frame, front end clip or rear end clip,

1 b. which is not a salvage, rebuilt, or junked vehicle as
2 defined by paragraph 1, 2, or 6 of subsection A of
3 Section 1105 of this title, and

4 c. for which the Tax Commission has assigned or will
5 assign a new identifying number;

6 ~~28.~~ 29. "Recreational off-highway vehicle" means a vehicle
7 manufactured and used exclusively for off-highway use, traveling on
8 four or more non-highway tires, and being sixty-five (65) inches or
9 less in width;

10 ~~29.~~ 30. "Recreational vehicle" means every vehicle which is
11 built on or permanently attached to a self-propelled motor chassis
12 or chassis cab which becomes an integral part of the completed
13 vehicle and is capable of being operated on the highways. In order
14 to qualify as a recreational vehicle pursuant to this paragraph such
15 vehicle shall be permanently constructed and equipped for human
16 habitation, having its own sleeping and kitchen facilities,
17 including permanently affixed cooking facilities, water tanks and
18 holding tank with permanent toilet facilities. Recreational vehicle
19 shall not include manufactured homes or any vehicle with portable
20 sleeping, toilet and kitchen facilities which are designed to be
21 removed from such vehicle. Recreational vehicle shall include park
22 model recreational vehicles as defined in this section;

23 ~~30.~~ 31. "Remanufactured vehicle" means a vehicle which has been
24 assembled by a vehicle remanufacturer using a new body and which may

1 include original, reconditioned, or remanufactured parts, and which
2 is not a salvage, rebuilt, or junked vehicle as defined by
3 paragraphs 1, 2, and 6, ~~respectively,~~ of subsection A of Section
4 1105 of this title;

5 ~~31.~~ 32. "Rental trailer" means all small or utility trailers or
6 semitrailers constructed and suitable for towing by a passenger
7 automobile and designed only for carrying property, when the
8 trailers or semitrailers are owned by, or are in the possession of,
9 any person engaged in renting or leasing such trailers or
10 semitrailers for intrastate or interstate use or combined intrastate
11 and interstate use;

12 ~~32.~~ 33. "Special mobilized machinery" means special purpose
13 machines or devices, either self-propelled or drawn as trailers or
14 semitrailers, which derive no revenue from the transportation of
15 persons or property, whose use of the highway is only incidental,
16 and whose useful revenue producing service is performed at
17 destinations in an area away from the traveled surface of an
18 established open highway;

19 ~~33.~~ 34. "State" means the State of Oklahoma;

20 ~~34.~~ 35. "Station wagon" means any passenger vehicle which does
21 not have a separate luggage compartment or trunk and which does not
22 have open beds, and has one or more rear seats readily lifted out or
23 folded, whether same is called a station wagon or ranch wagon;

1 ~~35.~~ 36. "Travel trailer" means any vehicular portable structure
2 built on a chassis, used as a temporary dwelling for travel,
3 recreational or vacational use, and, when factory-equipped for the
4 road, it shall have a body width not exceeding eight (8) feet and an
5 overall length not exceeding forty (40) feet, including the hitch or
6 coupling;

7 ~~36.~~ 37. "Travel trailer dealer" means any person, firm or
8 corporation engaged in the business of selling any new and unused,
9 or used, or both new and used travel trailers. Such information and
10 a valid franchise letter as proof of authorization to sell any such
11 new travel trailer product line or lines shall be attached to the
12 application for a dealer license to sell travel trailers. "Travel
13 trailer dealer" shall not include any person, firm or corporation
14 who sells or contracts for the sale of his or her own personally
15 titled travel trailer or trailers. No person, firm or corporation
16 shall be considered as a travel trailer dealer as to any travel
17 trailer purchased or acquired by such person, firm or corporation
18 for purposes other than resale;

19 ~~37.~~ 38. "Used motor vehicle dealer" means "used motor vehicle
20 dealer" as defined in Section 581 of this title;

21 ~~38.~~ 39. "Used vehicle" means any vehicle which has been sold,
22 bargained, exchanged or given away, or used to the extent that it
23 has become what is commonly known, and generally recognized, as a
24 "secondhand" vehicle. This shall also include any vehicle other
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1 than a remanufactured vehicle, regardless of age, owned by any
2 person who is not a dealer;

