

1 ENGROSSED SENATE
2 BILL NO. 1064

By: Rosino of the Senate

3 and

4 Bashore of the House

5
6 [vehicle inspections - prohibition - inspection
7 requirement - fee - effective date]
8

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

10 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1105, as
11 last amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
12 2022, Section 1105), is amended to read as follows:

13 Section 1105. A. As used in the Oklahoma Vehicle License and
14 Registration Act:

15 1. "Salvage vehicle" means any vehicle which is within the last
16 ten (10) model years and which has been damaged by collision or
17 other occurrence to the extent that the cost of repairing the
18 vehicle for safe operation on the highway exceeds sixty percent
19 (60%) of its fair market value, as defined by Section 1111 of this
20 title, immediately prior to the damage. For purposes of this
21 section, actual repair costs shall only include labor and parts for
22 actual damage to the suspension, motor, transmission, frame or
23 unibody and designated structural components;
24

1 2. "Rebuilt vehicle" means any salvage vehicle which has been
2 rebuilt and inspected for the purpose of registration and title;

3 3. "Flood-damaged vehicle" means a salvage or rebuilt vehicle
4 which was damaged by flooding or a vehicle which was submerged at a
5 level to or above the dashboard of the vehicle and on which an
6 amount of loss was paid by the insurer;

7 4. "Unidentifiable" means that the uniqueness of a motor
8 vehicle or motor vehicle part cannot be established by either expert
9 law enforcement investigative personnel specially trained and
10 experienced in motor vehicle theft investigative procedures and
11 motor vehicle identification examination techniques, or by expert
12 employees of not-for-profit motor vehicle theft prevention agencies
13 specially trained and experienced in motor vehicle theft
14 investigative procedures and motor vehicle identification
15 examination techniques;

16 5. "Unrecovered-theft vehicle" means a vehicle which has been
17 stolen and not yet recovered;

18 ~~5.~~ 6. "Recovered-theft vehicle" means a vehicle, including a
19 salvage or rebuilt vehicle, which was recovered from a theft; and

20 ~~6.~~ 7. "Junked vehicle" means any vehicle which is incapable of
21 operation or use on the highway, has no resale value except as a
22 source of parts or scrap and has an eighty percent (80%) loss in
23 fair market value.
24

1 B. The owner of every vehicle in this state shall possess a
2 certificate of title as proof of ownership of such vehicle, except
3 those vehicles registered pursuant to Section 1120 of this title and
4 trailers registered pursuant to Section 1133 of this title,
5 previously titled by anyone in another state and engaged in
6 interstate commerce, and except as provided in subsection M of this
7 section. Except for owners that possess an agricultural exemption
8 permit pursuant to Section 1358.1 of Title 68 of the Oklahoma
9 Statutes, the owner of an all-terrain vehicle or a motorcycle used
10 exclusively off roads or highways in this state which is purchased
11 or the ownership of which is transferred on or after July 1, 2005,
12 and the owner of a utility vehicle used exclusively off roads and
13 highways in this state which is purchased or the ownership of which
14 is transferred on or after July 1, 2008, shall possess a certificate
15 of title as proof of ownership. Any person possessing an
16 agricultural exemption permit and owning an all-terrain vehicle or a
17 motorcycle used exclusively off roads or highways in this state
18 which is purchased or the ownership of which is transferred on or
19 after July 1, 2008, shall possess a certificate of title as proof of
20 ownership. Upon receipt of proper application information by such
21 owner, Service Oklahoma shall issue an original or transfer
22 certificate of title. Until July 1, 2008, any security interest in
23 an all-terrain vehicle that attached and was perfected before July
24 1, 2005, and that has not otherwise terminated shall remain

1 perfected, and shall take priority over any subsequently perfected
2 security interest in the same all-terrain vehicle, notwithstanding
3 that a certificate of title may have been issued with respect to the
4 same all-terrain vehicle on or after July 1, 2005, and that a lien
5 may have been recorded on said certificate of title. There shall be
6 eight types of certificates of title:

7 1. Original title for any motor vehicle which is not a
8 remanufactured, salvage, unrecovered-theft, rebuilt, rebodied or
9 junked vehicle;

10 2. Salvage title for any motor vehicle which is a salvage
11 vehicle or is specified as a salvage vehicle or the equivalent
12 thereof on a certificate of title from another state;

