

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL NO. 323

By: Coleman

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; defining terms;
9 requiring Service Oklahoma to provide a list of open
10 recalls for vehicles with motor vehicle registration;
11 requiring repairs before renewal of registration;
12 providing for contents of notice; providing for
13 protection against certain liability; providing for
14 codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 12-103 of Title 47, unless there
18 is created a duplication in numbering, reads as follows:

19 A. As used in this section:

20 1. "Director" means the Director of Service Oklahoma; and

21 2. "Open recall" means a safety recall applicable to a specific
22 motor vehicle, according to information made available by the
23 National Highway Traffic Safety Administration, that has not been
24 repaired.

1 B. Service Oklahoma shall, prior to issuing a motor vehicle
2 registration or mailing a motor vehicle registration renewal notice,
3 check information made available by the National Highway Traffic
4 Safety Administration to determine whether the motor vehicle is
5 subject to an open recall. For a vehicle that is subject to one or
6 more open recalls, Service Oklahoma shall provide the owner of the
7 motor vehicle written notice of all open recalls applicable to the
8 motor vehicle. The recall notice shall be provided at the time the
9 vehicle is registered, except that for registrational renewals, the
10 recall notice shall be included in the registration renewal notice.

11 The recall notice shall include the following:

12 1. A description of each open recall; and

13 2. A statement that each open recall may be repaired by a motor
14 vehicle dealer approved by the manufacturer of the motor vehicle at
15 no cost to the owner of the motor vehicle, except as provided in 49
16 U.S.C., Section 30120.

17 C. Nothing in this section shall alter the liability under law
18 of any motor vehicle manufacturer or motor vehicle dealer approved
19 by the manufacturer to repair an open recall.

20 D. The Director, employees, or licensed operators within
21 Service Oklahoma who are designated by the Director, for the
22 purposes of discharging their duties pursuant to this section, shall
23 not be liable to any person for any act or omission related to the
24

1 open recall notice provided pursuant to this section, except for
2 cases of gross negligence.

3 SECTION 2. This act shall become effective November 1, 2023.

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