3 ~~39.~~ 40. "Utility vehicle" means a vehicle powered by an
4 internal combustion engine, manufactured and used exclusively for
5 off-highway use, equipped with seating for two or more people and a
6 steering wheel, traveling on four or more wheels;

7 ~~40.~~ 41. "Vehicle" means any type of conveyance or device in,
8 upon or by which a person or property is or may be transported from
9 one location to another upon the avenues of public access within the
10 state. "Vehicle" does not include bicycles, ~~trailers except travel~~
11 ~~trailers and rental trailers,~~ or implements of husbandry as defined
12 in Section 1-125 of this title which are self-propelled. All
13 implements of husbandry used as conveyances shall be required to
14 display the owner's driver license number or license plate number of
15 any vehicle owned by the owner of the implement of husbandry on the
16 rear of the implement in numbers not less than two (2) inches in
17 height. The use of the owner's Social Security number on the rear
18 of the implement of husbandry shall not be required; and

19 ~~41.~~ 42. "Vehicle remanufacturer" means a commercial entity
20 which assembles remanufactured vehicles.

21 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1113, as
22 last amended by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp.
23 2018, Section 1113), is amended to read as follows:
24

1 Section 1113. A. 1. Except for all-terrain vehicles, utility
2 vehicles and motorcycles used exclusively off roads and highways,
3 upon the filing of a registration application and the payment of the
4 fees provided for in the Oklahoma Vehicle License and Registration
5 Act, the Oklahoma Tax Commission or Corporation Commission, as
6 applicable, shall assign to the vehicle described in the application
7 a distinctive number, and issue to the owner of the vehicle a
8 certificate of registration, one license plate and a yearly decal.
9 The Oklahoma Tax Commission shall assign an all-terrain vehicle,
10 utility vehicle or motorcycle used exclusively off roads and
11 highways a distinctive number and issue to the owner a certificate
12 of registration and a decal but not a license plate. For each
13 subsequent registration year, the Tax Commission shall issue a
14 yearly decal to be affixed to the license plate, except for an all-
15 terrain vehicle, utility vehicle or motorcycle used exclusively off
16 roads and highways. The initial decal for an all-terrain vehicle,
17 utility vehicle or motorcycle shall be attached to the front of the
18 vehicle and shall be in clear view. The decal shall be on the front
19 or on the front fork of the motorcycle used exclusively off roads
20 and highways and the decal shall be in clear view. The yearly decal
21 shall have an identification number and the last two numbers of the
22 registration year for which it shall expire. Except as provided by
23 Section 1113A of this title, the license plate shall be affixed to
24 the exterior of the vehicle until a replacement license plate is

1 applied for. If the owner applies for a replacement license plate,
2 the Tax Commission shall charge the fee provided for in Section 1114
3 of this title. The yearly decal will validate the license plate for
4 each registration period other than the year the license plate is
5 issued. The license plate and decal shall be of such size, color,
6 design and numbering as the Tax Commission may direct. However,
7 yearly decals issued to the owner of a vehicle who has filed an
8 affidavit with the appropriate motor license agent in accordance
9 with Section 7-607 of this title shall be a separate and distinct
10 color from all other decals issued under this section. ~~Before the~~
11 ~~effective date of this act, the Tax Commission shall also issue a~~
12 ~~monthly decal which shall include a two-letter abbreviation~~
13 ~~corresponding to the county in which the vehicle is registered. The~~
14 ~~Tax Commission shall issue all decals in the possession of the Tax~~
15 ~~Commission on the effective date of this act before issuing any~~
16 ~~decal which do not contain the county abbreviation.~~

17 2. The license plate shall be securely attached to the rear of
18 the vehicle, except truck-tractor plates which shall be attached to
19 the front of the vehicle. The Tax Commission may, with the
20 concurrence of the Department of Public Safety, by Joint Rule,
21 change and direct the manner, place and location of display of any
22 vehicle license plate when such action is deemed in the public
23 interest. The license plate, decal and all letters and numbers
24 shall be clearly visible at all times. The operation of a vehicle

1 in this state, regardless of where such vehicle is registered, upon
2 which the license plate is covered, overlaid or otherwise screened
3 with any material, whether such material be clear, translucent,
4 tinted or opaque, shall be a violation of this paragraph.

