

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 625

BY: LONG (Lewis)

AS INTRODUCED

AN ACT RELATING TO MOTOR VEHICLE REGISTRATION;

AMENDING 47 O.S. 1991, SECTIONS 1112 AND 1113,
WHICH RELATE TO APPLICATIONS FOR REGISTRATION AND
ISSUANCE OF CERTIFICATES OF REGISTRATION; REQUIRING
OWNERS OF VEHICLES STORED IN THIS STATE TO MAKE
APPLICATION FOR REGISTRATION; REQUIRING CERTAIN FEE
AND PROVIDING FOR APPORTIONMENT THEREOF; REQUIRING
OKLAHOMA TAX COMMISSION TO ASSIGN NUMBER AND ISSUE
CERTIFICATE OF REGISTRATION AND LICENSE PLATE OR
YEARLY DECAL; SPECIFYING CERTAIN REQUIREMENTS FOR
LICENSE PLATE; PROVIDING THAT CERTAIN PROVISIONS
APPLY TO SUCH VEHICLES; PROVIDING PENALTY; AND
PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1112, is amended to read as follows:

Section 1112. A. Every owner of a vehicle ~~possessing~~ who possesses a certificate of title shall, before using or storing the ~~same~~ vehicle in this state, make an application for the registration of such vehicle with a motor license agent. The application shall

contain such information as shall be required by the Oklahoma Tax Commission. Every owner, when making application for registration, shall furnish the following information:

1. A full description of the vehicle including:

- a. the manufacturer's serial or other identification number,
- b. the manufacturer's factory delivered price,
- c. the total delivered price,
- d. any security interest upon said vehicle,
- e. an odometer reading of said vehicle when applicable, and
- f. the insurance security verification to said vehicle;

2. The correct name and address, the name of the city, county and state in which the person in whose name the vehicle is to be registered resides, the driver's license number of the owner if the owner has a driver's license or the Federal Employers Identification Number of the owner if such owner is not an individual, and such other information as may be prescribed by the Commission; and

3. a. The name of the carrier of the owner's insurance policy for such vehicle,
- b. The policy number of the owner's policy for such vehicle, if available, or the name of the agent or office where the existence of security may be verified, if other than the carrier,
- c. The effective dates of the owner's policy for such vehicle, and
- d. A statement of the existence of a nonuse affidavit if filed by the vehicle owner pursuant to the provisions of Section 7-607 of this title.

B. In every case where a vehicle has been registered upon an application containing any false statement of a fact required in this section to be shown in an application for the registration

thereof, the Commission shall give written notice of at least five (5) days to the owner of the vehicle, and shall require the owner to appear before it for the purpose of showing cause why said registration should not be canceled. Unless satisfactory explanation is given by the owner concerning such false statement, the Commission shall cancel the registration. The owner of the vehicle shall then be required to immediately reregister the vehicle and pay the required fees. The owner shall not be entitled to refund or credit for the fees paid for registration of the motor vehicle made under the application which contained any false statement of fact.

C. The Commission shall insert in said application forms appropriate notice to the applicant that any false statement of a fact required to be shown in such application for registration subjects the applicant to prosecution.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 1113, is amended to read as follows:

Section 1113. A. Upon the filing of a registration application and the payment of the fees provided for in the Oklahoma Vehicle License and Registration Act, Section 1101 et seq. of this title, the Oklahoma Tax Commission shall assign to the vehicle described in the application a distinctive number, and issue the owner of the vehicle a certificate of registration and one license plate or a yearly decal for the year that a license plate is not issued. Such yearly decal shall have an identification number and the last two numbers of the registration year for which it shall expire. Except as provided by Section 1113A of this title, the license plate shall remain with the vehicle until a replacement license plate is applied for. The yearly decal will validate said license plate for each registration period other than the year the license plate is issued. The license plate and decal shall be of such size, color, design and numbering as the Commission may direct. The license plate shall be

securely attached to the rear of the vehicle, except truck-tractor plates which shall be attached to the front of the vehicle. The Commission may, with the concurrence of the Department of Public Safety, by Joint Rule, change and direct the manner, place and location of display of any vehicle license plate when such action is deemed in the public interest. The license plate, decal and all letters and numbers must be clearly visible at all times. Upon payment of the annual registration fee provided in Section 1133 of this title, the Oklahoma Tax Commission may issue a permanent nonexpiring license plate to an owner of ten or more motor vehicles and for vehicles registered under the provisions of Section 1120 of this title. Upon payment of the annual registration fee, the Commission shall issue a certificate of registration that shall be carried at all times in the vehicle for which it is issued. The permanent nonexpiring license plate shall be returned to the Commission upon the sale of a vehicle by the owner to whom the permanent nonexpiring license plate is issued.

B. The license plates required under the provisions of this act, Section 1101 et seq. of this title, shall conform to the requirements and specifications listed hereinafter:

1. Each license plate shall have a space for the placement of the yearly decals for each succeeding year of registration after the initial issue;

2. The provisions of this act regarding the issuance of yearly decals shall not apply to the issuance of apportioned license plates, including license plates for state vehicles, and exempt plates for governmental entities;

3. Within the limits herein prescribed the Commission shall design the official vehicle license plates with the legend "Oklahoma OK". Except for personalized license plates and license plates issued for motorcycles and mopeds, the emblem on the state flag of Oklahoma as provided for in Section 91 of Title 25 of the Oklahoma

Statutes shall be a part of all license plates issued after December 31, 1988. The Commission may continue to issue license plates with the legend "Oklahoma is OK" until any inventory of such license plates is depleted. The license plates shall be issued with the letters and numerals in the colors of green and white. All license plates and decals shall be made with reflectorized material as a background to the letters, numbers and characters impressed thereon. The reflectorized material shall be of such a nature as to provide effective and dependable brightness during the service period for which the license plate or decal is issued; and

4. The Commission shall design appropriate official license plates for all state vehicles. Such license plates shall be permanent in nature and designed in such manner as to remain with the vehicle for the duration of the vehicle's life span or until the title is transferred to a nongovernmental owner.

