

ENROLLED HOUSE
BILL NO. 1098

By: Dunlap of the House

and

Easley of the Senate

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1048, which relates to wrecked or abandoned motor vehicles or parts thereof; prohibiting keeping such items on certain property; providing recourse for property owners; providing certain exception for farm-related vehicles; allowing peace officers to inspect certain vehicles in certain locations for purpose of locating stolen vehicles and investigating the title and registration thereof; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1048, is amended to read as follows:

Section 1048. No person, firm, partnership or corporation shall with malice or without valid business purpose store, accumulate, allow to accumulate, or allow to remain stored or accumulated after receipt of notice as is hereinafter provided, any wrecked or abandoned motor vehicle, or any recyclable or nonrecyclable hulk or part of a motor vehicle within view of any preexisting residence or adjoining property situated outside the territorial limits of any incorporated municipality. Any homeowner or adjoining property owner aggrieved by any violation of this section may order the removal of any motor vehicle, hulk or part stored in violation hereof upon thirty (30) days' written notice to the owner of the land where such motor vehicle, hulk or part is stored. Upon the failure of the offending party to comply with said order, the aggrieved party may obtain injunctive and mandamus relief for the removal of matter so stored or accumulated or for screening of the matter so stored or accumulated from view from the adjoining property from the district court of the county where the residence is situated and, further; shall be entitled to recover reasonable attorneys' fees, court costs and other reasonable expenses of bringing suit.

Provided, nothing within this section shall prohibit the accumulation or storage of farm-related vehicles upon any property currently used for agricultural or ranching-related purposes.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-111 of Title 47, unless there is created a duplication in numbering, reads as follows:

Any peace officer of the state may inspect any vehicle of a type required to be registered hereunder in any public garage or repair shop or in any place where such vehicles are held for sale or wrecking, for the purpose of locating stolen vehicles and investigating the title and registration thereof.

SECTION 3. This act shall become effective September 1, 1993.
Passed the House of Representatives the 21st day of April, 1993.

Speaker of the House of
Representatives

Passed the Senate the 8th day of April, 1993.

President of the Senate