5 3. Upon payment of the annual registration fee provided in
6 Section 1133 of this title, the Tax Commission or Corporation
7 Commission, as applicable, or a motor license agent may issue a
8 permanent nonexpiring license plate to an owner of one hundred or
9 more commercial motor vehicles and for vehicles registered under the
10 provisions of Section 1120 of this title. Upon payment of the
11 annual registration fee, the Tax Commission or Corporation
12 Commission shall issue a certificate of registration that shall be
13 carried at all times in the vehicle for which it is issued.
14 Provided, if the registrant submits its application through
15 electronic means, such qualified owners of one hundred or more
16 commercial motor vehicles, properly registered pursuant to the
17 provisions of Section 1133 of this title, may elect to receive a
18 permanent certificate of registration that shall be carried at all
19 times in the vehicle for which it is issued.

20 4. Every vehicle owned by an agency of this state shall be
21 exempt from the payment of registration fees required by this title.
22 Provided, such vehicle shall be registered and shall otherwise
23 comply with the provisions of the Oklahoma Vehicle License and
24 Registration Act.

1 B. The license plates required under the provisions of this
2 title shall conform to the requirements and specifications listed
3 hereinafter:

4 1. Each license plate shall have a space for the placement of
5 the yearly decals for each succeeding year of registration after the
6 initial issue;

7 2. The provisions of the Oklahoma Vehicle License and
8 Registration Act regarding the issuance of yearly decals shall not
9 apply to the issuance of apportioned license plates, including
10 license plates for state vehicles, and exempt plates for
11 governmental entities and fire departments organized pursuant to
12 Section 592 of Title 18 of the Oklahoma Statutes;

13 3. All license plates and decals shall be made with
14 reflectorized material as a background to the letters, numbers and
15 characters displayed thereon. The reflectorized material shall be
16 of such a nature as to provide effective and dependable brightness
17 during the service period for which the license plate or decal is
18 issued;

19 4. Except as otherwise provided in this subsection, the Tax
20 Commission shall design appropriate official license plates for all
21 state vehicles. Such license plates shall be permanent in nature
22 and designed in such manner as to remain with the vehicle for the
23 duration of the vehicle's life span or until the title is
24 transferred to a nongovernmental owner;

1 5. Within the limits prescribed in this section, the Tax
2 Commission shall design appropriate official license plates for
3 vehicles of the Oklahoma Highway Patrol. The license plates shall
4 have the legend "Oklahoma OK" and shall contain the letters "OHP"
5 followed by the state seal and the badge number of the Highway
6 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
7 Highway Patrol" shall also be included on such license plates;

8 6. Within the limits prescribed in this section, the Tax
9 Commission shall design appropriate official license plates for
10 vehicles of the Oklahoma Military Department. Such license plates
11 shall have the legend "Oklahoma OK" and shall contain the letters
12 "OMD" followed by the state seal and three numbers or letters as
13 designated by the Adjutant General. The words "Oklahoma Military
14 Department" shall also be included on such license plates;

15 7. Within the limits prescribed in this section, the Tax
16 Commission shall design appropriate official license plates for
17 vehicles of the Oklahoma Department of Corrections. Such license
18 plates shall contain the letters "DOC" followed by the Department of
19 Corrections badge and three numbers or letters or combination of
20 both as designated by the Director of the agency. The words
21 "Department of Corrections" shall also be included on such license
22 plates; and

23 8. Within the limits prescribed in this section, the Oklahoma
24 Tourism and Recreation Department shall design any license plates

1 required by the initiation of a license plate reissuance by the
2 Oklahoma Tax Commission at the request of the Department of Public
3 Safety pursuant to the provisions of Section 1113.2 of this title.
4 Any such new designs shall be submitted by the Oklahoma Tourism and
5 Recreation Department to the Department of Public Safety for its
6 approval prior to being issued by the Oklahoma Tax Commission.

7 C. Where the applicant has satisfactorily shown that the
8 applicant owns the vehicle sought to be registered but is unable to
9 produce documentary evidence of the ownership, a license plate may
10 be issued upon approval by the Tax Commission or Corporation
11 Commission, as applicable. In such instances the reason for not
12 issuing a certificate of title shall be indicated on the receipt
13 given to the applicant. It shall still be the duty of the applicant
14 to immediately take all necessary steps to obtain the Oklahoma
15 certificate of title and it shall be unlawful for the applicant to
16 sell the vehicle until the certificate has been obtained in the
17 applicant's name.

