

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 1634

6 By: Blackburn of the House

7 and

8 Wilkerson of the Senate

9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 1991, Section 1113, as last amended by Section 14 of
12 Enrolled House Bill No. 1845 of the 1st Session of
13 the 47th Oklahoma Legislature, which relates to motor
14 vehicle registration and license plates; modifying
15 details of yearly decals; prohibiting covering of
16 registration decal; providing certain exception;
17 deleting obsolete language; requiring issuance of
18 yearly registration decals for the vehicle
19 windshield; requiring decal to be attached in certain
20 place; setting forth certain exceptions; prohibiting
21 more than one decal on windshield; requiring decals
22 to be certain shape; authorizing Oklahoma Tax
23 Commission to design decals; requiring decals to be
24 made with reflectorized material; requiring Oklahoma
25 Tax Commission to consult with and obtain approval of
26 the Department of Public Safety regarding certain
27 materials and techniques; requiring noncommercial
28 vehicles to carry certificate of registration in
29 vehicle; requiring certain information to be excluded
30 from certificate of registration; and providing an
31 effective date.

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

33 SECTION 1. AMENDATORY 47 O.S. 1991, Section 1113, as
34 last amended by Section 14 of Enrolled House Bill No. 1845 of the
35 1st Session of the 47th Oklahoma Legislature, is amended to read as
36 follows:

37 Section 1113. A. 1. Upon the filing of a registration
38 application and the payment of the fees provided for in the Oklahoma
39 Vehicle License and Registration Act, the Oklahoma Tax Commission
40 shall assign to the vehicle described in the application a

1 distinctive number, and issue to the owner of the vehicle a
2 certificate of registration and one license plate or a yearly decal
3 for the year that a license plate is not issued. The yearly decal
4 shall have an identification number ~~and~~, the last two numbers of the
5 registration year for which it shall expire and the first three
6 letters of the month for which it shall expire. Except as provided
7 by Section 1113A of this title, the license plate shall be affixed
8 to the exterior of the vehicle until a replacement license plate is
9 applied for. The yearly decal will validate the license plate for
10 each registration period ~~other than the year the license plate is~~
11 ~~issued~~. The license plate and decal shall be of such size, color,
12 design and numbering as the Tax Commission may direct. However,
13 yearly decals issued to the owner of a vehicle who has filed an
14 affidavit with the appropriate motor license agent in accordance
15 with Section 7-607 of this title shall be a separate and distinct
16 color from all other decals issued under this section.

17 2. The license plate shall be securely attached to the rear of
18 the vehicle, except truck-tractor plates which shall be attached to
19 the front of the vehicle. The Tax Commission may, with the
20 concurrence of the Department of Public Safety, by Joint Rule,
21 change and direct the manner, place and location of display of any
22 vehicle license plate when such action is deemed in the public
23 interest. The license plate, decal and all letters and numbers
24 shall be clearly visible at all times. The operation of a vehicle
25 upon which the license plate or registration decal is covered,
26 overlaid or otherwise screened with any material, whether such
27 material be clear, translucent, tinted or opaque, shall be a
28 violation of this paragraph.

29 3. Upon payment of the annual registration fee provided in
30 Section 1133 of this title, the Tax Commission or a motor license
31 agent may issue a permanent nonexpiring license plate to an owner of
32 one hundred or more commercial motor vehicles and for vehicles

1 registered under the provisions of Section 1120 of this title. Upon
2 payment of the annual registration fee, the Tax Commission shall
3 issue a certificate of registration that shall be carried at all
4 times in the vehicle for which it is issued.

5 B. The license plates required under the provisions of this
6 title shall conform to the requirements and specifications listed
7 hereinafter:

8 1. ~~Each~~ Except as provided for in paragraph 8 of this
9 subsection, each license plate shall have a space for the placement
10 of the yearly decals for each succeeding year of registration after
11 the initial issue;

12 2. The provisions of the Oklahoma Vehicle License and
13 Registration Act regarding the issuance of yearly decals shall not
14 apply to the issuance of apportioned license plates, including
15 license plates for state vehicles, and exempt plates for
16 governmental entities and fire departments organized pursuant to
17 Section 592 of Title 18 of the Oklahoma Statutes;