13 3. Rebuilt title for any motor vehicle which is a rebuilt
14 vehicle;

15 4. Junked title for any motor vehicle which is a junked vehicle
16 or is specified as a junked vehicle or the equivalent thereof on a
17 certificate of title from another state;

18 5. Classic title for any motor vehicle, except a junked
19 vehicle, which is twenty-five (25) model years or older;

20 6. Remanufactured title for any vehicle which is a
21 remanufactured vehicle;

22 7. Unrecovered-theft title for any motor vehicle which has been
23 stolen and not recovered; and
24

1 8. Rebodied title for any motor vehicle which is a rebodied
2 vehicle.

3 Application for a certificate of title, whether the initial
4 certificate of title or a duplicate, may be made to Service Oklahoma
5 or any licensed operator. When application is made with a licensed
6 operator, the application information shall be transmitted either
7 electronically or by mail to Service Oklahoma by the licensed
8 operator. If the application information is transmitted
9 electronically, the licensed operator shall forward the required
10 application along with evidence of ownership, where required, by
11 mail. Where the transmission of application information cannot be
12 performed electronically, Service Oklahoma is authorized to provide
13 postage paid envelopes to licensed operators for the purpose of
14 mailing the application along with evidence of ownership, where
15 required. Service Oklahoma shall upon receipt of proper application
16 information issue an Oklahoma certificate of title. The
17 certificates may be mailed to the applicant. Upon issuance of a
18 certificate of title, Service Oklahoma shall provide the appropriate
19 licensed operator with confirmation of such issuance.

20 C. 1. The application for certificate of title shall be upon a
21 blank form furnished by Service Oklahoma, containing:

- 22 a. a full description of the vehicle,
- 23 b. the manufacturer's serial or other identification
- 24 number,

- c. the motor number and the date on which first sold by the manufacturer or dealer to the owner,
- d. any distinguishing marks,
- e. a statement of the applicant's source of title,
- f. any security interest upon the vehicle, and
- g. such other information as Service Oklahoma may require.

2. The application for a certificate of title for a vehicle which is within the last seven (7) model years shall require a declaration as to whether the vehicle has been damaged by collision or other occurrence and whether the vehicle has been recovered from theft and the extent of the damage to the vehicle. The declaration shall be made by the owner of a vehicle if:

- a. the vehicle has been damaged or stolen,
- b. the owner did or did not receive any payment for the loss from an insurer, or
- c. the vehicle is titled or registered in a state that does not classify the vehicle or brand the title because of damage to or loss of the vehicle similar to the classifications or brands utilized by this state.

The declaration shall be based upon the best information and knowledge of the owner and shall be in addition to the requirements specified in paragraph 1 of this subsection. Service Oklahoma shall not issue a certificate of title for a vehicle which is subject to

1 the provisions of this paragraph without the required declaration,
2 completed and signed by the owner of the vehicle. Upon receipt of
3 an application without the properly completed declaration, Service
4 Oklahoma shall return the application to the applicant with notice
5 that the title may not be issued without the required declaration.
6 Nothing in this paragraph shall prohibit Service Oklahoma from
7 recognizing the type of or brand on a title or other ownership
8 document issued by another state or the inspection conducted in
9 another state and issuing the appropriate certificate of title for
10 the vehicle.

11 3. The certificate of title shall have the following security
12 features:

- 13 a. intaglio printing or security thread, with or without
- 14 watermark,
- 15 b. latent images,
- 16 c. fluorescent inks,
- 17 d. micro print,
- 18 e. void background, and
- 19 f. color coding.

20 4. Each title issued pursuant to the provisions of the Oklahoma
21 Vehicle License and Registration Act shall be color coded as
22 determined by Service Oklahoma.

23 5. The certificate of title shall be of such size and design
24 and color as Service Oklahoma may direct pursuant to the provisions

1 of this section. The title shall be on colored paper or other
2 material as designated by Service Oklahoma and be of such intensity
3 or hue as will allow easy identification as to whether the title is
4 an original title, a salvage title, a rebuilt title, remanufactured
5 title, rebodied title or a junked title. The type of title shall be
6 identified on the front of the certificate of title. The original
7 title, rebuilt title, remanufactured title, an unrecovered-theft
8 title, rebodied title or classic title shall be identified by the
9 word "Original", "Rebuilt", "Remanufactured", "Unrecovered Theft",
10 "Rebodied" or "Classic" printed in the upper right quadrant of the
11 certificate of title, in the space which is currently captioned
12 "type of title". A rebodied title shall also identify on the front
13 of the title the year, make and model of the originally manufactured
14 vehicle which has been rebodied and display a notation that reads as
15 follows: "This vehicle has been assembled with new major components
16 licensed by the original manufacturer."

