

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE
5 BILL NO. 263

By: Daniels of the Senate

and

6 Stearman of the House
7
8

9 An Act relating to motor vehicle registration;
10 amending Section 2, Chapter 208, O.S.L. 2018, as
11 amended by Section 1, Chapter 29, O.S.L. 2020 (47
12 O.S. Supp. 2020, Section 1112.2), which relates to
13 transferability of license plates; providing
14 exception to certain requirement to return license
15 plate; establishing status of certain license plate
16 under specified circumstances; authorizing issuance
17 of certain temporary license plate under specified
18 circumstances and subject to the promulgation of
19 rules by the Oklahoma Tax Commission; and providing
20 an effective date.

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

22 SECTION 1. AMENDATORY Section 2, Chapter 208, O.S.L.
23 2018, as amended by Section 1, Chapter 29, O.S.L. 2020 (47 O.S.
24 Supp. 2020, Section 1112.2), is amended to read as follows:

Section 1112.2. A. Effective July 1, 2019, the license plate
and certificate of registration shall be issued to, and remain in
the name of, the owner of the vehicle registered and the license
plates shall not be transferable between motor vehicle owners. When

1 a vehicle is sold or transferred in the state, the following
2 registration procedures shall apply:

3 1. When a current and valid Oklahoma motor vehicle license
4 plate has been obtained for use on a motor vehicle and the vehicle
5 has been sold or otherwise transferred to a new owner, the license
6 plate shall be removed from the vehicle and retained by the original
7 plate owner;

8 2. In the event an owner purchases, trades, exchanges, or
9 otherwise acquires another vehicle of the same license registration
10 classification, the Oklahoma Tax Commission shall authorize the
11 transfer of the current and valid license plate previously obtained
12 by the owner to the replacement vehicle for the remainder of the
13 current registration period. In the event the owner acquires a
14 vehicle requiring payment of additional registration fees, the owner
15 shall request a transfer of the license plate to the newly acquired
16 vehicle and pay the difference in registration fees. The fee shall
17 be calculated on a monthly prorated basis. The owner shall not be
18 entitled to a refund:

19 a. when the registration fee for the vehicle to which the
20 plate(s) is to be assigned is less than the
21 registration fee for that vehicle to which the license
22 plate(s) was last assigned, or

23 b. if the owner does not have or does not acquire another
24 vehicle to which the license plate may be transferred;

1 3. ~~If~~ Except as provided in paragraph 4 of this subsection, in
2 the event the owner of a license plate purchases, trades, exchanges
3 or otherwise acquires a vehicle for which a license plate has been
4 issued during the current registration period, and the license plate
5 has not been removed by the previous owner in accordance with this
6 section, the new owner of the vehicle shall remove and return the
7 license plate to the Tax Commission or a motor license agent.
8 However, if the license plate has expired, the new owner shall not
9 be required to surrender the license plate; ~~and~~

10 4. When a lender or lender's agent repossesses a vehicle and
11 the license plate has not been removed in accordance with this
12 section, the lender or lender's agent shall not be subject to the
13 provisions of this section and the license plate shall be considered
14 removable personal property and may be reclaimed from the
15 repossessed vehicle; and

16 5. If a person purchases a motor vehicle from which the number
17 plates have been removed pursuant to this section, the person may
18 operate the motor vehicle for fifteen (15) calendar days from the
19 date of purchase without number plates if a dated, notarized bill of
20 sale is carried in the motor vehicle. If the vehicle is subject to
21 a lien, the person may obtain a thirty-day temporary plate issued by
22 a motor license agent pursuant to the promulgation of rules by the
23 Oklahoma Tax Commission to implement a motor license agent-issued
24 temporary plate pursuant to this paragraph.

1 B. 1. The new owner of a motor vehicle shall, within thirty
2 (30) calendar days from the date of vehicle purchase or acquisition,
3 make application to record the registration of the vehicle by the
4 transfer to, or purchase of, a license plate for the newly acquired
5 vehicle with the Tax Commission or motor license agent and shall pay
6 all taxes and fees provided by law.

7 2. Any person failing to register a motor vehicle by timely
8 transferring the license plate as provided by this section shall pay
9 the penalty levied in Section 1132 of this title.

10 C. A surviving spouse, desiring to operate a vehicle devolving
11 from a deceased spouse, shall present an application for certificate
12 of title to the Tax Commission or motor license agent in his or her
13 name within thirty (30) days of obtaining ownership. The Tax
14 Commission or motor license agent shall then transfer the license
15 plate to the surviving spouse.

16 D. The Oklahoma Tax Commission shall be authorized to
17 promulgate such rules as may be required to implement the license
18 plate transfers authorized by this section, including, but not
19 limited to, such rules as may be required for a system under which
20 the license plate is registered to an individual and not a vehicle
21 for all license plates issued on or after July 1, 2019.

22 SECTION 2. This act shall become effective November 1, 2021.

23 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 03/25/2021 -
24 DO PASS.