

ENROLLED SENATE  
BILL NO. 1209

By: Helton and Dickerson of the  
Senate

and

Askins of the House

An Act relating to motor vehicles; amending 47 O.S. 1991, Sections 851 and 858, which relate to vehicle inspections; defining term; excepting certain vehicles from inspection requirements; prohibiting driving or moving modified ancient vehicle unless inspected in accordance with certain standards; providing procedures; specifying fee and providing for deposit thereof; requiring Department of Public Safety to promulgate certain rules; deleting requirement that certain stations performing certain inspections obtain inspection stickers from Department of Public Safety; repealing 47 O.S. 1991, Section 856.5, which relates to the Department of Public Safety furnishing certain equipment, supplies and inspection stickers and certain compensation to official inspection stations; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 851, is amended to read as follows:

Section 851. ~~No~~ A. Except as otherwise provided for in 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 which has been inspected as required by subsection C of this section. For purposes of this section, "modified ancient vehicle" shall mean any vehicle manufactured in 1948 or earlier which has been modified or modernized from its original state of manufacture.

C. 1. No person shall drive or move on any roadway any modified ancient vehicle unless the vehicle has been inspected in accordance with subsection A of this section or has been inspected annually in accordance with this subsection.

2. A modified ancient vehicle may be inspected pursuant to standards issued by the National Street Rod Association and the Department of Public Safety. This inspection shall be conducted annually by an inspector certified by the National Street Rod Association. Upon successful completion of the inspection, the Department shall issue to the owner of the vehicle a Certificate of Exemption which shall be carried in the vehicle at all times it is driven or moved on any roadway of this state. The certificate shall be submitted to any law enforcement officer upon request. The certificate shall serve as proof that the requirement for a state inspection and official inspection sticker as prescribed in subsection A of this section has been waived for the vehicle, and that the vehicle has been inspected pursuant to this subsection. The Department shall promulgate rules to implement and administer 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 2. 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 decalomania-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, provided, however, for the period of time beginning July 1, 1996, and ending June 30, 1997, the Commissioner of Public Safety shall deposit to the Department of Public Safety Revolving Fund, as created pursuant to Section 6-117 of this title, the first Five Hundred Thousand Dollars (\$500,000.00) of such monies collected for each inspection sticker as hereinbefore mentioned, for the purpose of purchasing patrol vehicles.

~~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 3. REPEALER 47 O.S. 1991, Section 856.5, is hereby repealed.

SECTION 4. This act shall become effective July 1, 1996.

Passed the Senate the 28th day of May, 1996.

President of the Senate

Passed the House of Representatives the 31st day of May, 1996.

Speaker of the House of Representatives

