

ENGROSSED HOUSE
BILL NO. 1519

BY: STOTTLEMYRE and
SATTERFIELD of the HOUSE

and

LONG (Lewis) of the
SENATE

AN ACT RELATING TO MOTOR VEHICLES AND REVENUE AND
TAXATION; AMENDING SECTION 47, CHAPTER 179, O.S.L.
1985 (47 O.S. SUPP. 1990, SECTION 1144), WHICH
RELATES TO METHODS OF PAYMENT OF MOTOR VEHICLE FEES
AND TAXES; PROVIDING FOR PAYMENT BY CREDIT CARD;
AUTHORIZING THE OKLAHOMA TAX COMMISSION TO ADD
CERTAIN AMOUNT TO SUCH FEES AND TAXES FOR USE OF
CREDIT CARD; DEFINING TERM; AMENDING 68 O.S. 1981,
SECTION 218, AS LAST AMENDED BY SECTION 4, CHAPTER
284, O.S.L. 1989 (68 O.S. SUPP. 1990, SECTION 218),
WHICH RELATES TO THE UNIFORM TAX PROCEDURE CODE;
AUTHORIZING CERTAIN REMITTANCES TO THE OKLAHOMA TAX
COMMISSION BY CREDIT CARD; AND PROVIDING AN
EFFECTIVE DATE.

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

SECTION 1. AMENDATORY Section 47, Chapter 179, O.S.L.
1985 (47 O.S. Supp. 1990, Section 1144), is amended to read as
follows:

Section 1144. A. Payments for any required registration fees, license plates or decals or excise taxes except as otherwise provided by law, may be made ~~by~~ as follows:

1. By the applicant's personal or company check if presented within the period of time required for purchase or renewal of the registration and license plates or decals. The motor license agent may delay delivery of the license plate or decal until after such check clears the bank upon which it is written, but said agent is required to accept a check at least one time. Provided that no motor license agent shall be required to accept any check from any person during any penalty period relating to that person's registration; or

2. By a nationally recognized credit card issued to the applicant. The Oklahoma Tax Commission may add an amount equal to the amount of the service charge incurred, not to exceed four percent (4%) of the amount of such payment as a service charge for the acceptance of such credit card. For purposes of this paragraph, "nationally recognized credit card" means any instrument or device, whether known as a credit card, credit plate, charge plate or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining goods, services or anything else of value on credit which is accepted by over one thousand merchants in this state. The Oklahoma Tax Commission shall determine which nationally recognized credit cards will be accepted by a motor license agent as payment for any required motor vehicle registration fees, license plates or decals or excise taxes. Provided however the Oklahoma Tax Commission must ensure that no loss of state revenue will occur by the use of such card.

B. Each motor license agent's office shall be open a minimum of forty (40) hours per week, of which four (4) such hours per week shall be in the evening hours or on Saturday, subject to the approval of the Commission, except during such weeks that contain a

legal holiday prescribed by the statutes of this state. Provided that the Commission may authorize a motor license agent to stay open a lesser period of time if the Commission is satisfied that the public is being properly served. Provided further, that there shall be at least one motor license agent in each county open the hours designated in this section. All motor license agents shall post their hours in a conspicuous place for the public's information.

SECTION 2. AMENDATORY 68 O.S. 1981, Section 218, as last amended by Section 4, Chapter 284, O.S.L. 1989 (68 O.S. Supp. 1990, Section 218), is amended to read as follows:

Section 218. ~~All~~ A. Except as provided in subsection D of this section, all remittances, under any state tax law or this Code, shall be made payable to the Oklahoma Tax Commission, at Oklahoma City, Oklahoma, by bank draft, check, cashier's check, money order, or money, and the Tax Commission shall issue its receipt, for cash or money payment, to the taxpayer. No remittance other than cash shall be in final discharge of liability due the Tax Commission unless and until it shall have been paid in cash. All money collected shall be deposited with the State Treasurer to be distributed as provided by the state tax law under which the tax was levied.

B. There shall be assessed, in addition to any other penalties provided for by law, an administrative service fee of Twenty-five Dollars (\$25.00) for each check returned to the Tax Commission or any agent thereof by reason of the refusal of the bank upon which such check was drawn to honor the same; provided, such assessment shall not be made unless efforts have been made to present such check for payment a second time.

C. Upon the return of any check by reason of the refusal of the bank upon which such check was drawn to honor the same, the Tax Commission may file a bogus check complaint with the appropriate district attorney who shall refer the complaint to the Bogus Check

Restitution Program established by Section 111 of Title 22 of the Oklahoma Statutes. Funds collected through the program after collection of the fee authorized by Section 114 of Title 22 of the Oklahoma Statutes for deposit in the Bogus Check Restitution Program Fund in the county treasury shall be transmitted to the Tax Commission and credited to the tax liability for which the returned check was drawn and to the administrative service fee provided by this section.

D. Any remittances for registration fees, license plates or decals or excise taxes as required by the provisions of the Oklahoma Vehicle License and Registration Act and Sections 2101 through 2110 of this title may be paid by a nationally recognized credit card pursuant to the provisions of Section 1144 of Title 47 of the Oklahoma Statutes.

SECTION 3. This act shall become effective September 1, 1991.

Passed the House of Representatives the 13th day of March, 1991.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate