

ENGROSSED SENATE
BILL NO. 1209

By: Helton and Dickerson of the
Senate

and

Askins of the House

[motor vehicles - vehicle inspections - codification
- effective date -
emergency]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-133.2 of Title 47, unless
there is created a duplication in numbering, reads as follows:

Modified Ancient Vehicle.

Any vehicle manufactured in 1948 or earlier which has been
modified or modernized from its original state of manufacture.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 851, is
amended to read as follows:

Section 851. ~~No~~ A. Except as otherwise provided by subsections
B and C of this section, no person shall drive or move on any
highway any motor vehicle, including, but not limited to,
motorcycles, trailers, semitrailers or pole trailers, or ancient
vehicles which are not used primarily incidental to historical or
exhibition purposes only or which have been modified from their
original state of manufacture by changes or modifications to the
engine and/or chassis, which are licensed by the Oklahoma Tax
Commission and operated on the streets or highways of this state or

any combination thereof, unless the equipment upon ~~any and every~~
~~said~~ the vehicle is in good working order and adjustment as required
in ~~Title 47 of the Oklahoma Statutes~~ this title and is in such safe
mechanical condition as not to endanger the driver or other occupant
of any vehicle upon the highway. Each such motor vehicle, except
any commercial truck or truck-tractor registered pursuant to Section
1120 of this title which is engaged in interstate commerce, or any
trailer or semitrailer registered pursuant to Section 1133 of this
title which is engaged in interstate commerce, shall bear an
official inspection sticker.

B. The provisions of this section shall not apply to ~~any~~:

1. Any manufactured home which requires a permit to be moved
upon the highways of this state; ~~nor shall the provisions of this~~
~~section apply to any~~

2. Any ancient vehicle as defined by Section ~~39.1~~ 1-101.1 of
~~Title 47 of the Oklahoma Statutes~~ this title, which has not been
modified from its original state of manufacture. Provided ~~that,~~
ancient vehicles shall be exempt from retrofitted pollution control
devices; or

3. Any modified ancient vehicle as defined by Section 1 of this
act which has been inspected as required by subsection C of this
section.

C. No person shall drive or move on any highway any modified
ancient vehicle unless the vehicle has been inspected in accordance
with the standards issued by the National Street Rod Association and
the Department of Public Safety. The inspection shall be conducted
by a member of the National Street Rod Association and a member of
the Vehicle Inspection Division of the Department at a time and
location specified and agreed upon by the Association and the
Department. Upon successful completion of the inspection, the
Department shall issue a certificate of inspection to the owner of
the vehicle, which shall be valid for a period of one (1) year and

which shall be carried in the vehicle at all times it is driven or moved on any highway of this state. The fee for a successfully-completed inspection shall be Five Dollars (\$5.00), which shall be deposited to the Department of Public Safety Revolving Fund. The Department shall promulgate rules to implement the provisions of this subsection.

D. Nothing in this section shall exempt any motor vehicle from the provisions of the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act.

SECTION 3. AMENDATORY 47 O.S. 1991, Section 858, is amended to read as follows:

Section 858. A. Official inspection stations shall charge and collect Five Dollars (\$5.00) for each vehicle inspected pursuant to the provisions of Sections 851 through 860 of this title.

~~1. B.~~ Stations ~~inspecting the vehicle mechanical equipment~~ shall obtain from the Commissioner of Public Safety an ample quantity of serially numbered decalcomania-type stickers at a cost to the inspection station of One Dollar (\$1.00) each. Any quantity of unused approved stickers may be returned to the Commissioner of Public Safety for a credit or refund. The Commissioner of Public Safety shall remit to the State Treasurer to be credited to the General Revenue Fund in the State Treasury the sum of fifty cents (\$0.50) for each inspection sticker delivered to said inspection station at the time of issuance. The Commissioner of Public Safety shall deposit to the Oklahoma Law Enforcement Retirement Fund the sum of fifty cents (\$0.50) for each inspection sticker delivered to said inspection stations.

~~2. Stations performing emission control vehicle mechanical equipment inspections, in counties where there exists U.S. Environmental Protection Agency designated air quality nonattainment area for auto-related pollutants, shall obtain an ample quantity of~~

~~the inspection stickers from the Department without cost to the inspection station.~~

3. C. Each inspection station shall keep an accurate record of the serially numbered decalcomania-type inspection stickers. Such record shall designate to whom issued or rejected, and list thereon the name of the ~~workman~~ inspector performing the final inspection on each inspected vehicle or trailer.

SECTION 4. REPEALER 47 O.S. 1991, Section 856.5, is hereby repealed.

SECTION 5. This act shall become effective July 1, 1996.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 6th day of March, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives