

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1634

By: Blackburn

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7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.
9 1991, Section 1113, as last amended by Section 1,
10 Chapter 403, O.S.L. 1998 (47 O.S. Supp. 1998, Section
11 1113), which relates to registration and license
12 plates; requiring issuance of yearly registration
13 decals for the vehicle windshield; requiring decal to
14 be attached in certain place; prohibiting more than
15 one decal on windshield; stating that certain decal
16 will replace current decal; setting forth procedure
17 if vehicle has no windshield; requiring decals to be
18 certain shape; authorizing Oklahoma Tax Commission to
19 design decals; requiring decals to be made with
20 reflectorized material; requiring Oklahoma Tax
21 Commission to consult with and obtain approval of the
22 Department of Public Safety regarding certain
23 materials and techniques; requiring noncommercial
24 vehicles to carry certificate of registration in
25 vehicle; requiring certain information to be excluded
26 from certificate of registration; and providing an
27 effective date.

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

34 SECTION 1. AMENDATORY 47 O.S. 1991, Section 1113, as
35 last amended by Section 1, Chapter 403, O.S.L. 1998 (47 O.S. Supp.
36 1998, Section 1113), is amended to read as 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
41 distinctive number, and issue the owner of the vehicle a certificate
42 of registration and one license plate or a yearly decal for the year
43 that a license plate is not issued. The yearly decal shall have an
44 identification number and the last two numbers of the registration

1 year for which it shall expire. Except as provided by Section 1113A
2 of this title, the license plate shall be affixed to the exterior of
3 the vehicle until a replacement license plate is applied for. The
4 yearly decal will validate the license plate for each registration
5 period other than the year the license plate is issued. The license
6 plate and decal shall be of such size, color, design and numbering
7 as the Tax Commission may direct. However, yearly decals issued to
8 the owner of a vehicle who has filed an affidavit with the
9 appropriate motor license agent in accordance with Section 7-607 of
10 this title shall be a separate and distinct color from all other
11 decals issued under this section.

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

24 3. Upon payment of the annual registration fee provided in
25 Section 1133 of this title, the Tax Commission may issue a permanent
26 nonexpiring license plate to an owner of ten or more motor vehicles
27 and for vehicles registered under the provisions of Section 1120 of
28 this title. Upon payment of the annual registration fee, the Tax
29 Commission shall issue a certificate of registration that shall be
30 carried at all times in the vehicle for which it is issued.

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1 B. The license plates required under the provisions of this
2 title shall conform to the requirements and specifications listed
3 hereinafter:

4 1. Each license plate shall have a space for the placement of
5 the yearly decals for each succeeding year of registration after the
6 initial issue;

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

13 3. Within the limits herein prescribed the Tax Commission shall
14 redesign the official vehicle license plates which currently bear
15 the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute
16 therefor the legend "Oklahoma Native America" as further described
17 in this paragraph. Except for personalized license plates and
18 license plates issued for motorcycles and mopeds, the emblem on the
19 state flag of Oklahoma as provided for in Section 91 of Title 25 of
20 the Oklahoma Statutes shall be a part of all license plates issued
21 after December 31, 1988. The Tax Commission may continue to issue
22 license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"
23 until any inventory of such license plates is depleted but the Tax
24 Commission shall not produce or cause to be produced any additional
25 license plates with these legends. Except for personalized license
26 plates, license plates issued for commercial vehicles, and license
27 plates issued for motorcycles and mopeds, the "Oklahoma Native
28 America" emblem shall be a part of all license plates issued after
29 December 31, 1993. The specifications for lettering style and
30 appearance for the legend "Oklahoma Native America" shall be
31 provided to the Tax Commission by the Oklahoma Tourism and
32 Recreation Department. The license plates shall be issued with the

1 letters and numerals in the colors of green and white. All license
2 plates and decals shall be made with reflectorized material as a
3 background to the letters, numbers and characters impressed thereon.
4 The reflectorized material shall be of such a nature as to provide
5 effective and dependable brightness during the service period for
6 which the license plate or decal is issued;

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

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

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

27 7. Within the limits prescribed in this section, the Tax
28 Commission shall design appropriate official license plates for
29 vehicles of the Oklahoma Lake Patrol. Such license plates shall
30 have the legend "Oklahoma OK" and shall contain the letters "OLP"
31 followed by the state seal and badge number of the Oklahoma Lake
32

1 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
2 Lake Patrol" shall also be included on such license plates; and

3 8. For all license plates and decals issued after December 31,
4 1999, the yearly registration decals reflecting the month and year
5 the registration will expire, as set forth in subsection A of this
6 section, shall be attached to the inside of the windshield of the
7 vehicle no more than six (6) inches directly above the location of
8 the motor vehicle inspection sticker. At no time shall any vehicle
9 display more than one registration decal on the windshield. This
10 decal shall replace the decal attached to the license plate. If the
11 vehicle has no windshield, the owner of the vehicle shall, upon
12 application for or renewal of the vehicle registration, notify the
13 Tax Commission whereby the Tax Commission shall issue a distinctive
14 decal for attachment to the license plate of the vehicle. The decal
15 for attachment to the windshield shall be in the geographical shape
16 of the State of Oklahoma, and be of such size, color, and numbering
17 as the Tax Commission shall direct. All decals shall be made with
18 reflectorized material. The reflectorized material shall be of such
19 a nature as to provide effective and dependable brightness during
20 the service period for which the decal is issued. The Tax
21 Commission shall consult with and obtain the approval of the
22 Department of Public Safety regarding materials and manufacturing
23 techniques to ensure visibility, reflectability, safety, security,
24 and adhesiveness.

