

SHORT TITLE: Motor vehicles; modifying notice; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 546

By: Helton

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Sections 903 and 904, as last amended by Section 1, Chapter 175, O.S.L. 1996 (47 O.S. Supp. 1996, Section 904), which relate to the notice of removal; requiring notice of removal to be placed in a computer data base; changing certain notice requirements from the Department of Public Safety to the Oklahoma Used Motor Vehicle and Parts Commission; setting fees; providing for notification of removal; requiring owner or lienholder to pay certain fees; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 903, is amended to read as follows:

Section 903. A. Any ~~such~~ officer who has removed or directed the removal of any vehicle, or an authorized person in such officer's employing agency, shall within seventy-two (72) hours of such removal notify the Department of Public Safety of such removal. The notice of removal shall contain the name and address of the owner, if known, the make, model, vehicle identification number, registration number, date stored, place stored and the officer's estimated value. Upon receipt of ~~such~~ the notice of removal, the

Department of Public Safety ~~must~~ shall place this information in a computerized data base to which the Oklahoma Used Motor Vehicle and Parts Commission shall have continuous access. The Oklahoma Used Motor Vehicle and Parts Commission shall regularly retrieve the information and promptly request the Oklahoma Tax Commission or other appropriate motor license agent to furnish the name and address of the owner of and any lien holder on the vehicle and must within five (5) days from receipt of the requested information, except and unless the Commission has been notified that the vehicle has been released to the owner or lienholder or agent thereof, send a notice to the owner and any lienholder by regular mail, postage prepaid, at the addresses furnished by the Tax Commission or motor license agent, of the vehicle's location. This section shall not be construed to create any civil liability upon the state, any agency of the state or employee thereof for failure to provide such notice to the owner or lienholder.

B. Every wrecker or towing service which impounds a vehicle at the request of a governmental agency and which vehicle has been stored by the wrecker or towing service for a minimum of three (3) working days shall, upon release of the vehicle to the owner, as recorded on the vehicle title, or agent of the owner, or to the lienholder, as defined in Section 904.1 of this title, or agent of any lienholder of any vehicle, collect from the owner, agent of the owner, lienholder or agent of the lienholder, a ten-dollar notification fee to be remitted on the last working day of the month to the Used Motor Vehicle and Parts Commission. The ten-dollar remittance shall be deposited with the State Treasurer to the credit of the Used Motor Vehicle and Parts Commission Fund for the purpose of providing impounded vehicle notifications to vehicle owners and lienholders.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 904, as last amended by Section 1, Chapter 175, O.S.L. 1996 (47 O.S. Supp. 1996, Section 904), is amended to read as follows:

Section 904. The owner of a motor vehicle or lienholder of the vehicle abandoned in violation of Section 901 et seq. of this title, or the owner of any vehicle or lienholder of the vehicle which shall have been lawfully removed from any highway or other public property may regain possession of the vehicle in accordance with regulations of the Department of Public Safety upon payment of the reasonable cost of removal, ~~and~~ storage and the fee authorized in subsection B of Section 903 of this title of such vehicle.

The cost of removal and storage shall be paid to the wrecker or towing service.

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

46-1-0981 JT