18 D. The certificate of registration provided for in this section
19 shall be in convenient form, and the certificate of registration, or
20 a certified copy or photostatic copy thereof, duly authenticated by
21 the Tax Commission or Corporation Commission, as applicable, shall
22 be carried at all times in or upon all vehicles so registered, in
23 such manner as to permit a ready examination thereof upon demand by
24 any peace officer of the state or duly authorized employee of the

1 Department of Public Safety. Any such officer or agent may seize
2 and hold such vehicle when the operator of the same does not have
3 the registration certificate in the operator's possession or when
4 any such officer or agent determines that the registration
5 certificate has been obtained by misrepresentation of any essential
6 or material fact or when any number or identifying information
7 appearing on such certificate has been changed, altered, obliterated
8 or concealed in any way, until the proper registration or
9 identification of such vehicle has been made or produced by the
10 owner thereof.

11 E. The purchaser of a new or used manufactured home shall,
12 within thirty (30) days of the date of purchase, register the home
13 with the Tax Commission or a motor license agent pursuant to the
14 provisions of Section 1117 of this title. For a new manufactured
15 home, it shall be the responsibility of the dealer selling the home
16 to place a temporary license plate on the home in the same manner as
17 provided in Section 1128 of this title for other new motor vehicles.
18 For the first year that any manufactured home is registered in this
19 state, the Tax Commission shall issue a metal license plate which
20 shall be affixed to the manufactured home. The temporary dealer
21 license plate or the metal license plate shall be displayed on the
22 manufactured home at all times when upon a public roadway; provided,
23 a repossession affidavit issued pursuant to Sections 1110 and 1126
24 of this title shall be permissible in lieu of a current license

1 plate and decal for the purposes of removing a repossessed
2 manufactured home to a secure location. Manufactured homes
3 previously registered and subject to ad valorem taxation as provided
4 by law shall have a decal affixed at the time ad valorem taxes are
5 paid for such manufactured home; provided, for a manufactured home
6 permanently affixed to real estate, no decal or license plate shall
7 be required to be affixed and the owner thereof shall be given a
8 receipt upon payment of ad valorem taxes due on the home. The Tax
9 Commission shall make sufficient plates and decals available to the
10 various motor license agents of the state in order for an owner of a
11 manufactured home to acquire the plate or decal. A one-dollar fee
12 shall be charged for issuance of any plate or decal. The fee shall
13 be apportioned each month to the General Revenue Fund of the State
14 Treasury.

15 F. The decal shall be easily visible for purposes of
16 verification by a county assessor that the manufactured home is
17 properly assessed for ad valorem taxation. In the first year of
18 registration, a decal shall be issued for placement on the license
19 plate indicating payment of applicable registration fees and excise
20 taxes. A duplicate manufactured home registration decal shall be
21 affixed inside the window nearest the front door of the manufactured
22 home. In the second and all subsequent years for which the
23 manufactured home is subject to ad valorem taxation, an annual decal
24 shall be affixed inside the window nearest the front door as

1 evidence of payment of ad valorem taxes. The Tax Commission shall
2 issue decals to the various county treasurers of the state in order
3 for a manufactured home owner to obtain such decal each year. Upon
4 presentation of a valid ad valorem tax receipt, the manufactured
5 home owner shall be issued the annual decal.

6 G. Upon the registration of a manufactured home in this state
7 for the first time or upon discovery of a manufactured home
8 previously registered within this state for which the information
9 required by this subsection is not known, the Tax Commission shall
10 obtain:

- 11 1. The name of the owner of the manufactured home;
- 12 2. The serial number or identification number of the
13 manufactured home;
- 14 3. A legal description or address of the location for the home;
- 15 4. The actual retail selling price of the manufactured home
16 excluding Oklahoma taxes;
- 17 5. The certificate of title number for the home; and
- 18 6. Any other information which the Tax Commission deems to be
19 necessary.

20 The application for registration shall also include the school
21 district in which the manufactured home is located or is to be
22 located. The information shall be entered into a computer data
23 system which shall be used by the Tax Commission to provide
24 information to county assessors upon request by the assessor. The

1 assessor may request any information from the system in order to
2 properly assess a manufactured home for ad valorem taxation.

