

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1268

By: Ostrander

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Sections 854, as last amended by Section 1, Chapter 158, O.S.L. 1998 and 858, as last amended by Section 2, Chapter 179, O.S.L. 1997 (47 O.S. Supp. 1998, Sections 854 and 858), which relate to vehicle inspections; modifying time period for inspections; modifying fee amount; and providing an effective date.

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~~ every two (2) years 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 Department of Transportation and interstate and/or intrastate owners and/or operators of commercial, private or public fleets of vehicles maintaining inspection and repair facilities which meet standards

established by the Commissioner of Public Safety, may be authorized by the Commissioner to perform such inspections in such carriers' own maintenance shops, without bond, on vehicles owned or operated by them.

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

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

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

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

E. The Commissioner of Public Safety is hereby authorized and directed to promulgate necessary rules for the administration and

enforcement of Section 851 et seq. of this title and to designate any period or periods of time during which owners of any vehicles, subject to this section, shall display upon such vehicle, except those vehicles exempted pursuant to Section 851 of this title, certificates of inspection and approval or shall produce the same upon demand of any officer or employee of the Department of Public Safety designated by the Commissioner of Public Safety or any police or peace officer when authorized by the Commissioner. As a part of such rules, the Commissioner of Public Safety shall include the requirement that every person subject to the in-lieu-of-tax fee under Section 723 of Title 68 of the Oklahoma Statutes display a current Oklahoma Tax Commission decal on the vehicle as described in Section 723 of Title 68 of the Oklahoma Statutes and that proper display of the decal shall be a requirement for the issuance of an official certificate of inspection and approval for any vehicle using an alternative fuel as defined in Section 130.2 of Title 74 of the Oklahoma Statutes.

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

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

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

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

B. Stations shall obtain from the Commissioner of Public Safety an ample quantity of serially numbered decalcomania-type stickers at a cost to the inspection station of One Dollar (\$1.00) each. Any quantity of unused approved stickers may be returned to the Commissioner for a credit or refund. The Commissioner, for each inspection sticker delivered to an inspection station, shall:

1. Remit to the State Treasurer to be credited to the General Revenue Fund in the State Treasury the sum of fifty cents (\$0.50); and

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

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

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

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