

EHB 1268

1 THE STATE SENATE
2 Wednesday, March 24, 1999

3 ENGROSSED

4 House Bill No. 1268

5 As Amended

6 ENGROSSED HOUSE BILL NO. 1268 - By: OSTRANDER, ADKINS, COLEMAN,
7 LANGMACHER, TYLER, VAUGHN, WELLS, ASKINS, BRADDOCK, EASLEY and
8 PHILLIPS of the House and EASLEY of the Senate.

9 (motor vehicles - amending 47 O.S., Sections 854 and 858 -
10 vehicle inspections - fee amount -

11 effective date)

12 SECTION 1. AMENDATORY 47 O.S. 1991, Section 854, as

13 last amended by Section 1, Chapter 158, O.S.L. 1998 (47 O.S. Supp.
14 1998, Section 854), is amended to read as follows:

15 Section 854. A. 1. The Commissioner of Public Safety shall
16 require that every motor vehicle, trailer, semitrailer and pole
17 trailer, as defined in Chapter 1 of this title, registered or
18 operated in this state, be inspected once a year or every two (2)

19 years pursuant to subsection H of this section at official
20 inspection stations as provided in Section 851 et seq. of this
21 title, and that an official certificate of inspection and approval
22 be obtained for each such vehicle.

23 2. Vehicles owned or operated by a fire department may have the
24 inspection performed at the fire station location or the principal
25 location of the fire vehicle.

1 3. Motor carriers and express companies operating under the
2 jurisdiction of the Interstate Commerce Commission, and/or the
3 Department of Transportation and interstate and/or intrastate owners
4 and/or operators of commercial, private or public fleets of vehicles
5 maintaining inspection and repair facilities which meet standards
6 established by the Commissioner of Public Safety, may be authorized
7 by the Commissioner to perform such inspections in such carriers'
8 own maintenance shops, without bond, on vehicles owned or operated
9 by them.

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

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

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

7 2. Every vehicle which has or has been converted to have, or
8 upon conversion to have, the capability of being fueled by an
9 alternative fuel, as defined by Section 130.2 of Title 74 of the
10 Oklahoma Statutes, shall meet the standards of inspection as
11 provided in Chapter 70 of this title and shall display a current
12 inspection sticker.

13 E. The Commissioner of Public Safety is hereby authorized and
14 directed to promulgate necessary rules for the administration and
15 enforcement of Section 851 et seq. of this title and to designate
16 any period or periods of time during which owners of any vehicles,
17 subject to this section, shall display upon such vehicle, except
18 those vehicles exempted pursuant to Section 851 of this title,
19 certificates of inspection and approval or shall produce the same
20 upon demand of any officer or employee of the Department of Public
21 Safety designated by the Commissioner of Public Safety or any police
22 or peace officer when authorized by the Commissioner. As a part of
23 such rules, the Commissioner of Public Safety shall include the

1 requirement that every person subject to the in-lieu-of-tax fee
2 under Section 723 of Title 68 of the Oklahoma Statutes display a
3 current Oklahoma Tax Commission decal on the vehicle as described in
4 Section 723 of Title 68 of the Oklahoma Statutes and that proper
5 display of the decal shall be a requirement for the issuance of an
6 official certificate of inspection and approval for any vehicle
7 using an alternative fuel as defined in Section 130.2 of Title 74 of
8 the Oklahoma Statutes.

9 F. The Commissioner of Public Safety may authorize the
10 acceptance in this state of a certificate of inspection and approval
11 issued in another state having an inspection law similar to Section
12 851 et seq. of this title and may extend the time within which a
13 certificate shall be obtained by the resident owner of a vehicle
14 which was not in this state during the time an inspection was
15 required.

16 G. The Commissioner of Public Safety may suspend the
17 registration of any vehicle which he or she determines is in such
18 unsafe condition as to constitute a menace to safety or which after
19 notice and demand is not equipped as required in Section 851 et seq.
20 of this title or for which a required certificate has not been
21 obtained. Any person who shall have a vehicle registration
22 suspended under the provisions of this section shall immediately
23 forward the vehicle registration to the Department of Public Safety.

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

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

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

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

1 Commissioner, for each inspection sticker delivered to an inspection
2 station, shall:

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

7 2. Deposit to the Oklahoma Law Enforcement Retirement Fund the
8 sum of fifty cents (\$0.50) for each One Dollar (\$1.00) received and
9 One Dollar (\$1.00) for each Two Dollars (\$2.00) received. Provided,
10 however, for the fiscal year beginning July 1, 1997, and for each
11 fiscal year thereafter, the Commissioner shall deposit to the
12 Department of Public Safety Patrol Vehicle Revolving Fund, as
13 created pursuant to this act, the first Five Hundred Thousand
14 Dollars (\$500,000.00) of such monies collected for each inspection
15 sticker as hereinbefore mentioned, for the purpose of purchasing
16 patrol vehicles.

17 C. Each inspection station shall keep an accurate record of the
18 serially numbered decalcomania-type inspection stickers. Such
19 record shall designate to whom issued or rejected, and list thereon
20 the name of the inspector performing the final inspection on each
21 inspected vehicle or trailer.

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

23 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 3-23-99 - DO PASS,
24 As Amended.