18 3. ~~Within the limits herein prescribed the Tax Commission shall~~
19 ~~redesign the official vehicle license plates which currently bear~~
20 ~~the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute~~
21 ~~therefor the legend "Oklahoma Native America" as further described~~
22 ~~in this paragraph.~~ Except for personalized license plates and
23 license plates issued for motorcycles and mopeds, the emblem on the
24 state flag of Oklahoma as provided for in Section 91 of Title 25 of
25 the Oklahoma Statutes shall be a part of all license plates ~~issued~~
26 ~~after December 31, 1988.~~ The Tax Commission may continue to issue
27 ~~license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"~~
28 ~~until any inventory of such license plates is depleted but the Tax~~
29 ~~Commission shall not produce or cause to be produced any additional~~
30 ~~license plates with these legends.~~ Except for personalized license
31 plates, license plates issued for commercial vehicles, and license
32 plates issued for motorcycles and mopeds, the "Oklahoma Native

1 America" emblem shall be a part of all license plates ~~issued after~~
2 ~~December 31, 1993~~. The specifications for lettering style and
3 appearance for the legend "Oklahoma Native America" shall be
4 provided to the Tax Commission by the Oklahoma Tourism and
5 Recreation Department. The license plates shall be issued with the
6 letters and numerals in the colors of green and white. All license
7 plates and decals shall be made with reflectorized material as a
8 background to the letters, numbers and characters impressed thereon.
9 The reflectorized material shall be of such a nature as to provide
10 effective and dependable brightness during the service period for
11 which the license plate or decal is issued;

12 4. Except as otherwise provided in this subsection, the Tax
13 Commission shall design appropriate official license plates for all
14 state vehicles. Such license plates shall be permanent in nature
15 and designed in such manner as to remain with the vehicle for the
16 duration of the vehicle's life span or until the title is
17 transferred to a nongovernmental owner;

18 5. Within the limits prescribed in this section, the Tax
19 Commission shall design appropriate official license plates for
20 vehicles of the Oklahoma Highway Patrol. The license plates shall
21 have the legend "Oklahoma OK" and shall contain the letters "OHP"
22 followed by the state seal and the badge number of the Highway
23 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
24 Highway Patrol" shall also be included on such license plates;

25 6. Within the limits prescribed in this section, the Tax
26 Commission shall design appropriate official license plates for
27 vehicles of the Oklahoma Capitol Patrol. Such license plates shall
28 have the legend "Oklahoma OK" and shall contain the letters "OCP"
29 followed by the state seal and badge number of the Oklahoma Capitol
30 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
31 Capitol Patrol" shall also be included on such license plates; ~~and~~

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1 7. Within the limits prescribed in this section, the Tax
2 Commission shall design appropriate official license plates for
3 vehicles of the Oklahoma Lake Patrol. Such license plates shall
4 have the legend "Oklahoma OK" and shall contain the letters "OLP"
5 followed by the state seal and badge number of the Oklahoma Lake
6 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
7 Lake Patrol" shall also be included on such license plates; and

8 8. For all license plates and decals issued after December 31,
9 1999, the yearly registration decals reflecting the month and year
10 the registration will expire, as set forth in subsection A of this
11 section, shall be attached to the inside of the windshield of the
12 vehicle no more than six (6) inches directly above the location of
13 the motor vehicle inspection sticker. No decal shall be required to
14 be attached to the license plate except as follows:

15 a. for a vehicle displaying a personalized license plate
16 or other special license plate with an expiration date
17 different from that of the expiration of the
18 registration of the vehicle, the decal displayed on the
19 windshield shall reflect the expiration of the
20 registration of the vehicle and a decal shall be
21 attached to the license plate which shall reflect the
22 expiration of the license plate, and

23 b. if the vehicle has no windshield, the owner of the
24 vehicle shall, upon application for or renewal of the
25 vehicle registration, notify the Tax Commission whereby
26 the Tax Commission shall issue a distinctive decal for
27 attachment to the license plate of the vehicle.

28 At no time shall any vehicle display more than one registration
29 decal on the windshield. The decal for attachment to the windshield
30 shall be in the geographical shape of the State of Oklahoma, and be
31 of such size, color, and numbering as the Tax Commission shall
32 direct. All decals shall be made with reflectorized material. The

1 reflectorized material shall be of such a nature as to provide
2 effective and dependable brightness during the service period for
3 which the decal is issued. The Tax Commission shall consult with
4 and obtain the approval of the Department of Public Safety regarding
5 materials and manufacturing techniques to ensure visibility,
6 reflectability, safety, security, and adhesiveness.