3 H. Upon the filing of a registration application and the
4 payment of the fees provided for in Section 1132 of this title, the
5 Oklahoma Tax Commission shall assign to the noncommercial trailer
6 described in the application a distinctive number, and issue to the
7 owner of the vehicle a nonexpiring certificate of registration and
8 license plate. All noncommercial trailers shall be registered
9 within thirty (30) days of purchase or transfer of ownership or, if
10 a noncommercial trailer is not registered prior to the effective
11 date of this act, within thirty (30) days of the effective date of
12 this act.

13 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1115.3, is
14 amended to read as follows:

15 Section 1115.3. A. Except as otherwise provided by this
16 section, all-terrain vehicles, utility vehicles and motorcycles used
17 exclusively off roads or highways shall be registered once with the
18 Oklahoma Tax Commission within thirty (30) days after purchase.

19 B. For all-terrain vehicles or motorcycles used exclusively off
20 roads or highways purchased prior to July 1, 2005, registration, as
21 otherwise required by Section 1115 of this title, shall not be
22 required, but shall be allowed at the option of the owner of the
23 all-terrain vehicle or motorcycle used exclusively off roads or
24 highways.

1 C. For utility vehicles used exclusively off roads or highways
2 purchased prior to July 1, 2008, registration, as otherwise required
3 by Section 1115 of this title, shall not be required but shall be
4 allowed at the option of the owner of the utility vehicle used
5 exclusively off roads or highways.

6 D. All-terrain vehicles, utility vehicles or motorcycles used
7 exclusively off roads or highways owned or purchased by a person
8 that possesses an agricultural exemption pursuant to Section 1358.1
9 of Title 68 of the Oklahoma Statutes may be registered as provided
10 by this section, but shall not require registration.

11 E. Noncommercial trailers shall be registered once with the
12 Oklahoma Tax Commission within thirty (30) days of purchase or
13 transfer of ownership or, if not registered before the effective
14 date of this act, within thirty (30) days of the effective date of
15 this act.

16 SECTION 4. AMENDATORY 47 O.S. 2011, Section 1132, as
17 amended by Section 2, Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2018,
18 Section 1132), is amended to read as follows:

19 Section 1132. A. For all vehicles, unless otherwise
20 specifically provided by the Oklahoma Vehicle License and
21 Registration Act, a registration fee shall be assessed at the time
22 of initial registration by the owner and annually thereafter, for
23 the use of the avenues of public access within this state in the
24 following amounts:

1 1. For the first through the fourth year of registration in
2 this state or any other state, Eighty-five Dollars (\$85.00);

3 2. For the fifth through the eighth year of registration in
4 this state or any other state, Seventy-five Dollars (\$75.00);

5 3. For the ninth through the twelfth year of registration in
6 this state or any other state, Fifty-five Dollars (\$55.00);

7 4. For the thirteenth through the sixteenth year of
8 registration in this state or any other state, Thirty-five Dollars
9 (\$35.00); and

10 5. For the seventeenth and any following year of registration
11 in this state or any other state, Fifteen Dollars (\$15.00).

12 The registration fee provided for in this subsection shall be in
13 lieu of all other taxes, general or local, unless otherwise
14 specifically provided.

15 B. For all-terrain vehicles and motorcycles used exclusively
16 for use off roads or highways purchased on or after July 1, 2005,
17 and for all-terrain vehicles and motorcycles used exclusively for
18 use off roads or highways purchased prior to July 1, 2005, which the
19 owner chooses to register pursuant to the provisions of Section
20 1115.3 of this title, an initial and nonrecurring registration fee
21 of Eleven Dollars (\$11.00) shall be assessed at the time of initial
22 registration by the owner. Nine Dollars (\$9.00) of the registration
23 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
24 Fund. Two Dollars (\$2.00) of the registration fee shall be retained

1 by the motor license agent. The fees required by subsection A of
2 this section shall not be required for all-terrain vehicles or
3 motorcycles used exclusively off roads and highways.

4 C. For utility vehicles used exclusively for use off roads or
5 highways purchased on or after July 1, 2008, and for utility
6 vehicles used exclusively for use off roads or highways purchased
7 prior to July 1, 2008, which the owner chooses to register pursuant
8 to the provisions of Section 1115.3 of this title, an initial and
9 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be
10 assessed at the time of initial registration by the owner. Nine
11 Dollars (\$9.00) of the registration fee shall be deposited in the
12 Oklahoma Tax Commission Reimbursement Fund. Two Dollars (\$2.00) of
13 the registration fee shall be retained by the motor license agent.
14 The fees required by subsection A of this section shall not be
15 required for utility vehicles used exclusively off roads and
16 highways.

