

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1292

By: Widener

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 1107, which relates to sale or transfer of ownership of vehicle; modifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1107, is amended to read as follows:

Section 1107. In the event of the sale or transfer of the ownership of a vehicle for which a certificate of title has been issued as provided by Section 1105 of this title, the holder of such certificate shall endorse on the back of same a complete assignment thereof with warranty of title in form printed thereon with a statement of all liens or encumbrances on said vehicle, sworn to before a notary public or some other person authorized by law to take acknowledgments, and deliver same to the purchaser or transferee at the time of delivery to him of such vehicle. The purchaser or transferee, unless such person is a bona fide used motor vehicle dealer licensed by ~~the State of Oklahoma~~ this state, shall, within thirty (30) days from the time of delivery to him of such vehicle, present the assigned certificate of title and the

insurance security verification to such vehicle to the Oklahoma Tax Commission, or one of its motor license agents, accompanied by a fee of Eleven Dollars (\$11.00), together with any motor vehicle excise tax or license fee that may be due, whereupon a new certificate of title, shall be issued to the assignee. One Dollar (\$1.00) of each such fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund. A licensed dealer shall, on selling or otherwise disposing of a vehicle, execute and deliver to the purchaser thereof the certificate of title properly and completely reassigned. Thereupon, the purchaser of said vehicle shall present such reassigned certificate to the Commission, or a motor license agent, accompanied by a fee of Eleven Dollars (\$11.00), and any motor vehicle excise tax or license fee that may be due, whereupon a new certificate of title will be issued to such purchaser. One Dollar (\$1.00) of each such fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund. Said certificate, when so assigned and returned to the Commission, together with any subsequent assignment or reissue thereof, shall be appropriately filed and indexed so that at all times it will be possible to trace title to the vehicle designated therein. Provided, when the ownership of any motor vehicle shall pass by operation of law, the person owning such vehicle may, upon furnishing satisfactory proof to the Commission of such ownership, procure a title to said motor vehicle, regardless of whether a certificate of title has ever been issued. The dealer shall execute and deliver to the purchaser bills of sale on forms prescribed by the Commission for all new vehicles sold by him. On presentation of a bill of sale executed on forms prescribed by the Commission, by a manufacturer or dealer for a new vehicle sold in this state, accompanied by remittance in the sum of Eleven Dollars (\$11.00), together with any motor vehicle excise tax or license fee that may be due, a certificate of title shall be issued in accordance with the provisions of Section 1101 et seq. of

this title. One Dollar (\$1.00) of each such fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund.

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon the first conviction thereof shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00), with impoundment of the vehicle until all taxes and fees are paid. A second or subsequent conviction shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00), with impoundment of the vehicle until all taxes and fees are paid. Each vehicle involved in a violation of this section shall be considered a separate offense.

SECTION 2. This act shall become effective September 1, 1993.

44-1-5591

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