17 D. 1. To obtain an original certificate of title for a vehicle
18 that is being registered for the first time in this state which has
19 not been previously registered in any other state, the applicant
20 shall be required to deliver, as evidence of ownership, a
21 manufacturer's certificate of origin properly assigned by the
22 manufacturer, distributor, or dealer licensed in this or any other
23 state shown thereon to be the last transferee to the applicant upon
24

1 a form to be prescribed and approved by Service Oklahoma. A
2 manufacturer's certificate of origin shall contain:

- 3 a. the manufacturer's serial or other identification
4 number,
- 5 b. date on which first sold by the manufacturer to the
6 dealer,
- 7 c. any distinguishing marks including model and the year
8 same was made,
- 9 d. a statement of any security interests upon the
10 vehicle, and
- 11 e. such other information as Service Oklahoma may
12 require.

13 2. The manufacturer's certificate of origin shall have the
14 following security features:

- 15 a. intaglio printing or security thread, with or without
16 watermark,
- 17 b. latent images,
- 18 c. fluorescent inks,
- 19 d. micro print, and
- 20 e. void background.

21 E. In the absence of a dealer's or manufacturer's number,
22 Service Oklahoma may assign such identifying number to the vehicle,
23 which shall be permanently stamped, burned or pressed or attached
24 into the vehicle, and a certificate of title shall be delivered to

1 the applicant upon payment of all fees and taxes, and the remaining
2 copies shall be permanently filed and indexed by Service Oklahoma.
3 Service Oklahoma shall assign an identifying number to any rebuilt
4 vehicle if the vehicle identification number displayed on the
5 rebuilt vehicle does not accurately describe the vehicle as rebuilt.
6 The licensed operator, at the time of inspection of the rebuilt
7 vehicle pursuant to Section 1111 of this title, shall identify the
8 make, model, and year for the body to accurately describe the
9 rebuilt vehicle. At the time of the inspection, an appropriate
10 identifying number shall be permanently stamped, burned, pressed, or
11 attached on the rebuilt vehicle. The assigned identifying number
12 shall be recorded on the certificate of title for the rebuilt
13 vehicle. The dealer's or manufacturer's vehicle identification
14 number on the rebuilt vehicle shall be preserved in the computer
15 files of Service Oklahoma for at least five (5) years.

16 F. When registering for the first time in this state a vehicle
17 which was not originally manufactured for sale in the United States,
18 to obtain a certificate of title, Service Oklahoma shall require the
19 applicant to deliver:

20 1. As evidence of ownership, if the vehicle has not previously
21 been titled in the United States, the documents constituting valid
22 proof of ownership in the country in which the vehicle was
23 originally purchased, together with a notarized translation of any
24 such documents; and

1 2. As evidence of compliance with federal law, copies of the
2 bond release letters for the vehicle issued by the United States
3 Environmental Protection Agency and the United States Department of
4 Transportation, together with a receipt issued by the Internal
5 Revenue Service indicating that the applicable federal gas guzzler
6 tax has been paid.

7 Service Oklahoma shall not issue a certificate of title for a
8 vehicle which is subject to the provisions of this paragraph without
9 the required documentation from agencies of the United States and
10 evidence of ownership. Upon receipt of an application without the
11 required documentation, Service Oklahoma shall return the
12 application to the applicant with notice that the certificate of
13 title may not be issued without the required documentation. Nothing
14 in this paragraph shall prohibit Service Oklahoma from issuing
15 certificates of title for antique or classic vehicles not driven
16 upon the public streets, roads, or highways, for mini-trucks
17 registered pursuant to Section 1151.3 of this title, or for medium-
18 speed electric vehicles.

