

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1823

By: Perry

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 1132, as amended by Section 1, Chapter 10, O.S.L. 1995 (47 O.S. Supp. 1996, Section 1132), which relates to vehicle registration fees; modifying language; amending 68 O.S. 1991, Section 2104.1, which relates to the value of recreational vehicles; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1132, as amended by Section 1, Chapter 10, O.S.L. 1995 (47 O.S. Supp. 1996, Section 1132), is amended to read as follows:

Section 1132. A. For all vehicles, unless otherwise specifically provided by ~~Section 1101 et seq. of this title~~ the Oklahoma Vehicle License and Registration Act, the following vehicle registration fees shall be assessed:

1. A registration fee of Fifteen Dollars (\$15.00) shall be assessed at the time of initial registration by the owner and annually thereafter, for the use of the avenues of public access within this state; ~~and~~

2. A fee, to be paid annually in lieu of all other taxes both general and local, of one and one-quarter percent (1 1/4%) of the

factory delivered price (F.D.P.). For this purpose the factory delivered price shall be rounded off to the nearest One Hundred Dollars (\$100.00).

After the first year's registration in this or any other state, the fee shall be assessed at ninety percent (90%) of the fee computed and assessed for the first year. Thereafter such fee shall be computed and assessed at ninety percent (90%) of the previous year's fee. The fee shall be so computed and assessed through the twelfth year of registration. The fee thereafter through the twentieth year of registration shall be the same as for the twelfth year of registration. The fee provided by this paragraph shall not be assessed after the twentieth year of registration. The fee provided by this paragraph shall be paid annually for the vehicle registered;

3. Provided that in no event shall the fee for the registration of a vehicle imposed by this subsection exceed the fee paid to register said vehicle for the preceding year; and

4. Provided further, there shall be a credit allowed with respect to the fee for registration of a new vehicle which is a replacement for:

- a. a new original vehicle which is stolen from the purchaser/registrant within ninety (90) days of the date of purchase of the original vehicle as certified by a police report or other documentation as required by the Commission, or
- b. a defective new original vehicle returned by the purchaser/registrant to the seller within six (6) months of the date of purchase of the defective new original vehicle as certified by the manufacturer.

Said credit shall be in the amount of the fee for registration which was paid for the new original vehicle and shall be applied to the

registration fee for the replacement vehicle. In no event will said credit be refunded.

B. Upon every transfer or change of ownership of a vehicle, the new owner shall obtain title for and, except in the case of salvage vehicles and manufactured homes, register the vehicle within thirty (30) days of change of ownership and pay the fee provided in paragraph 1 of subsection A of this section in addition to any other fees provided for in this subsection. No new decal shall be issued to the registrant. Thereafter, the owner shall register the vehicle annually on the anniversary date of its initial registration in this state and shall pay the fees provided in paragraphs 1 and 2 of subsection A of this section and receive a decal evidencing such payment. Provided, used motor vehicle dealers shall be exempt from the provisions of this section.

C. In the event the vehicle is not registered, titled and tagged within thirty (30) days from the date of transfer of ownership, the penalty for the failure of the owner of the vehicle to register said vehicle within thirty (30) days shall be twenty-five cents (\$0.25) per day, provided that in no event shall the penalty exceed Twenty-five Dollars (\$25.00).

SECTION 2. AMENDATORY 68 O.S. 1991, Section 2104.1, is amended to read as follows:

Section 2104.1 (a) The value of any recreational vehicle for the purposes of the vehicle excise tax levied by ~~the Vehicle Excise Tax Code, Chapter 361, Oklahoma Session Laws 1963 (Article 21 of Title 68, O.S. Supp. 1969),~~ Section 2103 of this title shall be determined as of the time the person applying for a certificate of title thereto obtained either legal ownership or possession of the recreational vehicle, which shall be the actual date of the sale or other transfer of legal ownership, which date shall be shown by the assignment on the certificate of title, or in the case of a new recreational vehicle, on the manufacturer's certificate or statement

of origin, and by the assignment on the application for registration, required to be furnished by the new recreational vehicle dealer for use by the purchaser. The value of a new recreational vehicle for vehicle excise tax purposes shall be the manufacturer's price of such a recreational vehicle delivered at the factory. The value of a used recreational vehicle shall be sixty-five percent (65%) of the manufacturer's price of such recreational vehicle delivered at the factory for subsequent transfers for the first year and for the second year and sixty-five percent (65%) of the value of the previous year so fixed for each successive year for which such recreational vehicle is registered and licensed in this or any other state, until such recreational vehicle reaches a minimum value of Two Hundred Fifty Dollars (\$250.00).

(b) The excise tax collected on the sale or transfer of recreational vehicles shall be apportioned in accordance with the provisions of Section 2102 of ~~Section 2, Chapter 361, Oklahoma Session Laws 1963, as renumbered by Section 3, Chapter 215, O.S.L. 1965 (68 O.S.Supp.1969, Section 2102)~~ this title.

SECTION 3. This act shall become effective November 1, 1997.

46-1-5097

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