

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 1409

By: Kouba of the House

and

Price of the Senate

6
7
8
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 1991, Section 1134, as last amended by Section 2,
12 Chapter 229, O.S.L. 1996 (47 O.S. Supp. 1998, Section
13 1134), which relates to license fees for farm
14 vehicles; defining terms; deleting certain
15 qualification for purchasing certain license plate;
16 deleting obsolete language; and providing an
17 effective date.

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

19 SECTION 1. AMENDATORY 47 O.S. 1991, Section 1134, as
20 last amended by Section 2, Chapter 229, O.S.L. 1996 (47 O.S. Supp.
21 1998, Section 1134), is amended to read as follows:

22 Section 1134. A. Upon each pickup, truck or truck-tractor
23 owned and operated by one or more farmers and used primarily for
24 farm use, and not for commercial or industrial purposes, the license
25 fee shall be Thirty Dollars (\$30.00). As used in this section, the
26 term "pickup" shall mean a small, light truck with an open back or
27 box used for hauling and designed primarily for the carrying of
28 property rather than people. The term "truck" shall mean a motor
29 vehicle designed or converted primarily for carrying or hauling farm
30 commodities, property, livestock, or equipment, rather than people.

31 B. The fees ~~herein~~ assessed pursuant to this section shall not
32 apply to trailers or semitrailers or combinations thereof used
33 primarily for farm use and for the transportation of products of the
34 farm by the producer thereof; ~~and such~~. Such fee shall not apply to

1 any trailer or semitrailer or combinations thereof when used
2 primarily for the transportation of any article or articles owned by
3 the operator of such trailer or semitrailer or combinations thereof
4 and not used in the furtherance of or incident to any commercial or
5 industrial enterprise. The provisions of Section 1134.2 of this
6 title shall apply to any trailers or semitrailers when used
7 primarily for the transportation of logs, ties, stave bolts and
8 posts, direct from forest to sawmill.

9 C. For the purpose of this section, a trailer or semitrailer or
10 combination thereof owned by a farmer and used primarily for the
11 purpose of transporting farm products to market or for the purpose
12 of transporting to the farm material or things to be used thereon,
13 and not for commercial or industrial purposes, may be registered for
14 One Dollar (\$1.00); provided, any such trailer used by the holder of
15 a certificate of convenience and necessity issued by the Oklahoma
16 Corporation Commission or the Interstate Commerce Commission shall
17 be conclusively presumed to be used in and for a commercial use, and
18 must be licensed as such, paying the license fees provided in
19 Section 1133 of this title.

20 D. Before a party shall be allowed to purchase a license plate
21 or claim an exception or exemption under this section, ~~said the~~ the
22 party shall:

23 1. Show an income tax Schedule F for the preceding year ~~or~~
24 ~~shall present proof that said party possesses a farm serial number~~
25 ~~assigned to said party's farm by the Agriculture Stabilization~~
26 ~~Conservation County Committee; or~~

27 2. Present a ~~valid motor fuel tax exemption permit issued~~
28 ~~pursuant to the provisions of Section 509 of Title 68 of the~~
29 ~~Oklahoma Statutes or~~ a valid exemption card issued pursuant to the
30 provisions ~~of subsection (D)~~ of Section 1358.1 of Title 68 of the
31 Oklahoma Statutes.

32

1 A violation shall be grounds for revocation of driver's license.
2 Any person who signs said affidavit as required by this section when
3 such person does not believe that the information in ~~said~~ the
4 affidavit is true or knows it is not true, upon conviction, shall be
5 guilty of perjury and shall be punished as provided for by law.

6 E. Any person owning a truck upon which the farm truck license
7 fee has been paid in Oklahoma for the current year and whose truck
8 may be needed during grain harvests or other seasonal farming
9 activities for hauling farm products other than his or her own, or
10 for hauling gravel, shale or other road materials for rural roads,
11 may make application with the Oklahoma Tax Commission for a short
12 term commercial license for such truck for a period of time not to
13 exceed ninety (90) days.

14 F. Upon such application, the Tax Commission shall issue a
15 temporary commercial truck license and register the truck upon
16 payment of the following fees:

17 1. For thirty (30) days a fee equal to one-eighth (1/8) of the
18 annual commercial license fee required for such truck.

19 2. For sixty (60) days a fee equal to one-fourth (1/4) of the
20 annual commercial license fee required for such truck.

21 3. For ninety (90) days a fee equal to three-eighths (3/8) of
22 the annual commercial license fee required for such truck.

23 G. Provided, however, the provisions of this section shall not
24 apply to the transportation of persons or property for hire.

25 SECTION 2. This act shall become effective November 1, 1999.

26

27 47-1-6945 JAF 6/11/15

28

29

30

31

32