17 D. For noncommercial trailers, a one-time registration fee of
18 Twenty-five Dollars (\$25.00) shall be assessed at the time of
19 registration by the owner. Registration fee revenue shall be
20 apportioned by the Oklahoma Tax Commission as follows:

21 1. Thirty-six and twenty one-hundredths percent (36.20%) shall
22 be transferred to the Oklahoma State University Agricultural
23 Extension Service and Experiment Stations; and

1 2. The remainder as provided in subsections C through O of
2 Section 1104 of this title.

3 E. There shall be a credit allowed with respect to the fee for
4 registration of a new vehicle which is a replacement for:

5 1. A new original vehicle which is stolen from the
6 purchaser/registrant within ninety (90) days of the date of purchase
7 of the original vehicle as certified by a police report or other
8 documentation as required by the Oklahoma Tax Commission; or

9 2. A defective new original vehicle returned by the
10 purchaser/registrant to the seller within six (6) months of the date
11 of purchase of the defective new original vehicle as certified by
12 the manufacturer.

13 The credit shall be in the amount of the fee for registration
14 which was paid for the new original vehicle and shall be applied to
15 the registration fee for the replacement vehicle. In no event will
16 the credit be refunded.

17 ~~E.~~ F. Upon every transfer or change of ownership of a vehicle,
18 the new owner shall obtain title for and, except in the case of
19 salvage vehicles and manufactured homes, register the vehicle within
20 thirty (30) days of change of ownership and pay a transfer fee of
21 Fifteen Dollars (\$15.00) in addition to any other fees provided for
22 in this act the Oklahoma Vehicle License and Registration Act. Upon
23 every transfer or change of ownership of a noncommercial trailer,
24 the new owner shall register the trailer within thirty (30) days of

1 change of ownership and pay a transfer fee of Fifteen Dollars
2 (\$15.00) in addition to any other fees provided for in the Oklahoma
3 Vehicle License and Registration Act. No new decal shall be issued
4 to the registrant. Thereafter, and except as otherwise provided in
5 this subsection, the owner shall register the vehicle annually on
6 the anniversary date of its initial registration in this state and
7 shall pay the fees provided in subsection A of this section and
8 receive a decal evidencing such payment. Provided, used motor
9 vehicle dealers shall be exempt from the provisions of this section.

10 F. G. In the event a new or used vehicle is not registered,
11 titled and tagged within thirty (30) days from the date of transfer
12 of ownership, or for a noncommercial trailer which is not registered
13 within thirty (30) days of the date of transfer of ownership or
14 within thirty (30) days of the effective date of this act, the
15 penalty for the failure of the owner ~~of the vehicle~~ to register ~~the~~
16 ~~vehicle~~ within thirty (30) days shall be One Dollar (\$1.00) per day,
17 provided that in no event shall the penalty exceed One Hundred
18 Dollars (\$100.00). No penalty shall be waived by the Oklahoma Tax
19 Commission or any motor license agent except as provided in
20 subsection C of Section 1127 of this title. Of each dollar penalty
21 collected pursuant to this subsection:

22 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
23 Section 1104 of this title;

1 2. Twenty-one cents (\$0.21) shall be retained by the motor
2 license agent; and

3 3. Fifty-eight cents (\$0.58) shall be deposited in the General
4 Revenue Fund.

5 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1134, is
6 amended to read as follows:

7 Section 1134. A. Upon each pickup, truck or truck-tractor
8 owned and operated by one or more farmers and used primarily for
9 farm use, and not for commercial or industrial purposes, the license
10 fee shall be Thirty Dollars (\$30.00). As used in this section, the
11 term "pickup" shall mean a small, light truck with an open back or
12 box used for hauling and designed primarily for the carrying of
13 property rather than people. The term "truck" shall mean a motor
14 vehicle designed or converted primarily for carrying or hauling farm
15 commodities, property, livestock, or equipment, rather than people.