19 G. When registering in this state a vehicle which was titled in
20 another state and which title contains the name of a secured party
21 on the face of the other state certificate of title, or such state
22 certificate is being held by the secured party in that state or any
23 other state, Service Oklahoma or the licensed operator shall
24 complete a lien entry form as prescribed by Service Oklahoma. The

owner of such vehicle shall file an affidavit with Service Oklahoma or the licensed operator stating that title to the vehicle is being held by a secured party, has not been issued pursuant to the laws of the state where titled, and that there is an existing lien or encumbrance on the vehicle. The current name and address of the secured party or lienholder shall also be stated in the affidavit. The form of the affidavit shall be prescribed by Service Oklahoma and contain any other information deemed necessary by Service Oklahoma. A statement of the lien or encumbrance shall be included on the Oklahoma certificate of title and the lien or encumbrance shall be deemed continuously perfected as though it had been perfected pursuant to Section 1110 of this title. For completing the lien entry form and recording the security interest on the certificate of title, Service Oklahoma or the licensed operator shall collect a fee of Three Dollars (\$3.00) which shall be in addition to other fees provided by the Oklahoma Vehicle License and Registration Act. The fee, if collected by the licensed operator pursuant to this subsection, shall be retained by the licensed operator.

H. The charge for each certificate of title issued, except for junked titles as defined in paragraph 4 of subsection B of this section, shall be Eleven Dollars (\$11.00), which charge shall be in addition to any other fees or taxes imposed by law for such vehicle. One Dollar (\$1.00) of each such charge shall be deposited in the

1 Oklahoma Tax Commission Reimbursement Fund through December 31,
2 2022, and beginning January 1, 2023, it shall be deposited in the
3 Service Oklahoma Reimbursement Fund. However, the charge shall not
4 apply to any vehicle which is to be registered in this state
5 pursuant to the provisions of Section 1120 or 1133 of this title and
6 which was registered in another state at least sixty (60) days prior
7 to the time it is required to be registered in this state. When an
8 insurer requests a salvage or junk title in the name of the insurer
9 resulting from the settlement of a total loss claim and upon
10 presentation of appropriate proof of loss documentation as required
11 by Service Oklahoma, such transfer may be processed as one title
12 transaction, without first requiring issuance of a replacement
13 certificate of title in the name of the vehicle owner. The fee
14 shall be Twenty-two Dollars (\$22.00). Two Dollars (\$2.00) of this
15 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
16 Fund.

17 I. The vehicle identification number of a junked vehicle shall
18 be preserved in the computer files of Service Oklahoma for a period
19 of not less than five (5) years. The charge of junked titles as
20 defined in paragraph 4 of subsection B of this section shall be Four
21 Dollars (\$4.00). The fee remitted to the Tax Commission shall be
22 deposited in the Oklahoma Tax Commission Reimbursement Fund through
23 December 31, 2022, and beginning January 1, 2023, this fee shall be
24 deposited in the Service Oklahoma Reimbursement Fund.

1 J. If a vehicle is sold to a resident of another state
2 destroyed, dismantled, or ceases to be used as a vehicle, the owner
3 shall immediately notify Service Oklahoma. Absent evidence to the
4 contrary, failure to notify Service Oklahoma shall be prima facie
5 evidence that the vehicle has been in continuous operation in this
6 state.

7 K. If a vehicle is stolen, the owner shall immediately notify
8 the appropriate law enforcement agency. Immediately after receiving
9 such notification, the law enforcement agency shall notify Service
10 Oklahoma.

11 L. Except for all-terrain vehicles, utility vehicles and
12 motorcycles used exclusively for off-road use, no title for an out-
13 of-state vehicle, except any commercial truck or truck-tractor
14 registered pursuant to Section 1120 of this title which is engaged
15 in interstate commerce or any trailer or semitrailer registered
16 pursuant to Section 1133 of this title which is engaged in
17 interstate commerce, shall be issued without an inspection of such
18 vehicle and payment of a fee of Four Dollars (\$4.00) for such
19 inspection; provided, Service Oklahoma may enter into reciprocal
20 agreements with other states for such inspections to be performed at
21 locations outside the boundaries of this state for vehicles which:

- 22 1. Are offered for sale at auction;
23
24

1 2. Have been solely used as vehicles for rent under the
2 ownership of a licensed motor vehicle dealer or a person engaged in
3 the business of renting motor vehicles; or

4 3. Have not been registered in this or any other state for more
5 than one (1) year.