7 C. Where the applicant has satisfactorily shown that the
8 applicant owns the vehicle sought to be registered but is unable to
9 produce documentary evidence of the ownership, a license plate may
10 be issued upon approval by the Tax Commission. In such instances
11 the reason for not issuing a certificate of title shall be indicated
12 on the receipt given to the applicant. It shall still be the duty
13 of the applicant to immediately take all necessary steps to obtain
14 the Oklahoma certificate of title and it shall be unlawful for the
15 applicant to sell the vehicle until the certificate has been
16 obtained in the applicant's name.

17 D. 1. The certificate of registration provided for in this
18 section shall be in convenient form, and the certificate of
19 registration, or a certified copy or photostatic copy thereof, duly
20 authenticated by the Tax Commission, shall be carried at all times
21 in or upon commercial vehicles so registered, in such manner as to
22 permit a ready examination thereof upon demand by any peace officer
23 of the state or duly authorized employee of the Department of Public
24 Safety. Any such officer or agent may seize and hold such
25 commercial vehicle when the operator of the same does not have the
26 registration certificate in the operator's possession or when any
27 such officer or agent determines that the registration certificate
28 has been obtained by misrepresentation of any essential or material
29 fact or when any number or identifying information appearing on such
30 certificate has been changed, altered, obliterated or concealed in
31 any way, until the proper registration or identification of such
32 vehicle has been made or produced by the owner thereof.

1 2. For all noncommercial vehicles registered and issued a
2 license and decal pursuant to paragraph 8 of subsection B of this
3 section, the certificate of registration shall be carried at all
4 times in the vehicle in accordance with and subject to the
5 provisions of paragraph 1 of this subsection. The certificate of
6 registration required to be carried in the vehicle pursuant to this
7 paragraph shall not include the street address but shall include the
8 town or city of residence of the owner of the vehicle.

9 E. The purchaser of a new or used manufactured home shall,
10 within thirty (30) days of the date of purchase, register the home
11 with the Tax Commission or a motor license agent pursuant to the
12 provisions of Section 1117 of this title. For a new manufactured
13 home, it shall be the responsibility of the dealer selling the home
14 to place a temporary license plate on the home in the same manner as
15 provided in Section 1128 of this title for other new motor vehicles.
16 For the first year that any manufactured home is registered in this
17 state, the Tax Commission shall issue a metal license plate which
18 shall be affixed to the manufactured home. Manufactured homes
19 previously registered and subject to ad valorem taxation as provided
20 by law shall have the metal license plate affixed at the time ad
21 valorem taxes are paid for such manufactured home. The owner of the
22 home shall be required to affix such plate to the home. The Tax
23 Commission shall make sufficient plates available to the various
24 motor license agents of the state in order for an owner of a
25 manufactured home to acquire the plate. A One Dollar (\$1.00) fee
26 shall be charged for issuance of any plate. The fee shall be
27 apportioned each month to the General Revenue Fund of the State
28 Treasury.

29 F. The manufactured home license plate shall be designed so
30 that it is easily visible for purposes of verification by a county
31 assessor that the manufactured home is properly assessed for ad
32 valorem taxation. The plate shall be designed for a yearly decal.

1 In the first year of registration, a decal shall be issued for
2 placement on the license plate indicating payment of applicable
3 registration fees and excise taxes. In the second and all
4 subsequent years for which the manufactured home is subject to ad
5 valorem taxation, an annual decal shall be affixed to the license
6 plate as evidence of payment of ad valorem taxes. The Tax
7 Commission shall issue decals to the various county treasurers of
8 the state in order for a manufactured home owner to obtain such
9 decal each year. Upon presentation of a valid ad valorem tax
10 receipt, the manufactured home owner shall be issued the annual
11 decal.

12 G. Upon the registration of a manufactured home in this state
13 for the first time or upon discovery of a manufactured home
14 previously registered within this state for which the information
15 required by this subsection is not known, the Tax Commission shall
16 obtain:

- 17 1. The name of the owner of the manufactured home;
- 18 2. The serial number or identification number of the
19 manufactured home;
- 20 3. A legal description or address of the location for the home;
- 21 4. The actual retail selling price of the manufactured home
22 excluding Oklahoma taxes;
- 23 5. The certificate of title number for the home; and
- 24 6. Any other information which the Tax Commission deems to be
25 necessary.

26 The application for registration shall also include the school
27 district in which the manufactured home is located or is to be
28 located. The information shall be entered into a computer data
29 system which shall be used by the Tax Commission to provide
30 information to county assessors upon request by the assessor. The
31 assessor may request any information from the system in order to
32 properly assess a manufactured home for ad valorem taxation.

1 SECTION 2. This act shall become effective January 1, 2000.

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