16 B. The fees assessed pursuant to subsection A of this section
17 shall not apply to trailers or semitrailers or combinations thereof
18 used primarily for farm use and for the transportation of products
19 of the farm by the producer thereof. Such fee shall not apply to
20 any trailer or semitrailer or combinations thereof when used
21 primarily for the transportation of any article or articles owned by
22 the operator of the trailer or semitrailer or combinations thereof
23 and not used in the furtherance of or incident to any commercial or
24 industrial enterprise. The provisions of Section 1134.2 of this

1 title shall apply to any trailers or semitrailers when used
2 primarily for the transportation of logs, ties, stave bolts and
3 posts, direct from forest to sawmill.

4 C. For the purpose of this section, a trailer or semitrailer or
5 combination thereof owned by a farmer and used primarily for the
6 purpose of transporting farm products to market or for the purpose
7 of transporting to the farm material or things to be used thereon,
8 and not for commercial or industrial purposes, ~~may~~ shall be
9 registered ~~for One Dollar (\$1.00)~~ as a noncommercial trailer under
10 the provisions of the Oklahoma Vehicle License and Registration Act;
11 provided, any such trailer used by the holder of a certificate of
12 convenience and necessity issued by the Oklahoma Corporation
13 Commission or the Interstate Commerce Commission shall be
14 conclusively presumed to be used in and for a commercial use, and
15 must be licensed as such, paying the license fees provided in
16 Section 1133 of this title.

17 D. Before a party shall be allowed to purchase a license plate
18 or claim an exception or exemption under this section, the party
19 shall:

- 20 1. Show an income tax Schedule F for the preceding year; or
 - 21 2. Present a valid exemption card issued pursuant to the
- 22 provisions of Section 1358.1 of Title 68 of the Oklahoma Statutes.

23 A violation shall be grounds for revocation of driver's license.
24 Any person who signs the affidavit as required by this section when

1 the person does not believe that the information in the affidavit is
2 true or knows it is not true, upon conviction, shall be guilty of
3 perjury and shall be punished as provided for by law.

4 E. Any person owning a truck upon which the farm truck license
5 fee has been paid in Oklahoma for the current year and whose truck
6 may be needed during grain harvests or other seasonal farming
7 activities for hauling farm products other than his or her own, or
8 for hauling gravel, shale or other road materials for rural roads,
9 may make application with the Oklahoma Tax Commission for a short
10 term commercial license for such truck for a period of time not to
11 exceed ninety (90) days as provided for in subsection F of this
12 section, or may make application in accordance with the Motor
13 Carrier Harvest Permit Act of 2006 if applicable.

14 F. Upon such application, the Tax Commission shall issue a
15 temporary commercial truck license and register the truck upon
16 payment of the following fees:

17 1. For thirty (30) days a fee equal to one-eighth (1/8) of the
18 annual commercial license fee required for such truck.

19 2. For sixty (60) days a fee equal to one-fourth (1/4) of the
20 annual commercial license fee required for such truck.

21 3. For ninety (90) days a fee equal to three-eighths (3/8) of
22 the annual commercial license fee required for such truck.

23 G. Provided, however, the provisions of this section shall not
24 apply to the transportation of persons or property for hire.

1 SECTION 6. AMENDATORY 47 O.S. 2011, Section 1141.1, as
2 amended by Section 4, Chapter 158, O.S.L. 2012 (47 O.S. Supp. 2018,
3 Section 1141.1), is amended to read as follows:

4 Section 1141.1. A. Each motor license agent shall be entitled
5 to retain the following amounts from the taxes and fees collected by
6 such agent to be used to fund the operation of the office of such
7 motor license agent subject to the provisions of Sections 1140
8 through 1147 of this title:

9 1. Beginning July 1, 2005, Two Dollars and eighty-one cents
10 (\$2.81) for each vehicle registered and for each special license
11 plate issued pursuant to the Oklahoma Vehicle License and
12 Registration Act. Beginning July 1, 2006, and thereafter, Three
13 Dollars and fifty-six cents (\$3.56) for each vehicle registered and
14 for each special license plate issued pursuant to the Oklahoma
15 Vehicle License and Registration Act;

16 2. One Dollar and twenty-five cents (\$1.25) for each
17 certificate of title issued for boats and motors pursuant to the
18 Oklahoma Statutes;

19 3. For each certificate of registration issued for boats and
20 motors pursuant to the Oklahoma Statutes, an amount determined
21 pursuant to the provisions of subsection B of this section;

22 4. Two Dollars and twenty-five cents (\$2.25) for each
23 certificate of title issued pursuant to the Oklahoma Vehicle License
24 and Registration Act. Provided, the fee retention amount for
25

1 certificates of title issued pursuant to the provisions of
2 subsection H of Section 1105 of this title, in which an insurer pays
3 the optional twenty-two-dollar-fee amount, is Four Dollars and fifty
4 cents (\$4.50);

5 5. Beginning October 1, 2000, three percent (3%) of the vehicle
6 excise tax collected pursuant to Section 2103 of Title 68 of the
7 Oklahoma Statutes. Beginning July 1, 2001, each motor license agent
8 shall be entitled to retain three and one hundred twenty-five one-
9 thousandths percent (3.125%) of the vehicle excise tax collected
10 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.