6 The inspection shall include a comparison of the vehicle
7 identification number on the vehicle with the number recorded on the
8 ownership records and the recording of the actual odometer reading
9 on the vehicle. The four-dollar fee shall be collected by the
10 licensed operator or Service Oklahoma when the title is issued. The
11 licensed operator shall retain Two Dollars (\$2.00). The remaining
12 Two Dollars (\$2.00) shall be deposited in the Oklahoma Tax
13 Commission Reimbursement Fund through December 31, 2022, and
14 beginning January 1, 2023, this fee shall be deposited in the
15 Service Oklahoma Reimbursement Fund.

16 Service Oklahoma may allow the inspection to be performed at a
17 location out-of-state by another state's department of motor
18 vehicles or state police.

19 M. No title for any out-of-state vehicle offered for sale at
20 salvage pools, salvage disposal sales, or an auction, or by a dealer
21 or a licensed automotive dismantler and parts recycler, shall be
22 issued ~~without~~ unless an inspection has been conducted to compare
23 the vehicle identification number on the vehicle with the number
24 recorded on the ownership record and to record the actual odometer

1 reading on the vehicle by a person employed thereby or a licensed
2 operator. ~~Upon request of the seller, person or entity conducting~~
3 ~~an auction, dealer or licensed dismantler, the inspection shall be~~
4 ~~conducted at the location or place of business of the sale, auction,~~
5 ~~dealer, or the dismantler. The inspection shall be conducted by any~~
6 ~~licensed operator or a duly authorized employee thereof; provided,~~
7 ~~if~~ If the vehicle identification number on the vehicle offered for
8 sale or ~~at salvage pools, salvage disposal sales or a classic or~~
9 ~~antique~~ auction does not match the number recorded on the ownership
10 record, ~~the~~ an inspection ~~may~~ shall be conducted ~~at the location of~~
11 ~~or place of business of such sale or auction~~ by any state, county or
12 city law enforcement officer or an agent of the National Insurance
13 Crime Bureau at the location of or place of business of such sale or
14 auction or as specified by the state, county, or city law
15 enforcement officer or agent of the National Insurance Crime Bureau.
16 Service Oklahoma may ~~enter into reciprocal agreements with other~~
17 ~~states for~~ authorize such inspections to be performed at locations
18 outside the boundaries of this state ~~for vehicles which:~~
19 1. ~~Are offered for sale at auction;~~
20 2. ~~Have been solely used as vehicles for rent under the~~
21 ~~ownership of a licensed motor vehicle dealer or a person engaged in~~
22 ~~the business of renting motor vehicles; or~~
23 3. ~~Have not been registered in this or any other state for more~~
24 ~~than one (1) year.~~

1 The inspection shall be certified upon forms prescribed by Service
2 Oklahoma. The name and other identification of the authorized
3 person conducting the inspection shall be legibly printed or typed
4 on the form. Prior to any inspection by any employee of a licensed
5 operator, the licensed operator shall notify Service Oklahoma of the
6 name and any other identification information requested by Service
7 Oklahoma of the authorized person. A signature specimen of the
8 authorized person shall be submitted to Service Oklahoma by the
9 employing licensed operator. If the authorization to inspect
10 vehicles is withdrawn or the employer-employee relationship is
11 terminated, the licensed operator, immediately, shall notify Service
12 Oklahoma and return any remaining inspection forms to Service
13 Oklahoma. The fee for the inspection performed by a licensed
14 operator shall be Four Dollars (\$4.00). The licensed operator shall
15 retain Three Dollars (\$3.00) of the fee. The fee for an inspection
16 performed by employees of salvage pools, salvage disposal sales,
17 auctions, dealers, or licensed automotive dismantler and parts
18 recyclers shall be One Dollar (\$1.00) and shall not be retained but
19 remitted to the Service Oklahoma Reimbursement Fund pursuant to
20 Section 3-106 of this title. Fees received by a licensed operator
21 or an authorized employee thereof shall be handled and accounted for
22 in the manner as prescribed by law for any other fees paid to or
23 received by a licensed operator. Out-of-state vehicles brought into
24 this state by a person licensed in another state to sell new or used

