

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 50

By: Helton of the Senate

and

6 Wells of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicles; amending 47 O.S.
12 1991, Section 1113, as last amended by Section 14 of
13 Enrolled House Bill No. 1845 of the 1st Session of
14 the 47th Oklahoma Legislature, which relates to motor
15 vehicle registration and license plates; requiring
16 Oklahoma Tax Commission to design license plates for
17 Oklahoma Military Department vehicles; specifying
18 certain design requirements; and providing an
19 effective date.

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

21 SECTION 1. AMENDATORY 47 O.S. 1991, Section 1113, as
22 last amended by Section 14 of Enrolled House Bill No. 1845 of the
23 1st Session of the 47th Oklahoma Legislature, is amended to read as
24 follows:

25 Section 1113. A. 1. Upon the filing of a registration
26 application and the payment of the fees provided for in the Oklahoma
27 Vehicle License and Registration Act, the Oklahoma Tax Commission
28 shall assign to the vehicle described in the application a
29 distinctive number, and issue to the owner of the vehicle a
30 certificate of registration and one license plate or a yearly decal
31 for the year that a license plate is not issued. The yearly decal
32 shall have an identification number and the last two numbers of the
33 registration year for which it shall expire. Except as provided by
34 Section 1113A of this title, the license plate shall be affixed to

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

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

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

30 B. The license plates required under the provisions of this
31 title shall conform to the requirements and specifications listed
32 hereinafter:

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

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

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

1 The reflectorized material shall be of such a nature as to provide
2 effective and dependable brightness during the service period for
3 which the license plate or decal is issued;

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

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

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

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

31 8. Within the limits prescribed in this section, the Tax
32 Commission shall design appropriate official license plates for

1 vehicles of the Oklahoma Military Department. Such license plates
2 shall have the legend "Oklahoma OK" and shall contain the letters
3 "OMD" followed by the state seal and three numbers or letters as
4 designated by the Adjutant General. The words "Oklahoma Military
5 Department" shall also be included on such license plates.

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

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

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

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

1 decal each year. Upon presentation of a valid ad valorem tax
2 receipt, the manufactured home owner shall be issued the annual
3 decal.

4 G. Upon the registration of a manufactured home in this state
5 for the first time or upon discovery of a manufactured home
6 previously registered within this state for which the information
7 required by this subsection is not known, the Tax Commission shall
8 obtain:

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

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

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

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