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**THE STATE SENATE**  
**Tuesday, February 23, 1999**

**Senate Bill No. 50**

SENATE BILL NO. 50 - By: HELTON of the Senate and WELLS of the House.

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 1113, as last amended by Section 1, Chapter 403, O.S.L. 1998 (47 O.S. Supp. 1998, Section 1113), which relates to the Oklahoma Vehicle License and Registration Act; merging and incorporating duplicate section provisions relating to permanent nonexpiring license plates; requiring Oklahoma Tax Commission to design license plates for vehicles of Oklahoma Military Department; specifying certain design requirements; repealing 47 O.S. 1991, Section 1113, as last amended by Section 2, Chapter 355, O.S.L. 1998 (47 O.S. Supp. 1998, Section 1113), which is a duplicate section and which relates to vehicle registration; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1113, as last amended by Section 1, Chapter 403, O.S.L. 1998 (47 O.S. Supp. 1998, Section 1113), is amended to read as follows:

Section 1113. A. 1. Upon the filing of a registration application and the payment of the fees provided for in the Oklahoma Vehicle License and Registration Act, the Oklahoma Tax Commission shall assign to the vehicle described in the application a distinctive number, and issue to the owner of the vehicle a certificate of registration and one license plate or a yearly decal for the year that a license plate is not issued. The yearly decal shall have an identification number and the last two numbers of the

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

1           3. Upon payment of the annual registration fee provided in  
2 Section 1133 of this title, the Tax Commission or a motor license  
3 agent may issue a permanent nonexpiring license plate to an owner of  
4 ~~ten~~ one hundred or more motor commercial vehicles and for vehicles  
5 registered under the provisions of Section 1120 of this title. Upon  
6 payment of the annual registration fee, the Tax Commission shall  
7 issue a certificate of registration that shall be carried at all  
8 times in the vehicle for which it is issued.

9           B. The license plates required under the provisions of this  
10 title shall conform to the requirements and specifications listed  
11 hereinafter:

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

15           2. The provisions of the Oklahoma Vehicle License and  
16 Registration Act regarding the issuance of yearly decals shall not  
17 apply to the issuance of apportioned license plates, including  
18 license plates for state vehicles, and exempt plates for  
19 governmental entities and fire departments organized pursuant to  
20 Section 592 of Title 18 of the Oklahoma Statutes;

21           3. Within the limits herein prescribed the Tax Commission shall  
22 redesign the official vehicle license plates which currently bear  
23 the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute

1 therefor the legend "Oklahoma Native America" as further described  
2 in this paragraph. Except for personalized license plates and  
3 license plates issued for motorcycles and mopeds, the emblem on the  
4 state flag of Oklahoma as provided for in Section 91 of Title 25 of  
5 the Oklahoma Statutes shall be a part of all license plates issued  
6 after December 31, 1988. The Tax Commission may continue to issue  
7 license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"  
8 until any inventory of such license plates is depleted but the Tax  
9 Commission shall not produce or cause to be produced any additional  
10 license plates with these legends. Except for personalized license  
11 plates, license plates issued for commercial vehicles, and license  
12 plates issued for motorcycles and mopeds, the "Oklahoma Native  
13 America" emblem shall be a part of all license plates issued after  
14 December 31, 1993. The specifications for lettering style and  
15 appearance for the legend "Oklahoma Native America" shall be  
16 provided to the Tax Commission by the Oklahoma Tourism and  
17 Recreation Department. The license plates shall be issued with the  
18 letters and numerals in the colors of green and white. All license  
19 plates and decals shall be made with reflectorized material as a  
20 background to the letters, numbers and characters impressed thereon.  
21 The reflectorized material shall be of such a nature as to provide  
22 effective and dependable brightness during the service period for  
23 which the license plate or decal is issued;

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

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

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

21           7. Within the limits prescribed in this section, the Tax  
22 Commission shall design appropriate official license plates for  
23 vehicles of the Oklahoma Lake Patrol. Such license plates shall

1 have the legend "Oklahoma OK" and shall contain the letters "OLP"  
2 followed by the state seal and badge number of the Oklahoma Lake  
3 Patrol officer to whom the vehicle is assigned. The words "Oklahoma  
4 Lake Patrol" shall also be included on such license plates~~;~~; and

5 8. Within the limits prescribed in this section, the Tax  
6 Commission shall design appropriate official license plates for  
7 vehicles of the Oklahoma Military Department. Such license plates  
8 shall have the legend "Oklahoma OK" and shall contain the letters  
9 "OMD" followed by the state seal and three numbers or letters as  
10 designated by the Adjutant General. The words "Oklahoma Military  
11 Department" shall also be included on such license plates.

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

22 D. The certificate of registration provided for in this section  
23 shall be in convenient form, and the certificate of registration, or

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

15 E. The purchaser of a new or used manufactured home shall,  
16 within thirty (30) days of the date of purchase, register the home  
17 with the Tax Commission or a motor license agent pursuant to the  
18 provisions of Section 1117 of this title. For a new manufactured  
19 home, it shall be the responsibility of the dealer selling the home  
20 to place a temporary license plate on the home in the same manner as  
21 provided in Section 1128 of this title for other new motor vehicles.  
22 For the first year that any manufactured home is registered in this  
23 state, the Tax Commission shall issue a metal license plate which

1 shall be affixed to the manufactured home. Manufactured homes  
2 previously registered and subject to ad valorem taxation as provided  
3 by law shall have the metal license plate affixed at the time ad  
4 valorem taxes are paid for such manufactured home. The owner of the  
5 home shall be required to affix such plate to the home. The Tax  
6 Commission shall make sufficient plates available to the various  
7 motor license agents of the state in order for an owner of a  
8 manufactured home to acquire the plate. A One Dollar (\$1.00) fee  
9 shall be charged for issuance of any plate. The fee shall be  
10 apportioned each month to the General Revenue Fund of the State  
11 Treasury.

12 F. The manufactured home license plate shall be designed so  
13 that it is easily visible for purposes of verification by a county  
14 assessor that the manufactured home is properly assessed for ad  
15 valorem taxation. The plate shall be designed for a yearly decal.  
16 In the first year of registration, a decal shall be issued for  
17 placement on the license plate indicating payment of applicable  
18 registration fees and excise taxes. In the second and all  
19 subsequent years for which the manufactured home is subject to ad  
20 valorem taxation, an annual decal shall be affixed to the license  
21 plate as evidence of payment of ad valorem taxes. The Tax  
22 Commission shall issue decals to the various county treasurers of  
23 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

1 assessor may request any information from the system in order to  
2 properly assess a manufactured home for ad valorem taxation.

3 SECTION 2. REPEALER 47 O.S. 1991, Section 1113, as last  
4 amended by Section 2, Chapter 355, O.S.L. 1998 (47 O.S. Supp. 1998,  
5 Section 1113), is hereby repealed.

6 SECTION 3. This act shall become effective November 1, 1999.

7 COMMITTEE REPORT BY: COMMITTEE ON VETERANS, MILITARY AFFAIRS &  
8 PUBLIC SAFETY, dated 2-15-99 - DO PASS, As Coauthored.