1 vehicles to be sold within this state at a motor vehicle auction
2 which is limited to dealer-to-dealer transactions shall not be
3 required to be inspected, unless the vehicle is purchased by an
4 Oklahoma dealer. Any person licensed in another state to sell new
5 or used motor vehicles, who offers a motor vehicle for sale within
6 this state at a motor vehicle auction which is limited to dealer-to-
7 dealer transactions, shall not be within the definition of "owner"
8 in Section 1102 of this title, for purposes of Section 1101 et seq.
9 of this title. If Service Oklahoma or another Oklahoma agency
10 issuing a license to a person authorized by this section to perform
11 an inspection determines that a person has not complied with this
12 section, falsified an inspection form, or does not obtain an
13 inspection if required, by any state, county, or city law
14 enforcement officer or an agent of the National Insurance Crime
15 Bureau, the person's authority to perform an inspection under this
16 section may be suspended or revoked, or the person's license to
17 conduct business may be suspended or revoked by the Oklahoma agency
18 issuing such license.

19 N. A licensed motor vehicle dealer, upon payment of a fee of
20 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate
21 of title to a used motor vehicle provided such dealer obtains the
22 appropriate inspection form required by either subsection L or M of
23 this section and attaches the form to the out-of-state certificate
24 of title. Licensed operators shall be allowed to retain Two Dollars

1 and twenty-five cents (\$2.25) of the fee plus an additional Two
2 Dollars (\$2.00) or Three Dollars (\$3.00) as provided in subsections
3 L and M of this section for performance of the inspection. Two
4 Dollars (\$2.00) of the fee shall be deposited in the Service
5 Oklahoma Reimbursement Fund. An out-of-state vehicle which has been
6 rebuilt shall be inspected pursuant to the provisions of Section
7 1111 of this title. Service Oklahoma shall train licensed operators
8 in interpreting vehicle identification numbers to assure that it
9 accurately describes the vehicle and to detect rollback or
10 alteration of the odometer. Failure of a licensed operator to
11 inspect the vehicle and make the required notations shall be a
12 misdemeanor punishable by a fine of not more than One Thousand
13 Dollars (\$1,000.00) for the first offense and Five Thousand Dollars
14 (\$5,000.00) for the second offense or subsequent offense, or by
15 imprisonment in the county jail for not more than six (6) months, or
16 by both such fine and imprisonment.

17 O. The ownership of any unrecovered vehicle which has been
18 declared a total loss by an insurer because of theft shall be
19 transferred to the insurer by an unrecovered-theft vehicle title;
20 provided, the ownership of any such vehicle which has been declared
21 a total loss by an insurer licensed by the Insurance Department of
22 the State of Oklahoma and maintaining a multi-state motor vehicle
23 salvage processing center in this state shall be transferred to the
24 insurer by a salvage or an unrecovered-theft title without the

1 requirement of a visual inspection of the vehicle identification
2 number by the insurer. Upon recovery of the vehicle, the ownership
3 shall be transferred by an original title, salvage title, or junked
4 title, as may be appropriate based upon an estimate of the amount of
5 loss submitted by the insurer.

6 P. When an insurance company makes a total loss settlement on a
7 total loss vehicle and the insurance company or a salvage pool
8 authorized by the insurance company is unable to obtain the properly
9 endorsed certificate of ownership or other evidence of ownership
10 acceptable to Service Oklahoma within thirty (30) days following
11 acceptance by the owner of an offer of an amount in settlement of a
12 total loss, that insurance company or salvage pool, on a form
13 provided by Service Oklahoma and signed under penalty of perjury,
14 may request Service Oklahoma to issue the applicable salvage title
15 for the vehicle. The request shall include information declaring
16 that the requester has made at least two written attempts to obtain
17 the certificate of ownership or other acceptable evidence of title.

18 Q. The owner of any vehicle which is incapable of operation or
19 use on the public roads and has no resale value, except as parts,
20 scrap or junk, may deliver the certificate of title to the vehicle
21 to Service Oklahoma for cancellation. Upon verification that any
22 perfected lien against the vehicle has been released, the
23 certificate of title shall be canceled without any fee, charge, or
24 cost required from the owner. The vehicle identification numbers on

1 the certificates of title shall be preserved in the computer files
2 of Service Oklahoma for at least five (5) years from the date of
3 cancellation of the certificate of title. Service Oklahoma shall
4 prescribe and provide an affidavit form to be completed by the owner
5 of any vehicle for which the certificate of title is canceled. No
6 title or registration shall subsequently be issued for a vehicle for
7 which the certificate of title has been surrendered pursuant to this
8 subsection. Service Oklahoma shall prescribe a form for the
9 transfer of ownership of a vehicle for which the certificate of
10 title has been canceled.

