

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2022

By: Hamilton (Jeff)

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 1133.1, as amended by Section 2, Chapter 104, O.S.L. 1992 (47 O.S. Supp. 1993, Section 1133.1), which relates to registration of certain commercial vehicles; updating statutory references; modifying registration requirements for certain commercial vehicles; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1133.1, as amended by Section 2, Chapter 104, O.S.L. 1992 (47 O.S. Supp. 1993, Section 1133.1), is amended to read as follows:

Section 1133.1 A. Any vehicle, including a station wagon as defined in paragraph 22 of Section ~~4~~ 1102 of this ~~act~~ title, which has a combined laden weight of eight thousand (8,000) pounds or less and is used primarily for business or commercial purposes may be registered, pursuant to Section 1133 of ~~Title 47 of the Oklahoma Statutes~~ this title, as a commercial vehicle having a combined laden weight over eight thousand (8,000) pounds and less than fifteen thousand and one (15,001) pounds. Said registration application shall state that such vehicle or station wagon is used for business

or commercial purposes. Such vehicles or station wagons registered pursuant to this section shall be assessed the license fees for such commercial vehicle pursuant to Section 1133 of ~~Title 47 of the Oklahoma Statutes~~ this title.

B. Any person claiming the right to register a vehicle or station wagon pursuant to subsection A of this section shall sign an affidavit attesting to the fact that such person conducts a business or commercial enterprise or is employed by a person conducting a business or commercial enterprise that uses said vehicle or station wagon primarily for the use of that business or commercial enterprise. Any person who signs said affidavit as required by this subsection when such person does not believe the information in said affidavit is true or knows that it is not true, upon conviction, shall be guilty of perjury and shall be punished as provided for by law.

C. Upon initial registration by a person of a vehicle or station wagon pursuant to the provisions of this section, and upon transfer of ownership of any such vehicle or station wagon, any person claiming the right to register a vehicle or station wagon pursuant to subsection A of this section shall make further proof that the person does in fact conduct a business or commercial enterprise or is employed by a person conducting a business or commercial enterprise that uses said vehicle or station wagon primarily for the use of that business or commercial enterprise by presenting a permit to do business pursuant to Section 1364 of Title 68 of the Oklahoma Statutes or a Federal Employers Identification Number or, if a sole proprietor, a copy of Schedule C from their most recent federal income tax return. Any person claiming the right to re-register a vehicle or station wagon identified by the words "Commercial Vehicle" pursuant to subsection D of this section shall offer the same proof required by this subsection for initial registration or transfer of ownership. Such proof shall not be

necessary if the name of the business or commercial enterprise is permanently and prominently displayed upon the outside of said vehicle or station wagon.

D. Upon initial registration by a person of a vehicle or station wagon pursuant to the provisions of this section, and upon transfer of ownership of any such vehicle or station wagon the Commission or its motor license agents shall physically inspect such vehicles or station wagons to verify that the name of the business or commercial enterprise is permanently and prominently displayed upon the outside of said vehicle or station wagon or said vehicle or station wagon is identified by the words "Commerical Vehicle" permanently and prominently displayed upon the outside of the vehicle or station wagon in letters not less than two (2) inches high and two (2) inches wide. Such letters shall be in sharp contrast to the background and shall be of sufficient shape and color as to be readily legible during daylight hours from a distance of fifty (50) feet while the vehicle or station wagon is not in motion. The Commission or its motor license agent shall receive the fee provided for in paragraph 5 of Section 1102 of ~~Title 47 of the Oklahoma Statutes~~ this title for making such inspection.

E. The failure of any owner of a vehicle or station wagon to properly label the vehicle or station wagon or to properly utilize the vehicle or station wagon for the purposes required by this section shall result in the issuance of a new license plate at the rate specified in Section 1132 of ~~Title 47 of the Oklahoma Statutes~~ this title and in addition a penalty of fifty percent (50%) of the cost of such license shall be assessed against the owner.

F. In addition to the requirements of Section 1133 of this title, any commercial vehicle having a combined laden weight over eight thousand (8,000) pounds and less than fifteen thousand and one (15,001) pounds shall be subject to the requirements of this section.

SECTION 2. This act shall become effective September 1, 1994.

44-2-7756

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