

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1268

By: Ostrander

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 1991, Sections 854, as last amended by Section 1,
10 Chapter 158, O.S.L. 1998 and 858, as last amended by
11 Section 2, Chapter 179, O.S.L. 1997 (47 O.S. Supp.
12 1998, Sections 854 and 858), which relate to vehicle
13 inspections; modifying time period for inspections;
14 authorizing promulgation of rules; specifying certain
15 time period; modifying fee amount; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 1991, Section 854, as
19 last amended by Section 1, Chapter 158, O.S.L. 1998 (47 O.S. Supp.
20 1998, Section 854), is amended to read as follows:

21 Section 854. A. 1. The Commissioner of Public Safety shall
22 require that every motor vehicle, trailer, semitrailer and pole
23 trailer, as defined in Chapter 1 of this title, registered or
24 operated in this state, be inspected once a year or every two (2)
25 years pursuant to subsection H of this section at official
26 inspection stations as provided in Section 851 et seq. of this
27 title, and that an official certificate of inspection and approval
28 be obtained for each such vehicle.

29 2. Vehicles owned or operated by a fire department may have the
30 inspection performed at the fire station location or the principal
31 location of the fire vehicle.

32 3. Motor carriers and express companies operating under the
jurisdiction of the Interstate Commerce Commission, and/or the
Department of Transportation and interstate and/or intrastate owners

1 and/or operators of commercial, private or public fleets of vehicles
2 maintaining inspection and repair facilities which meet standards
3 established by the Commissioner of Public Safety, may be authorized
4 by the Commissioner to perform such inspections in such carriers'
5 own maintenance shops, without bond, on vehicles owned or operated
6 by them.

7 B. Such inspections shall be made and such certificates
8 obtained with respect to the mechanism and equipment of every such
9 vehicle as shall be designated by the Commissioner of Public Safety.
10 An inspection shall not be done and a certificate shall not be
11 issued pursuant to the provisions of Section 851 et seq. of this
12 title for a vehicle which does not display a current Oklahoma
13 license plate and decal, unless the vehicle is owned by a member of
14 the Armed Forces of the United States assigned to duty in this state
15 in compliance with official military or naval orders or the spouse
16 of such a member of the Armed Forces.

17 C. The Commissioner of Public Safety shall require that the
18 owner of every motor vehicle equipped to be fueled by an alternative
19 fuel shall obtain the ~~annual~~ inspection required by subsection A of
20 this section from an official inspection station.

21 D. 1. Except for vehicles sold dealer to dealer, and wrecked,
22 antique or classic vehicles not driven on the public roadway which
23 have been certified as such under oath by the owner, every vehicle
24 when sold by a licensed dealer shall have been inspected and shall
25 meet the standards of inspection as provided in Section 851 et seq.
26 of this title and shall display a current inspection sticker.

27 2. Every vehicle which has or has been converted to have, or
28 upon conversion to have, the capability of being fueled by an
29 alternative fuel, as defined by Section 130.2 of Title 74 of the
30 Oklahoma Statutes, shall meet the standards of inspection as
31 provided in Chapter 70 of this title and shall display a current
32 inspection sticker.

1 E. The Commissioner of Public Safety is hereby authorized and
2 directed to promulgate necessary rules for the administration and
3 enforcement of Section 851 et seq. of this title and to designate
4 any period or periods of time during which owners of any vehicles,
5 subject to this section, shall display upon such vehicle, except
6 those vehicles exempted pursuant to Section 851 of this title,
7 certificates of inspection and approval or shall produce the same
8 upon demand of any officer or employee of the Department of Public
9 Safety designated by the Commissioner of Public Safety or any police
10 or peace officer when authorized by the Commissioner. As a part of
11 such rules, the Commissioner of Public Safety shall include the
12 requirement that every person subject to the in-lieu-of-tax fee
13 under Section 723 of Title 68 of the Oklahoma Statutes display a
14 current Oklahoma Tax Commission decal on the vehicle as described in
15 Section 723 of Title 68 of the Oklahoma Statutes and that proper
16 display of the decal shall be a requirement for the issuance of an
17 official certificate of inspection and approval for any vehicle
18 using an alternative fuel as defined in Section 130.2 of Title 74 of
19 the Oklahoma Statutes.

