

ENGROSSED SENATE  
BILL NO. 993

By: Smith and Haney of the  
Senate

and

Hastings of the House

An Act relating to motor vehicles; amending 47 O.S.  
1991, Section 1107, as amended by Section 4,  
Chapter 153, O.S.L. 1993 (47 O.S. Supp. 1995,  
Section 1107), which relates to the Oklahoma  
Vehicle License and Registration Act; providing  
that owner who has sold or transferred ownership of  
vehicle not be liable for certain acts after  
certain time; providing an effective date; and  
declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1107, as  
amended by Section 4, Chapter 153, O.S.L. 1993 (47 O.S. Supp. 1995,  
Section 1107), is amended to read as follows:

Section 1107. A. 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.

B. The purchaser or transferee, unless such person is a bona fide used motor vehicle dealer licensed by the State of Oklahoma, 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.

C. 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.

D. An owner who has sold or transferred the ownership of a vehicle and who has delivered the vehicle to the purchaser or transferee shall not be civilly or criminally liable for the parking, abandoning or operation of the vehicle by another after the earlier of:

1. Such time as the owner has endorsed the back of the certificate of title and delivered the title to the purchaser or transferee as provided in subsection A of this section; or

2. Such time as the ownership of the vehicle passes by operation of law, regardless of whether a certificate of title has been issued or endorsed.

E. 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. If a vehicle is impounded pursuant to the provisions of this section, the vehicle shall not be released to the owner until the owner provides proof of security or an affidavit that the vehicle will not be used on public highways or public streets, as required pursuant to Section 7-600 et

seq. of this title. Each vehicle involved in a violation of this section shall be considered a separate offense.

SECTION 2. This act shall become effective July 1, 1996.

SECTION 3. 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 26th day of February, 1996.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_, 1996.

Speaker of the House of Representatives