25 C. Where the applicant has satisfactorily shown that the
26 applicant owns the vehicle sought to be registered but is unable to
27 produce documentary evidence of the ownership, a license plate may
28 be issued upon approval by the Tax Commission. In such instances
29 the reason for not issuing a certificate of title shall be indicated
30 on the receipt given to the applicant. It shall still be the duty
31 of the applicant to immediately take all necessary steps to obtain
32 the Oklahoma certificate of title and it shall be unlawful for the

1 applicant to sell the vehicle until the certificate has been
2 obtained in the applicant's name.

3 D. 1. The certificate of registration provided for in this
4 section shall be in convenient form, and the certificate of
5 registration, or a certified copy or photostatic copy thereof, duly
6 authenticated by the Tax Commission, shall be carried at all times
7 in or upon commercial vehicles so registered, in such manner as to
8 permit a ready examination thereof upon demand by any peace officer
9 of the state or duly authorized employee of the Department of Public
10 Safety. Any such officer or agent may seize and hold such
11 commercial vehicle when the operator of the ~~same~~ vehicle does not
12 have the registration certificate in the operator's possession or
13 when any such officer or agent determines that the registration
14 certificate has been obtained by misrepresentation of any essential
15 or material fact or when any number or identifying information
16 appearing on such certificate has been changed, altered, obliterated
17 or concealed in any way, until the proper registration or
18 identification of such vehicle has been made or produced by the
19 owner thereof.

20 2. For all noncommercial vehicles registered and issued a
21 license and decal pursuant to paragraph 8 of subsection B of this
22 section, the certificate of registration shall be carried at all
23 times in the vehicle in accordance with and subject to the
24 provisions of paragraph 1 of this subsection. The certificate of
25 registration required to be carried in the vehicle pursuant to this
26 paragraph shall not include the street address but shall include the
27 town or city of residence of the owner of the vehicle.

28 E. The purchaser of a new or used manufactured home shall,
29 within thirty (30) days of the date of purchase, register the home
30 with the Tax Commission or a motor license agent pursuant to the
31 provisions of Section 1117 of this title. For a new manufactured
32 home, it shall be the responsibility of the dealer selling the home

1 to place a temporary license plate on the home in the same manner as
2 provided in Section 1128 of this title for other new motor vehicles.
3 For the first year that any manufactured home is registered in this
4 state, the Tax Commission shall issue a metal license plate which
5 shall be affixed to the manufactured home. Manufactured homes
6 previously registered and subject to ad valorem taxation as provided
7 by law shall have the metal license plate affixed at the time ad
8 valorem taxes are paid for such manufactured home. The owner of the
9 home shall be required to affix such plate to the home. The Tax
10 Commission shall make sufficient plates available to the various
11 motor license agents of the state in order for an owner of a
12 manufactured home to acquire the plate. A One Dollar (\$1.00) fee
13 shall be charged for issuance of any plate. The fee shall be
14 apportioned each month to the General Revenue Fund of the State
15 Treasury.

16 F. The manufactured home license plate shall be designed so
17 that it is easily visible for purposes of verification by a county
18 assessor that the manufactured home is properly assessed for ad
19 valorem taxation. The plate shall be designed for a yearly decal.
20 In the first year of registration, a decal shall be issued for
21 placement on the license plate indicating payment of applicable
22 registration fees and excise taxes. In the second and all
23 subsequent years for which the manufactured home is subject to ad
24 valorem taxation, an annual decal shall be affixed to the license
25 plate as evidence of payment of ad valorem taxes. The Tax
26 Commission shall issue decals to the various county treasurers of
27 the state in order for a manufactured home owner to obtain such
28 decal each year. Upon presentation of a valid ad valorem tax
29 receipt, the manufactured home owner shall be issued the annual
30 decal.

31 G. Upon the registration of a manufactured home in this state
32 for the first time or upon discovery of a manufactured home

1 previously registered within this state for which the information
2 required by this subsection is not known, the Tax Commission shall
3 obtain:

- 4 1. The name of the owner of the manufactured home;
- 5 2. The serial number or identification number of the
6 manufactured home;
- 7 3. A legal description or address of the location for the home;
- 8 4. The actual retail selling price of the manufactured home
9 excluding Oklahoma taxes;
- 10 5. The certificate of title number for the home; and
- 11 6. Any other information which the Tax Commission deems to be
12 necessary.

13 The application for registration shall also include the school
14 district in which the manufactured home is located or is to be
15 located. The information shall be entered into a computer data
16 system which shall be used by the Tax Commission to provide
17 information to county assessors upon request by the assessor. The
18 assessor may request any information from the system in order to
19 properly assess a manufactured home for ad valorem taxation.

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

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