

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1722

By: Merrick

AS INTRODUCED

An Act relating to excise tax on vehicles; amending 68 O.S. 2021, Section 2104, which relates to value of vehicles; providing exception to requirement that value of vehicle be within certain percent of average retail price; requiring value of certain vehicle to be actual sales price upon submission of evidence and determination of Oklahoma Tax Commission or designated agent; requiring promulgation of rules by the Tax Commission; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 2104, is amended to read as follows:

Section 2104. A. The value of any motor vehicle, except a manufactured home, for the purposes of the excise tax levied by Section 2103 of this title, shall be determined as of the time the person applying for a certificate of title thereto obtained either ownership or possession of the vehicle, which shall be presumed to be the actual date of the sale or other transfer of ownership, and assignment of the certificate of title.

1 B. The value of any vehicle, for purposes of the excise tax
2 levied by Section 2103 of this title, shall be the actual sales
3 price of such a vehicle before any discounts or credits are given
4 for a trade-in. However, except as provided in subsection C of this
5 section, the value of the vehicle prior to the subtraction of such
6 discounts or credits for a trade-in shall be required to be within
7 twenty percent (20%) of the average retail price value of such
8 vehicle as listed in the automotive reference material prescribed by
9 the Oklahoma Tax Commission. The actual sales price of the vehicle,
10 which total shall be the basis of the motor vehicle excise tax, as
11 well as the number of tires on the vehicle and the tire rim
12 diameters, shall be entered on the bill of sale furnished by the
13 seller to the purchaser, or on such other form as may be prescribed
14 by the Tax Commission.

15 Upon receipt of the properly completed bill of sale or other
16 form as prescribed by the Tax Commission, and the payment of all
17 applicable taxes and fees, the Tax Commission or an appointed motor
18 license agent shall issue a vehicle certificate of title in
19 accordance with the provisions of the Oklahoma Vehicle License and
20 Registration Act.

21 C. If evidence is provided that a vehicle is damaged at the
22 time of purchase, and upon determination by the Tax Commission that
23 the damages are sufficient to reduce the value of the vehicle by
24 more than twenty percent (20%) of the average retail price, the

1 value of the vehicle shall be the actual sales price. The Tax
2 Commission shall promulgate rules to enforce the provisions of this
3 subsection.

4 SECTION 2. This act shall become effective November 1, 2022.

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