11 R. The owner of a vehicle which is not within the last ten (10)
12 model years, not roadworthy and not capable of repair for operation
13 or use on the roads and highways, or a vehicle which is being sold
14 to a scrap metal dealer pursuant to Section 11-92 of Title 2 of the
15 Oklahoma Statutes, shall transfer the vehicle only upon a
16 certificate of ownership prescribed by Service Oklahoma, if the
17 certificate of title to the vehicle is lost, has been canceled, or
18 otherwise not available. The prescribed ownership form shall
19 include the names and addresses of the buyer and seller, the driver
20 license number or Social Security number of the seller, the make and
21 model of the vehicle, and the public vehicle identification number.
22 If there is no public vehicle identification number, the vehicle
23 shall be inspected by a law enforcement officer to verify the
24 absence of the number on the vehicle and the prescribed ownership

1 form shall include a signed statement, by such officer, verifying
2 the absence of the number.

3 The certificate of ownership shall be completed in triplicate.
4 The buyer and seller shall each retain a copy. Within thirty (30)
5 days of the transaction, the seller shall submit one copy to Service
6 Oklahoma or a licensed operator accompanied with a fee of Four
7 Dollars (\$4.00). One Dollar (\$1.00) shall be retained by the
8 licensed operator and Three Dollars (\$3.00) shall be deposited in
9 the Oklahoma Tax Commission Reimbursement Fund in the State Treasury
10 through December 31, 2022, and beginning January 1, 2023, this fee
11 shall be deposited in the Service Oklahoma Reimbursement Fund.

12 Upon receipt of the certificate, Service Oklahoma shall verify
13 that any perfected lien upon the vehicle has been released. If the
14 lien is not released, Service Oklahoma shall mail notice of the
15 transfer to the lienholder at the lienholder's last-known address.
16 If a certificate of title has been issued, it shall be canceled and
17 the vehicle identification number shall be preserved in the computer
18 of Service Oklahoma for at least five (5) years. The buyer of the
19 vehicle may not be sued and shall not be liable for monetary damages
20 to the lienholder, however, the vehicle shall be subject to a valid
21 repossession by a lienholder.

22 S. Service Oklahoma shall notify the chief administrative
23 officer of the agency or department responsible for issuing motor
24 vehicle certificates of title in each state in the United States of

1 the types of motor vehicle certificate of title effective in
2 Oklahoma on and after January 1, 1989.

3 T. When registering for the first time in this state a
4 remanufactured vehicle which has not been registered in any other
5 state since its remanufacture, before issuing a certificate of
6 title, Service Oklahoma shall require the applicant to deliver a
7 statement of origin from the remanufacturer.

8 U. If a vehicle is sold to a foreign buyer pursuant to the
9 provisions of the Automotive Dismantlers and Parts Recycler Act, the
10 licensed seller shall stamp the title with: "EXPORT ONLY.
11 NONTRANSFERABLE IN THE UNITED STATES." The licensed seller shall
12 supply Service Oklahoma the title number, the vehicle identification
13 number and the foreign buyer's bid identification number on a form
14 prescribed by Service Oklahoma. Service Oklahoma shall cancel the
15 title, and the vehicle identification number shall be preserved in
16 the computer files of Service Oklahoma for a period of not less than
17 five (5) years.

18 V. Service Oklahoma shall not be considered a necessary party
19 to any lawsuit which is instigated for the purpose of determining
20 ownership of a vehicle, wherein Service Oklahoma's only involvement
21 would be to issue title, and the court shall issue an order
22 dismissing Service Oklahoma from the pending action. In the event
23 no other party or lienholder can be identified as to ownership or
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1 claim, Service Oklahoma shall accept an affidavit of ownership from
2 the party claiming ownership and issue proper title thereon.

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

4 Passed the Senate the 23rd day of March, 2023.

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6 _____
7 Presiding Officer of the Senate

8 Passed the House of Representatives the ____ day of _____,
9 2023.

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11 _____
12 Presiding Officer of the House
13 of Representatives
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