C. Where the applicant has satisfactorily shown that he owns the vehicle sought to be registered but is unable to produce documentary evidence of his ownership a license plate may be issued upon approval by the Commission. In such instances the reason for not issuing a certificate of title shall be indicated on the receipt given to the applicant. It shall still be the duty of the applicant to immediately take all necessary steps to obtain his Oklahoma certificate of title and it shall be unlawful for him to sell said vehicle until such certificate has been obtained in his name.

D. The certificate of registration provided for in this section shall be in convenient form, and the certificate of registration, or a certified copy or photostatic copy thereof, duly authenticated by the Commission, shall be carried at all times in or upon commercial vehicles so registered, in such manner as to permit a ready examination thereof upon demand by any peace officer of the state or duly authorized employee of the Department of Public Safety. Any such officer or agent may seize and hold such commercial vehicle

when the operator of the same does not have the registration certificate in his possession or when any such officer or agent determines that the registration certificate has been obtained by misrepresentation of any essential or material fact or when any number or identifying information appearing on such certificate has been changed, altered, obliterated or concealed in any way, until the proper registration or identification of such vehicle has been made or produced by the owner thereof.

E. For the first year that any manufactured home is registered in this state, the Commission shall issue a metal license plate which shall be affixed to the manufactured home. Manufactured homes previously registered and subject to ad valorem taxation as provided by law shall have the metal license plate affixed at the time ad valorem taxes are paid for such manufactured home. The owner of the home shall be required to affix such plate to the home. The Commission shall make sufficient plates available to the various motor license agents of the state in order for an owner of a manufactured home to acquire the plate. A One Dollar (\$1.00) fee shall be charged for issuance of any plate. Such fee shall be apportioned each month to the General Revenue Fund of the State Treasury.

F. The manufactured home license plate shall be designed so that it is easily visible for purposes of verification by a county assessor that the manufactured home is properly assessed for ad valorem taxation. The plate shall be designed for a yearly decal. In the first year of registration a decal shall be issued for placement on the license plate indicating payment of applicable registration fees and excise taxes. In the second and all subsequent years for which the manufactured home is subject to ad valorem taxation, an annual decal shall be affixed to the license plate as evidence of ad valorem tax payment. The Commission shall issue decals to the various county treasurers of the state in order

for a manufactured home owner to obtain such decal each year. Upon presentation of a valid ad valorem tax receipt, the manufactured home owner shall be issued the annual decal.

G. Upon the registration of a manufactured home in this state for the first time or upon discovery of a manufactured home previously registered within this state for which the information required by this subsection is not known, the Oklahoma Tax Commission shall obtain:

1. the name of the owner of the manufactured home;
2. the serial number or identification number of the manufactured home;
3. a legal description or address of the location for the home;
4. the actual retail selling price of the manufactured home excluding Oklahoma taxes;
5. the certificate of title number for the home; and
6. any other information which the Commission deems to be necessary.

The application for registration shall also include the school district in which the manufactured home is located or is to be located. Such information shall be entered into a computer data system which shall be used by the Oklahoma Tax Commission to provide information to county assessors upon request by the assessor. The assessor may request any information from the system in order to properly assess a manufactured home for ad valorem taxation.

H. 1. The owner of a motor vehicle which is stored in this state but which is not used upon the public highways or public streets of this state shall make application annually for registration of the vehicle as provided in Section 1112 of this title. Upon the filing of a registration application and payment of a fee of Twenty-five Dollars (\$25.00), the Oklahoma Tax Commission shall assign to the vehicle described in the application a distinctive number and issue the owner of the vehicle a certificate

of registration and one license plate or a yearly decal to be affixed to a license plate. The license plate shall be designed by the Commission and shall indicate in some manner that a vehicle to which it is attached shall not be permitted to be used upon the public highways or public streets of this state. The license plate shall remain with the vehicle until a replacement license plate is obtained. Except as otherwise provided by this subsection, the provisions of the Oklahoma Vehicle License and Registration Act, Section 1101 et seq. of this title, shall apply to such vehicles. The twenty-five-dollar fee shall be apportioned as follows:

- a. Ten Dollars (\$10.00) of such fee shall be apportioned to the general fund of the county in which the owner of the vehicle resides; and
- b. Fifteen Dollars (\$15.00) of such fee shall be apportioned to the general fund of the municipality in which the owner of the vehicle resides. If the owner does not reside within the limits of a municipality, the full amount of the fee shall be apportioned to the county in which the owner of the vehicle resides.

2. The penalty for failure to register a vehicle pursuant to the provisions of this subsection shall be One Hundred Dollars (\$100.00), which shall be apportioned as are other penalties imposed in the Oklahoma Vehicle License and Registration Act, Section 1101 et seq. of this title.

SECTION 3. This act shall become effective September 1, 1992.

43-2-1358

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