

1 **SENATE FLOOR VERSION**

2 February 9, 2021

3 SENATE BILL NO. 263

By: Daniels

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

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

20 SECTION 1. AMENDATORY Section 2, Chapter 208, O.S.L.
21 2018, as amended by Section 1, Chapter 29, O.S.L. 2020 (47 O.S.
22 Supp. 2020, Section 1112.2), is amended to read as follows:

23 Section 1112.2. A. Effective July 1, 2019, the license plate
24 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
a vehicle is sold or transferred in the state, the following
registration procedures shall apply:

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

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

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

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

23 3. ~~In~~ Except as provided in paragraph 4 of this subsection, in
24 the event the owner of a license plate purchases, trades, exchanges

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

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

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

23 B. 1. The new owner of a motor vehicle shall, within thirty
24 (30) calendar days from the date of vehicle purchase or acquisition,

1 make application to record the registration of the vehicle by the
2 transfer to, or purchase of, a license plate for the newly acquired
3 vehicle with the Tax Commission or motor license agent and shall pay
4 all taxes and fees provided by law.

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

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

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

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

21 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
22 February 9, 2021 - DO PASS
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