11 Beginning July 1, 2002, and for all subsequent years, each motor
12 license agent shall be entitled to retain three and twenty-five one-
13 hundredths percent (3.25%) of the vehicle excise tax collected
14 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.

15 However, beginning July 1, 2003, the Legislature shall annually
16 review the percentage to be retained by the motor license agents
17 pursuant to this paragraph to determine whether such percentage
18 should be adjusted;

19 6. Four percent (4%) of the excise tax collected on the
20 transfer of boats and motors pursuant to the Oklahoma Statutes;

21 7. Two Dollars (\$2.00) for each driver license, endorsement,
22 identification license, or renewal or duplicate issued pursuant to
23 Section 6-101 et seq. of this title;

1 8. Two Dollars (\$2.00) for the recording of security interests
2 as provided in Section 1110 of this title;

3 9. Two Dollars (\$2.00) for each inspection conducted pursuant
4 to subsection L of Section 1105 of this title;

5 10. Three Dollars (\$3.00) for each inspection conducted
6 pursuant to subsection M of Section 1105 of this title;

7 11. One Dollar (\$1.00) for each certificate of ownership filed
8 pursuant to subsection R of Section 1105 of this title;

9 12. One Dollar (\$1.00) for each temporary permit issued
10 pursuant to Section 1124 of this title;

11 13. One Dollar and fifty cents (\$1.50) for processing each
12 proof of financial responsibility, driver license information,
13 insurance verification information, and other additional information
14 as provided in Section 7-602 of this title;

15 14. The mailing fees and registration fees provided in Sections
16 1131 and 1140 of this title;

17 15. The notary fee provided in Section 1143 of this title;

18 16. Three Dollars (\$3.00) for each lien entry form completed
19 and recorded on a certificate of title pursuant to subsection G of
20 Section 1105 of this title;

21 17. Seven Dollars (\$7.00) for each notice of transfer as
22 provided by subsection B of Section 1107.4 of this title;

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1 18. Seven Dollars (\$7.00) for each certificate of title or each
2 certificate of registration issued for repossessed vehicles pursuant
3 to Section 1126 of this title;

4 19. Any amount specifically authorized by law to be retained by
5 the motor license agent for the furnishing of a summary of a traffic
6 record; ~~and~~

7 20. Beginning July 1, 2009, each motor license agent shall also
8 be entitled to a portion of the penalties for delinquent
9 registration or payment of excise tax as provided for in subsection
10 C of Section 1115, subsection F of Section 1132 and subsection C of
11 Section 1151 of this title and of subsection A of Section 2103 of
12 Title 68 of the Oklahoma Statutes; and

13 21. Twenty-two and five-tenths percent (22.5%) of each
14 noncommercial trailer registration fee.

15 The balance of the funds collected shall be remitted to the
16 Oklahoma Tax Commission as provided in Section 1142 of this title to
17 be apportioned pursuant to Section 1104 of this title.

18 B. For each certificate of registration issued for boats and
19 motors, each motor license agent shall be entitled to retain the
20 greater of One Dollar and twenty-five cents (\$1.25) or an amount to
21 be determined by the Tax Commission according to the provisions of
22 this subsection. At the end of fiscal year 1997 and each fiscal
23 year thereafter, the Tax Commission shall compute the average amount
24 of registration fees for all boats and motors registered in this

1 state during the fiscal year and shall multiply the result by six
2 and twenty-two one-hundredths percent (6.22%). The resulting
3 product shall be the amount which may be retained by each motor
4 license agent for each certificate of registration for boats and
5 motors issued during the following calendar year.

6 SECTION 7. REPEALER 47 O.S. 2011, Section 1133.3, is
7 hereby repealed.

8 SECTION 8. This act shall become effective November 1, 2019.

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