20 F. The Commissioner of Public Safety may authorize the
21 acceptance in this state of a certificate of inspection and approval
22 issued in another state having an inspection law similar to Section
23 851 et seq. of this title and may extend the time within which a
24 certificate shall be obtained by the resident owner of a vehicle
25 which was not in this state during the time an inspection was
26 required.

27 G. The Commissioner of Public Safety may suspend the
28 registration of any vehicle which he or she determines is in such
29 unsafe condition as to constitute a menace to safety or which after
30 notice and demand is not equipped as required in Section 851 et seq.
31 of this title or for which a required certificate has not been
32 obtained. Any person who shall have a vehicle registration

1 suspended under the provisions of this section shall immediately
2 forward the vehicle registration to the Department of Public Safety.

3 H. The Department of Public Safety shall promulgate rules to
4 devise a system for issuing inspection stickers through the calendar
5 year of 2000. Each inspection sticker issued during this period
6 shall be for a period of one (1) year or for a period of two (2)
7 years at the discretion of the Department. The fee for an
8 inspection sticker issued for a period of one (1) year shall be half
9 the fee charged for an inspection sticker issued for a period of two
10 (2) years. Commencing January 1, 2001, all inspection stickers
11 shall be issued for a period of two (2) years.

12 SECTION 2. AMENDATORY 47 O.S. 1991, Section 858, as
13 last amended by Section 2, Chapter 179, O.S.L. 1997 (47 O.S. Supp.
14 1998, Section 858), is amended to read as follows:

15 Section 858. A. Official inspection stations shall charge and
16 collect Five Dollars (\$5.00) for each vehicle inspected annually and
17 Ten Dollars (\$10.00) for each vehicle inspected biannually pursuant
18 to the provisions of Sections 851 through 860 of this title.

19 B. Stations shall obtain from the Commissioner of Public Safety
20 an ample quantity of serially numbered decalcomania-type stickers at
21 a cost to the inspection station of One Dollar (\$1.00) for each
22 vehicle inspected annually and Two Dollars (\$2.00) for each vehicle
23 inspected biannually. Any quantity of unused approved stickers may
24 be returned to the Commissioner for a credit or refund. The
25 Commissioner, for each inspection sticker delivered to an inspection
26 station, shall:

27 1. Remit to the State Treasurer to be credited to the General
28 Revenue Fund in the State Treasury the sum of fifty cents (\$0.50)
29 for each One Dollar (\$1.00) received and One Dollar (\$1.00) for each
30 Two Dollars (\$2.00) received; and

31 2. Deposit to the Oklahoma Law Enforcement Retirement Fund the
32 sum of fifty cents (\$0.50) for each One Dollar (\$1.00) received and

1 One Dollar (\$1.00) for each Two Dollars (\$2.00) received. Provided,
2 however, for the fiscal year beginning July 1, 1997, and for each
3 fiscal year thereafter, the Commissioner shall deposit to the
4 Department of Public Safety Patrol Vehicle Revolving Fund, as
5 created pursuant to this act, the first Five Hundred Thousand
6 Dollars (\$500,000.00) of such monies collected for each inspection
7 sticker as hereinbefore mentioned, for the purpose of purchasing
8 patrol vehicles.

9 C. Each inspection station shall keep an accurate record of the
10 serially numbered decalcomania-type inspection stickers. Such
11 record shall designate to whom issued or rejected, and list thereon
12 the name of the inspector performing the final inspection on each
13 inspected vehicle or trailer.

14 SECTION 3. This act shall become effective January 1, 2000.

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