

SB 319

THE STATE SENATE
Tuesday, February 23, 1999

Senate Bill No. 319
As Amended

SENATE BILL NO. 319 - By: MONSON of the Senate and LANGMACHER of the House.

[motor vehicles - vehicle inspections - effective date - emergency]

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

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

Section 854. A. 1. The Commissioner of Public Safety shall require that every motor vehicle, trailer, semitrailer, and pole trailer, ~~as defined in Chapter 1 of this title,~~ registered or operated in this state, be inspected once a year at official inspection stations as provided in Section 851 et seq. of this title, and that an official certificate of inspection and approval be obtained for each such vehicle.

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

3. Motor carriers and express companies operating under the jurisdiction of the Interstate Commerce Commission, and/or the

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

8 B. Such inspections shall be made and such certificates
9 obtained with respect to the mechanism and equipment of every such
10 vehicle as shall be designated by the Commissioner ~~of Public Safety~~.
11 An inspection shall not be done and a certificate shall not be
12 issued pursuant to the provisions of Section 851 et seq. of this
13 title for a vehicle which does not display a current Oklahoma
14 license plate and decal, unless the vehicle is owned by a member of
15 the Armed Forces of the United States assigned to duty in this state
16 in compliance with official military or naval orders or the spouse
17 of such a member of the Armed Forces; provided, the Department of
18 Public Safety and the Oklahoma Tax Commission shall promulgate rules
19 to provide for the inspection of rebuilt vehicles pursuant to the
20 provisions of Section 1111 of this title prior to registration
21 pursuant to the Oklahoma Vehicle License and Registration Act.

22 C. The Commissioner ~~of Public Safety~~ shall require that the
23 owner of every motor vehicle equipped to be fueled by an alternative

1 fuel shall obtain the annual inspection required by subsection A of
2 this section from an official inspection station.

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

9 2. Every vehicle which has or has been converted to have, or
10 upon conversion to have, the capability of being fueled by an
11 alternative fuel, as defined by Section 130.2 of Title 74 of the
12 Oklahoma Statutes, shall meet the standards of inspection as
13 provided in ~~Chapter 70~~ Section 851 et seq. of this title and shall
14 display a current inspection sticker.

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

1 or peace officer when authorized by the Commissioner. As a part of
2 such rules, the Commissioner ~~of Public Safety~~ shall include the
3 requirement that every person subject to the in-lieu-of-tax fee
4 under Section 723 of Title 68 of the Oklahoma Statutes display a
5 current ~~Oklahoma~~ Tax Commission decal on the vehicle as described in
6 Section 723 of Title 68 of the Oklahoma Statutes and that proper
7 display of the decal shall be a requirement for the issuance of an
8 official certificate of inspection and approval for any vehicle
9 using an alternative fuel as defined in Section 130.2 of Title 74 of
10 the Oklahoma Statutes.

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

18 G. The Commissioner ~~of Public Safety~~ may suspend the
19 registration of any vehicle which he or she determines is in such
20 unsafe condition as to constitute a menace to safety or which after
21 notice and demand is not equipped as required in Section 851 et seq.
22 of this title or for which a required certificate has not been
23 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 SECTION 2. This act shall become effective July 1, 1999.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-16-99 - DO PASS,
9 As Amended and Coauthored.